

2021 SENATE EDUCATION

SB 2304

2021 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2304
2/1/2021

A BILL relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

Chair Schaible opened hearing at 2:25 p.m.

Discussion Topics:

- Historical perspective

Sen Heckamann introduced the bill. #4331

Sen Heckamann read Sen Marcellais -#4339, #4299

Bette Grande – testified in support. #4698

Rep Buffalo, Dist 27 – testified in support. #4696

Leander McDonald – **UTTC** - testified in support.

Billi Jo Beheler testified in support

Cheryl Kary – Ex Dir – Sacred Pipe Resource Center – testified in support. #4695

Cara Curie Hall – testified in support. #4624

Courtney Davis Souvannasacd – testified via Zoom in support. #4626

Tipiziwin Tolman – testified via Zoom in support #4628

Sen O Larsen – testified in support

Jamie Asure – TMBCI – testified in support.

Andrew Varvel – testified opposed #4529

Dr Aimee Copas – Ex Dir - NDCEL – testified opposed #4621

Alexia Baxley - NDSBA testified opposed #4661

Senator	Attendance
Chairman Schaible	P
Senator Elkin	P
Senator Conley	P
Senator Lemm	P
Senator Oban	P
Senator Wobbema	p

Additional written testimony:

Carmelita Lamb #4649

Lewis K Hall #4623

Denise Juneau #4538

Lisa Casarez – in support #4611

Amy Ingersoll-Johnson – in support #4603

Adjourned at 3:50 p.m.

Lynn Wolf, Committee Clerk

Senator Joan Heckaman

Chairman and Members of the Committee: I am Senator Joan Heckaman representing District 23 and I am here to introduce SB 2304 to you this afternoon.

I would like to start off by telling you my testimony is very short, but I would ask permission to read Senator Richard Marcellais' s testimony as he is absent today.

SB 2304 requires all public elementary, secondary, and nonpublic schools in the state to include curriculum on Native American history integrated into their social studies curriculum. The four-week course could be included in several options already taught in our schools. Grades 4 and 8 already participate in North Dakota studies and this would be a perfect fit for them. Other US history courses and even a Government course could be the fit for grades 9-12.

I received information from Lucy Fredricks from the Department of Public Instruction via my staff that there are already some prepared lessons developed with the input of tribal elders from the different tribes following essential understanding that the elders developed. This project continues to grow with new lessons and content and are available for download from the department's web site. Over 3000 teachers across the state have been trained with on-site training as well as training during conferences. So, this information is readily available but not all students have access to this information.

Schools that have received training from NDNAEU (North Dakota Native American Essential Understanding) project include schools at Bismarck, Mandan, New Town, Sunny Side elementary in Minot, Fargo, West Fargo, Dunseith, Belcourt, Warwick, Central MS, Circle of Nations, Mandaree, Four Winds, and Cannonball Elementary.

As you can see many these schools are schools with a rich presence of Native American heritage that we should not lose. But a greater richness can develop as all schools across North Dakota understand and appreciate Native American history.

Chairman, that completes my testimony. I would like to read Senator Marcellais testimony with your permission.



NORTH DAKOTA SENATE

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#4339



Senator Richard Marcellais

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COMMITTEES:

Education
Government and Veterans Affairs

SB 2304 Testimony

Senate Education Committee

Room 216 2/01/21 @ 2:15 am

Chairmen Schaible members of the Senate Education Committee for the record my name is Richard Marcellais Senator from Rolette County District 9.

I am here this afternoon to testify on SB 2304— relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

The bill would allow students to learn more about our Native American Nations (Mandan, Hidatsa & Arikara, Standing Rock, Spirit Lake, Turtle Mountain Band of Chippewa, Sisseton-Wahpeton Oyate nations) in the state of North Dakota. These nations have contributed greatly to the state of North Dakota and we welcome all students to experience Native American culture, learn more about each nation's history, language and traditions.

The students would have the opportunity to learn about: Knife River Indian Villages National Historic Site; On-A-Slant Indian Village; Fort Abraham Lincoln State Park; Crow Flies High Butte; Four Bears Bridge; Three Affiliated Tribes

Museum; Earth Lodge Village; Old Scouts Cemetery; Killdeer Mountain Four Bears Scenic Byways; Sitting Bull Burial Site; Standing Rock National Native American Scenic Byway; Fort Totten State Historic Site; White Horse Hill National Game Preserve; bison herd and prairie dog town; Turtle Mountain Scenic Byway; Tewaukon National Wildlife Refuge and much more.

Chairman Schaible members of the Senate Education Committee, I urge Do Pass on Senate Bill 2304 for the students of North Dakota to learn about the Native American culture and history in the State of North Dakota.

Sixty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2304

Introduced by

Senators Heckaman, Marcellais

1 A BILL for an Act to amend and reenact subsection 3 of section 15.1-21-01 and subsection 1 of
2 section 15.1-21-02 of the North Dakota Century Code, relating to requiring all elementary and
3 secondary public and nonpublic schools in the state to include curriculum on Native American
4 history.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 15.1-21-01 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 3. Social studies, including:

9 a. The United States Constitution;

10 b. United States history;

11 c. Geography;

12 d. Government; and

13 e. North Dakota studies, with an emphasis on the geography, history, and
14 agriculture of this state, in the fourth and eighth grades; and

15 f. A mandated four-week instructional course, developed in collaboration with
16 federally recognized Indian tribes in the state, encompassing the Native
17 American story, including:

18 (1) Contributions of Native Americans to the sociology of North Dakota;

19 (2) Current tribal relations with the state and the United States;

20 (3) Tribal history;

21 (4) Tribal sovereignty;

22 (5) Culture;

23 (6) Treaty rights;

24 (7) Socioeconomic experiences; and

1 (8) Current events.

2 **SECTION 2. AMENDMENT.** Subsection 1 of section 15.1-21-02 of the North Dakota
3 Century Code is amended and reenacted as follows:

- 4 1. In order to be approved by the superintendent of public instruction, each public and
5 nonpublic high school shall provide instruction in and make available to each student:
- 6 a. Four units of English language arts from a sequence that includes literature,
7 composition, and speech;
- 8 b. Four units of mathematics, including:
- 9 (1) One unit of algebra II; and
10 (2) One unit for which algebra II is a prerequisite;
- 11 c. Four units of science, including:
- 12 (1) One unit of physical science; and
13 (2) One unit of biology;
- 14 d. Four units of social studies, including:
- 15 (1) One unit of world history;
- 16 (2) One unit of United States history, which must include a mandated four-week
17 instructional unit, developed in collaboration with federally recognized Indian
18 tribes in the state, encompassing the Native American story, including:
- 19 (a) Contributions of Native Americans to the sociology of North Dakota;
20 (b) Current tribal relations with the state and the United States;
21 (c) Tribal history;
22 (d) Tribal sovereignty;
23 (e) Culture;
24 (f) Treaty rights;
25 (g) Socioeconomic experiences; and
26 (h) Current events; and
- 27 (3) (a) One unit of problems of democracy; or
28 (b) One-half unit of United States government and one-half unit of
29 economics;
- 30 e. One-half unit of health;

- 1 f. One-half unit of physical education during each school year, provided that once
- 2 every four years the unit must be a concept-based fitness class that includes
- 3 instruction in the assessment, improvement, and maintenance of personal
- 4 fitness;
- 5 g. Two units of fine arts, at least one of which must be music;
- 6 h. Two units of the same foreign or native American language;
- 7 i. One unit of an advanced placement course or one unit of a dual-credit course;
- 8 and
- 9 j. Two units of career and technical education from a coordinated plan of study
- 10 recommended by the department of career and technical education and
- 11 approved by the superintendent of public instruction.

<https://www.congress.gov/bill/111th-congress/senate-joint-resolution/14/text>

111TH CONGRESS
1ST SESSION

S.J.RES.14

To acknowledge a long history of official depredations and ill-conceived policies by the Federal Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2009

Mr. BROWNBACK (for himself, Mr. INOUE, Mr. BAUCUS, Mrs. BOXER, Mr. CRAPO, Ms. CANTWELL, Mr. COBURN, Mr. HARKIN, Mr. LIEBERMAN, and Mr. TESTER) introduced the following joint resolution; which was read twice and referred to the Committee on Indian Affairs

JOINT RESOLUTION

To acknowledge a long history of official depredations and ill-conceived policies by the Federal Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

Whereas the ancestors of today's Native Peoples inhabited the land of the present-day United States since time immemorial and for thousands of years before the arrival of people of European descent;

Whereas for millennia, Native Peoples have honored, protected, and stewarded this land we cherish;

Whereas Native Peoples are spiritual people with a deep and abiding belief in the Creator, and for millennia Native Peoples have maintained a powerful spiritual connection to this land, as evidenced by their customs and legends;

Whereas the arrival of Europeans in North America opened a new chapter in the history of Native Peoples;

Whereas while establishment of permanent European settlements in North America did stir conflict with nearby Indian tribes, peaceful and mutually beneficial interactions also took place;

Whereas the foundational English settlements in Jamestown, Virginia, and Plymouth, Massachusetts, owed their survival in large measure to the compassion and aid of Native Peoples in the vicinities of the settlements;

Whereas in the infancy of the United States, the founders of the Republic expressed their desire for a just relationship with the Indian tribes, as evidenced by the Northwest Ordinance enacted by Congress in 1787, which begins with the phrase, "The utmost good faith shall always be observed toward the Indians";

Whereas Indian tribes provided great assistance to the fledgling Republic as it strengthened and grew, including invaluable help to Meriwether Lewis and William Clark on their epic journey from St. Louis, Missouri, to the Pacific Coast;

Whereas Native Peoples and non-Native settlers engaged in numerous armed conflicts in which unfortunately, both took innocent lives, including those of women and children;

Whereas the Federal Government violated many of the treaties ratified by Congress and other diplomatic agreements with Indian tribes;

Whereas the United States forced Indian tribes and their citizens to move away from their traditional homelands and onto federally established and controlled reservations, in accordance with such Acts as the Act of May 28, 1830 (4 Stat. 411, chapter 148) (commonly known as the "Indian Removal Act");

Whereas many Native Peoples suffered and perished—

(1) during the execution of the official Federal Government policy of forced removal, including the infamous Trail of Tears and Long Walk;

(2) during bloody armed confrontations and massacres, such as the Sand Creek Massacre in 1864 and the Wounded Knee Massacre in 1890; and

(3) on numerous Indian reservations;

Whereas the Federal Government condemned the traditions, beliefs, and customs of Native Peoples and endeavored to assimilate them by such policies as the redistribution of land under the Act of February 8, 1887 (25 U.S.C. 331; 24 Stat. 388, chapter 119) (commonly known as the "General Allotment Act"), and the forcible removal of Native children from their families to faraway boarding schools where their Native practices and languages were degraded and forbidden;

Whereas officials of the Federal Government and private United States citizens harmed Native Peoples by the unlawful acquisition of recognized tribal land and the theft of tribal resources and assets from recognized tribal land;

Whereas the policies of the Federal Government toward Indian tribes and the breaking of covenants with Indian tribes have contributed to the severe social ills and economic troubles in many Native communities today;

Whereas despite the wrongs committed against Native Peoples by the United States, Native Peoples have remained committed to the protection of this great land, as evidenced by the fact that, on a per capita basis, more Native Peoples have served in the United States Armed Forces and placed themselves in harm's way in defense of the United States in every major military conflict than any other ethnic group;

Whereas Indian tribes have actively influenced the public life of the United States by continued cooperation with Congress and the Department of the Interior, through the involvement of Native individuals in official Federal Government positions, and by leadership of their own sovereign Indian tribes;

Whereas Indian tribes are resilient and determined to preserve, develop, and transmit to future generations their unique cultural identities;

Whereas the National Museum of the American Indian was established within the Smithsonian Institution as a living memorial to Native Peoples and their traditions; and

Whereas Native Peoples are endowed by their Creator with certain unalienable rights, and among those are life, liberty, and the pursuit of happiness: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RESOLUTION OF APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES.

(a) ACKNOWLEDGMENT AND APOLOGY.—The United States, acting through Congress—

(1) recognizes the special legal and political relationship Indian tribes have with the United States and the solemn covenant with the land we share;

(2) commends and honors Native Peoples for the thousands of years that they have stewarded and protected this land;

(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes;

(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;

(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;

(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land; and

(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.

(b) **DISCLAIMER.**—Nothing in this Joint Resolution—

(1) authorizes or supports any claim against the United States; or

(2) serves as a settlement of any claim against the United States.

February 1, 2021



North Dakota House of Representatives

State Capitol
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Representative
Ruth Buffalo
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Committees:

Agriculture

January

Chair Donald Schaible and Senate Education Committee,

My name is Ruth Buffalo and I represent District 27 in south Fargo. I am here to offer support for SB 2304. It is important true and accurate history is taught within the K-12 Education Curriculum. Studies have shown sustainable learning outcomes are present when students are provided with educational learning opportunities that expand their knowledge base. Native Americans are the original inhabitants of these very lands, but often are an afterthought within their very homelands. Providing a 4-week instructional unit of Native American History annually will contribute to the visibility of Native Americans. Native Americans are "Not Invisible", but over time, those who not only are in charge of writing history control the narrative of any particular population. But those who teach our children are equally responsible to contributing to a true and accurate narrative of a population outside of their very own.

Please give SB 2304 a Do Pass Recommendation, our future generations will thank you for it.

Maacigiraac!

Thank you!

Testimony in SUPPORT of SB 2304
Related to the Addition of Indian Education
Senate Committee on Education
February 1, 2021 • ND State Capitol
Submitted by Cheryl Kary, Ph.D.
Cheryl@sacredpipe.net • 701.426.1315

Chairperson and members of the Committee:

My name is Cheryl Kary and I am the Executive Director of the Sacred Pipe Resource Center, a local non-profit serving the American Indian population in Bismarck-Mandan and Lincoln.

I would like to offer this testimony in support of SB 2304, relating to the addition of Indigenous Studies to the requirements for North Dakota students. I am particularly interested in the passage of this bill because I see the need for this type of education nearly every day in my interactions with service providers, the business community, and the general public. In my work at the Sacred Pipe Resource Center, I do a lot of outreach, training and service as a liaison between Native and non-Native communities. And no matter what type of project I'm involved in, I find myself being an educator and having to explain a good part of history and background in order for people to understand the issues of today. If I had a dollar for every time an individual has said to me, "I wish I had known this" or "I wish I had learned this in school" or "Why don't I know this?", I could retire tomorrow. There is so much that people in our community just DO NOT KNOW about Indigenous people and history. And this is a detriment to our communities who must work together in the dark. It contributes to misunderstandings, resentment, and common mistakes that could easily be solved with the passage of this bill.

I am here to encourage your support of SB2304. The bill, as written, provides a lot of latitude for schools to incorporate this content where they are and to their capabilities. As a member of the Bismarck Public Schools Indigenous Parent Committee, I am confident that schools have the professional capacity and support to easily integrate Indigenous content into their current curriculum. More importantly, the students who will benefit from the passage of this bill will be the fully-informed, creative problem-solvers of the future that ND needs.

SENATE STANDING COMMITTEE – EDUCATION

February 1, 2021 – Room 216 / North Dakota 67 Legislative Session

Senate Bill #2304

A Bill relating to requiring all elementary and secondary public and non public schools in the State to include curriculum on Native American History.

CHAIRMAN SCHAIBLE AND MEMBERS OF THE COMMITTEE.

My name is CARA CURRIE HALL, I am Maskwacis Cree, Indigenous, married, a mother, grandmother.

I want acknowledge that we are on the original territory of the Mandan Peoples of the GREAT MHA TRIBAL NATION today.

I am here today to speak in favor of SB#2304 and to ask for your support to vote for and do pass this Bill.

I had the opportunity to speak before the House Education Committee a week ago and I offered information about an international instrument that was developed over decades of work by experts representing indigenous peoples and member states of the United Nations. [UNDRIP] Will speak on later.

A global experience through Sport.

In 1996 I was employed by the Atlanta Committee of the Centennial Olympic Games. I was the Director of the Cultural Program for the Olympic Youth Camp, an Official Program of the Olympic Games.

We had over 500 Youth from 157 Countries come to America to join in this global celebration of good will.

The Olympic Youth Camp theme was “**WE ARE MORE ALIKE THAN WE ARE DIFFERENT**”. Over a period of 14 days we overcame language and cultural

barriers, through, song, food, dance, and cultural exchanges [and with a lot of translators for all the languages]. We created ways to break down nationalistic barriers by encouraging acceptance of international cultures and languages. Our goal, create unity with the global community.

We take this work of creating laws that govern and legislate the instruction of our children, and grandchildren, very serious. The teachings we have as Indigenous Peoples are - that our decisions we make today are impacting Seven Generations after us. It is not different than the non indigenous peoples understandings.

In fact, Mr. Lynn Helms, Executive Director of the North Dakota Industrial Commission – in another platform - stated that, “our decisions we make today will have an impact on our grand children’s grand children”.

So, we agree on the magnitude of creating a system of educating the leaders of tomorrow, and, the necessity to **“put our minds together to see what we can do for our children”**. [Chief Sitting Bull].

As a daughter, grand daughter and great grand daughter of Chiefs, I would be remiss to ignore the excellent work of all of those indigenous experts and member states that worked together over 25 years.

Instead, I will make reference to their words and wisdom to guide these discussions today.

THE UNDRIP, United Nations Declaration on the Rights of Indigenous Peoples, was a long a difficult process, but, it was not an impossible process. In 2007 the UN

It is a representation of the human will to find the common place in which to co-exist. Together, with Indigenous Leaders, Experts, Elders, and Nation States, we brought forth an instrument for us, and those coming after us, that Recognizes and Reaffirms that Indigenous Peoples are unique with unique identities and rights.

Many other instruments and UNDRIP Articles can be referenced for today's discussion but I will highlight two parts of one UNDRIP Article, #14.

I brought a copy of the UNDRIP for you and provided them earlier.

Article 2 Indigenous peoples and individuals are free and equal to all other peoples and individuals

Article 3 Indigenous Peoples have the right of self determination. ...

Article 11 Indigenous Peoples have the right to practice and revitalize their cultural traditions and customs.

Article 13.1. ... the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

ARTICLE 14

1. Indigenous Peoples have the right to establish and control their own educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- 2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.**
- 3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.**

Article 19 **States shall consult and cooperate in good faith** with the indigenous peoples concerned through their own representative institutions in order to obtain their **free prior and informed consent** before adopting and implementing legislative or administrative measures that may affect them.

The “language” can be captured and referenced to support and enhance the work being done here.

In fact, we can offer that the instruction on US History can include the US role in writing and endorsing the United Nations Declaration on the Rights of Indigenous Peoples.

Others have forged a path from which we can observe, learn and draw from. Leading the way in similar efforts on **EXPANDING AND ENHANCING CURRICULUM**, are the States of Montana and California. The National Indian Education Association provides a Resolution of Support for State Legislation that recognizes the culture and history of American Indians, similar to that of Montana Code 20-1-501.

The NIEA Resolution is attached.

The timing for North Dakota to have this discussion could not be more appropriate to bring together the entities and chart a new path forward together. A Bill of this nature, Senate Bill #2304, will build bridges and strengthen the State, and the State and Tribes.

I am asking your Committee to support Senate Bill #2304 and give it a do pass.

I will take any questions at this time.

Ekosi. Thank you.

UN Office of the High Commissioner

The High Commissioner for Human Rights welcomes the adoption of the United Nations Declaration on the Rights of Indigenous Peoples by the General Assembly on 13 September 2007, as a triumph for justice and human dignity following more than two decades of negotiations between governments and indigenous peoples' representatives.

The UN Declaration was adopted by a majority of 143 states in favour, 4 votes against (Australia, Canada, New Zealand and the United States) and 11 abstentions (Azerbaijan, Bangladesh, Bhutan, Burundi, Colombia, Georgia, Kenya, Nigeria, Russian Federation, Samoa and Ukraine).

The Declaration establishes a universal framework of minimum standards for the survival, dignity, well-being and rights of the world's indigenous peoples. The Declaration addresses both individual and collective rights; cultural rights and identity; rights to education, health, employment, language, and others. It outlaws discrimination against indigenous peoples and promotes their full and effective participation in all matters that concern them. It also ensures their right to remain distinct and to pursue their own priorities in economic, social and cultural development. The Declaration explicitly encourages harmonious and cooperative relations between States and indigenous peoples.

Education Committee
February 1, 2021

Testimony on SB 2304

Hello, Good afternoon, members of the Education Committee.

Thank you - I am grateful to share this space with you on the ancestral lands of my relatives: the Anishnaube, Metis, Oceti Sakowin, and Sisseton peoples, otherwise known as Grand Forks.

I would first like to apologize to any of my elders that maybe listening – I wish to speak from the heart and in a good way. I was raised to always defer to my elders because they hold knowledge and wisdom that only comes with life experience.

My name is Courtney Davis Souvannasacd and I am an enrolled member of the Turtle Mountain Band of Chippewa. Today, I speaking in support of Senate Bill 2304 requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

As the former Native American Liaison of the Grand Forks Public School district, I previously worked with students and their families along with school administration, program directors, social workers, counselors, resource officers, teachers and educational specialists to address Native American students' needs.

Additionally, I serve on the North Dakota Department of Public Instruction State Superintendent's Family Engagement Cabinet, as well as, the Grand Forks Public School District Superintendent's Diversity, Equity, & Inclusivity committee where we collaborated on strategic goals and objectives to serve our district staff, and students. These opportunities have cultivated positive change while developing partnerships and this transformative work could be duplicated through the state.

North Dakota has made progress but there is always opportunity for growth. All North Dakota students deserve an education that is representative, both historically and contemporary, and educators deserve to have that curriculum within reach.

This effort creates a new path for our North Dakota schools to engage community, build and strengthen relationships that are meaningful, as well as respectful, through teaching and learning.

That concludes my testimony. I will stay on for questions if appropriate.

Testimony for Native Studies

I support all students learning about Native American/ Indigenous tribal nations whose lands they currently occupy. Multiple lens allows for the critical development of thinking skills and positive social emotional skills. There is power in gaining access and awareness to knowledge and teachings of indigenous people, and an appreciation for the resilience and tenacity of these living cultural teachings and stories despite systemic attempts to silence the language, ways of being and stories of tribal people, we are still here and we are your neighbors and constituents.

It does not take away anything tangible from students to learn more about and grow to appreciate their indigenous neighbors and fellow students and families lived experiences.

Respectfully,

Tipiziwin Tolman

Testimony for the Senate Education Committee

Senate Bill 2304

Andrew Alexis Varvel

February 1, 2021

Chairman Schaible and Members of the Committee:

My name is Andrew Alexis Varvel. I live in Bismarck, District 47.

This bill is well intentioned. The histories of indigenous people of this country ought to be taught in the public schools. The reason why I rise in opposition to this bill is because I do not think this legislation is the best way forward.

This bill constitutes legislative micromanagement of the curriculum, with far too much specificity about what gets taught to children in class.

This bill creates a bad precedent where other political interests may stuff their own four week pet projects into the social studies curriculum.

This bill creates a privileged position of accreditation for federally recognized tribes to control what gets taught throughout North Dakota.

This bill states that there is “the Native American story”, which implies that there would be only one story – as if Arikara and Lakota historiographies of the events of 1823 were identical. Furthermore, the phrase “the Native American story” promotes a segregationist outlook which presumes that there is a discrete entity of “Native American” when the historical record recognizes blurred edges of cultural identity.

This bill does not include a fiscal note to represent expenditure in curriculum development.

Down the road, North Dakota should consider mandating a separate course on North Dakota history to be taught in the seventh grade. Such a course would necessarily include over four weeks of indigenous history, and would follow the lead of the State of Texas.

To sum, please give SB 2304 a **DO NOT PASS** recommendation.

Thank you. I welcome questions from the committee.

Andrew Alexis Varvel
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SB2304 – Curriculum on Native American history

2/1/2021 – NDCEL Testimony in opposition

Chairman Schaible and members of the committee – for the record my name is Aimee Copas – serving as the Executive Director for the North Dakota Council of Educational Leaders. I come to you today to offer testimony in opposition to SB 2304. Our opposition is grounded in approach and not content. Please do not misconstrue our testimony as any sort of opposition about learning about Native American Culture – it is beautiful and an environment that I grew up in and have appreciated since my birth growing up on the Cheyenne River Sioux Tribe in South Dakota with the neighboring border of the Standing Rock Reservation right across the highway from our family farm.

This testimony has to do more with allowing education to operate appropriately with everyone supporting it in their appropriate roles and abiding by successful processes to determine appropriate curriculum. I'll provide an analogy shared with me by a fellow superintendent. As a school administrator, we wish for our school boards to wrap their arms around a district with appropriate policy so their administrators and teachers can do a great job. However as soon as they open their arms and dip their hands and fingers into the internal operations, the security of good policy becomes compromised and entities become dysfunctional. Similarly, we view the legislatures role with the state. We want them to wrap their arms around all of us with good sound policy (law) and then allow the businesses, entities, and schools to do their jobs and all should be better by that well-defined policy set by the state. This bill has the state opening its arms a little too much and dipping hands and fingers into what should be the job of NDDPI through content standards (which I'll show you they've done) and by our local boards that set curriculum for a district, teachers that execute the approved curriculum by executing the content standards set forth by NDDPI and by administrators who assure that has been completed.

Pages 36-38 (also please note Pg 7 of the guide which indicates the resources used) of the North Dakota Social Studies Standards (which were just updated recently by a cohort of North Dakota Educators in partnership with NDDPI, allowing time for feedback, public comment, multiple meets and much effort according to the appropriate policy set forth by this legislative body), clearly indicate a requirement for solid curriculum around Native American Essential understandings be taught¹. It is thorough and developed and appropriate. You'll also notice that in the course of a school year that a social studies teacher has a LOT to cover. Every teacher I know in every area indicates it is a huge struggle to get all standards covered. Yet constantly educators are asked to include more. Each session; and this session might be one of the more challenging with inclusion of curriculum related bills, our teachers are asked to be mandated to include more. Often times putting mandated emphasis on particular items of interest which are worthy – but are likely already

NDCEL is the strongest unifying voice representing and supporting administrators and educational leaders in pursuit of quality education for all students in North Dakota.

Executive Director: Aimee Copas-----Assistant Director: Russ Ziegler



included in content standards. So, to carve out 4 weeks of instruction in 4th, 8th, and in HS US History Class, I ask you what 4 weeks of standards and instruction are they supposed to no longer teach? If this section is included for Civics, what 20 valuable lessons are you asking kids not to learn? What 60 topics throughout their years in K12 are no longer important? A solid understanding of Native American Culture and essential understandings is in our standards. Again pages 7, 36-38 is dedicated to that requirement.

The state's role is to define broadly what needs to be covered (course areas) (this is wrapping your arms around education with good policy). NDDPI is charged with setting standards. School Boards are set with determining curriculum. Teachers are charged with executing those standards and curriculum, and administrators are charged with assuring it and providing the needed professional development to assist. This is a beautiful arrangement. We ask that we keep our roles defined appropriately. We don't believe this bill provides the appropriate guidance and policy for education. If there are specific pieces of Native American instruction that are missing from the standards, there is a process and procedure in place to adjust that through the standards-based process that allows for experts to develop with ample opportunity for public comment and adjustment based on that opportunity. Inserting this into Century Code we do not believe is appropriate and removes the layers of processes currently in place and the ability of local boards and teachers to determine curriculum. Again, based on the reasons outlined we respectfully ask for a do not pass on SB2304.

References

- 1) https://www.nd.gov/dpi/sites/www/files/documents/Academic%20Support/Final%20Social_Studies_Content%20Standards_Rev5_6.3.2020.pdf



NDSBA
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BOARDS ASSOCIATION

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SB 2304
Senate Education Committee
February 1, 2021
Testimony of Alexis Baxley

Good afternoon Chairman Schaible and members of the Senate Education Committee. My name is Alexis Baxley, and I serve as the executive director of the North Dakota School Boards Association. NDSBA represents the elected school boards of all 175 public school districts and several special education units in North Dakota.

I appear today in opposition to SB 2304. The North Dakota School Boards Association opposes any further efforts to define and mandate specific curriculum content. In addition, we support the implementation of North Dakota State Standards.

The North Dakota Social Studies content standards, recently updated in August of 2019, already include multiple standards and benchmarks that address the topics included in SB 2304 at both K-5 and 6-12 levels. Standards and benchmarks that include the consideration of Native American or Tribal topics include:

- H.3_5.3 (K-5 History)
- US.6_12.1-6.E2.4 (Benchmark, 6-12 US History)
- ND.6_12.2 (Standard, 6-12 ND Studies)
- ND.6_12.2.1 (Benchmark, 6-12 ND Studies)
- ND.6_12.4.1 (Benchmark, 6-12 ND Studies)
- ND.6_12.4.2 (Benchmark, 6-12 ND Studies)
- ND.6_12.4.4 (Benchmark, 6-12 ND Studies)
- C.6_12.2.4 (Benchmark, 6-12 Civics & Government)
- C.6_12.2.5 (Benchmark, 6-12 Civics & Government)

In addition, the guiding questions and considerations attached to the standards and benchmarks asks teachers and students to consider the Native American people and tribal governments in various ways many, many more times.

Over the last couple of biennia, the NDDPI has also spent significant time developing the North Dakota Native American Essential Understandings (NDNAEU) program. This program was created with the

input of tribal Elders from across North Dakota and creates a framework for the type of learning required in SB 2304. The NDNAEU is referenced numerous times in the content standards and is already being implemented in classrooms across the state.

NDSBA believes public schools in the state already include curriculum on Native American history and any further mandates are unnecessary. NDSBA opposes SB 2304 for these reasons and asks that the committee give it a Do Not Pass recommendation. I will stand for any questions.



UNIVERSITY
of MARY

#4649

LIFFRIG FAMILY SCHOOL OF EDUCATION
AND BEHAVIORAL SCIENCES

2-1-2021

Re: SB2304

Dear Honored Legislators:

I am writing to request your support for SE 2304 which would provide direction for all K-12 learning environments (public and private) in the manner of American Indian history. In essence, this testimony is requesting *an expansion* of the current curriculum addressing North Dakota history. Native people, the first residents of ND, have contributed much to the richness of our state. All of North Dakota would benefit from an expanded historical narrative of our state which includes the multiple tribes who have engaged in the progressive development of North Dakota. As a curriculum designer for the National Park Service, my work has been most deeply involved with the recounting of the Lewis and Clark story from the viewpoint of the 50-plus tribes encountered along the Trail. Certainly, this is one of our state's most acclaimed contributions to the history of our nation. Yet, it is not widely understood that the trek across the northwest would never have occurred without the food, shelter, medicine and guidance of the Native tribes along the Trail. Due to the benevolence and friendship of our Native citizens, this mission to map and describe the northwest would not have been possible. This is just one example of how important the intentional inclusion of American Indian history in K-12 public/private curriculum is vital. Without it...only one half of the history is being presented for students to consider.

I appreciate your time in reading this testimony.

Blessings,

Dr. Carmelita Lamb-Associate Dean
Liffrig Family of Education and Behavioral Sciences
University of Mary, Bismarck, ND

SENATE COMMITTEE ON EDUCATION

Monday 02/01/2021

SB #2304

Dosha.

GOOD AFTERNOON, MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE.

MY NAME IS KEN HALL.

I am married. My daughter has been in the public education system within North Dakota, and now in the private education system.

I am a proud member of the Nueta, Hidatsa, Sahnish Peoples, also known as Three Affiliated Tribes. The Mandan, Hidatsa, and Arikara people.

I come from a long line of Chiefs and I am the great grandson of Chief Dragswolf, the last Chief of the Hidatsa People. As his descendent I am here to work together, to find solutions together, for our shared futures.

I want to acknowledge that we are here on the Original Territory of the Great MHA Nation.

As we evolve as a Community, a State, and a Nation, we are joining in a shared vision for a thriving country that is Building Generational Leaders.

We cannot teach our children “North Dakota Studies” without first teaching our children about the Five Sovereign Tribes of North Dakota, that have occupied these lands for thousands of years. The Original Peoples of the Land.

We also cannot teach our children “U.S. History” without teaching our children about the American Indians of this country. The First Nations People. There are currently 574 U.S. Federally recognized Tribes throughout the United States of America.

To quote the late Billy Graham, who was considered America’s Pastor, ***“The American Indians have contributed more to the culture, life, and diet to America than anyone realizes.”***

Another well known Evangelist / Leader said we must try to understand the First People, Recognize the First People, and then get behind the First People.

We are living in changing times and we are standing at the crossroads. Everything has changed. This Bill is not about you or me, it is about our children, our grandchildren, and the generations to come.

This Bill will create an obligation and opportunity for the public and non-public education systems to provide culturally appropriate and accurate information to all students in North

Dakota. Its about all North Dakotans learning about American Indians, with a particular emphasis on North Dakota Indians.

According to the National Education Association (2010) more than 93% of American Indian Students attended rural or urban public schools that are off reservation. There have been some improvements in the last 30 years in American Indian Education that should be celebrated. The number of American Indian Students enrolled in college and earning postsecondary degrees has doubled in the last 30 years. (NEA 2010)

There are a few models that exist across our country in particular the state of Washington, Montana, South Dakota, just to name a few. Montana is a leader in education in many respects.

The Montana Constitution requires a quality education for all Montana citizens and guarantees educational opportunity for all students regardless of their geographical location, economic status, or heritage.

However, Montana is particularly notable across the country for having a constitutional provision that recognizes the rich cultural heritage and vibrant history of American Indians through the educational system. This provision is known as **“Indian Education for All.”**

North Dakota is a population of over 700,000 people and everyone knows each other. We can be a positive model for the rest of the country.

Going forward.

“As North Dakota goes, so goes the Nation.” Pastor Lenny Hernandez.

Let us take our first steps, together, today.

We are a resilient people despite colonization, trauma, poverty, and social injustice, we have successful students, community members, and leaders that are making a difference.

To close, I am asking for your support and your vote to give Senate Bill #2304 a do pass.

Maacagidaac. [Thank you.]

I am prepared to answer any questions?

Ken Hall

February 1, 2021

Dear committee,

I am writing in support of SB 2304. You may wonder why someone in Seattle is writing to you asking you to support Native curriculum in North Dakota classrooms. It's because I have watched how integrated curriculum helps young people more robustly learn about our country's history and contemporary issues.

My name is Denise Juneau. I am currently the superintendent of Seattle Public Schools, and although Washington State has a state mandated Native curriculum called "Since Time Immemorial" that so many of our students benefit from, I am not writing this letter in my capacity as the SPS superintendent. I am writing in support of SB 2304 as a member of the Mandan and Hidatsa Tribes, a member of the Old Dog Cross family, and as the former State Superintendent of Public Instruction for the State of Montana.

Montana passed its own legislation in 1999 referred to as "Indian Education for All (IEFA)" that states that Montana will recognize the distinct and unique cultural heritage of American Indians and preserve that heritage through its educational institutions. Montana recognized that all people should increase their knowledge of American Indian culture and history; that educational organizations and personnel should work directly with tribes when making educational decisions about what to teach, and that educators should be provided professional development that assists them to both teach accurate information and to better relate to Native students.

In 2005, the Montana legislature appropriated funding both to the state education agency and to schools to assist with implementation of IEFA. The SEA developed over 300 lesson plans for educators to use in cross-curricula areas and provided professional development that helped educators gain a better understanding of Native issues, tribal sovereignty, and a more truthful and accurate historical context. All of this work was steeped in tribal relationships and developed with tribal wisdom and input.

There are so many stories to be told about the success of IEFA ranging from educators expressing their gratitude about increasing their own knowledge and making them better at their profession to classroom stories about Native students "seeing" themselves in their learning environment for the first time, and non-Indian students learning different perspectives and increasing their understanding about tribes and Native people in a positive manner.

I am happy to see North Dakota take this step of tribal inclusion in the best way possible. To assist the next generation, through the public education system, access an accurate and authentic history, learn about tribal sovereignty, and be able to see multiple perspectives about different issues. Indian Education for All is a success story in Montana. Since Time Immemorial is a success story in Washington State. Passing Senate Bill 2304 will be a success story in North Dakota.

This is a link to an article about the journey of IEFA in Montana:

http://www.pdkmembers.org/members_online/publications/archive/pdf/k0611jun.pdfDenise
Juneau

This letter is in support of bill SB 2304 relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

My name is Lisa Casarez and I am an enrolled member of the Mandan, Hidatsa and Arikara Nation. I am currently a graduate student at the University of Arizona, attending virtually and residing in Bismarck, North Dakota. Previously I have been a Hidatsa language and tribal government and history instructor for 3 years at Mandaree School on the Fort Berthold Reservation.

I hope my testimony helps persuade the committee to vote yes on this bill, which I think is important for many reasons.

There are rampant negative stereotypes about Indigenous people that stems from miseducation of our history as indigenous people and as North Dakotans. It can be an obstacle that contributes to toxic and stereotypical narratives of Indigenous peoples. Part of saying yes to this effort would be supporting healing relationships between indigenous people and the governing powers of the state of North Dakota. It would make it easier for others to propel efforts to build bridges of fellowship, within education and in our society. It starts with teaching the truth about colonization, and how Indigenous people view themselves in the world now and simply be able to be heard by having strong allyship with our non-Native peers, teachers, colleagues and even our own non-Native family members.

For an Indigenous person, it is hard to fight these misunderstandings on an everyday basis, with assumptions made at an institutional level and interpersonal level and that seems to be informed by widespread misinformation about Indigenous peoples.

Indigenous students should be able to be represented in the curriculum they are learning from, whether on the reservation or off, as tribal history resides on every inch of North Dakota soil. Non-Native students should also learn about Indigenous history and perspective to be able to understand the gravity and depth of how space was made for everyone who now calls North Dakota home.

Creating the infrastructure, starting with voting yes today, would only bolster positive feelings, among myself and many in our State who work in the areas of education and every other area where we share space and collaborate, as well as those who work with tribal peoples to create, sustain and help bolster the many partnerships between tribal governments and communities in North Dakota.

I would like thank you for your time today and encourage you to vote yes on SB2304.

Maacagiraac (Thank you),

Lisa Casarez

Senate Bill 2304

My name is Amy Ingersoll-Johnson and I am writing in support of SB2304. With such a diverse history as ND has with respect to indigenous peoples and rich Native American history, it only makes sense to educate our children in public schools to the same.

Children who are taught Native American history will have a greater regard and respect for Native cultures and perspectives. Native American history taught without Native American perspectives does a great disservice to accuracy and a true understanding. It has only been in the last ten years of my adulthood that I have learned any real Native American history from the perspectives of indigenous peoples, which has included unlearning the misinformation I gained through my school career. The real stories I hear and history I have learned is fascinating and worth knowing. Quality education can foster improved relationships and understanding between Native and non-Native people and can counter the still prevalent stereotypes that lead to discrimination and toxicity between citizens.

It is time for North Dakota to recognize the importance of accurate Native American teachings and instill the opportunity for that education in our public schools. Please support SB2304.

2021 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2304
2/8/2021

A BILL relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

Chair Schaible opened committee work at 3:42 p.m.

Discussion Topics:

- Amend 21.1054.02001

Senator	Attendance
Chairman Schaible	P
Senator Elkin	P
Senator Conley	P
Senator Lemm	P
Senator Oban	P
Senator Wobbema	p

Adjourned at 3:51 p.m.

Lynn Wolf, Committee Clerk

2021 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2304
2/9/2021

A BILL relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

Chair Schaible called to order at 2:15 p.m.

Discussion Topics:

- Amend 21.1054.01001

Sen Oban: Moved amendment .01001

Sen Wobbema seconded

Roll Call Vote: 6-0-0 Motion Passed

Sen Oban: Moved Do Pass as Amended

Sen Conley seconded

Roll Call Vote: 6-0-0 Motion Passed

Sen Oban will carry the bill.

Adjourned at 2:23 p.m.

Lynn Wolf, Committee Clerk

Senator	Attendance
Chairman Schaible	p
Senator Elkin	p
Senator Conley	p
Senator Lemm	p
Senator Oban	p
Senator Wobbema	p

Amendment 01001	Vote
Chairman Schaible	Y
Senator Elkin	Y
Senator Conley	Y
Senator Lemm	Y
Senator Oban	Y
Senator Wobbema	Y

SB 2304	Vote
Chairman Schaible	Y
Senator Elkin	Y
Senator Conley	Y
Senator Lemm	Y
Senator Oban	Y
Senator Wobbema	Y

February 5, 2021

CS
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1021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2304

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "15.1-21-02" insert ", and subsection 4 of section 15.1-21-02.2"

Page 1, line 12, remove the overstrike over "and"

Page 1, line 13, after "the" insert "federally recognized Indian tribes in the state, and the"

Page 1, line 14, remove "and"

Page 1, remove lines 15 through 24

Page 2, line 1, remove "(8) Current events"

Page 2, line 16, remove "which must include a mandated four-week"

Page 2, remove lines 17 through 25

Page 2, line 26, replace "(h) Current events" with "including impacts to Native American tribes, tribal history, tribal sovereignty, and treaty rights"

Page 3, after line 11, insert:

"SECTION 3. AMENDMENT. Subsection 4 of section 15.1-21-02.2 of the North Dakota Century Code is amended and reenacted as follows:

4. Three units of social studies, including:
 - a. One unit of United States history, including impacts to Native American tribes, tribal history, tribal sovereignty, and treaty rights;
 - b. (1) One-half unit of United States government and one-half unit of economics; or
(2) One unit of problems of democracy; and
 - c. One unit or two one-half units of any other social studies, which may include civics, civilization, geography and history, multicultural studies, North Dakota studies, psychology, sociology, and world history;"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2304: Education Committee (Sen. Schaible, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2304 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "15.1-21-02" insert ", and subsection 4 of section 15.1-21-02.2"

Page 1, line 12, remove the overstrike over "and"

Page 1, line 13, after "the" insert "federally recognized Indian tribes in the state, and the"

Page 1, line 14, remove "; and"

Page 1, remove lines 15 through 24

Page 2, line 1, remove "(8) Current events"

Page 2, line 16, remove "which must include a mandated four-week"

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(2) One unit of problems of democracy; and
 - c. One unit or two one-half units of any other social studies, which may include civics, civilization, geography and history, multicultural studies, North Dakota studies, psychology, sociology, and world history;"

Renumber accordingly

2021 HOUSE EDUCATION

SB 2304

2021 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

SB 2304
3/9/2021

Relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history

Chairman Owens called the hearing to order at 9:00 AM. Roll call: Reps. Owens, Schreiber-Beck, Heinert, Hoverson, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Zubke, Guggisberg and Hager present.

Discussion Topics:

- Resources available from DPI
- Native American Heritage
- Benefit of curriculum in schools

Sen. Joan Heckaman (read by Sen. Marcellais), #8096

Sen. Marcellais, #7937

Rep. Ruth Buffalo, #8196

Lucy Fredericks, DPI, #7879

Cara Currie Hall, #8199

Ken Hall, #8200

Margaret Yellow Bird, Teacher, White Shield High School- verbal

Elijah Landin, Student, White Shield High School-verbal

Hunter Andes, Teacher, White Shield High School-verbal

Andrew Alexis Varvel, #7859

Eahtosh Fox, Student, White Shield High School-verbal

Russ Ziegler, ND CEL, #8048

June Randall, Ex. Producer/Host, Indian Pride (PBS series), #7997

Additional written testimony: #8001, #8113, #8114, #8120

Chairman Owens closed the hearing at 10:17 AM.

Bev Monroe, Committee Clerk

SB 2304

Chairman and Members of the Committee:

I am Senator Joan Heckaman from D-23 and I represent Eddy, Nelson, Griggs, Steele, and the eastern half of Benson County including the Spirit Lake Nation.

I am asking Sen. Marcellais if he would read my testimony this morning.

SB 2304 requires schools to include curriculum on Native American history integrated into the social studies curriculum. There are several options available to do this, including lessons already prepared for Grades 4 and 8. This would be a perfect fit for them. In high school, a US History course or even a government course could be a good fit for this instruction.

I received information from Lucy Fredricks from the Department of Public Instruction via my staff that there are already some prepared lessons developed with the input of tribal elders following essential understanding that the elders developed. This project continues to grow with new lessons and content and are available for download from the department's web site. Over 3000 teachers across the state have been trained with on-site training as well as training during conferences. So, this information is available, but not all students have access to it because their school does not participate in the North Dakota Native American Essential Understanding Project. Schools that have trained include Bismarck, Mandan, New Town, Sunny Side Elementary in Minot, Fargo, West Fargo, Dunseith, Belcourt, Warwick, Central Middle School, Circle of Nations, Mandaree, Four Winds, and Cannonball Elementary.

As you can see, many of these schools are schools with a rich presence of Native American Heritage that we should not lose. But a greater richness can develop as all schools across North Dakota understand and appreciate Native American history.

Please give SB 2304 a Do Pass recommendation.



NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Senator Richard Marcellais

District 9
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rmarcellais@nd.gov

COMMITTEES:

Education
Government and Veterans Affairs

SB 2304 Testimony ***House Education Committee*** ***Coteau AB Room***

Chairmen Owens members of the House Education Committee for the record my name is Richard Marcellais Senator from Rolette County District 9.

I am here to testify on SB 2304– relating all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

The bill would allow students to learn more about our Native American Nations (Mandan, Hidatsa & Arikara, Standing Rock, Spirit Lake, Turtle Mountain Band of Chippewa, Sisseton-Wahpeton Oyate nations) in the state of North Dakota. These nations have contributed greatly to the state of North Dakota and we welcome all students to experience Native American culture, learn more about each nation's history, language and traditions.

The students would have the opportunity to learn about: Knife River Indian Villages National Historic Site; On-A-Slant Indian Village; Fort Abraham Lincoln State Park; Crow Flies High Butte; Four Bears Bridge; Three Affiliated Tribes

Museum; Earth Lodge Village; Old Scouts Cemetery; Killdeer Mountain Four Bears Scenic Byways; Sitting Bull Burial Site; Standing Rock National Native American Scenic Byway; Fort Totten State Historic Site; White Horse Hill National Game Preserve; bison herd and prairie dog town; Turtle Mountain Scenic Byway; National Wildlife Refuge and much more.

Chairman Owens members of the House Education Committee, I urge Do Pass on Senate Bill 2304 for the students of North Dakota to learn more about the Native American culture and history in the State of North Dakota.



North Dakota House of Representatives

State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505-0360

Representative
Ruth Buffalo
District 27
P.O. Box 9763
Fargo, ND 58106-9763

C: 701-491-8175
rbuffalo@nd.gov

Committees:
Agriculture
Judiciary

March 9, 2021

Chairman Owens and Members of the House Education Committee,

Good morning, for the record my name is Ruth Buffalo and I represent the people of District 27 in south Fargo.

As the author of the original bill, I am pleased with the progress of SB 2304. As amended, SB 2304 is a step forward. A collaborative effort shined through for this bill because we know this work is for the future generations. It truly takes a village to build a stronger community and the efforts put forth by local, regional, and national advocates has been stellar.

North Dakota has always been a leader in many areas, but now we have an opportunity to continue leading the way with SB 2304.

I am hopeful SB 2304 will build bridges for future generations.

The Department of Public Instruction has provided an outstanding foundation for SB 2304 to be successfully implemented in the classroom.

Please give SB 2304 a do pass recommendation.

Mr. Chairman and Members of the House Education Committee, this concludes my testimony, I am happy to stand for questions.

Thank you.

TESTIMONY ON SB 2304
House Education COMMITTEE

March 9, 2021

By: Lucy Fredericks, Director Office of Indian/Multicultural Education

701-328-1718

North Dakota Department of Public Instruction

Chairman Mark Owens and Members of the Committee:

My name is Lucy Fredericks and I am a Director in the Office of Indian/Multicultural Education with the Department of Public Instruction. I am here to speak in favor of SB 2304.

We support SB 2304 which relates to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history. Under social studies, with an emphasis on the federally recognized Indian tribes in the state, and the geography and history. For secondary it would include 4 units of social studies including one unit of US history. Including impacts to Native American tribes, tribal history, tribal sovereignty and treaty rights.

The Office of Indian/Multicultural Education within the NDDPI supports this bill and offers a free resource to all educators in ND. This resource is the ND Native American Essential Understandings (NDNAEU), Teaching of our Elders website.

<https://teachingsofourelders.org/>

This website is a growing collection of Elder video interviews, lesson plans and other resources dedicated to helping and supporting educators incorporate the NDNAEU

into their classrooms and curriculum. All resources can be found at teachingofourelders.org. The NDNAEU provides a framework for educators to have a structure to work from. Although there isn't a set curriculum, there are close to 150 teacher developed K-12 exemplar lessons in all subject areas for educators to use, draw inspiration from and add to. The center piece of this important work are the indigenous Elders from across all Tribes in ND who have been interviewed for this project. There are over 350 video clips that can be used in classrooms and communities. The NDNAEU have been linked to the new ND Social Studies standards when they were revised and are aligned to the new ND content standards. The NDNAEU teaching of our Elders resources continue to grow as more Elders are interviewed, teacher workgroups create lessons and professional development opportunities are created.

Chairman Owens and Members of the Committee that concludes my prepared testimony and I will stand for any questions that you may have.

MARCH 9, 2021 – COTEAU ROOM / NORTH DAKOTA 67 LEGISLATIVE SESSION**ND HOUSE COMMITTEE – EDUCATION****Senate Bill #2304**

A Bill relating to requiring all elementary and secondary public and non public schools in the State to include curriculum on Native American History.

CHAIRMAN OWENS AND MEMBERS OF THE COMMITTEE.

Good morning and thank you - for allowing us all to come here today to provide information and insight for your deliberations. My name is **CARA CURRIE HALL**. I am Cree Indigenous. I am married, a mother, grandmother.

Chairman Owens, members of the Committee, I am here today to speak in favor of SB#2304 and to ask for your support - to vote for and DO PASS this on this important Bill.

I had the opportunity to speak before your [House Education] Committee in February and at that time I offered information about an International instrument that was developed over decades of work by experts; who were representing the worlds 425 million indigenous peoples; they, along with the member states of the United Nations; USA included wrote this document. The **United Nations Declaration on the Rights of Indigenous Peoples, UNDRIP**.

The UNDRIP provides a framework for us. It establishes that the Rights of Indigenous Peoples exist. It establishes minimum standards and methods for us to draw from today.

As a daughter, grand daughter and great grand daughter of Chiefs, I would be remiss to ignore the EXCELLENT work of all of those indigenous experts and member states that worked together over 25 years. I will reference their work, their words and their wisdom to guide these discussions today.

THE UNDRIP, United Nations Declaration on the Rights of Indigenous Peoples, was a long a difficult process, but, it was not an impossible process.

The length of the work is a representation of the human will to find the common place in which to co-exist. Together, with Indigenous Leaders, Experts, Elders, and Nation States, we brought forth an instrument for “us”, and for “those coming after us”, that Recognizes and Reaffirms that Indigenous Peoples are unique with unique identities and rights.

As we study the five Sovereign Tribal Nations, that are located within the State of North Dakota, we gain a wealth of knowledge, understanding, and information, that strengthens our relationships and unites us in our joined history.

You may already know of a very important custom of our peoples around the world, is to give honor and acknowledgement to the Peoples upon whose Territory's we are upon.

At this time, I would like to acknowledge the Peoples of the Great MHA TRIBAL NATION upon whose original territory we are on.

Our custom and teaching is that we understand who we. We are the First Peoples of the land [who signed] Treaty. Within these Rights are the Responsibilities of speaking for those who cannot speak for themselves.

We take this work of creating laws that govern and legislate the instruction of our children, and grandchildren, very serious. The teachings we have as Indigenous Peoples are - that ***our decisions we make today are impacting Seven Generations after us.***

[In fact, Mr. Lynn Helms, Executive Director of the North Dakota Industrial Commission – in another platform - stated that, “our decisions we make today will have an impact on our grand children’s grand children”. He is right.]

We agree on the magnitude of creating a system of educating the leaders of tomorrow, and, the necessity to ***“put our minds together to see what we can do for our children”.*** [Chief Sitting Bull].

What we are doing today is about the Generations following us. This principle is not different than the non indigenous peoples understandings.

STATEMENT OF THE United Nations Office of the High Commissioner ON UNDRIP

The High Commissioner for Human Rights welcomes the adoption of the United Nations Declaration on the Rights of Indigenous Peoples by the General Assembly on 13 September 2007, as a triumph for justice and human dignity following more than two decades of negotiations between governments and indigenous peoples' representatives.

The UN Declaration was adopted by a majority of 143 states [in favour, 4 votes against (Australia, Canada, New Zealand and the United States) and 11 abstentions (Azerbaijan, Bangladesh, Bhutan, Burundi, Colombia, Georgia, Kenya, Nigeria, Russian Federation, Samoa and Ukraine)]. (*In 2007 USA and all those opposing reversed their decisions to support the UNDRIP).

The Declaration establishes a universal framework of minimum standards for the survival, dignity, well-being and rights of the world's indigenous peoples. The Declaration addresses both individual and collective rights; cultural rights and identity; rights to education, health, employment, language, and others. It outlaws discrimination against indigenous peoples and promotes their full and effective participation in all matters that concern them. It also ensures their right to remain distinct and to pursue their own priorities in economic, social and cultural development. *The Declaration explicitly encourages harmonious and cooperative relations between States and indigenous peoples.*

UNDRIP / United Nations Declaration on the Rights of Indigenous Peoples

Many Articles can be referenced for today's discussion but I will highlight two parts of Article, #14 & #19. I also brought a copy of the UNDRIP for you & it is available online in multiple languages.

ARTICLE 14

1. Indigenous Peoples have the right to establish and control their own educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 19 States shall consult and cooperate in good faith with the indigenous peoples concerned through **their own representative institutions** in order to obtain their **free prior and informed consent** *before adopting and implementing legislative or administrative measures that may affect them.*

Article 2 Indigenous peoples and individuals are free and equal to all other peoples and individuals

Article 3 Indigenous Peoples have the right of self determination.

Article 11 Indigenous Peoples have the right to practice and revitalize their cultural traditions and customs.

Article 13.1. ... the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

The UNDRIP “**language**” can be **captured and referenced to support and enhance the work** being done here today.

Our experts, and yours too, [the USA was directly involved in the writing of the UNDRIP for 25 years], gathered the best information from around the world to confirm the Rights of Indigenous Peoples, including their Right to Education.

The standard has been set and we welcome the opportunity to meet it.

In fact, it is possible - that we can offer that the instruction on US History to include the United States role in writing, endorsing, and implementing the United Nations Declaration on the Rights of Indigenous Peoples.

Nationally across the USA, “Indian Education” views are shared by many others who have forged a path from which we can observe, learn and draw from.

Leading the way on **EXPANDING AND ENHANCING CURRICULUM**, are the States of Montana, California, New Mexico, Wisconsin, South Dakota.

The National Indian Education Association

The National Indian Education Association (NIEA) was formed by Native educators in 1969 to encourage a national discourse on Native education.

Founding Principles:

- + to bring **Native Educators** together to explore ways to improve schools and the education of Native children;
- + to promote the maintenance and continued development of Native languages and cultures;
- + and to develop and implement strategies for influencing local, state, and federal policy and policymakers.

The NIEA Provides a Resolution of Support for State Legislation that recognizes the culture and history of American Indians, similar to that of Montana Code 20-1-501.

*The NIEA Resolution is attached.

TODAY, we can lead the way – we can be the leader of the Nation by integrating the true and important history of the First Peoples, the Native American Peoples, the Five Tribes in the State of North Dakota, into the study and instruction of our coming generations.

The timing for North Dakota to have this discussion could not be more appropriate to bring together the entities and chart a new path forward together. A Bill of this nature, **Senate Bill #2304**, will build bridges and strengthen the State, and the State and Tribes.

This is the time.

Members of the Committee, I came here today to join with you in the important discussion, to offer information, to join with you in creating solutions, and, I came here today to **ask your Committee to support Senate Bill #2304 and give it a DO PASS.**

Mr. Chairman, I will take any questions at this time.

Thank you.

House COMMITTEE ON EDUCATION

Tuesday 03/09/2021

SB #2304

Dosha.

GOOD AFTERNOON, MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE.

MY NAME IS KEN HALL.

I am married. My daughter has been in the public education system within North Dakota, and now in the private education system.

I am a proud member of the Nueta, Hidatsa, Sahnish Peoples, also known as Three Affiliated Tribes. The Mandan, Hidatsa, and Arikara people.

I want to acknowledge that we are here on the Original Territory of the Great MHA Nation.

I come from a long line of Chiefs and I am the great grandson of Chief Dragswolf, the last Chief of the Hidatsa People. As his descendent I am here to work together, to find solutions together, for our shared futures.

As we evolve as a Community, a State, and a Nation, we are joining in a shared vision for a thriving country that is Building Generational Leaders.

We cannot teach our children “North Dakota Studies” without first teaching our children about the Five Sovereign Tribes of North Dakota, that have occupied these lands for thousands of years. The Original Peoples of the Land. The Host People.

We also cannot teach our children “U.S. History” without teaching our children about the American Indians of this country. The First Nations People. There are currently 574 U.S. Federally recognized Tribes throughout the United States of America.

To quote the late Billy Graham, who was considered America’s Pastor, ***“The American Indians have contributed more to the culture, life, and diet to America than anyone realizes.”***

Another well known Evangelist / Leader said we must try to understand the First People, Recognize the First People, and then get behind the First People.

We are living in changing times and we are standing at the crossroads. Everything has changed. This Bill is not about you or me, it is about our children, our grandchildren, and the generations to come.

This Bill will create an obligation and opportunity for the public and non-public education systems to provide culturally appropriate and accurate information to all students in North Dakota. It’s about all North Dakotans learning about American

Indians, with a particular emphasis on the 5 Sovereign Tribes right here in North Dakota.

According to the National Education Association (2010) more than 93% of American Indian Students attended rural or urban public schools that are off reservation. There have been some improvements in the last 30 years in American Indian Education that should be celebrated. The number of American Indian Students enrolled in college and earning postsecondary degrees has doubled in the last 30 years. (NEA 2010)

There are a few models that exist across our country in particular the state of Washington, Montana, South Dakota, Minnesota, Wisconsin, and New Mexico just to name a few. Montana is a leader in education in many respects.

The Montana Constitution requires a quality education for all Montana citizens and guarantees educational opportunity for all students regardless of their geographical location, economic status, or heritage.

However, Montana is particularly notable across the country for having a constitutional provision that recognizes the rich cultural heritage and vibrant history of American Indians through the educational system. This provision is known as **“Indian Education for All.”**

North Dakota is a population of over 700,000 people and everyone knows each other. We can be a positive model for the rest of the country.

Going forward.

“As North Dakota goes, so goes the Nation.” Pastor Lenny Hernandez.

Let us take our first steps, together, today.

We are a resilient people despite colonization, trauma, poverty, and social injustice, we have successful students, community members, and leaders that are making a difference.

To close, I am asking for your support and your vote to give Senate Bill #2304 a do pass.

Maacagidaac. [Thank you.]

I am prepared to answer any questions?

Ken Hall

Testimony for the House Education Committee

Senate Bill 2304

Andrew Alexis Varvel

Couteau AB Room

March 9, 2021

9:00AM

It'hánčhan Owens nahán K'hamíte Óyap'hapi:

Andrew Alexis Varvel emáčiyapelo. T'haspán Ožú-yata waún.

Chairman Owens and Members of the Committee:

My name is Andrew Alexis Varvel. I live in Bismarck.

Wóop'hela kágapi wanží ognáke wan sékse yeló. Ognáke wan "AĞÚYAPI ĞIĞÍLA T'HÓGNAKE" t'acháže hakáp'hatanhan yuhá okíhi. Yešán kunjúla gnáke é héčinhan lé kunjúla t'hógnake.

A bill is like a jar. A jar can be outwardly labeled "COOKIE JAR". And yet, if it contains pickles, it is a pickle jar.

Tohánl wóop'hela kágapi wanží patítanpi naínš khipážinpi wakáñniže čánna takúnl wóop'hela kágapi kin lé mahél ablúta. T'acháže hakáp'hatanhan líla wanjátuya šni.

When I decide to support or oppose a bill, I look at what the bill contains. Its outward label is not so important.

Wóop'hela kágapi t'hokáheya wakhípažin. Aphíya wóop'hela kágapi lé sánm wašté. Yunkhán, wapátitan.

I opposed the original bill. This revised bill is better. And so, I support it.

Wazíyata Dakota Makǵópašpe Wayáwapi eháŋni wóyakapi na makǵówapi na okhíčhaŋye waŋkátuya wasúye kiŋhán, ikćé oyáte eháŋni wóyakapi letáŋhan waŋkátuya nakúŋ wasúye okíhiphiča. Khéya Wíta Tǵamákǵopašpe Wayúwaŋzila eháŋni wóyakapi wayúšna šni waŋží ikćé oyáte eháŋni wóyakapi kǵóye. Yuŋkǵán, lé aíyopteya.

If North Dakota Studies requires emphasis on history, geography, and agriculture, it can also emphasize the history of local Indian tribes. Any accurate history of the United States includes Indian history. So, this is appropriate.

Wóopǵhela káǵapi lé wasúyapike číŋ. Táku waŋ wóuŋspe okó tópa čha wičhúŋmapi kiŋ iǵéyab ikćé wičháša waksátitaŋ kta tkǵá wasúyakhiyiŋ šni.

This bill is a general rule. It does not impose a four week course that would have separated Indians from the rest of humanity.

Ečhánleš wóopǵhela káǵapi lé ikćé oyáte eháŋni wóyakapi uŋkítǵawičhouŋpi owáŋžila haŋké. Lé waŋkátuya. Lé líla waŋkátuya.

Instead, this bill, as now written, recognizes that Indian history is part of our common heritage. This is important. This is very important.

Yuŋkǵán, aphiya wóopǵhela káǵapi lé IYÓPTEYAYANPO yak'úpi yé.

So, please give this amended bill a DO PASS recommendation.

Philámayayapi.

Thank you.

Andrew Alexis Varvel
2630 Commons Avenue
Bismarck, ND 58503
701-255-6639
mr.a.alexis.varvel@gmail.com



SB 2304 –Relating to requiring all elementary and secondary public and non-public schools in the state to include curriculum on Native American history.

March 9, 2021 Chairman Owens and members of the House Education Committee. I am Dr. Russ Ziegler, assistant director for the North Dakota Council of Educational Leaders and am here today to testify in support of SB 2304.

We feel that the current version of this bill – 21.1054.2000 – is the best way to ensure that this much needed information will be presented to the students in North Dakota. NDCEL believes what was written in EdNote, which is a policy blog from The Education Commission of the States. They stated:

Improving the quality of and access to Native American curriculum benefits all students. For nonnative students, it can lead to greater awareness and compassion. For native students, it can teach strength and resiliency, foster positive identity development and help uphold tribal sovereignty. It can also support academic success – which can make a big impact in the near term – and have a ripple effect at both the individual and community levels.

I also personally believe placing an emphasis on the Indigenous, Native peoples of this land that includes all the nations in North Dakota, history and impacts will also correct false narratives that exist in the population as a whole.

We do feel that placing this language in Century Code under school approval will also help drive discussion when it is time to review the social studies standards.

NDCEL supports this version of the bill and would respectfully ask for an affirmative vote from the committee.

NORTH DAKOTA 67th Legislative Assembly (2021)

SB 2304

Education Committees

Senator Donald Schaible, Chairman

Representative Mark S. Owens, Chairman

Senator Joan Heckaman

Senator Richard Marcellais

Representative Ruth Buffalo

TESTIMONY

June (JuniKae) Randall,
Executive Producer/ Host of Indian Pride (13 Part PBS Series)
<https://www.pbs.org/video/indian-pride-101-historical-overview-x8xji2/>
Circle of Nations, LLC
Grand Forks, ND 58208

March 8, 2021

Dear Committee:

I am writing in support and favor of SB 2304

I am also Respectfully requesting Full Support from this Education Committee, ND Senate and ND House of Representatives for a "DO Pass" of SB 2304.

As a member of Turtle Mountain Band of Chippewa Indians, former Educator/Teacher, lifelong supporter and advocate for all children... I am passionate about the importance of a full education and providing opportunities that are filled with Global support from around the world. To be afforded the full extension of knowledge from all cultures is a mandate we need to fully support. In North Dakota we are a full force provider of Agricultural products around the world. As our food products reach the shores of many countries, we need to have in place an educated marketing and sales force who speak the language and have full knowledge of that country so we can share the fruits of our labor and products. Without knowledge and sensitivity of another country who is purchasing our ND products we could not possibly be successful at not only providing our goods but another country purchasing the goods.

That being said, knowledge is power and education is the door that is opened once educational opportunities are provided. The history, language and culture of any society is relevant when it comes to a full understanding of and respect of all human beings. The world is becoming smaller with the introduction of Social Media and the impact of understanding all countries and learning from them is critical to understanding the environment and all areas of our growth and survival. Basically, what I am saying is that we all need each other to create a full circle of life. Within that circle we all have parts that contribute to the wholeness of our existence.

In 2006 I had a meeting with Prairie Public (PBS) and presented an idea for a new TV show (INDIAN PRIDE) and asked them to join me in the production of this new educational venture that I presented to them. Well, they agreed to work with me. After two and half years of working every day to secure the financing for the series I finally had enough funds to get started and ended up with a 13 Part one half hour series that would find a home in over 325 PBS Stations and 98 million households. Now imagine how

over the moon I was to know that there was that kind of interest for knowing about and hearing the voices of over 562 Indian Tribal Nations. Not only did our initial broadcast garner millions of viewers but many stations re-broadcast the show several times. The very cool feature of our series was that we developed an educational website with a ten-minute video clip from the topic of each show, lesson plans with national educational standards for grades K-12 and a vocabulary list that enhanced each lesson plan. We also developed a DVD with INDIAN PRIDE'S 13 shows for sale from the Prairie Public website.

During the time of our show being broadcast there was a PBS station in San Bernardino, Ca who partnered with a Tribe who wanted to start a new PBS channel with Indian related programming and they of course needed product. Well, we happen to just have a new Indian Pride Series filmed in High Definition and all the resources to go along with it. So, we were asked to join their new station and allow them to rebroadcast the 13-part series. That was 8 years ago. In March 1, 2021, we completed the contract with FNX TV and they had rebroadcast Indian Pride for all 8 years to over 24 States and 58 million households.

There is an International interest in the now 574 Indian Nations and what they represent. The world wants to know about the cultures, language, food, medicine, spirituality, survival of Indian Nations. The Global feed respect and need to know "how did you do this?". Our Indian Nations storytelling and history are untapped and the knowledge of many Tribes are the best kept secrets in the world. With the diversity move in America we all need to come together and start to embrace our lives with what matters. What matters is how we as a Global society can learn from each other and grow within the Circle of Life and fully understand how-to live-in harmony. This can only happen through respect and knowledge of each other's space on this Mother Earth.

Finally, I want to add links to what I have discussed in this presentation so you will see first hand that what you are deciding today and supporting for the future of our ND children is critical for everyone. We are moving forward in a society where Freedom comes from knowledge and that knowledge comes from a Full Education of all cultures.

In North Dakota we have always tried to work hard on moving onward and upward and I am confident that by passing SB 2304 we will together not only honor the beautiful and colorful history of our ND Indian nations but we will make our own history as leaders for the 21st century. **I am asking for your vote of SB 2304 and help develop an educational joint venture for the future for all of our precious children.**

Note: PBS Learning Media for Educators currently has linked the INDIAN PRIDE Series along with **National Standard Lesson Plans with the video clips in their Social Studies Dept for Teachers.**

LINKS: For reference of Educational Resource Materials...Indian Pride
<http://www.indianpridepbs.org/>

<https://www.legis.nd.gov/assembly/61-2009/interim/BGEV0100.pdf>

<https://www.pbslearningmedia.org/resource/bf5d54a9-8f2a-49cf-8785-70963c9086d7/indian-pride-treaties-and-sovereignty-part-1/>

<https://www.pbs.org/show/indian-pride/><https://www.kumeyaay.com/news/212-first-nations-tv-continues-partnership-with-indian-pride,-circle-of-nations.html>

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607 Walden Road
Corrales, NM 87048

Testimony in Support of SB 2304

Requiring all elementary and secondary public and nonpublic schools in the State of North Dakota to include curriculum on Native American history.

Submitted by Clayton Small, PhD

March 8, 2021

To Whom It May Concern:

I am submitting this written testimony in behalf of Native PRIDE, an American Indian non-profit organization located in New Mexico. I am an enrolled member of the Northern Cheyenne tribe of Montana, and my Cheyenne Name is Good Warrior. Our organization has developed two culture and resilience based curricula entitled, "Native HOPE" and "The Good Road of Life," endorsed by federal and state agencies and tribal leaders as effective culture based prevention and intervention approaches to strengthen culture resiliency and reduce risk factors among Native youth, adults, families communities, and organizations. Our approach is to strengthen the cultural resiliency among Native youth, and adults in a peer to peer process that creates a safe place for learning, understanding, and healing from the impact of historical and everyday trauma. In my 30 years experience as a trainer and facilitator of wellness and leadership training, our research shows that despite the impact of colonization, trauma, poverty and other social injustices, our Native students can be successful in school, as community members and leaders. Researchers report that when a student believes that they have control over an outcome and they are in fact responsible for their own successes, they are more resilient. An individual's belief about their own abilities and effectiveness are one of the strongest predictors of personal and academic success.

The history of colonization of Native peoples in North America tells a story of brutalization, exploitation, segregation, expulsion, and for some tribe's annihilation. An example is the boarding school era in the 19th and 20th centuries with the goal of assimilating Native children to the dominant European culture. These policies had Native children removed from their homes, forced to cut their hair, and not allowed to speak their Native languages or return to their homelands. They were given new names and identities, and were subject to sexual abuse, physical abuse, and mental abuse at U.S. federal government and parochial boarding schools. The impact of this trauma upon Native children and their

families resulted in a loss of culture, language and identity, as well as, the beginning of unhealthy multigenerational behaviors that are still being practiced among Native families.

Currently, there is ongoing negative stereotyping and racism that results in systems in place that create and maintain racial inequality for Native students, families, and communities. This is especially evident in towns and cities located near Indian reservations, and our school systems.

Today, more than 93 % of Native students attend rural or urban public or nonpublic schools that are located off reservation lands. Native students possess the highest drop out rates in the U.S. They are more likely to be placed in special education classes than any other racial or ethnic group in the nation. They are disciplined at the second highest rate in the nation.

There is a need for the education and training in the areas of diversity, equity, inclusion, systemic racism and trauma informed services.

The solution to stopping these behaviors is for children of trauma is to have a safe place in our schools to talk about these stressful situations. School personnel need to be trauma informed in order to create a safe environment for Native students to heal, thus breaking the cycles of multigenerational behavior.

It is my understanding that SB 2304 will use the curriculum entitled "OCETI-SAKOWIN adopted by the State Board of Education standards March 19th, 2018. This curriculum will be the framework for teaching students in grades 4-12, the Native history, and other important cultural teachings and values of the 5 sovereign tribes residing in North Dakota.

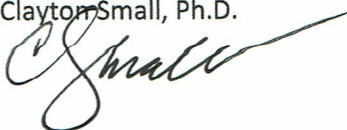
The passage of SB 2304 represents an opportunity to strengthen the cultural resiliency of Native students. Cultural resiliency is using Native culture to overcome trauma, tragedy, threats and other stresses in the lives of Native students, families and communities. These efforts to address the colonizing history of the American education system will change the context of education by affirming the specific tribal cultures, histories, language and other strengths of American Indian youth and communities. Bringing cultural teachings, trauma informed services and culture based prevention education into K-12 schools will strengthen resilience, educational outcomes and reverse the legacy of boarding school policies that failed our Native children. SB 2304 will instill hope for future generations.

This situation is a call to action not only to address the importance of Native History be taught in all the schools, but to incorporate trauma informed services, culture based prevention, intervention and social-life skills as critical components of SB 2304. Native students are for the most part, children of trauma and this requires a special skill set among educators working with them and establishing healthy relationships based upon trust and a safe environment for learning.

Lastly, the passage of SB 2304 is an opportunity for the State of North Dakota and the five sovereign tribal Nations to have truth and reconciliation and for the tribes to heal from the impact of colonization and to strengthen the education of their children. I urge the Congressional Delegates for the State of North Dakota to pass SB 2304.

Sincerely,

Clayton Small, Ph.D.

A handwritten signature in black ink, appearing to read "C. Small", written over the printed name "Clayton Small, Ph.D.".

*Complaining about a problem
without proposing a solution
is called whining.
-Teddy Roosevelt*



Bette B. Grande
President & CEO

Chairman Owens and members of the House Education committee,

I am Bette Grande the CEO of the Roughrider Policy Center. On behalf of the Roughrider Policy Center, I stand in support of SB 2304. We are facing a critical time in our Nation where we are seeing history being rewritten, changed by people with an agenda or even seeing it forgotten, or erased. Now is not the time to ignore our past but to learn from it.

There are some who are trying to force a false narrative of this country's history with the 1619 Project. It is divisive and negative, we need to be teaching the truth, the founding fathers, the Constitution, federalist papers, civics education and the whole of the history of this Nation.

Our past, the history of this Nation at times is very ugly, we must learn about it and learn from it. We need to see the mistakes in order to make sure they are not made again and again. It is from those times we need to look at true history and learn from, forgive, and move forward.

Yes, at times we need to ask for forgiveness, and then everyone needs to move forward together for the betterment of all.

I am including a resolution written by Sen. Brownback (KS) Former Ambassador at large for international religious freedom. It should have been read by every Congressional leader or Governor to the various Native Americans on their states. It is not too late, and I hope adding Native American history to the options of curriculum to the history classes will help in the understandings of our history. Please take the time to read the Resolution all the way through, it is a start in the understanding of why SB2304 is important.

Thank you,

A handwritten signature in black ink that reads "Bette Grande". The signature is fluid and cursive, with a long horizontal line extending from the end.

Bette Grande

CEO, Roughrider Policy Center

<https://www.congress.gov/bill/111th-congress/senate-joint-resolution/14/text>

111TH CONGRESS
1ST SESSION

S.J.RES.14

To acknowledge a long history of official depredations and ill-conceived policies by the Federal Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2009

Mr. BROWNBACK (for himself, Mr. INOUE, Mr. BAUCUS, Mrs. BOXER, Mr. CRAPO, Ms. CANTWELL, Mr. COBURN, Mr. HARKIN, Mr. LIEBERMAN, and Mr. TESTER) introduced the following joint resolution; which was read twice and referred to the Committee on Indian Affairs

JOINT RESOLUTION

To acknowledge a long history of official depredations and ill-conceived policies by the Federal Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

Whereas the ancestors of today's Native Peoples inhabited the land of the present-day United States since time immemorial and for thousands of years before the arrival of people of European descent;

Whereas for millennia, Native Peoples have honored, protected, and stewarded this land we cherish;

Whereas Native Peoples are spiritual people with a deep and abiding belief in the Creator, and for millennia Native Peoples have maintained a powerful spiritual connection to this land, as evidenced by their customs and legends;

Whereas the arrival of Europeans in North America opened a new chapter in the history of Native Peoples;

Whereas while establishment of permanent European settlements in North America did stir conflict with nearby Indian tribes, peaceful and mutually beneficial interactions also took place;

Whereas the foundational English settlements in Jamestown, Virginia, and Plymouth, Massachusetts, owed their survival in large measure to the compassion and aid of Native Peoples in the vicinities of the settlements;

Whereas in the infancy of the United States, the founders of the Republic expressed their desire for a just relationship with the Indian tribes, as evidenced by the Northwest Ordinance enacted by Congress in 1787, which begins with the phrase, "The utmost good faith shall always be observed toward the Indians";

Whereas Indian tribes provided great assistance to the fledgling Republic as it strengthened and grew, including invaluable help to Meriwether Lewis and William Clark on their epic journey from St. Louis, Missouri, to the Pacific Coast;

Whereas Native Peoples and non-Native settlers engaged in numerous armed conflicts in which unfortunately, both took innocent lives, including those of women and children;

Whereas the Federal Government violated many of the treaties ratified by Congress and other diplomatic agreements with Indian tribes;

Whereas the United States forced Indian tribes and their citizens to move away from their traditional homelands and onto federally established and controlled reservations, in accordance with such Acts as the Act of May 28, 1830 (4 Stat. 411, chapter 148) (commonly known as the "Indian Removal Act");

Whereas many Native Peoples suffered and perished—

(1) during the execution of the official Federal Government policy of forced removal, including the infamous Trail of Tears and Long Walk;

(2) during bloody armed confrontations and massacres, such as the Sand Creek Massacre in 1864 and the Wounded Knee Massacre in 1890; and

(3) on numerous Indian reservations;

Whereas the Federal Government condemned the traditions, beliefs, and customs of Native Peoples and endeavored to assimilate them by such policies as the redistribution of land under the Act of February 8, 1887 (25 U.S.C. 331; 24 Stat. 388, chapter 119) (commonly known as the "General Allotment Act"), and the forcible removal of Native children from their families to faraway boarding schools where their Native practices and languages were degraded and forbidden;

Whereas officials of the Federal Government and private United States citizens harmed Native Peoples by the unlawful acquisition of recognized tribal land and the theft of tribal resources and assets from recognized tribal land;

Whereas the policies of the Federal Government toward Indian tribes and the breaking of covenants with Indian tribes have contributed to the severe social ills and economic troubles in many Native communities today;

Whereas despite the wrongs committed against Native Peoples by the United States, Native Peoples have remained committed to the protection of this great land, as evidenced by the fact that, on a per capita basis, more Native Peoples have served in the United States Armed Forces and placed themselves in harm's way in defense of the United States in every major military conflict than any other ethnic group;

Whereas Indian tribes have actively influenced the public life of the United States by continued cooperation with Congress and the Department of the Interior, through the involvement of Native individuals in official Federal Government positions, and by leadership of their own sovereign Indian tribes;

Whereas Indian tribes are resilient and determined to preserve, develop, and transmit to future generations their unique cultural identities;

Whereas the National Museum of the American Indian was established within the Smithsonian Institution as a living memorial to Native Peoples and their traditions; and

Whereas Native Peoples are endowed by their Creator with certain unalienable rights, and among those are life, liberty, and the pursuit of happiness: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RESOLUTION OF APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES.

(a) **ACKNOWLEDGMENT AND APOLOGY.**—The United States, acting through Congress—

(1) recognizes the special legal and political relationship Indian tribes have with the United States and the solemn covenant with the land we share;

(2) commends and honors Native Peoples for the thousands of years that they have stewarded and protected this land;

(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes;

(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;

(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;

(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land; and

(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.

(b) DISCLAIMER.—Nothing in this Joint Resolution—

(1) authorizes or supports any claim against the United States; or

(2) serves as a settlement of any claim against the United States.

March 8, 2021

Dear committee,

I am writing in support of SB 2304. You may wonder why someone in Seattle is writing to you asking you to support Native curriculum in North Dakota classrooms. It's because I have watched how integrated curriculum helps young people more robustly learn about our country's history and contemporary issues.

My name is Denise Juneau. I am currently the superintendent of Seattle Public Schools, and although Washington State has a state mandated Native curriculum called "Since Time Immemorial" that so many of our students benefit from, I am not writing this letter in my capacity as the SPS superintendent. I am writing in support of SB 2304 as a member of the Mandan and Hidatsa Tribes, a member of the Old Dog Cross family, and as the former State Superintendent of Public Instruction for the State of Montana.

Montana passed its own legislation in 1999 referred to as "Indian Education for All (IEFA)" that states that Montana will recognize the distinct and unique cultural heritage of American Indians and preserve that heritage through its educational institutions. Montana recognized that all people should increase their knowledge of American Indian culture and history; that educational organizations and personnel should work directly with tribes when making educational decisions about what to teach, and that educators should be provided professional development that assists them to both teach accurate information and to better relate to Native students.

In 2005, the Montana legislature appropriated funding both to the state education agency and to schools to assist with implementation of IEFA. The SEA developed over 300 lesson plans for educators to use in cross-curricula areas and provided professional development that helped educators gain a better understanding of Native issues, tribal sovereignty, and a more truthful and accurate historical context. All of this work was steeped in tribal relationships and developed with tribal wisdom and input. There are so many stories to be told about the success of IEFA ranging from educators expressing their gratitude about increasing their own knowledge and making them better at their profession to classroom stories about Native students "seeing" themselves in their learning environment for the first time, and non-Indian students learning different perspectives and increasing their understanding about tribes and Native people in a positive manner.

I am happy to see North Dakota take this step of tribal inclusion in the best way possible. To assist the next generation, through the public education system, access an accurate and authentic history, learn about tribal sovereignty, and be able to see multiple perspectives about different issues. Indian Education for All is a success story in Montana. Since Time Immemorial is a success story in Washington State. Passing Senate Bill 2304 will be a success story in North Dakota.

This is a link to an article about the journey of IEFA in Montana:

http://www.pdkmembers.org/members_online/publications/archive/pdf/k0611jun.pdf Denise Juneau

2021 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

SB 2304
3/16/2021

Relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history

Chairman Owens called the hearing to order at 10:30 AM. Roll call: Reps. Owens, Schreiber-Beck, Hauck, Heinert, Hoverson, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Zubke, Guggisberg and Hager present.

Discussion topics:

- Accreditation
- Large ITV Consortiums
- Federally Recognized Tribes

Rep. Hoverson made a motion for a **Do Not Pass**, seconded by **Rep. M. Johnson**.

Roll call vote:

Representatives	Vote
Representative Mark S. Owens	N
Representative Cynthia Schreiber-Beck	N
Representative Ron Guggisberg	N
Representative LaurieBeth Hager	N
Representative Dori Hauck	Y
Representative Pat D. Heinert	Y
Representative Jeff A. Hoverson	Y
Representative Dennis Johnson	N
Representative Mary Johnson	Y
Representative Donald Longmuir	N
Representative Andrew Marschall	Y
Representative Brandy Pyle	N
Representative David Richter	Y
Representative Denton Zubke	N

Motion failed 6-8-0

Rep. M. Johnson made a motion to adopt an amendment in Section 2 line 19 after provide instruction and change “and to or.” Seconded by **Rep. Richter**.

Voice vote Motion carried

Rep. Pyle made a motion to further amend amendment on page 2 lines 6 and 26 delete the word “impact”, seconded by **Rep. Guggisberg**.

Voice vote Motion carried

Rep. Pyle made a motion to further amend on page 1 line 13 "ND studies with the emphasis on the geography history federally recognized Indian tribes in the state and agriculture of the state. Seconded by **Rep. M. Johnson**.

Voice Vote Motion carried

Rep. Zubke made a motion for a **Do Pass as Amended**, seconded by **Rep. Guggisberg**.

Roll call vote:

Representatives	Vote
Representative Mark S. Owens	Y
Representative Cynthia Schreiber-Beck	Y
Representative Ron Guggisberg	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	Y
Representative Pat D. Heinert	Y
Representative Jeff A. Hoverson	N
Representative Dennis Johnson	Y
Representative Mary Johnson	N
Representative Donald Longmuir	Y
Representative Andrew Marschall	N
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Denton Zubke	Y

Motion Carried 11-3-0 Rep. Pyle is the carrier

Chairman Owens closed the hearing at 10:51 AM.

Bev Monroe, Committee Clerk

March 16, 2021

CH
1 of 1
3/14/21

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2304

Page 1, line 13, overstrike "the"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the second comma insert "the federally recognized Indian tribes in the state,"

Page 1, line 19, replace "and" with "or"

Page 2, line 6, remove "impacts to"

Page 2, line 26, remove "impacts to"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2304, as engrossed: Education Committee (Rep. Owens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2304 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "the"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the second comma insert "the federally recognized Indian tribes in the state,"

Page 1, line 19, replace "and" with "or"

Page 2, line 6, remove "impacts to"

Page 2, line 26, remove "impacts to"

Renumber accordingly

2021 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

SB 2304
3/29/2021

Relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history

Chairman Owens opened the meeting for committee work at 3:02 PM. Roll call: Reps. Owens, Schreiber-Beck, Hauck, Heinert, Hoverson, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Zubke, Guggisberg and Hager present.

Discussion Topics:

- Postponing date for implementation of graduation requirements
- Graduation requirement changes
- Tribal sovereignty standards
- Tribal language

Rep. Zubke moved to reconsider actions on SB 2304, seconded by **Rep. Marschall**.
Voice Vote. Motion carried.

Rep. D. Johnson introduced and moved a proposed amendment on Page 2, line 6 and Line 26: "including Native American Tribal history". #10974 Seconded by **Rep. Zubke**.
Voice Vote. Motion carried.

Rep. Richter moved to adopt an amendment from page 1, line 19, to remove 'provide instruction in or', seconded by Rep. M. Johnson. **Voice Vote.** Call for roll call vote.

Roll call vote:

Representatives	Vote
Representative Mark S. Owens	N
Representative Cynthia Schreiber-Beck	N
Representative Ron Guggisberg	Y
Representative LaurieBeth Hager	N
Representative Dori Hauck	N
Representative Pat D. Heinert	Y
Representative Jeff A. Hoverson	Y
Representative Dennis Johnson	N
Representative Mary Johnson	Y
Representative Donald Longmuir	N
Representative Andrew Marschall	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Denton Zubke	N

Motion failed 7-7-0

Rep. Marschall moved to change the wording in 21.1054.02003 Section 1 only lines 13-15 strike out “federally recognized Indian tribes” and add “include the history of the American Indian Tribes. Also on the top line 1 strike through the words “and subsection of 15.1-21-02.2. seconded by **Rep. Heinert**. #10865, #10866,

Roll call vote:

Representatives	Vote
Representative Mark S. Owens	N
Representative Cynthia Schreiber-Beck	N
Representative Ron Guggisberg	N
Representative LaurieBeth Hager	N
Representative Dori Hauck	Y
Representative Pat D. Heinert	N
Representative Jeff A. Hoverson	Y
Representative Dennis Johnson	N
Representative Mary Johnson	N
Representative Donald Longmuir	N
Representative Andrew Marschall	Y
Representative Brandy Pyle	N
Representative David Richter	N
Representative Denton Zubke	N

Motion failed. 3-11-0

Rep. Zubke moved a **Do Pass as Amended**, seconded by **Rep. Guggisberg**.

Rep. Heinert questioned need to draw up amendment prior to vote.

Rep. Zubke and **Rep. Guggisberg** withdrew motion/second.

Rep. Heinert moved to further adopt an amendment – page 2, line 26, effective for the graduating class of 2023, seconded by **Rep. Schreiber-Beck**.

Roll call vote:

Representatives	Vote
Representative Mark S. Owens	Y
Representative Cynthia Schreiber-Beck	Y
Representative Ron Guggisberg	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	Y
Representative Pat D. Heinert	Y
Representative Jeff A. Hoverson	Y
Representative Dennis Johnson	Y
Representative Mary Johnson	N
Representative Donald Longmuir	Y
Representative Andrew Marschall	Y

Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Denton Zubke	Y

Motion carried. 13-1-0

Rep. Zubke moved a **Do Pass as Amended LC # 21.1054.02006**, seconded by **Rep. Guggisberg**

Roll call vote:

Representatives	Vote
Representative Mark S. Owens	Y
Representative Cynthia Schreiber-Beck	Y
Representative Ron Guggisberg	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	N
Representative Pat D. Heinert	Y
Representative Jeff A. Hoverson	N
Representative Dennis Johnson	Y
Representative Mary Johnson	N
Representative Donald Longmuir	Y
Representative Andrew Marschall	N
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Denton Zubke	Y

Motion carried. 10-4-0 Rep. Pyle is the carrier.

Additional Testimony: #10863, #10864

Chairman Owens closed the meeting at 3:34 PM.

Bev Monroe, Committee Clerk

Proposed Amendments to Senate Bill 2304

tribal history.
Page 2, line 6: including Native American tribes, and tribal history, tribal sovereignty, and treaty rights;

School must offer

tribal history.
Page 2, line 26: including Native American tribes, and tribal history, tribal sovereignty, and treaty rights;

needed for graduation

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2304

In lieu of the amendments adopted by the House as printed on page 1187 and 1188 of the House Journal, Engrossed Senate Bill No. 2304 is amended as follows:

Page 1, line 1, replace the comma with "and"

Page 1, line 2, remove ", and subsection 4 of section 15.1-21-02.2

Page 1, line 3, replace "secondary" with "middle"

Page 1, line 4, replace "Native American" with "the"

Page 1, line 4, after "history" insert "of the Indian tribes in the state"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the second comma insert "including the history of the Indian tribes in the state,"

Page 2, line 6, remove ", including impacts to Native American"

Page 2, line 7, remove "tribes, tribal history, tribal sovereignty, and treaty rights"

Page 2, remove lines 23 through 30

Page 3, remove lines 1 through 3

Renumber accordingly

DO 3/29/21
1 of 1

21.1054.02006
Title.04000

Adopted by the House Education Committee

March 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2304

In lieu of the amendments adopted by the House as printed on pages 1187 and 1188 of the House Journal, Engrossed Senate Bill No. 2304 is amended as follows:

Page 1, line 4, after "history" insert "; and to provide an effective date"

Page 1, line 13, overstrike "the"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the second comma insert "the federally recognized Indian tribes in the state."

Page 1, line 19, replace "and" with "or"

Page 2, line 6, remove "impacts to"

Page 2, line 7, remove "tribes."

Page 2, line 7, remove ", tribal sovereignty, and treaty rights"

Page 2, line 26, remove "impacts to"

Page 2, line 26, remove "tribes."

Page 2, line 27, remove ", tribal sovereignty, and treaty rights"

Page 3, after line 3, insert:

"SECTION 4. EFFECTIVE DATE. Section 3 of this Act becomes effective on August 1, 2022."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2304, as engrossed and amended: Education Committee (Rep. Owens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2304, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1187 and 1188 of the House Journal, Engrossed Senate Bill No. 2304 is amended as follows:

Page 1, line 4, after "history" insert "; and to provide an effective date"

Page 1, line 13, overstrike "the"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the second comma insert "the federally recognized Indian tribes in the state."

Page 1, line 19, replace "and" with "or"

Page 2, line 6, remove "impacts to"

Page 2, line 7, remove "tribes."

Page 2, line 7, remove ", tribal sovereignty, and treaty rights"

Page 2, line 26, remove "impacts to"

Page 2, line 26, remove "tribes."

Page 2, line 27, remove ", tribal sovereignty, and treaty rights"

Page 3, after line 3, insert:

"SECTION 4. EFFECTIVE DATE. Section 3 of this Act becomes effective on August 1, 2022."

Renumber accordingly

Proposed Amendments to Senate Bill 2304

tribal history.
Page 2, line 6: including Native American tribes, and tribal history, tribal sovereignty, and treaty rights;

School must offer

tribal history.
Page 2, line 26: including Native American tribes, and tribal history, tribal sovereignty, and treaty rights;

needed for graduation

21.1054.02003
Title.

Prepared by the Legislative Council staff for
Representative Marschall
March 25, 2021

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2304

In lieu of the amendments adopted by the House as printed on page 1187 and 1188 of the House Journal, Engrossed Senate Bill No. 2304 is amended as follows:

Page 1, line 1, replace the comma with "and"

Page 1, line 2, remove ", and subsection 4 of section 15.1-21-02.2

Page 1, line 3, replace "secondary" with "middle"

Page 1, line 4, replace "Native American" with "the"

Page 1, line 4, after "history" insert "of the Indian tribes in the state"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the second comma insert "including the history of the Indian tribes in the state,"

Page 2, line 6, remove ", including impacts to Native American"

Page 2, line 7, remove "tribes, tribal history, tribal sovereignty, and treaty rights"

Page 2, remove lines 23 through 30

Page 3, remove lines 1 through 3

Re-number accordingly

21.1054.02003

FIRST ENGROSSMENT

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2304

Introduced by

Senators Heckaman, Marcellais

1 A BILL for an Act to amend and reenact subsection 3 of section 15.1-21-01, and subsection 1 of
2 section 15.1-21-02, ~~and subsection 4 of section 15.1-21-02.2~~ of the North Dakota Century
3 Code, relating to requiring all elementary and ~~secondary~~middle public and nonpublic schools in
4 the state to include curriculum on ~~Native American~~the history of the Indian tribes in the state.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 15.1-21-01 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 3. Social studies, including:

- 9 a. The United States Constitution;
- 10 b. United States history;
- 11 c. Geography;
- 12 d. Government; and
- 13 e. North Dakota studies, with an emphasis on the ~~federally recognized Indian tribes~~
14 ~~in the state, and the~~ geography, history, including the history of the Indian tribes
15 in the state, and agriculture of this state, in the fourth and eighth grades.

16 **SECTION 2. AMENDMENT.** Subsection 1 of section 15.1-21-02 of the North Dakota
17 Century Code is amended and reenacted as follows:

- 18 1. In order to be approved by the superintendent of public instruction, each public and
19 nonpublic high school shall provide instruction in and make available to each student:
- 20 a. Four units of English language arts from a sequence that includes literature,
21 composition, and speech;
- 22 b. Four units of mathematics, including:
- 23 (1) One unit of algebra II; and
- 24 (2) One unit for which algebra II is a prerequisite;

- 1 c. Four units of science, including:
- 2 (1) One unit of physical science; and
- 3 (2) One unit of biology;
- 4 d. Four units of social studies, including:
- 5 (1) One unit of world history;
- 6 (2) One unit of United States history, including impacts to Native American
- 7 tribes, tribal history, tribal sovereignty, and treaty rights; and
- 8 (3) (a) One unit of problems of democracy; or
- 9 (b) One-half unit of United States government and one-half unit of
- 10 economics;
- 11 e. One-half unit of health;
- 12 f. One-half unit of physical education during each school year, provided that once
- 13 every four years the unit must be a concept-based fitness class that includes
- 14 instruction in the assessment, improvement, and maintenance of personal
- 15 fitness;
- 16 g. Two units of fine arts, at least one of which must be music;
- 17 h. Two units of the same foreign or native American language;
- 18 i. One unit of an advanced placement course or one unit of a dual-credit course;
- 19 and
- 20 j. Two units of career and technical education from a coordinated plan of study
- 21 recommended by the department of career and technical education and
- 22 approved by the superintendent of public instruction.

23 ~~SECTION 3. AMENDMENT. Subsection 4 of section 15.1-21-02.2 of the North Dakota~~

24 ~~Century Code is amended and reenacted as follows:—~~

25 ~~4. Three units of social studies, including:~~

26 ~~a. One unit of United States history, including impacts to Native American tribes,~~

27 ~~tribal history, tribal sovereignty, and treaty rights;~~

28 ~~b. (1) One-half unit of United States government and one-half unit of economics;~~

29 ~~or~~

30 ~~(2) One unit of problems of democracy; and~~

- 1 ~~_____ c. One unit or two one-half units of any other social studies, which may~~
- 2 ~~include civics, civilization, geography and history, multicultural studies, North~~
- 3 ~~Dakota studies, psychology, sociology, and world history;~~

21.1054.02004
Title.

Prepared by the Legislative Council staff for
Representative Marschall
March 25, 2021

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2304

In lieu of the amendments adopted by the House as printed on page 1187 and 1188 of the House Journal, Engrossed Senate Bill No. 2304 is amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-06 of the North Dakota Century Code, relating to the national guard's access to students during school hours; and to"

Page 1, line 1, replace the comma with "and"

Page 1, line 2, remove ", and subsection 4 of section 15.1-21-02.2"

Page 1, line 3, replace "secondary" with "middle"

Page 1, line 4, replace "Native American" with "the"

Page 1, line 4, after "history" insert "of Indian tribes in the state"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the second comma insert "including the history of the Indian tribes in the state,"

Page 2, line 6, remove ", including impacts to Native American"

Page 2, line 7, remove "tribes, tribal history, tribal sovereignty, and treaty rights"

Page 2, remove lines 23 through 30

Page 3, replace lines 1 through 3 with:

"SECTION 3. A new section to chapter 15.1-06 of the North Dakota Century Code is created and enacted as follows:

National guard - Permission to speak to students at public high schools.

Representatives of the air national guard or army national guard must be allowed to speak to high school students during regular school hours at each public high school in the state during the first quarter of each academic school year to inform the students about the national guard and to explain how students may participate in or join the national guard after graduation. The representative shall provide the school principal with notice of the representative's intent to speak to the students. A high school principal may designate the time, place, and manner in which a representative is allowed to speak to students."

Renumber accordingly

21.1054.02004

FIRST ENGROSSMENT

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2304

Introduced by

Senators Heckaman, Marcellais

1 A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota
2 Century Code, relating to the national guard's access to students during school hours; and to
3 amend and reenact subsection 3 of section 15.1-21-01, and subsection 1 of section 15.1-21-02,
4 ~~and subsection 4 of section 15.1-21-02.2~~ of the North Dakota Century Code, relating to
5 requiring all elementary and ~~secondary~~middle public and nonpublic schools in the state to
6 include curriculum on ~~Native American~~the history of Indian tribes in the state.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Subsection 3 of section 15.1-21-01 of the North Dakota
9 Century Code is amended and reenacted as follows:

10 3. Social studies, including:

- 11 a. The United States Constitution;
- 12 b. United States history;
- 13 c. Geography;
- 14 d. Government; and
- 15 e. North Dakota studies, with an emphasis on the ~~federally recognized Indian tribes~~
16 ~~in the state, and the~~ geography, history, including the history of the Indian tribes
17 in the state, and agriculture of this state, in the fourth and eighth grades.

18 **SECTION 2. AMENDMENT.** Subsection 1 of section 15.1-21-02 of the North Dakota
19 Century Code is amended and reenacted as follows:

- 20 1. In order to be approved by the superintendent of public instruction, each public and
21 nonpublic high school shall provide instruction in and make available to each student:
 - 22 a. Four units of English language arts from a sequence that includes literature,
23 composition, and speech;
 - 24 b. Four units of mathematics, including:

- 1 (1) One unit of algebra II; and
- 2 (2) One unit for which algebra II is a prerequisite;
- 3 c. Four units of science, including:
- 4 (1) One unit of physical science; and
- 5 (2) One unit of biology;
- 6 d. Four units of social studies, including:
- 7 (1) One unit of world history;
- 8 (2) One unit of United States history, including impacts to Native American
- 9 tribes, tribal history, tribal sovereignty, and treaty rights; and
- 10 (3) (a) One unit of problems of democracy; or
- 11 (b) One-half unit of United States government and one-half unit of
- 12 economics;
- 13 e. One-half unit of health;
- 14 f. One-half unit of physical education during each school year, provided that once
- 15 every four years the unit must be a concept-based fitness class that includes
- 16 instruction in the assessment, improvement, and maintenance of personal
- 17 fitness;
- 18 g. Two units of fine arts, at least one of which must be music;
- 19 h. Two units of the same foreign or native American language;
- 20 i. One unit of an advanced placement course or one unit of a dual-credit course;
- 21 and
- 22 j. Two units of career and technical education from a coordinated plan of study
- 23 recommended by the department of career and technical education and
- 24 approved by the superintendent of public instruction.

25 ~~SECTION 3. AMENDMENT. Subsection 4 of section 15.1-21-02.2 of the North Dakota~~
26 ~~Century Code is amended and reenacted as follows:~~

27 ~~4. Three units of social studies, including:~~

28 ~~a. One unit of United States history, including impacts to Native American tribes,~~
29 ~~tribal history, tribal sovereignty, and treaty rights;~~

30 ~~b. (1) One-half unit of United States government and one-half unit of economics;~~

31 ~~or~~

1 ~~_____ (2) One unit of problems of democracy; and~~

2 ~~_____ c. One unit or two one-half units of any other social studies, which may~~
3 ~~include civics, civilization, geography and history, multicultural studies, North-~~
4 ~~Dakota studies, psychology, sociology, and world history;~~

5 **SECTION 3.** A new section to chapter 15.1-06 of the North Dakota Century Code is created
6 and enacted as follows:

7 **National guard - Permission to speak to students at public high schools.**

8 Representatives of the air national guard or army national guard must be allowed to speak
9 to high school students during regular school hours at each public high school in the state
10 during the first quarter of each academic school year to inform the students about the national
11 guard and to explain how students may participate in or join the national guard after graduation.
12 The representative shall provide the school principal with notice of the representative's intent to
13 speak to the students. A high school principal may designate the time, place, and manner in
14 which a representative is allowed to speak to students.

2021 CONFERENCE COMMITTEE

SB 2304

2021 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2304
4/14/2021
Conference Committee

A BILL relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

Chairman Schaible opened the conference committee at 2:30 PM and took roll with Sens. Oban, Elkin, Schaible, Reps. Owens, Richter, and Guggisberg present.

Discussion Topics:

- Graduation requirements
- Effective date

Rep Longmuir explained the House amendments 21.1054.02007
Discussion

Rep Longmuir moved the House recede from House amendments and amend as follows 21.1054.02007

Rep Richter seconded

Roll Call Vote: 6-0-0 Motion carries

Sen Oban will carry in the Senate; Rep Longmuir will carry in the House

Meeting adjourned at 2:38 PM

Lynn Wolf, Committee Clerk

April 14, 2021

SL
1301
4/14

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2304

That the House recede from its amendments as printed on pages 1190 and 1191 of the Senate Journal and page 1343 of the House Journal and that Engrossed Senate Bill No. 2304 be amended as follows:

Page 1, line 4, after "history" insert "; and to provide an effective date"

Page 1, line 13, overstrike "the"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the third comma insert "the federally recognized Indian tribes in the state,"

Page 1, line 19, replace "and" with "or"

Page 2, line 6, remove "impacts to"

Page 2, line 7, remove "tribes,"

Page 2, line 7, remove ", tribal sovereignty, and treaty rights"

Page 2, line 26, remove "impacts to"

Page 2, line 26, remove "tribes,"

Page 2, line 27, remove ", tribal sovereignty, and treaty rights"

Page 3, after line 3, insert:

"SECTION 4. EFFECTIVE DATE. Section 3 of this Act becomes effective on August 1, 2025."

Renumber accordingly

Date: 4/14/2021

Roll Call Vote #: 1

**2021 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES**

BILL/RESOLUTION NO. SB 2304 as (re) engrossed

Senate "Enter committee name" Committee

Action Taken ☐ **SENATE accede to House Amendments**
☐ **SENATE accede to House Amendments and further amend**
☐ **HOUSE recede from House amendments**
☒ **HOUSE recede from House amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Rep Longmuir Seconded by: Rep Richter

Senators				Yes	No		Representatives				Yes	No
Sen Schaible	P			Y			Rep Longmuir	P			Y	
Sen Lemm	P			Y			Rep Richter	P			Y	
Sen Oban	P			Y			Rep Marschall	P			Y	
Total Senate Vote				3			Total Rep. Vote				3	

Vote Count Yes: 6 No: 0 Absent: 0

Senate Carrier Sen Oban House Carrier Sen Longmuir

LC Number 21.1054 . .02007 of amendment

LC Number 21.1054 . 05000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Insert LC: 21.1054.02007
Senate Carrier: Oban
House Carrier: Longmuir

REPORT OF CONFERENCE COMMITTEE

SB 2304, as engrossed: Your conference committee (Sens. Schaible, Lemm, Oban and Reps. Longmuir, Richter, Marschall) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 480, adopt amendments as follows, and place SB 2304 on the Seventh order:

That the House recede from its amendments as printed on pages 1190 and 1191 of the Senate Journal and page 1343 of the House Journal and that Engrossed Senate Bill No. 2304 be amended as follows:

Page 1, line 4, after "history" insert "; and to provide an effective date"

Page 1, line 13, overstrike "the"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the third comma insert "the federally recognized Indian tribes in the state,"

Page 1, line 19, replace "and" with "or"

Page 2, line 6, remove "impacts to"

Page 2, line 7, remove "tribes,"

Page 2, line 7, remove ", tribal sovereignty, and treaty rights"

Page 2, line 26, remove "impacts to"

Page 2, line 26, remove "tribes,"

Page 2, line 27, remove ", tribal sovereignty, and treaty rights"

Page 3, after line 3, insert:

"SECTION 4. EFFECTIVE DATE. Section 3 of this Act becomes effective on August 1, 2025."

Renumber accordingly

Engrossed SB 2304 was placed on the Seventh order of business on the calendar.