

Wunj iin Daaptoonaakanum Niiloona Eelaachiimwuyeengwu (Our Story from My Voice):
Indigenous Educational Policy Development with Tribal Governments: A Case Study

By

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Abstract

Western public education research rarely includes empirical information about or formal consultation with sovereign Tribal governments and Indigenous stakeholders. This lack has led to gaps in services, poor resource allocation, inappropriate programming, and a chronic systemic failure of the public educational system to meet the needs of American Indian learners. To address these issues and gaps, Indigenous scholars and advocates work towards operationalizing Indian civil rights. The purpose of this “indigenized” descriptive single case study was to document the educational policy-making process of one Tribe by exploring the following research questions:

- How does the Stockbridge-Munsee (S-M) government develop educational policy?
- What influences the Stockbridge-Munsee government’s policy making process?

Guiding frameworks of the study included Critical Race and Tribal Critical Theory. Additionally the methodological constructs of community-based participatory research (CBPR), Tribally-based participatory research (TDPR), and an understanding of the multi-jurisdictional legal framework of American Indian research informed the study design and ensured cultural responsiveness, scientific rigor, and adherence to ethical, professional, and legal standards. Self-assessment surveys and interviews were conducted with 27 participants (unduplicated count) representing Tribal government, local and state education agencies, and the Tribal community. Key documents were collected from participants, online, and from Tribal, local, state and federal agency records. Constant comparative analysis and triangulating data allowed emerging themes to be confirmed through multiple data sources. This study had three major findings:

1. Developing Tribal educational policy is a contextualized and multiple step process. The S-M educational policy system is series of intra-Tribal interactions. Policy is created in

multiple steps involving the Tribal government, Tribal Education Board, and Tribal Education Department. Each of these Tribal educational policy stakeholder groups has distinct roles in the policy process.

2. Multiple factors influence Tribal education policy development. These include “cross-cutting” influences as well as community, cultural/traditional and public/western education influences.
3. Tribal and public educational policy activities vary across educational agencies and affect the policy environment, inter-agency relations, and perceptions of educational stakeholders.

Findings from the study suggest that multi-jurisdictional policy structures and activities that explicitly foster intergovernmental relations across local, state, federal, and Tribal government agencies will best support public school education of Native-American students.

Key study/findings discussion points:

1. First and one-of-a kind multi-jurisdictional study that views Tribal and public governments/agencies (local, state, and federal) as part of a larger policy system (via tri-lateral model)
2. Use of a multi-jurisdictional model, Indigenous theories, and Indigenous research methods/tools can inform future public educational policy research studies and educational policy activities between Tribal and public education agencies
3. Fills a gap in the western and Indigenous literature, documents what is working (strengths-based approach) and builds empirical data for supporting a multi-jurisdictional or tri-lateral model for educational policy and practice collaborations between Tribal and non-Tribal government agencies

4. TCT used for asserting sovereign rights of Tribes which is legal, culturally responsive, and ethical
5. CRT gives counter-narrative to marginalized voices to document strengths, gaps, challenges, and solutions

Limitations of the study include sample size and the need to replicate more case studies to build the literature base. Given this is the first study of its kind, it is challenging to “build on the literature base” and consider what else is out there in terms of a comprehensive and multi-jurisdictional study. Policy studies with programs or agencies (not comprehensively across governments) were utilized to anchor and inform the study.

Future areas of study include:

1. Replication: more multi-jurisdictional (tri-lateral) educational policy studies are needed to fill a gap in the western and Indigenous literature bases. Replicating this study will provide more empirical information about how Tribes develop educational policies (and what those policies include) and will also document strengths/successful educational policy development, a strengths-based and Tribal-centric approach to education.
2. Systemic educational policy studies are needed to generate more empirical data for further developing, applying, and testing the tri-lateral model in different Tribal/public contexts.
3. Studying the similarities and differences in Tribal and public educational policy development is important to understanding the policy environment and educational leadership behaviors that strengthen public education for AI students. This information

also would provide a deeper and broader perspective into what resources and capacities Tribal governments need to strengthen Tribal educational policy development.

4. Correlating or connecting the educational outcomes of AI students in schools with strong Tribal/public policies, policy activities, and policy resources, capacities, and supports is important to understanding the educational experiences and achievement of AI students in K-12 public schools.
5. Studying how stronger or weaker levels of direct funding and other resources impact Tribal and public educational policy development, implementation, fidelity, and impacts of policies for AI attending K-12 schools can inform leadership, governance, economic, and educational stakeholders and contexts.

Chapter I: Introduction

Background: Native Americans and Education

Between 526,000 to 1,405,000 American Indian/Alaska Native (AI/AN) students are educated annually in the United States (National Center for Education Statistics [NCES], 2012). The number of AI/AN students is difficult to determine, since some students do not publicly identify themselves as AI/AN, some do not know their heritage, and some fall under the “more than one race” category of the United States census. The challenges I encountered in determining the number of AI/AN students being educated annually reflect the challenges of studying this group of students in general. The education of AI/AN students attending public schools is not well-studied or well understood. Most of the data that informs policies for the schools that American Indian, Alaska Native, and Native Hawaiian (AI/AN/NH) students attend (public, private, or Bureau of Indian Affairs (BIA)) is derived from a data set that includes only students educated in BIA schools. In fact, until the first National Indian Education Study was conducted in 2005, there was not a single national study by a federal department that included AI/AN data from public as well as Tribal schools (Rampey, Lutkus, & Weiner, 2006; Stancavage, Mitchell, Bandeira de Mello, Gaertner, Spain, & Rahal, 2006). This is a critical flaw in terms of both educational study design and research agenda, because more than 90% of AI/AN/NH students do not attend BIA schools; instead, they attend public schools in the United States (Bowman, 2005; Chavers, 2001; Education Trust, 2013; Tippeconnic, 2003).

What we do know about the education of Native American students in public schools is cause for alarm. At the beginning of their school careers, Native American children are unprepared for school as early childhood and early elementary students and are at-risk for poor academic performance when they first start school (Bowman, 2003b; Bowman, 2005). Once

they arrive at school, Native American children are over-diagnosed with learning disabilities and disproportionately labeled with special education designators, further contributing to the crisis in Native American educational success, attainment, and graduation (Faircloth & Tippeconnic, 2010).

As they continue through the PK-12 system, we see the widest educational gaps between Native American student achievement and all other groups (Education Trust, 2010; Education Trust, 2013; Rampey et al., 2006; Stancavage et al., 2006). In the public school setting, by the time AI/AN/NH students reach the 4th and 8th grades, they have the lowest average scale scores and the lowest percentages performing at or above basic and at or above proficient levels in both reading and math compared to all other students in the nation (Mead, Grigg, Moran, & Kuang, 2010; Moran & Rampey, 2008; Moran, Rampey, Dion, & Donahue, 2008; National Education Association [NEA], 2002). In fact, while scores on the National Assessment of Education Progress (NAEP) rose for all other major ethnic groups between 2005 and 2011, scores for Native American students remained flat (Education Trust, 2013). Moreover, only 40.1% of Native American students graduate from high school, the lowest rate in the nation for all racial/ethnic groups (Edwards, Chronister, Olson, & Bradley, 2006; Faircloth & Tippeconnic, 2010; National Indian Education Association [NIEA], 2007; Education Trust, 2010; U.S. Department of Education, 2011b).

These data demonstrate that public education in the United States for Native American students is woefully inadequate across the education spectrum. Public education historically has failed to serve Native American students in many ways (Reinhardt, 2004). Work by many scholars has found that the current curriculum, pedagogy, student support, resources, and lack of Native American role models all add up to a culturally inappropriate education for many public

school students, including Native American students (Bowman, 2003a; Butterfield, 1994; Deloria & Wildcat, 2001; Pavel, Sanchez, & Machamer, 1994; Reyhner & Eder, 2004; U.S. Department of Education, Office of Elementary & Secondary Education, Office of Indian Education, 2011).

These chronic, low academic outcomes for Indigenous students and the missing information about Native American communities and governments in mainstream educational research literature suggest a critical need for systemic collaboration among the academic, educational policy, and Indigenous communities. Public school educators at all levels must improve the formal structures, policies, discussions, empirical data, and published studies within mainstream academic research and policy circles to have a positive impact on the education of Native Americans. As R.H. Heck (2004) notes:

The aim of policy research is to produce results that provide a diverse audience with an increased understanding of a policy problem's context and issues, processes, intervention strategies, and their demonstrated effects. This information can be used to generate implications and recommendations that can ultimately lead to future policy actions that reduce or alleviate the problem. (p. 186)

One specific concern with the way educational policy is created and evaluated in the Indigenous context in the United States is that mainstream literature, research and policy formation do not include Tribal governments as key participating governmental stakeholders with the same status as local, state, and federal education agencies, even though Tribal governments have a legal basis for inclusion via sovereignty (Hicks, 2007). The marginalization of Tribal governments in terms of educating Native American students is unacceptable. It is not simply a culturally sensitive or "politically correct" practice to partner with Tribal governments when creating, implementing

and evaluating educational policy that applies to Native American students; it is a legal and moral obligation under treaties negotiated by these sovereign Tribal governments and the government of the United States.

We can define an approach to educational policy and research that includes local, state, federal, *and* Tribal governments as equal partners as a “multi-jurisdictional” framework (Bowman, Dodge Francis & Tyndall, 2014). Multi-jurisdictionality is a legal term that has been used in Native American justice contexts (Bureau of Justice Assistance [BJA], 2012); this study uses the term in a similar fashion as it applies to an educational context. Justice and health departments use a multi-jurisdictional approach to form policy task forces and working groups; develop information and resource sharing practices; form political alliances, memos of understanding, and legal ordinances and structures; and document evidence-based government practices at the municipal, state, federal, and Tribal level. Given that most Native American students are educated in public schools, under local, state, federal, *and* Tribal authority, and not solely in Tribal schools and under Tribal jurisdiction, it is clear that educational policy formation and research could benefit from multi-jurisdictional practice and perspective. Chapter III more thoroughly discusses the origins and development of multi-jurisdictional policy in other fields, and how that informs the implications and potential implementation of a multi-jurisdictional policy framework in education.

A multi-jurisdictional education policy effort that includes Tribal governments is critically needed because Native American students have been facing the same dire educational outcomes and requesting similar changes to educational policy and programming for nearly a century, as evidenced by the results and recommendations of major national Indian education studies from 1928 to the present day. Getting federal, state, local, and Tribal government

stakeholders to the same table by using a multi-jurisdictional framework could significantly improve the education of all students, especially Native American students. This partnership and systems building would integrate knowledge systems (Chilisa, 2012) and would seek to build constructive and operational pathways to connect the systems of education.

Using a multi-jurisdictional approach to educational research, evaluation, and policy has profound nation building implications for Tribal governments. Nation building, in the Indigenous context, is the process by which Tribal governments rebuild inappropriate governance structures and practices that were imposed upon them by the United States government into structures and practices that better match their needs and goals (Harvard Project on American Indian Economic Development, 2008; Jorgensen, 2007). As Stephen Cornell (2006) puts it:

Nation building is really about how Indigenous nations in the U.S. and elsewhere can put together the tools they need to build the futures that they want. And by the tools they need, we really mean the tools of governance ... Nation building is about identifying those tools, putting them in place, being sure that they match Indigenous ideas and culture and putting them to work.

A multi-jurisdictional approach to education and educational policy would help create these “tools” and empower Indigenous scholars, build Indigenous knowledge bases, and strengthen capacity skills and resources for all Tribal governments. Empirical data from this approach would provide solid evidence for decision-making – more robust data could be used to hold not only federal, state and local agencies, but also Tribal governments more responsible for educational outcomes. Creating effective educational policy both by and for AI/AN populations

will require respect for and ability to navigate within this multi-jurisdictional (federal, state, local and Tribal) arena.

Creating this multi-jurisdictional educational policy framework is a challenging prospect; it is difficult to know where to begin. One place to start is to investigate the current state of Native American education policy formation. To date, there has been no research on how Tribal governments interact with other stakeholders to create and implement policy. Nor have we studied what factors influence the Tribal governments that do create educational policy. Studying how this process currently works – or does not – could be one way to begin to build a multi-jurisdictional policy framework for Native American educational policy.

These challenges and goals inform the study described below.

Purpose of this Study

In the spirit of honoring the historical struggles that Indigenous people endured (Loew, 2001), I renew my commitment and offer this study as another window into the strength, knowledge, and contributions that the Stockbridge-Munsee/Mohican people (my community) can make to contemporary educational policy and practice. The purpose of this study is to document how a Tribal government develops and implements educational policy, and to explore the influences on this development. Using the S-M Tribe as a descriptive single case study, I have gathered data from multiple perspectives, including elected officials, government employees and committees, and Tribal community members such as elders and traditional knowledge keepers. This study uses multiple contemporary and historical sources for data, including documentary records, interviews, and surveys. Information and perspectives generated by the study provide educational policy makers and leaders (Tribal and non-Tribal) findings for educational decision-making.

Studying the process of educational policy formation at this level helps us understand how we can better create partnerships in policy formation and implementation. Tribal and non-Tribal leaders can use the information generated by this study as a springboard for understanding the multi-jurisdictional nature of education policy as it relates to Native American students who are educated in public schools. Replicating this study in other Tribal settings could provide data that would ultimately inform creation of truly multi-jurisdictional frameworks for Native American educational policy.

Research Questions

Given the gaps in the literature and the dearth of data regarding how educational policy for Native American students attending public schools is formulated, the purpose of this study is to examine how one contemporary Tribal government, the S-M Tribal government, develops and implements educational policy. The study also examines the influences upon that development. That is, I will examine how the contemporary Tribal government may or may not be influenced by the traditional worldviews, philosophies, and educational practices of the Mohiikaneewi (Mohican) and Lunaape people living in the modern day S-M community. Specifically, I will investigate the following two research questions:

1. How does the Stockbridge-Munsee government develop educational policies?
2. What influences Stockbridge-Munsee's educational policy-making process?

Study Overview

In order to accomplish this study, I first conducted a literature review to gain the background and knowledge base needed to inform the study goals and case design. This literature review comprises two strands: the history of Indian education policies in the United

States and empirical studies on Native American education. Literature review parameters, processes, and results are described and summarized in Chapter II.

The guiding frameworks of this study are described in Chapter III. These include Critical Race Theory, Tribal Critical Theory, and the positioning of culturally responsive research within the western academic context. Chapter IV describes the methods used for this case study. This includes a discussion of the case study design and perspectives on how case study design was “indigenized” for use in this context, in other words, how the guiding frameworks are applied to this study. This chapter explains the principles of Community-Base Participatory Research, Tribally-Driven Participatory Research, multi-jurisdictional frameworks and principles of sovereignty and how they methodologically carry out align best with the theories described in Chapter III. This chapter also describes characteristics of the S-M study participants, as well as study procedures, instruments, analysis, trustworthiness, and ethical considerations.

Chapters V-VII summarize the three main findings of this case study. The first major finding is that Tribal education policy is a contextualized and multiple-step Tribal government process. The second major finding is Tribal education policy development is influenced by many factors within the Tribal context. These include “cross-cutting” influences, as well as community, cultural/traditional, and western/public educational influences. The third finding is that Tribal and public educational policy activities vary across educational agencies and affect the policy environment, inter-agency relations, and stakeholder perceptions. Finally, Chapter VIII synthesizes this research, discusses its limitations and highlights its implications for future work in the field of AI education policy.

Language and Terminology

When possible, I chose to use the word Indigenous for describing myself, others, or a community of the First Inhabitants of this land. As Linda Smith (2012) notes, the term “Indigenous” has historic resonance, “Indigenous peoples is a 1970s term from the American Indian Movement to internationalize experiences of Indigenous peoples around Mother Earth...it represents our collective voices to finish the unfinished business of decolonization” (p. 7).

Indigenous people are worthy of respect, and many contemporary Indigenous people choose a self-determined path to rid themselves of colonialism (Forbes, 1998a; Forbes, 1998b). Colonialism is when an alien people invade the territory inhabited by people of a different race and culture and establish political, social, spiritual, intellectual, and economic domination over that territory (Yellow Bird, 1999). Colonialism is a political act that marginalizes Indigenous people (Adams, 1997). Words can be agents of colonization in this context, especially when the written word is privileged over other ways of knowledge transmission and the language used is that of our oppressors. Within language, we understand who we are, where we come from, and how our sacred teachings enable us to function in holistically healthy ways as individuals, family members, and community members within a larger society. When Europeans forced Indigenous peoples from our homelands and forbade use of our language and practice of our culture, we lost, to an important degree, who we were and how to live successful and happy lives. By taking back our language and the sacred teachings therein and applying them to contemporary practices, we decolonize ourselves from the trauma and loss forced upon us and learn how to rebuild ourselves, our families, and our communities, one word and one cultural practice at a time. Therefore, when possible and appropriate, I choose to use my Lunaape (Delaware) or Moh-he-con-nuk (Mohican) language, other Tribal languages, or the term Indigenous within this study.

Literal translation of concepts, terms, and definitions from Native languages (mine or others) is not always possible because language is unique to the culture and oral knowledge embedded in the language. Words and concepts are contextualized and unique to the elder linguist who is translating and teaching the word and information contained therein to others. Therefore, use of oral knowledge sources; traditional teachings that come from elders during translation; attempting to connect and explain ancient oral knowledge in contemporary educational concepts, terms, and practices; and continuous engagement with elders, linguists, and traditionalists during the research and writing process were essential to my own conceptions and use of language and terminology. I also aim to provide readers with more complex understanding and my rationale when words, concepts, and other information are translated. Through these methods, I recognize and empower myself, my community, and the Indigenous people of the world by not succumbing completely to the linguistic imperialism (Forbes, 1998a; Yellow Bird, 1999) of our colonizers.

If I do not use the term Indigenous or the first language of Indigenous people, it is because words or concepts are lost or not available due to language destruction from forced assimilation and acculturation policies and practices. In some cases, I use English or western concepts or words because these are terms given to Indigenous people by Europeans, Christian missionaries, governments, or other colonizers. In these cases, using English terms and concepts within a quotation will help the reader understand particular contextual meanings or histories. I also use terms other than Indigenous in cases where they were needed for conducting the literature search, were used as a general research term for this study, or were used within the legal or governmental language context. In these contexts, changing the word Indian, Native

American, American Indian, or other term to Indigenous would have changed the content or intent of the information.

While I am working towards decolonization and reclamation of my Lunaape (Delaware) or Moh-he-con-nuk (Mohican) language and heritage, it is important to acknowledge that my language skills and knowledge – and the language knowledge and skills of my research partners – are not sufficient to carry out this work solely in my Indigenous language. It is also worth noting that I must use English in this context not only to conduct research, but also in order to share my findings with the wider Indigenous and non-Indigenous academic community.

With respect to how other authors choose to cite and use different terms for our community, I use terms such as Native American, American Indian, First Nations, Tribal, and Indian as used by other authors throughout this work when discussing their material. From a traditional perspective, it is not my place to choose one word over another when using or referring to someone else's writing about Indigenous people or communities. However, it is my own practice to use the term Indigenous or refer to a specific Tribal name in my own writing, speaking, or self-reference. In general, I use the term Indigenous to encompass the various other names used when speaking about Native American, American Indian, or First Nations people and communities.

Chapter II: Literature Review

This chapter describes the literature review I conducted to gain the background and knowledge base needed to inform the study goals and case design. The chapter begins with a very brief overview of the background needed to understand the context for research into AI education. The literature review itself comprises two strands: the history of education policies in the United States that impact AI students attending public schools and national education studies about AI students attending K-12 schools that inform educational policy. The discussion of each strand includes an analysis of the challenges and limitations encountered when undertaking a literature review in an Indigenous field of research within the parameters of western academic institutions and research practices.

Contextualizing Indian Education in Public Education Agencies

In order to understand the context of the two literature strands discussed in this chapter – the history of education policy affecting AI students attending public schools in the United States and national education studies of AI students attending K-12 schools in the United States – some background is needed. From both a historical and contemporary perspective, as President Barack Obama noted in his address to the White House Tribal Nations Conference, “Indian education [and the nation’s responsibility] to Indian children is riddled with broken promises” (White House, 2014a). The historical and legal relationship of the United States federal government and Native Americans/Tribal governments is unique and complex. These government-to-government relations (including the social, educational, and economic programs and policies that are the responsibility of the federal government) have a significant impact on the outcomes and well-being of Native American people and Tribes in the United States.

Native Americans are the *only* minority group in the United States with a legal relationship to the government based on sovereignty. Under the U.S. Constitution and subsequent treaties, laws, and court cases, the federal government has recognized that American Indian tribes are sovereign units of government separate from federal and state governments, with their own inherent and unique rights to govern (Cohen, 1942; U.S. Department of the Interior [DOI], 2013; Wilkins & Lomawaima, 2001). There are 566 federally recognized Tribes in the United States (DOI, 2013) and 11 federally recognized Tribes in Wisconsin (Wisconsin Department of Administration, 2013). Each of Wisconsin's 11 federally recognized Tribes maintains some form of Tribal Education Department (TED) as part of their Tribal government structure to oversee PK-collegiate programming for Native American students attending public or other educational institutions in or outside of Wisconsin. TEDs are the Tribal equivalent of federal education agencies (FEAs) and state education agencies (SEAs) and often interface with local education agencies (LEAs). Collectively, these agencies are responsible for educational policy-making and implementation as well as educational policies specific to Native American education. To summarize, Native American education in Wisconsin is a tri-lateral responsibility of Tribal, federal, and state governments (Bowman & Reinhardt, 2014).

Through centuries of treaties, court cases, and laws, the federal government formed a *trust relationship* with the Tribes regarding the education of Tribal citizens. Stephen Pevar (2004) characterizes the trust relationship as “one of the most significant concepts of federal Indian law” (p. 32). The doctrine of trust responsibility was established and is still maintained by the U.S. government. This doctrine recognizes a federal responsibility to support Indian Tribes to be self-governing and economically prosperous, to protect Indian Tribes, and to respect their Tribal sovereignty (Pevar, 2004). The trust relationship recognizes that Indian Tribes

relinquished their land, resources, and other assets with the expectation that the federal government would attend to their physical, educational, social, economic, and community needs and uphold promises made to ensure their survival, economic welfare, and social/cultural well-being. This trust support has been and continues to be upheld by the Supreme Court, lower state and federal courts, Congress, and the executive branch. Trust support is expressed through the federal government's policies, programs, funding streams, and other resources allocated to Tribes to support their programming, including education. In some cases, the federal government has contracted with states to provide education for Tribal citizens at state-funded public schools. States also provide for the education of Native American students based on their own policies, in addition to what is required by the federal government.

Literature Strand One Search Process

This section outlines the challenges and limitations encountered in conducting a standard, western, academic literature review when researching Indigenous topics, attempting to use an Indigenous perspective, and attempting to identify as many Indigenous resources as possible.

My first literature searches in terms of both education policy (Literature Strand One) and national Indian education studies (Literature Strand Two) were undertaken using a traditional, western, scholarly methodology. As an Indigenous academic working within the western tradition, it was my initial hope that Indigenous topics, authors, academic publications, and other resources would be well documented and accessible within the traditional academic context that most graduate students at "very high research activity" universities have available to them. This proved not to be the case. Searchable online or in-library information about Indigenous people by Indigenous scholars or publishing companies is not readily available. Using "The Usual Suspects" (2007) University of Wisconsin reference sheet for online research as a starting point,

I explored the following standard academic sources to conduct literature reviews in both strands (public education policies and empirical studies): Academic Search, Education Full Text, Librarians' Internet Index, ProQuest Research Library, Teoma, Vivisimo, EBSCOhost, ERIC, and the Professional Development Collection database for educators. My initial search found that Indigenous-based journals and Indigenous-authored documents are not generally found among the sources catalogued in databases maintained by mainstream academic institutions.¹

Thus, the research process for both literature strands required developing my own original academic, cultural, and educational resource lists to address the issue of using Indigenous sources for this literature review and to support the dissertation proposal and research. The search methodology for my second attempt at this literature review was far less traditional and cast a wider net. From nearly three years of personal research, with the support of Indigenous colleagues in professional and academic organizations and assistance from two University of Wisconsin staff, I was able to build an appropriate Indigenous resource list to support not only my dissertation, but also Indigenous researchers around the world (see Appendix A). This list was shared with the University of Wisconsin School of Education Library, as well as the American Educational Research Association (AERA).

The research sources were identified across several disciplines (American Indian studies, education, anthropology, sociology, health sciences, human services, etc.) and compiled with collegial support from Indigenous communities throughout the world, including research communities in Australia, Canada, the United States, and New Zealand. Locating these sources involved conversations online and in person with Indigenous elders, scholars, and community members who pointed me in the right directions. Many of the sources are not mass-produced; therefore, smaller publishing companies were sought out. Some sources are one of a kind or first

source historical documents. Obtaining access to and requesting copies of materials was an integral part of the research process, requiring me to spend months in conversation building trust and respect before gaining access to documents and other materials that I could only review on site, in personal and private libraries.

Indigenous scholarly sources that informed both literature reviews and the larger study include the *American Indian Culture and Research Journal*, *American Indian Quarterly*, *Canadian Journal of Native Education*, *Indigenous Policy Journal*, *Journal of American Indian Education*, *Journal of Indigenous Nations Studies*, *Tribal College Journal*, *Wičazo Ša Review*, and *Winds of Change*. I also consulted numerous online Indigenous websites; in print trade Indigenous publications; Native community journals; Tribal culture and library publications; Stockbridge-Munsee library and museum data; and Indigenous non-profit newsletters, reports, and items from personal Tribe member libraries.

One positive outcome of this process is that researching, compiling and sharing this growing body of Indigenous academic work and other resources promotes access to these resources for both Indigenous and western scholars. By using Indigenous scholars and publications in my research, I am honoring the spirituality within my professional and academic work. I do this because of the respect and responsibility I feel to contribute to the Indigenous body of knowledge and to bring attention to the inspiring and highly skilled Indigenous scholars who have paved the way for contemporary Indigenous researchers. Thus, my personal and professional development continues and influences future scholarship, in the way Vine Deloria, Jr. (1999) explains the concept of seven generations: “all entities ... and their interactions ... that encompass relationships ... with a moral purpose” (p. 57). I am honoring the work of my ancestors and elder scholars with my own research and contributing out of professional and

traditional/spiritual integrity so that future Indigenous scholars can be inspired to do the same for the next seven generations. As this seven generations philosophy and practice continues, the connections and contributions continue through time, place, and space.

Generally speaking, key and similar terms searches as well as conceptual clusters search methods were used to gather the literature review information from publically available documents found on the internet, as well as the Indigenous resources (books, journals, policy agencies, etc.) discussed above. I used an intuitive process (Wertz et al., 2011), ethno-methodological (Bogdan & Biklen, 1992), and constant comparative analysis (Glaser & Strauss, 1967; Strauss, 1987) to complete the review process. Indigenous frameworks and processes were also included in the review to incorporate the social, political, academic, and legal constructs of sovereign Tribal governments (Smith, 2012) and the voices of Indigenous scholars (Brayboy, 2008; Cajete, 2008; Scheurich & Young, 1997; Swisher & Tippeconnic, 1999). Tribal-centric literature review includes looking for Indigenous researchers or organizations as study authors or publishers (or co-authors / co-publishers). I determined whether references of studies included other Indigenous studies or authors, thus building upon past existing Indigenous research. I also established whether studies used Indigenous instruments, a Tribal IRB process, or another Tribal advisory review process to provide quality assurance processes for use of cultural study designs, Indigenous member-checking processes, and content accuracy that was validated or cited as acceptable by both Indigenous and non-Indigenous sources.

The initial search process broadly documented Native American educational policies created by Tribal, federal, and state governments that applied to public school contexts where Indigenous students attend. The initial review of Native American education policies was based on key terms, similar terms, and conceptual clusters; Google searches of internet-based resources

and references using a tri-lateral educational service delivery approach where state, federal, and Tribal governments have shared responsibilities for educating AI students in schools, and referencing general Native American education terms and the policies included in the Native American Rights Funds (NARF) series. General Native American education search terms were used in the Google search engine to identify relevant items, which were narrowed down through conceptual cluster analysis, frequency of policy mentioned in online search, applicability to public educational contexts, and relevance to Native American education. Terms initially used included:

- Multiple combinations and derivations of: tribe, Tribal, education, policy, federal, state, constitution, American Indian, Native American, and memorandum of understanding.
- Specific policy search terms such as Indian Education Act, Johnson O'Malley Act, and No Child Left Behind that were derived from the initial search.

Literature Strand One: History of Indian Education Policies in Public Educational Contexts

This section summarizes and explains the major U.S. federal education laws and policies that have affected Native American students in public education, beginning with the assimilation era of the 1800s, through the reform era of the early to mid-20th century, the self-determination era of the 1970s – 1990s, and concluding with the current era, which I have characterized as the accountability era.

1800s – 1920s: the assimilation era.

The history of public federal education policy for Native American people begins in the 1800s with what Indigenous scholars and organizations classify as the assimilationist years

(Tribal Education Departments National Assembly [TEDNA] & Native American Rights Fund [NARF], 2006). The goal of government-sponsored education for Indians from the early 1800s through the 1920s (and perhaps still today) was to assimilate Indian people. Assimilation is the process in which one group takes on the cultural and other traits of a larger, dominant group. Educational institutions strove to “de-Indianize” Native American children, “civilize” them, and assimilate them into European-American society (Adams, 1995; Dave “Napos” Turney, First Nations Studies Department at the University of Wisconsin-Green Bay, personal communication, April 11, 2002) – or as the founder of the first Native American boarding school, Captain Richard Pratt more chillingly put it, “... all the Indian there is in the race should be dead. Kill the Indian in him and save the man” (Reyhner, 2013).

The Indian Civilization Act of 1819 was the first legislation that explicitly defined the goal of Native American education as “introducing among them [Indians] the habits and arts of civilization.” Congress authorized up to \$10,000 in spending per year to support religious groups and other organizations and individuals who wished to live among and educate Native Americans in western ways. The act was the genesis of scores of mission schools aimed at assimilating Native Americans, several of which continue to operate today (Reyhner, 2013).

While the Dawes Severalty Act, also known as the General Allotment Act (1887) did not specifically address Native American education, its goal of moving Native American lands from communal ownership to individual allotments which could then be sold was part of the same larger goal of assimilating Indians (and their lands) and “civilizing” them. As the U.S. Supreme Court later stated, the goals of the Dawes Act were to extinguish Tribal sovereignty, erase reservation boundaries, and force the assimilation of the Indians into white society (*Yakima v. Confederated Tribes*, 1992). In traditional Native American societies, land was considered a

community asset; there was no concept of private land ownership, and the culture and economy were built around sharing the bounty of the land. As Stephen Pevar (2004) explains, the shift to a capitalist, private ownership model acted to undermine Indian life and culture at its core. Indians were expected to leave their traditional lifestyles behind, settle down, and adopt the farming and ranching culture and economy of the white settlers who were their new neighbors. Within a few generations, it was expected that Indians would be assimilated into the larger culture.

The implementation of this assimilationist policy was brutal. Federal Indian policy called for the removal of children from their families for enrollment in government or mission run day schools and boarding schools; families that resisted this edict risked imprisonment. At school, children were dressed and groomed in European style; in particular, hair was cut and styled to meet western cultural norms. Strict punishment, including corporal punishment, was meted out to boarding school students for speaking Indigenous languages and engaging in Indigenous cultural practices such as practicing sunrise and sunset ceremonies, learning from the environment, hunting and gathering (males), or traditional forms of cooking or creating clothing (females). Native students were usually subjected to a vocational curriculum that aimed to teach them trades that would allow them to become working members of white society, whether these trades were relevant to their location and cultural circumstances or not. Most boarding schools required that students abandon their religious practices and convert to Christianity (Adams, 1995).

The devastating practices boarding schools used in enacting the assimilation agenda were effectively cultural and linguistic genocide. They (a) undermined Tribal ways of parenting; (b) destroyed traditional intergenerational family structures; (c) destroyed the transmission of Native

languages and knowledge from generation to generation; (d) imposed culturally insensitive and irrelevant ways of learning; and (e) forced assimilation of white ways in all aspects of Native American life (Adams, 1995; Child, 1998; Deloria & Wildcat, 2001; Dave “Napos” Turney, First Nations Studies Department at the University of Wisconsin-Green Bay, personal communication, April 11, 2002).

1930s – 1970s: the reform era.

By the 1920s, it was clear that assimilation policies had failed on several levels. Government attempts to integrate Native Americans into white society were unsuccessful, but had devastating effects on Indigenous people. Tribal lands, which had been converted to individual allotments that could be sold, had been lost to fraud and waste. Native Americans suffered disproportionately from poverty, lack of meaningful employment, poor education, and poor health. In 1926, the Secretary of the Interior requested an impartial study of the general conditions of Indians in the United States, which was performed by the Meriam Commission. The commission’s landmark study, “The Problem of Indian Administration,” (Meriam, 1928) summarized the educational, industrial, social, and medical activities of the Bureau of Indian Affairs (BIA), as well as the state of Native American property rights and economic conditions. Based on the commission’s work, reform efforts and government policies from the 1930s through the 1970s focused less on “civilizing” Native Americans and more on preserving, adapting, and using the knowledge, skills, and resources Indians already had.

The Indian Reorganization Act of 1934, also known as the “Indian New Deal,” was passed to end the federal government practice of dividing Indian reservations into smaller tracts of land that were allotted to individual Tribal members; this act effectively reversed the Allotment Act of 1887. In addition to preserving Tribal lands, the Indian Reorganization Act

enabled Tribes to organize for their common welfare and to adopt federally approved constitutions and bylaws (Research and Training Center on Disability in Rural Communities [RTC: Rural], 2003). This step towards sovereignty and self-sufficiency allowed Tribal governments to begin making decisions – including decisions about educating Tribal members – locally, based on what they felt was best for their community.

The Johnson O'Malley Act of 1934 (JOM) reversed the educational policies of assimilation by taking children from the boarding schools and bringing them home for education. JOM, as amended, provides supplementary funding for Indian education at schools that are on or near Indian reservations. These programs can be contracted directly to schools or administered by Tribes. Programs funded under this act also require parent committee participation (Bowman & Reinhardt, 2014). The goal, in keeping with progressive theories of the time, was more child-centered, culturally appropriate education (Reyhner, 2013). Theoretically, children learned through the medium of their own cultural values while also becoming aware of the values of white civilization. Indian and non-Indian teachers were taught to be sensitive to Indian cultures and were encouraged to use methods adapted to the unique characteristics and needs of Indian children. Indian schools introduced Indian history, art, and language. Under the new act, it was understood that there should be no interference with Indian religious life or ceremonial expression.

The Impact Aid Act of 1950 recognized that public education of Native Americans living in areas that did not generate taxes for local governments had costs to those governments; the act sought to mitigate this problem. Many schools still receive impact aid funding based on the Impact Aid Act of 1950 as amended. This funding is provided to local school districts in lieu of property taxes for schools that are on or near Indian reservations and military bases.

The 1960s saw an explosion of federal policies affecting AI education. The “Great Society” reforms enacted by President Lyndon B. Johnson’s administration were fertile ground for assertions of Native American civil rights, and the decade saw the beginning of a dialogue between Native people and the government. Federal government infrastructure changed to accommodate the participation of Indian people. The Elementary and Secondary Education Act of 1965 (ESEA) was a landmark piece of Great Society legislation intended to promote educational equity for disadvantaged students. Title IX of ESEA addressed several aspects of American Indian education; under this section, the National Advisory Council on Indian Education (NACIE) was formed and given the responsibility of advising the Secretary of Education on matters concerning American Indian education (TEDNA & NARF, 2006). In 1966, President Lyndon B. Johnson appointed the first American Indian to become the commissioner of Indian Affairs. In 1968, the National Council on Indian Opportunity (NCIO) was established to facilitate American Indian participation in U.S. government decision making concerning Indian policy; in the same year, the Indian Civil Rights Act bestowed on Native Americans rights from the U.S. Bill of Rights that were not previously available to them. In summary, policy around Indians in this decade was characterized by federal governmental initiatives and a new national infrastructure that was specifically designed to incorporate Indians into the decision making process. For the first time, Native American leaders were welcomed to the table as collaborative decision makers helping to lead national dialogue on positively changing public Indian education policy and practice.

1970s – 1990s: the self-determination era.

Though Great Society policies toward Indian education were generally positive but more needed to be done. Forty years after the Meriam Report enumerated the many ways AI

education fell short, Senate Report 91-501 (the “Kennedy report”) was published. Titled “Indian Education: A National Tragedy, A National Challenge,” it stated that the dominant policy of the federal government toward the American Indian had been one of coercive assimilation and that the policy had had disastrous effects on the education of Indian children (Bowman, 2003a; S. Rep. No. 91-501, 1969). The study concluded, as one co-author, Walter Mondale stated, that education of Native Americans “ignores the Indian half the time and demeans him the rest,” and that “Forty years after the Meriam study, the situation remains the same” (115 Cong. Rec. 36353, 1969). Like the Meriam report forty years earlier, the Kennedy report was a call to a new approach to Indian policy; in this case, self-determination.

In the Indigenous context, "self-determination" is the right of Indigenous people to “freely determine their political status and freely pursue their economic, social and cultural development” (United Nations, 2007). In the context of AI education, self-determination calls for the promotion of Tribal autonomy and self-governance, and the elimination of federal control and paternalism over daily Tribal life. Through policy and legislation enacted from the 1970s forward, self-determination in AI education has become an enforceable system of important contractual obligations (National Congress of American Indians [NCAI] Policy Work Group, 1999). Self-determination has been expressed in different ways as Indigenous education policy and practice have evolved since the 1970s.

The 1970s saw federal policy move in the direction of building systems to address Indian education issues on a comprehensive, national level while at the same time respecting the sovereign status of individual Tribes. In terms of federal education policy for American Indian students, the Indian Education Act of 1972 began to build national systems, agencies and institutions that recognized that Native Americans have unique educational and culturally related

academic needs and distinct language and cultural needs. The legislation was also the beginning of an attempt to comprehensively address AI education from pre-school to graduate-level education and reflect the diversity of government involvement in Indian education. There are three major activities funded under the Indian Education Act of 1972: grants to school districts, special programs, and national activities (U.S. Department of Education, 2013).

Under grants to school districts, formula grants are given to school districts and Bureau of Indian Affairs (BIA)-operated or supported schools based on the number of AI children and the state's per-pupil expenditure for education. Grants go only to districts in which there are at least 10 AI children or the AI children make up at least 25 percent of the total enrollment. Districts in California, Alaska, and Oklahoma, and those located on or near reservations are exempted from this requirement. Each local district receives at least \$3,000 (Bowman & Reinhardt, 2014).

In special programs, competitive grants are given to state education agencies and districts, Indian Tribes and organizations, and federally supported schools for AIs for up to five years. Currently funded activities include demonstrations for early childhood projects and professional development (Bowman & Reinhardt, 2014).

National research, data collection, and evaluation activities provisions state that the U.S. Department of Education may carry out any of these activities directly or through grants to or contracts or cooperative agreements with Indian Tribes; Indian organizations; state education agencies; school districts; institutions of higher education, including Indian institutions of higher education; and other public and private agencies and institutions. Research activities should be carried out in consultation with the Office of Educational Research and Improvement (OERI) and may include collaborative research activities jointly funded and carried out by the Office of

Indian Education Programs (OIE) and OERI (Bowman & Reinhardt, 2014; U.S. Department of Education, 2013).

The Indian Self-Determination and Education Assistance Act of 1975 built upon the foundation established by the Indian Education Act. In line with the tenets of self-determination, the goals of this legislation were (a) to provide maximum Indian participation in the government and education of the Indian peoples; (b) to provide for the full participation of Indian tribes in programs and services conducted by the federal government for Indians; (c) to encourage the development of human resources of the Indian people; (d) to establish a program of assistance to upgrade Indian education; and (e) to support the right of Indian tribes to control their own education activities (Bowman, 2003a; NARF, 2011; NIEA, 2007). The act as amended provides a mechanism for the federal government to contract with Tribes for the administration of programs that were formerly administered by the Secretary of the Interior, including BIA schools, and created a direct line of authority between the Education Director and the Assistant Secretary – Indian Affairs. Title I of the act also included authorization of grants for planning, training, and evaluation in support of the contracts (McCoy, 1994-2005). Title II of the act reformed the Johnson O'Malley Act by authorizing Tribes to administer the programs (McCoy, 1994-2005). In cases where Tribes do not operate their own schools, funds follow AI students to public schools, which then assume the responsibility of ensuring culturally and linguistically appropriate education of these students. To meet the letter and spirit of the Tribal trust status and laws, public education agencies should be working in authentic cooperation with Tribal governments and Tribal Education Departments to ensure this is properly and effectively carried out.

The Native American Languages Act of 1990 was a significant policy change in terms of preserving and protecting Indigenous language and knowledge transmission. This legislation sets forth a policy to “preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages” (Native American Languages Act of 1990). It allows for exceptions to teacher certification requirements for federal programs for teachers of Native American languages, and encourages state and territorial governments to do the same (Bowman & Reinhardt, 2014). In a reversal of centuries of policy bent on destroying Indigenous language, the Native American Languages Act importantly recognizes “the right of Indian tribes and other Native American governing bodies to use the Native American languages as a medium of instruction in all schools funded by the Secretary of the Interior” (Native American Languages Act of 1990).

Other developments during these decades indicate growing federal recognition not only of Tribal sovereignty, but also of Tribal self-determination. In 1975, the Senate Select Committee on Indian Affairs was established to deal with all proposed legislation, messages, petitions, memorials, and other matters relating to Indian affairs. President George H.W. Bush reaffirmed the federal recognition of Tribal sovereignty in 1991. Title IX’s 1994 amendment allowed for direct financial support for the education of all American Indians.

2000s – present: the accountability era.

The original goal of the Elementary and Secondary Education Act (ESEA) of 1965 was to improve educational equity by providing federal funds to school districts serving disadvantaged students. Since its initial passage in 1965, ESEA has been reauthorized seven times, but its goal of improving the education of children from lower income backgrounds has

remained the same. Over time, ESEA has established accountability provisions for entities that receive funding under the law.

These accountability provisions, as well as requirements for testing and school improvement, were further developed under the act's latest reauthorization, the No Child Left Behind Act of 2001 (NCLB) (Editorial Projects in Education Research Center, 2011). NCLB was created around four main principles: increased accountability for states, school districts, and schools; greater choice for parents and students, particularly those attending low-performing schools; more flexibility for states and local educational agencies (LEAs) in the use of federal education dollars; and a stronger emphasis on reading, especially for the youngest students (U.S. Department of Education, 2004).

NCLB is one of the most significantly different reauthorizations of the Elementary and Secondary Education Act (ESEA) of 1965, and its passage marks the beginning of a new era in AI education: the accountability era. NCLB requires local education agencies to publically report segregated data for the first time, including strands for gender, race and ethnicity, socio-economic status and disability. It also requires each state to have improvement plans in place for each of these desegregated groups, and to report annual progress on improvement for each group. States are held accountable for student performance by the federal government and penalized when students are not performing at grade level. In a similar way, school districts and schools are held accountable for student performance, with penalties, including restructuring, in place when students do not demonstrate adequate progress.

The NCLB Act of 2001 literature review found policy language pertaining to AI students in all ten policy sub-sets of the law. In fact, no other minority group is accounted for or addressed within NCLB like AI students. NCLB has provisions *exclusively* for Indian education

(public and BIA-operated) due to the unique sovereign status of Tribes discussed in the previous section. The fact that there are several unique NCLB policy items pertaining only to Native American groups demonstrates the special and complex governmental relationship between Tribes and the federal government, and is an important research strand for this study.

NCLB's Title VII provision exclusively addresses the education of Indian (VII-A), Native Hawaiian (VII-B), and Alaska Native (VII-C) students. NCLB and Title VII acknowledge the sovereign and equal government-to-government relationship between individual Tribal governments and the U.S. federal government. Title VII recognizes the trust responsibilities that the U.S. federal government has to Tribal communities to support the efforts of school districts, postsecondary institutions, and other entities to meet the unique educational and culturally related academic needs of AI students. These provisions uphold the trust relationship and require that the educations of Native American students help them to meet the same challenging state and academic achievement standards as all other students.

Integral to NCLB is its insistence on *scientifically valid research* (Lomawaima & McCarty, 2002a; Mid-continent Research for Education and Learning [McREL], 2009; NEA, 2002). This includes conducting education research studies, evaluating the impact of educational programming using empirical data, and using a scientifically valid research or evaluation design. Title VII specifically cites work by the National Advisory Council on Indian Education (S. Rep. No. 113-113, Sect. 7141, 2013) and the National Research Activities for American Indian students. The National Advisory Council on Indian Education does not have policy language that describes research and evaluation activities specifically or generally. However, the National Research Activities has policy language calling for "collaborative research activities that are jointly carried out by the Office of Indian Education and Office of Educational Research and

Improvement” (S. Rep. No. 113-113, Sect 7131, 2013). This section calls for conducting these collaborative activities to:

1. conduct research related to effective approaches for the education of Indian children and adults;
2. evaluate federally assisted education programs from which Indian children and adults may benefit;
3. collect and analyze data on the educational status and needs of Indians; and
4. carry out other activities that are consistent with the purpose of this part.

In theory, the evidence and empirical data gathered from schools under NCLB requirements should directly inform the educational and political stakeholders (federal, state, local, and Tribal) who make policy, fiscal, and program decisions. Enactment of Title VII provisions should enable public educational systems in partnership with Tribal educational systems to take the necessary policy and programming actions to improve and be accountable for AI student achievement. Frankly, this has not proven to be the case. Currently, there is a weak relationship between program requirements and accountability to evaluate the effectiveness of these specific Native American programs in terms of the stated NCLB policy language (Lee, 2012; NIEA, 2005; Subcommittee on Early Childhood, Elementary and Secondary Education Committee on Education and Labor, U.S. House of Representatives, 2007). Funds for AI educational evaluation studies have been low or non-existent; this lack of funding has been exacerbated by department and program budget cuts to the Bureau of Indian Affairs’ Bureau of Indian Education and Department of Education’s Office of Indian Education within recent years (White House, 2014b). There is little to no inclusion of Native American populations in national NCLB and educational evaluation studies, an exclusion often justified by the population’s small

sample size. Together these factors have hindered meaningful evaluation of AI programs and how well they meet NCLB goals and has “left a trail of broken promises in Indian education as history shows” (White House, 2014b).

NCLB marks the first time in public policy that reporting on these historically under-represented and marginalized sub-groups was required. Critical to this is that the federal government required states to have a plan of action with measurable proficiency levels that States *must* meet for these sub-groups (U.S. Department of Education, 2011a). Because State Accountability Plans are formulated by individual states, there is no set of common performance indicators across the states, which is problematic in terms of data collection and interpretation. However, NCLB does call for an unprecedented level of accountability for improved performance at the state level.

If states do not meet the levels of proficiencies set in their State Accountability Plans, they incur federal sanctions such as external monitoring and evaluation, required organizational and professional development, and possible loss of resources. Students can be sent to other districts with better services at the expense of states or school districts that fail to meet accountability standards (U.S. Department of Education, 2007). In turn, states have put the responsibility for accountability most strongly on local education agencies, which incur the greatest sanctions if benchmarks are not met in subject areas, attendance, graduation rates, and other areas. Schools not meeting targets are deemed “in need of improvement (INOI)” and must enact school and/or district improvement plans to increase levels of proficiency and get back on target within three years or less. INOI schools and districts that remain on the improvement list for more than three years are subject to takeover by another agency (public or private sector)

from an approved NCLB supplementary service provider list (U.S. Department of Education, 2003).

NCLB's reach from the federal level down to the local education agency is important because it means that both policy *and accountability with measureable targets for policy* in terms of AI student success in the public educational system is now transparent and established by law. NCLB makes it mandatory to have a centralized and public state database that reports data on AI students in the public education setting that was previously obscured or unavailable. This data needs to be more frequently and widely used by parents, concerned citizens, researchers, and policy makers to evaluate NCLB's impact and effectiveness in general, and its effectiveness for AI students in particular.

As the accountability era continues, the federal government continues to call upon policy makers and researchers to collect and use empirically valid data to inform programming and policy for AI students. Executive Order No. 13592 (2011) authorizes a White House initiative on American Indian and Alaska Native Education. The initiative is intended to "help expand educational opportunities and improve educational outcomes for all AI/AN students, including opportunities to learn their Native languages, cultures, and histories and receive complete and competitive educations that prepare them for college, careers, and productive and satisfying lives" (p. 17). The initiative focuses on the following seven objectives: (i) increasing the number of AI/AN children who enter kindergarten ready for success through improved access to high quality early learning programs and services; (ii) supporting the expanded implementation of education reform strategies that have shown evidence of success in enabling AI/AN students to acquire a rigorous and well-rounded education; (iii) increasing the number of AI/AN students who have access to excellent teachers and school leaders, in part by supporting efforts to

improve the recruitment, development, and retention of effective AI/AN teachers, particularly through Tribal colleges and universities (TCUs); (iv) reducing the AI/AN student dropout rate, in part by supporting dropout prevention and recovery strategies that better engage AI/AN youths in their learning; (v) providing pathways that enable those who have dropped out to reenter educational or training programs, by supporting adult, career, and technical education; (vi) increasing college access and completion for AI/AN students by strengthening the capacity of postsecondary institutions, particularly TCUs; and (vii) helping to ensure that the unique cultural, educational, and language needs of AI/AN students are met (Executive Order 13592, 2011).

Federal public education policy impacting Native American students in public schools has changed drastically over time. In the 1800s and early 1900s, educational policy was based on assimilationist philosophies and practices aimed at civilizing and killing the Indian within the Indian; during the 20th century, policies shifted to self-determination and culturally and linguistically empowering policies, programming, and practices for Native students in public schools. Table 1 below summarizes the federal policies identified in Literature Strand One that are most relevant to the Wisconsin case study discussed later in this dissertation.

Table 1. *American Indian Educational Policies Created by the Federal Government*

Federal Government Policy	Description/Definition
1. Indian Civilization Act of 1819	Defined the goal of Indian education as “civilizing” Indians. This act funded mission schools aimed at assimilating Indians into western culture.
2. General Allotment Act of 1887 (“Dawes Severalty Act”)	Moved Native American lands from communal ownership to individual allotments that could then be sold. Part of the larger goal of assimilating and “civilizing” Indians. Destroyed culture and language transmission.
3. Indian Reorganization Act of 1934 (“Indian New Deal”)	Reversed the Allotment Act of 1887 and enabled Tribes to organize for their common welfare, adopt federally approved constitutions and bylaws, and make education decisions locally.
4. Johnson O’Malley Act of 1934	Provides supplementary funding for Indian education at schools that are on or near Indian reservations.
5. Impact Aid Act of 1950	Provides funding to local school districts in lieu of property taxes for schools that are on or near Indian reservations.
6. Elementary and Secondary Education Act of 1965: Title IX	Signaled the beginning of building federal infrastructure to accommodate Indian participation in decision-making. Directed formation of the National Advisory Council on Indian Education (NACIE).
7. Title VII Indian Education Act of 1972 (becomes part of the No Child Left Behind Act of 2001)	Provides funding for three major areas: a formula grant for PK-12 Native student services, demonstration grants for new and innovative projects, and professional development grants for AI teachers and educational leaders.
8. Indian Self-Determination & Education Assistance Act of 1975	Provides a mechanism for the federal government to contract with Tribes for the administration of programs that were formerly administered by the Secretary of the Interior.
9. Native American Languages Act of 1990	Allows for exceptions to teacher certification requirements for federal programs, for teachers of Native American languages, encourages state and territorial governments to do the

	same.
10. No Child Left Behind Act of 2001 (reauthorization of ESEA)	Addresses Native American education in all 10 title sections; provides for unprecedented levels of data reporting and accountability for all subgroups, including Native American students.
11. Executive Order 13592 of 2011	Authorizes a White House initiative on American Indian and Alaska Native education intended to help expand educational opportunities and improve educational outcomes for all Indian students.

Note. Adapted from *American Indian policy scan: PK-12 education policies impacting American Indian students in Wisconsin* by N. Bowman & M. Reinhardt, 2014, Midwest Comprehensive Center at American Institutes for Research.

While these federal AI policies, along with state and local government AI policies, do exist, funding and resources to support the policies can vary or be non-existent. One example is the unfunded mandate of Wisconsin Act 31 that requires history and social studies teaching of AI history and contributions in public schools. These policy support and resource variations impact policy implementation and activities between Tribal and public education agencies and supportive policy environments for AI students in the three public K-12 schools of this study, as discussed in Chapters V-VII. Over the last 20 years, Native American governments, researchers, evaluators, students, community members, traditional leaders, policy makers, politicians, and families have further strengthened their ability to become leaders and co-facilitators of change, often in partnership with like-minded public policy and research institutions. More Tribal government and independent Native American researchers, evaluators, public policy makers, and community members are holding local, state, and federal educational service agencies accountable to meet not only NCLB educational policy standards, but also the policies of sovereign Tribal governments and sovereign Tribal members whose rights follow them off the

reservation as they attend public schools and universities. Capacity for self-advocacy and evaluation has grown as new generations of Indigenous professionals acquire training and more Native Americans attain higher levels of education. Increases in socio-political and educational movement participation, driven in part by the rise of social media, have helped drive the shift from assimilation to modern-day accountability to Native people by Native people. Indigenous activists, academics, and policy makers have the right and have taken on the responsibility to lead studies and require non-Native researchers to adhere to legally-mandated Tribal consultations during the research process. Since the early 2000s, Indigenous researchers have been producing national Indian education studies through the U.S. Department of Education for documentation of longitudinal studies, analyzing trends within public and Tribal school data, and building the empirical literature base used by Native and non-Native stakeholders to better inform, develop, and improve evidence-based educational policy and practice, as discussed in the next literature strand. Literature Strand Two explores and shares key national educational research studies currently informing educational policy and practice for Native American students attending public schools.

Literature Strand Two Search Process

The literature review process for Literature Strand Two (national studies on Indian education) initially aimed to find national Indian education reports meeting four criteria: (1) national AI educational research focus, (2) inclusion of K-12 data, (3) authored by the federal government or a national Indian organization, and/or (4) responded to a national education policy or policies that pertained to AI students attending public schools. General AI education and research study search terms were used in the Google search engine to identify relevant items, which were narrowed down through conceptual cluster analysis, frequency of AI research reports

mentioned in online search, applicability to public educational contexts, and relevance to AI education, especially in the public context. Terms initially used included:

- Multiple combinations and derivations of American Indian, Native American, Tribal, Tribal government, federal government, educational policy study, and educational research study.
- In combination with the terms noted above, more specific research study search terms such as No Child Left Behind impact study, National Indian Education Study, National Center for Education Statistics, educational achievement, public education impact studies, etc. that were derived from the initial search.

As most other researchers and scholars assume, I thought that most national Indian education studies would use data from all three contexts: public, private, and Tribal schools. This was an incorrect assumption: most Indian education study reports I initially found used only Tribal school data, even though a majority of AI students attend public schools (Education Trust, 2013). Given that my study seeks to understand how Native American students are affected by public school policy and practices, I modified my literature search process to review Tribal policy studies and their impact on the public education of Native American students. I also used Indigenous literature sources and processes as described in the Literature Strand One search. My updated Literature Strand Two search process combined the following descriptors to search for national reports: Native American or American Indian national education reports; Native American, Tribal, or American Indian education policy reports; and federal Indian education reports. The words Indian, American Indian, Tribal, and Native American were used interchangeably throughout the search process. Additionally, I reviewed the websites of the National Indian Education Association, National Education Association, U.S. Congressional

Record, the National Advisory Council on Indian Education, and the National Congress of American Indians to find regularly published reports, policy or research papers, and congressional or Tribal consultation testimony on Indian education and Indian policy. Key Indigenous journals and databases used for Literature Strand Two included *American Indian Quarterly*, *Journal of American Indian Education*, *Indigenous Policy Journal*, *Native American Rights Fund—Tribalizing Education Series* and published papers from the Policy Research Center located within the National Congress of American Indians. As with Literature Strand One, it was necessary to review these Indigenous based journals and websites because they were not included in standard databases or journals, or as part of the research tools resources located on the “My UW Portal” resource at the time I conducted my literature review.

Literature Strand Two: National Studies on Indian Education

My preliminary search located 82 national American Indian education reports. Of the 82 studies found, only eight fully met the four initial criteria set forth for this literature strand. The initial search located resources demonstrating that culturally responsive schooling, especially in the era of No Child Left Behind, is underfunded and has not been congruent with culturally based schooling efforts (Beaulieu, 2006; Brayboy & Castangno, 2009; McCarty, 2008) and has created tensions for school programming efforts with regards to the Native American Language Revitalization Act (Balter & Grossman, 2009; Romero-Little, McCarty, & Warhol, 2007; Winstead, Lawrence, Brantmeier & Frey, 2008). The literature also suggests that the implementation of NCLB standardization has been insensitive, uninformed, and problematic for the students most in need of educational improvement, including AI students (McCarty (Ed.), 2008; McCarty 2009; Patrick, 2008; Sunderman, Kim, & Orfield, 2005; U.S. Commission on Civil Rights, 2004).

Many of these initial sources noted that there are few comprehensive research and evaluation studies in the academic literature on effective policy or educational practice for AI students under the Elementary and Secondary Education Act, including the current NCLB iteration of ESEA (Beaulieu, 2008; Demmert & Towner, 2003; U.S. Department of Education, Indian Nations at Risk Task Force, 1991). Given the scarcity of national AI research studies to build upon, many of these initial sources discussed studies that were limited to Tribal school contexts, had smaller sample sizes and/or were not national studies funded by the federal government as initially called for in the search strategy for Literature Strand Two. This search did identify many noteworthy reports on specific AI education topics such as academic achievement in a particular subject area or grade level, as well as summaries or strategic plans from Indian education work groups, and/or annual required reports for federally funded programs specific to AI students (e.g., Johnson O'Malley, Title VII, etc.). Given the results from this initial search effort and my interest in reviewing all major national Indian education reports that were completed in the twentieth century through the present day with emphasis on reports that used data from public schools with AI student populations, it was clear that a revised search strategy was needed. The revised search strategy included reviewing additional Native journals and sources, searching independent publishing houses and reaching out to independent researchers and other Indigenous organizations that maintain websites, research clearinghouses, and key reports internally. Consequently, this required adding additional literature strand search terms as explained earlier, in hopes of locating more national study results for AI education, especially in public school contexts.

This revised search strategy did locate more information about Indian education research agendas, publications from civil rights and research work groups, historical education policy

reports, and literature reviews regarding the academic achievement of AI students (Butterfield, 1994; Cahape, 1993; Demmert, 2001; Demmert & Towner, 2003; Deyhle & Swisher, 1997; Strang, von Glatz, & Hammer, 2002). Keys to the academic achievement of AI students included preservation and inclusion of Native language and culture in the curriculum, use of cultural connections in education to prepare students for modern society, strong community and family participation in education, pedagogical strategies congruent with Native learners, and knowledge/use of social and political mores of the community (Demmert, Grissmer, & Towner, 2006).

Generally speaking, most Indian research agendas called for studying the impacts of language and culture curriculum and programming on AI student achievement, teacher pedagogical strategy impacts on the success of Native American learners, parental/family involvement and the impact on educational success, and school environment and community relationships for creating inclusive school cultures that are inviting to Native Americans (Butterfield, 1994; Deyhle & Swisher, 1997; Strang et al., 2002). More specific Indian research agendas called for increases in evaluation, research, and development funding to identify effective practices and document model programs to be scaled up or studied longitudinally. Topics suggested for research included early childhood education program impacts, congruence between healthy Indian communities and schools, influence of violence on education and child development, characteristics of effective teachers and education programs for Indian students, and an analysis of the National Assessment of Education Progress among Native Americans (Beaulieu, 2008).

The deeper Literature Strand Two search process also started yielding studies that did meet the full criteria of the search process. As a result, a total of 15 national education studies on

AI education were identified that met the four search criteria for Literature Strand Two. These studies included AI students from K-12 educational contexts that were national in scope, federally funded, and were educational policy studies authored or co-authored by a national Native American or federal government agency.

Again, it must be noted that for nearly 90 years, these federally funded studies have been the data source for researching how the education community could improve the education of AI students, a sub-group within the American public education system. However, most of the data in these studies is derived from a data set that includes *only* students educated in BIA schools and excludes students educated in public and private school settings. In other words, federal educational policy has been set using studies that have included mostly data from studies conducted in Tribal schools. Of the 15 national studies reviewed, only the four most recent National Indian education studies (2005, 2007, 2009, and 2011) gathered statistical data for AI students from all educational contexts including public, private, and BIA schools (Grigg et al., 2010; Mead et al., 2010; Moran et al., 2008; Moran & Rampey, 2008; NCES, 2012; Rampey et al., 2006; Stancavage et al., 2006). Thirteen of these studies used data from both public and Tribal sources and only the four National Indian Education Studies used student data generated by AI students using a standardized assessment to measure achievement in the same way that non-Native students are measured. I analyzed and coded the AI education issues documented in these studies and included a summary of the solutions identified within each study report. Table 2 summarizes findings from the 15 reports.

Table 2. *National Indian Education Studies: Issues and Solutions*

Date/Report	Issues	Solutions
1. 1928 Meriam report (Meriam,	Academic problems, poor health, disciplinary issues, and lack of ability to live honestly, efficiently, and with good moral character.	More participation in formal European schooling (boarding schools), increasing social and cultural opportunities, improving Indian family

1928)	Indians receiving poor services from public officials tasked with serving their needs, especially health and education.	structures, teaching Indians English, training for proper behavior, motivating Indians to be harder workers.
2. 1966 Coleman report (Coleman, 1966)	Low test scores as compared to whites, an achievement gap between whites and minorities that grows over time spent in school, low educational levels for family members, high dropout rates, and segregation of schools. More opportunity for whites vs. non-whites. Lack of racial information for Indian and other minority students.	Voluntary transfer plans and redistricting recommended in order to move towards racial balance in schools and diminish overcrowding; new transfer policies to achieve racial balance; summer tutorials by colleges and schools; apprenticeships for racial equity; and new community/school partnerships.
3. 1969 Kennedy report (Special Subcommittee on Indian Education, 1969)	Report documents high poverty, low self-esteem, low achievement rates, and lack of school understanding of the culture and needs of Indian students. School failures are blamed on Indians by schools themselves, which severely hinders educational improvement. Lack of social and recreational activities. Boarding schools create deep social and emotional problems leading to Indian alcohol abuse, discipline problems, and high dropout rates.	Endorsed Indian control over education, creation of a national Indian board of education, infusion of Indian culture into policies and programming, and use of other effective Indian models for positive educational restructuring.
4. 1991 “Indian Nations At Risk” report (U.S. Department of Education, Indian Nations at Risk Task Force, 1991)	Emphasis on how schools have failed to educate AI students. Language and culture is eroding or lost. Any Indian self-determination rights have been severely limited by school administration and government.	Strategic framework to improve schooling for AIs is provided; comprehensive education plans; development of parent-based programs infused with culture for early childhood through grade 12; and creation of community, family, school, and business partnerships to improve education.
5. 1992 White House Conference on Indian Education report (White House Conference	Underfunding for BIA and Indian education in general. Impact aid is not being spent correctly by schools for Indian students; educational policies for Indian students are not being followed. Indian input and Tribal government involvement in public schools is low or non-existent;	More Indian governance over schools, increase student achievement through literacy, improve dropout rates, create safe and drug free schools, school readiness, parent education, infuse Indian language and culture, provide funding for research studies and clearinghouses, training for non-Native

<p>on Indian Education, 1992)</p>	<p>fragmented system exists because public, private, BIA schools, and post-secondary schools never meet. Alcohol and substance abuse issues in schools.</p>	<p>school personnel, and create parent/community/Tribal partnerships.</p>
<p>6. 2002 National Education Association/ National Indian Education Association joint report (National Education Association, 2002)</p>	<p>Poverty and geographic components are noted as barriers to high levels of educational success. Racism, loss of Indian identity, low self-esteem, high dropout rates. Indian numbers are statistically insignificant, so exclusion from studies and programming is seen. Lowest academic performers in nation. Cultural incompatibility with school, low/no teacher expectation for Indian student achievement. High mobility rates, assimilation policy impact, isolation, and an evolving “trust relationship” between Tribes and the federal government.</p>	<p>Permanent and separate identity is a fundamental right for Indians, so government policies and programming for Indians must be broad; more shared responsibility by state and local government for Indians; national forums with educational organizations; political advocacy; partnerships with institutions of higher education; infusion of culture and language into PK-16 programming. Educate non-Indian policy makers, administrators, and teachers about Indian people.</p>
<p>7. 2003 “A Quiet Crisis” (U.S. Commission on Civil Rights, 2003)</p>	<p>Culture and language suppression, loss of Indian identity with loss of culture, discrimination. Low educational attainment rates (students and adults). High dropout, poverty, and substance abuse rates. Native students ignored or forgotten by mainstream. Inadequate federal funding, poor buildings. Indian students disproportionately labeled special education or suspended from school. Isolation leading to low/no educational or economic opportunities.</p>	<p>Creation of educational environments and school cultures that value Indian students. Starting to fund or increasing existing funding in budgets and providing more grant opportunities from federal government for Indian programming, resource development, program development, and professional development funding to increase the pool of Indian teachers and administrators. Strengthen cultural identity by allowing more Indian programming in schools and embedding in the curriculum.</p>
<p>8. 2005 National Advisory Council on Indian Education report (National Advisory Council on</p>	<p>Implementation of Indian culture, language, and traditions into educational curriculum needed. Collaboration needed at local, state, and federal level with Tribes. Unified message is needed from Indian groups. Academic status of AI students is missing (statistically), accountability and outcomes that are scientifically based are missing for</p>	<p>More interagency federal work group sessions, develop a national Indian contact list of researchers. Advocacy at all national Indian meetings by Indian Advisory council to develop relationships and a unified message, disseminate a unified message to non-Indians. Congressional reporting and advocacy, streamline grant process for new grant ideas and information</p>

<p>Indian Education, 2006)</p>	<p>Indian programs, policy and program effectiveness is not measured. Funding is too low to support Indian educational needs.</p>	<p>sharing.</p>
<p>9. 2005 National Center for Educational Statistics on American Indian/Alaska Native Early Childhood Longitudinal Studies Report (NCES, 2005-116)</p>	<p>Per capita, Indians have the lowest early childhood developmental, social, and educational rates compared to majority and minority students, lowest levels of sound and letter recognition and proficiency. High poverty rates, high mobility rates, low parental education rates, high unemployment rates, and low levels of word use and problem solving skills during early childhood.</p>	<p>This was a descriptive statistics report; no recommendations were provided.</p>
<p>10. 2005 National Center for Educational Statistics Trends of American Indian/Alaska Native education report (NCES, 2005-108)</p>	<p>High unemployment rates, low academic achievement rates, behavioral problems in schools, low enrollment at post-secondary institutions, low graduation rates (all levels), high drug use rates, high dropout rates, low voter participation, and very high poverty.</p>	<p>This was a descriptive statistics report; no recommendations were provided.</p>

<p>11. 2005 NCLB Preliminary Report (NIEA, 2005)</p>	<p>NCLB does not address the needs of Indian students (cultural and linguistic). Many subject areas are left out of NCLB programming. Funding levels are too low to provide educational success. Too many negative sanctions with NCLB. No recognition of educational system failures, instead blames Indian students and families. NCLB is punitive and creates a punishing environment. Federal government is not meeting its trust responsibility. Too few Indian teachers and administrators. High dropout rates, low educational attainment rates. Need for more research; sharing of information is scarce and not systematic.</p>	<p>Interconnection of culture, language, and education. Tribes need to push for more federal responsibility and accountability for trust relationship with Indians, Tribal government involvement and advocacy efforts at local and federal level, increased resource sharing, increased funding for educational research and programming for Indians, inclusion of Indian statistics in mainstream studies. Central effort by local, state, and national Indian organizations to share resources, conduct advocacy activities, and create a unified message for improvement, and provide more state and congressional testimony.</p>
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<p>12. 2005 National Indian Education Study Part I (Rampey et al., 2006) & Part II (Stancavage et al., 2006)</p>	<p>Of all ethnicities, lowest math and reading scores in nation for grade 4 and 8. Noted significant differences in Indian education in rural, urban fringes, and inner city areas (rural achievement lowest). AI students are English Language Learners (25% on average). Poverty levels (over 60% of all Native students) negatively impact test scores. Nearly 2/3 of Native students say they want to go to college; 30% do not know their educational goals. 63% of Native students are taught by non-Natives. 38% of Native students in public schools have access to culture and language class at school. 81% of teachers with Native students have 5 years of experience or less; 53% of teachers educating Native students have been at the school 5 years or less. Culturally relevant math and language arts curriculum seen in 10% of schools; 90% used academic (not cultural) standards to drive curriculum.</p>	<p>This was a descriptive statistics (part 1) or baseline school perceptions and experiences (part 2) report; no recommendations were provided.</p>
<p>13. 2007 National Indian Education Study Part I (Moran et al., 2008) & Part II (Moran & Rampey, 2008)</p>	<p>Grade 4 and 8 reading and math scores showed no significant changes from 2005 levels. 60% of Native students are in poverty vs. 34% of their non-Native peers. 60% of Native students attend schools where nearly 2/3 of the student body qualifies for free or reduced lunch. 80% of Native students are taught by white teachers; only 17% of Native students attending public schools get exposure to language and culture at their school (significantly decreased from 2005).</p>	<p>This was a descriptive statistics (part 1) or baseline annual school perceptions and experiences (part 2) report; no recommendations were provided.</p> <p>Many of the summary areas reported in the 2007 report did not include the same summary areas as noted in the 2005 summary report for part 2; hence, no longitudinal information or statistical change information was provided.</p>
<p>14. 2009 National Indian Education</p>	<p>Grade 4 and 8 reading and math scores showed no significant changes from 2005 levels. In communities of poverty, Native students score the</p>	<p>This was a descriptive statistics (part 1) or baseline annual school perceptions and experiences (part 2) report; no recommendations were provided.</p>

<p>Study Part I (Grigg et al., 2010) & Part II (Mead et al., 2010)</p>	<p>lowest in reading and math on average; the achievement gap between Native and whites has increased since 2009 in reading and math. 64% Native students get weekly support at home and school with schoolwork; 55% of Native students report college aspirations (a decrease from 2005). 61% of Native students have culture and language in the school curriculum (an increase from 2005); 95% of Native students have curriculum driven by state content (not cultural) standards (an increase since 2005). 41% of Native students are taught by non-Natives (a decrease since 2005) but over 35% attend schools with no Native teachers. Over 90% of school communication with Native families is by phone or e-mail; Native face-to-face communications at school with staff/administration decreases significantly from elementary to high school.</p>	<p>Many of the summary areas reported in the 2009 report were not the same summary areas reported in the 2005 or 2007 summary report for part 2; hence, no longitudinal information or statistical change information was provided.</p>
<p>15. 2011 National Indian Education Study Part I & II (NCES, 2012)</p>	<p>At grades 4 and 8, math gap between non-Native and Native scores has grown since 2005, 2007, and 2009 reports; no significant change in reading achievement for Native students since 2005, 2007, and 2009 reports. Native students lag behind “all other” racial/ethnic groups in math since 2005, 2007, and 2009 reports; Native students “lose ground” in reading as compared to other racial/ethnic minority groups since the 2005, 2007, and 2009 reports. Almost half of Native students attend rural schools. No significant changes in homework help to Native students since 2009 report. 72% Native students report college aspirations (an increase from 2009 report). 70% of Native students have culture and language in the</p>	<p>This was a descriptive statistics (part 1) or baseline annual school perceptions and experiences (part 2) report; no recommendations were provided.</p> <p>Many of the summary areas reported in the 2005, 2007 or 2009 reports were not the same summary areas reported in the 2011 summary report for part 2: hence, no longitudinal information or statistical change information was provided.</p>

	school curriculum (an increase from 2009).	
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These 15 studies provide descriptive statistics and demonstrate that the longitudinal progress toward improvement in AI student outcomes in PK-12 schools (whether public, private or BIA) across the U.S. has remained flat or gotten worse over more than 90 years, despite changes in policies, programming, and resources. Chronic and long-term issues in Indian education include lack of inclusion of culture and language in school and/or curriculum; low/no family or parent involvement; poor or no school/community relationships. These factors are amplified by generational poverty and other low socio-economic status factors and multiple educational risk factors including violence, childhood health, and substance abuse issues. These same 15 studies call for many of the same solutions over the years, including strengthening culture and language in the curriculum; improving the pedagogical strategies of educators and leadership practices of educational administrators to meet the unique learning needs of AI students; and strengthening school/community and school/family relationships.

Despite improvements in Native American participation in terms of educational policy and practice, the research shows that AI students have the most academic ground to make up (Beaulieu, Sparks, & Alonzo, 2005; Bowman, 2003b; Edwards et al., 2006; Grace et al., 2006; TEDNA, 2010; U.S. Department of Education, Office of Elementary & Secondary Education, Office of Indian Education, 2011). In fact, at a national level, AI students in grades 4 and 8 have the lowest average scale scores and the lowest percentages of students performing at or above basic and at or above proficient in both reading and math, “as compared to all other students in the nation” (Moran et al., 2006, p. iv-v). Longitudinally, the achievement gap in math and reading has widened between Native students and *all* non-Native students (including students of color and disabled students) in grades 4 and 8 between 2005 and 2010 (NCES, 2012). What is

noteworthy in these 15 studies (and in most studies about AI education) is that information is primarily gathered at the individual level (student, teacher, parent/family, etc.). At times, these studies also consider organizational factors that support or inhibit educational success (school culture, school/community relations, available resources, etc.). However, what is needed are additional longitudinal research studies that move beyond individual or organizational units of analysis to more deeply document and understand evidence-based policies, practices, and programs that can be tested and scaled up.

Educational policy studies regarding AI education have been conducted, but are scarce in the literature base. Many of these studies document how important Tribally controlled education is in terms of reversing the assimilationist educational policies of the nineteenth century that destroyed the culture, language, lifeways, and communities of AIs. They also suggest positive movement towards educational policies that embrace sovereignty and self-determination to improve the educational success of AI students (Assembly of First Nations, 2012; Deyhle & Swisher, 1997; Fixico, 1986; Tippeconnic, 1999). Other AI policy studies regarding high stakes educational testing policies and other accountability measures under NCLB have been published as well. These policy studies show how the standardization movement in education has taken AI students further away from the naturalistic ways they show their competencies and have left them more at risk to in terms of educational success (Brayboy & Castagno, 2009; Lomawaima & McCarty, 2006). Excessive and nearly exclusive educational policy activities by non-Indian governments and agencies at the federal, state, or municipal level also erodes the legal foundations and jurisdictions of sovereign Tribal governments and Tribal education departments. This is especially problematic when a majority of AI students attend public schools, where Tribes have little or no control over or participation in public school educational policy

development and implementation (Lomawaima & McCarty, 2002b; McCoy, 1991; NCAI & NIEA, 2010).

However, there have been important developments on the national Indian and public education policy landscape over the last decades. As time has moved on, we can see much increase in the frequency of cooperation and capacity building activities between Native and non-Native organizations. This is well summarized in Beaulieu's (2008) article, "Native American Education Research and Policy Development in an Era of No Child Left Behind," which provides historical and contextual policy information regarding AI education prior to, during, and after the passage of No Child Left Behind. Beaulieu documents the comprehensive and exhaustive efforts of multiple national research work groups, Native American national organizations, Tribal governments, and Congressional staff who worked for decades on behalf of AI students through political advocacy, policy development, and research efforts that started prior to and after the passage of No Child Left Behind. Other examples of growing capacity and cooperation include Tribal involvement in educational policy formation; creation of national Tribal educational advisory boards; Tribal Congressional testimony; Tribal creation of Indigenous education boards to monitor federal funding going to private, public, and BIA schools; and Indigenous researchers and Tribal contractors leading national educational studies funded by the U.S. Department of Education. Under President Obama's two-term administration, federal/Tribal relations, infrastructure, and resource support seem to be improving compared to past federal/Tribal initiatives (Council of Chief State School Officers [CCSSO], 2005; NCAI, 2012; NIEA, 2007; White House, 2010).

Given increased cooperation between Tribal and non-Tribal government bodies regarding education and the extremely limited research base to date, there is an urgent need to study the

intersection of multiple-government Indian and non-Indian educational agencies as subsystems within a larger educational policy system. This dissertation examines, through case study, how multiple governments intersect to develop, co-develop, and/or implement education policies, engage in collaborative programming, and share resources on behalf of AI students attending public schools. This study, with similar systems policy studies, could be used for building the literature base of best practices and replicating successful multi-jurisdictional approaches to improving AI education. This information is scarce in the literature and is desperately needed, even as funding for studies and the creation and maintenance of an empirical Native American database has been eliminated (Roman Nose, Q., 2012).

A policy systems study of AI students in public school contexts would be supported by Indian and non-Indian scholars, governments, and communities, given the trend towards Tribal governments becoming more active in educational policy. Over the past two decades, Tribes have increasingly asserted their sovereignty and right to self-determination within the context of education (Roman Nose, Q, 2012; TEDNA & NARF, 2013; White House, 2014). Multi-jurisdictional policy systems studies examining Tribal governments and Tribal Education Departments, conducted in consultation with Tribes is needed in education, especially where formal Tribal consultations are not considered a federal trust responsibility (Routel & Holth, 2013; U.S. Department of Education, 2011b). This is the case in Wisconsin, where the State Superintendent of Education is an elected position (vs. appointed by the governor) and therefore formal Tribal consultations are not required by federal law. Moving beyond formal Tribal consultations, a tri-lateral educational model (Bowman & Reinhardt, 2014) would provide for a policy context and process that is continuous, interactive, and builds opportunities for shared

educational responsibility to support the educational success of AI students attending public schools.

Historically, Tribes have been politically unwilling or have not provided similar resources to assert their own sovereignty to make non-Indian governments and agencies more accountable for effective education of their AI students. Sadly, educational policy, outcomes, and accountability have not been at the top of the priorities list when compared with similar dedicated resources (time, human, and fiscal) for K-12 education that are typically set aside for gaming, economic development, or housing/infrastructure. However, the percent of the S-M Tribes' overall K-12 educational budgets for education is increasing; as the findings will show in Chapter seven.

One exception to the general lack of Tribal resource allocation to education is the fact that more Tribes have allocated considerable amounts of funding to higher education. Tribes have been building new or significant expansions on Tribal college campuses (buildings, infrastructure, human resources, programming, and research-based activities). Tribes have also enacted Tribal government budget supports for tuition, scholarships, and education expenses (e.g., books, mileage, meals, etc.) for AI students (Tribal members) receiving higher education at public, private, or Tribal institutions of higher education for technical, undergraduate, and graduate or professional degrees (Bowman, 2015). Clearly, Tribes are willing to invest in and prioritize education, as these higher education efforts shows. Understanding how to build the capacity and resources for better support of K-12 education by Tribes is an area of future study. However, the findings of this study suggest initial promise for K-12 Tribal educational policy and resource support. As discussed further in Chapter VII, when there are formal K-12 Tribal education policies, there are also stronger resource supports for AI education by the Tribe.

The same can be said for public resources and budgets, in that investment in AI education in the public sector is given little to no attention in terms of being part of a wider public policy school improvement agenda. When federal or state education policies and initiatives are rolled out, Tribal governments and Tribal Education Departments are not regular participants at the table in the same way as Local Education Agencies (LEAs). And despite federally mandated requirements for empirical data collection and accountability for AI students specifically and exclusively under NCLB, policy development and implementation activities, educational programming and professional development training, and educational policy, research, and evaluation studies continue to exclude AI study participants. As a result, there is little empirical evidence in mainstream academic databases that shows what is working in the public school context regarding the education of AI students. Culturally responsive, scientifically rigorous, and multi-jurisdictional evaluations (Bowman et al., 2014) are critically important components to improve the educational outcomes for AI students in the millennium and beyond. Formative and summative evaluation, together with research, are essential to holding Indian and non-Indian governments and agencies responsible and accountable for effective policy development, policy implementation, and future programming. Without culturally responsive and scientifically rigorous Indigenous research and evaluation policy and system studies, the vision for self-determined and self-sufficient Indigenous nations, as articulated in federal and Tribal policies, will never be realized. And if Indigenous people are not included as leaders or participants in multi-ethnic scientific evaluation and research teams, academic studies of Indian education will continue to produce ill-informed or irrelevant findings for AI populations, thus rendering any public policies, systems changes, or programming from these studies ineffective, let alone generalizable.

As an Indigenous scholar, I am excited to see that we are beginning to build Indigenous capacity for these conversations. This type of multi-jurisdictional and culturally responsive Indigenous study – that is, program, school, system, and policy evaluation studies done about, by and for Indigenous people – is becoming more common. Chapter III outlines the theoretical frameworks for this study that respect and incorporate Indigenous culture and context. These culturally responsive frameworks should also be considered when designing future research and evaluation studies in AI education.

Chapter III: Theoretical Frameworks

This chapter discusses the theoretical frameworks that inform my research involving Indigenous participants in Indigenous community contexts (on and off the reservation). First, the chapter addresses the positioning of culturally responsive research within the western academic context and describes the tensions between western and Indigenous epistemologies as well as the gaps that exist that necessitate the theoretical frameworks used for the study design. The chapter continues by explaining how Critical Race Theory and Tribal Critical Theory inform research in the Indigenous context, build upon one another, and extend beyond the western academic discourse to deliberately include Indigenous theoretical perspectives that are unique and responsive to American Indian Tribal governments, Tribal community members, and Indigenous study participants. The chapter concludes by summarizing how these theoretical frameworks align with a larger, Tribally-driven educational research agenda.

Indigenous theories provide a broad and overall understanding of Indigenous philosophies and practices for conducting research within Native communities. As an Indigenous researcher, I follow the broad principles of Indigenous theories and methods but still allow for individuality in my research because Indigenous identity is individual and Native American communities are not monolithic. Hence, my views and my choices in terms of methods, frameworks, language and instrumentation may be different from other Native academics. This is appropriate and respectful not only to myself, but to my Indigenous colleagues. Unfortunately, both mainstream academia and western society often are unaware of or dismiss the vast diversity within Indian communities, Tribes, and Tribal families. Therefore, the purposeful use of Indigenous theories and methods for my study also directly informs and contributes to mainstream academia.

My research framework follows the tradition of Wilson and Yellow Bird (2005), who state, “The Creator gave us our language to name, understand, give meaning to, communicate, and relate to the world we lived in. Through language we were given a way of life” (p. 109). Our language, through oral teachings, tells us how to live as traditional Mohican/Lenape (Stockbridge-Munsee) people. When Europeans came to Turtle Island (now called North America), our culture and language was taken from us when we were forcibly removed from ancestral homelands and put into mission, boarding, and now public schools. These forced removal and assimilation policies and activities stripped us of our cultural identity and healthy way to live. By reclaiming our culture, language, and sovereign rights through contemporary Tribal government and Federal laws, we work to undo the harm that colonization did to us. One day at a time we use culture, language, and our traditional practices to rebuild ourselves, our families, and our communities; education is the key to this process.

By using critical and Indigenous theoretical frameworks to answer the study’s two research questions:

1. How does the Stockbridge-Munsee government develop educational policy?
2. What influences the Stockbridge-Munsee’s educational policy-making process?

I am reclaiming intellectual spaces and transforming the way mainstream research is normally done by utilizing critical and Indigenous theories, methods, and traditional knowledge to address the traumatic historical and educational atrocities brought down upon our community.

Theoretically and methodologically, the study puts the S-M people, policies, and government at the center of the study to highlight their self-sufficient and sovereign power regarding education. The study documents not only the policies but the legal ordinances and multi-jurisdictional practices across systems and sub-systems in the educational policy landscape as the Tribal

government and community work with non-Tribal partners and agencies to improve education for S-M students.

The Positioning of Culturally Responsive Research within a Western Academic Context

Indigenous research conducted by Indigenous or non-Indigenous scholars must be ethical, culturally sensitive, and appropriate for the communities where the research is conducted (Grande, 2004; Hood, Hopson, & Frierson, 2005; Kovach, 2010; LaFrance & Nichols, 2009; LaFrance, Nichols, & Kirkhart, 2012; Oakes, Riewe, Edmunds, Dubois, & Wilde, 2003; Smith, 2012; Tillman, 2002). Being an Indigenous person does not automatically make a researcher culturally responsive, responsible, or appropriate for the Indigenous community of study. However, Indigenous researchers are often held to higher standards than non-Native researchers are by our Indigenous communities. There is a sense that Native researchers should “know better” in terms of appropriate social, cultural, and community norms, and a corresponding understanding that we face greater consequences than “outsiders” face for inappropriate behavior. Indigenous researchers also bear responsibility for giving back (traditional teaching) to our communities. Carrying out a purposefully designed Indigenous research study is not only respectful and responsive to my community, but is also a personal exercise in decolonization (Mihesuah & Wilson, 2004; Swisher, 1998). Independent Indigenous research empowers me to exercise my personal sovereignty and model the freedom, justice, and autonomy that individual Native Americans and Indian communities strive toward (Alfred, 1999). As a conscious act of decolonization (Wilson & Yellow Bird, 2005), Indigenous researchers often use their studies to “rewrite and reright” (Smith, 1999, p.28) history using Indigenous theories, knowledge, resources, and sources. Indigenous research within mainstream or western contexts is about reclaiming our place in the intellectual space; understanding tensions between the two contexts;

navigating and bridging gaps between the two worlds; challenging inaccuracies within the academic context; and leading research studies that address community issues with all the passion, rigor, and respect that we expect from academia.

Addressing the research design's tensions and gaps begins with choosing relevant theoretical framework(s) as the foundations of the study's design. Indigenous scholars rely upon using traditional Indigenous culture, language, and resources to address the culturally inappropriate methods, acculturation, and discontinuity between western and Indigenous research (Grande, 2004; Nelson-Barber, LaFrance, Trumbull, & Aburto, 2005; Smith 2012; Yellow Bird, Bowman, Steichen, & Brandon, 2007). Historically and currently, there are tensions and gaps in western research designs that are non-responsive (have the knowledge but choose not to respond) or unresponsive (unable to respond because they have no knowledge) to Indigenous participants, Tribal governments, and Indigenous community and cultural contexts. Tensions exist because western researchers usually use philosophical, theoretical, and/or methodological frameworks that do not meet the needs of those being studied: Indigenous participants and communities. Tensions also exist because the mainstream research community privileges, values, and utilizes research differently than Indigenous communities. The examples below highlight the research tensions between academic and Indigenous contexts and explore the gaps between these two contexts where there is something missing that the western academic model does not (or perhaps, cannot) offer.

Western mainstream wisdom generally holds that valid, reliable, and trustworthy research is impartial and uses experimental or quasi-experimental designs with finite timelines and goals. Written or published information is of the highest value. One standard of research value is the total amount of research funding awarded. In contrast, Indigenous people often prefer to transfer

knowledge orally, value multi-generational learning processes, and focus on the individual's experience in the learning process as it relates to the empowerment of the community in its entirety (Bowman, 2005). Because Indigenous people often transfer knowledge orally, there is little published Indigenous information in the mainstream literature, creating a knowledge gap. Because Indigenous knowledge is absent from western literature, mainstream academia sees it as less valuable or even nonexistent. This widely accepted worldview and practice in academia further marginalizes Indigenous people and renders them voiceless, powerless, and penniless in a world that privileges the written transfer of knowledge. This tension between how western written literature and the Indigenous oral knowledge base are valued creates a knowledge gap that places Indigenous scholars hundreds of years "behind" in terms of credible literature. Without a knowledge base that is credible in western academic circles, Indigenous research projects are less likely candidates for investment. Because their knowledge may be real but not published, Indigenous scholars may be deemed less credible subject matter experts. Collectively, these tensions profoundly influence the academic journey that an Indigenous scholar must take when embarking on a graduate degree where independent research is a requirement for graduation.

There are also tensions between the "objective" stance of the dominant western research context and the Indigenous research context, in which lived experience, subjective interpretations, and making direct personal research contributions that lead back to assisting the community are valued. These are hallmarks of what traditional Indigenous people and communities consider (what "counts" in academia) about the work done by researchers. Indigenous researchers have a traditional obligation (sacred responsibility) to answer to our communities, traditional leaders, and elders. Many Indigenous researchers do not prioritize

research responsibilities to universities, publishing companies, or funders because serving the community's needs are the most important or first priority. This is not necessarily a disconnect, but rather a conscious choice to care for others first and attend to community-based needs. When those needs are addressed, research can then be connected to other stakeholders (employers, grant agencies, publishers, etc.). To use an Indigenous metaphor to explore this tension: in the Native tradition, when you harvest a deer, you do not bring the venison only to your own lodge (home). Rather, you share with other homes in need or with the community in a social or cultural event that calls for a traditional meal. Likewise, an Indigenous research agenda should empower the researcher and the community; this is work that solves problems that the community faces, contributes to strengths-based approaches that are effective, or documents the assets and resources of a strong Indigenous community for future replication or scaling up efforts. This tension between western academic and traditional Indigenous worldviews is also seen in the dissertation process. Academia says, "Get it done and published" (it's all about me), while the traditional Indigenous community asks, "What did you learn and who did you help along the way?" (I'm learning, but I'm empowering others along the way for however long that takes).

Other scholars and commentators have addressed the dissertation process, as well as the many influences that can support the performance of AI students in public schools (Demmert, 2001; Demmert & Towner, 2003), including those that help the persistence of Tribal students, S-M in particular (Bowman, J., 2015). Within the context of higher education and academia, I believe, with Kirkness and Barnhardt (1991) that the dissertation process needs to embrace the four Rs, where Indigenous students can be engaged in system of higher education that *respects* us for who we are, provides an academic space open to Indigenous worldviews that are *relevant*

to our topics of study, that supports *reciprocal relationships* in that participation in the study is of shared benefit to many, and that facilitates Indigenous student growth and *responsibility* within their topic of study and to the study participants, committee members, and other key stakeholders interested in study findings. These oral teachings, elder epistemologies (Ackley-Christensen & Poupart, 2012), and knowledge, strengths, and resources of Indigenous people are embedded within the design, the researcher, and the research process to make ancient connections back to the Tribal community and our Indigenous ancestors who are with us only in spirit. This critical and traditional Indigenous space within academia and Indigenous research studies is paramount to AI student success in any educational context.

Gaps exist between western research contexts and Indigenous communities, where the Indigenous context requires something that the dominant western model does not or cannot provide. Most research studies about Indigenous populations are funded and/or lead by Western research teams using Western research paradigms, which have not served American Indians in the public education system well (Harrington & Pavel, 2013). Agencies and organizations conducting research often leave differences between the strategies and goals of western vs. Indigenous research unaddressed, which contributes to existing intellectual, legal, and/or cultural gaps. For example, intellectual gaps occur when western research teams do not know about or do the work to find Indigenous resources that may be helpful to their study, such as Indigenous theories, methods, and instruments or Indigenous scholars who can act as research partners. In theory, western academia bases credible scientific research on knowing the field and synthesizing research first through a literature review before conducting new research, and often secures funding with subject matter experts. Why is this same credible and scientific process not

used with Indigenous populations or content areas when conducting “rigorous” scientific research?

Legal gaps occur when western research teams are uninformed, unmotivated, and/or uneducated about the legal protections afforded to Indigenous people and Tribal governments under laws of sovereignty. Because Tribal governments have the legal status and standing of a separate, sovereign government, western researchers and academic institutions should be *requesting permission* to conduct research from Tribal governments. Models for how to work with Tribal governments in a multi-jurisdictional way exist in the work done in health, human services and justice contexts, where great attention is paid to the legal protections afforded to Indigenous populations. These models could address legal gaps in the academic context, and inform multi-jurisdictional educational or research service delivery models, as well as the policies, processes, resources, and infrastructure that support how research is conducted with Tribal governments and people.

Cultural gaps exist because of what western academia typically values in terms of research, especially when doing educational reform research where diversity is high and the diversity in the research team is low, which can create barriers to equitable and just schooling (Delpit, 1988; Delpit, 2006; Gomez, 1994; Harrington & Pavel, 2013; Reyhner, 1992). Western research theories underlying studies, data collection methods, and worldviews of the western researchers designing/leading the study often conflict with or are not inclusive of the Indigenous participants and contexts. Western academia privileges its own method for conducting research, from research design and conduct, to publication and information sharing, to human subjects protection. Researchers often lack the training, knowledge and background to be aware of, equally value, or include Indigenous cultural or community research and learning protocols.

They are unaware of the cultural, human, and intellectual property rights of Tribal governments, and are unlikely to seek approval from the traditional community leaders and elders. The academic community should see this as methodologically, ethically, and morally irresponsible. As Mertens and Wilson (2012) point out, “Knowledge is constructed within a context of power and privilege with consequences attached to which version of knowledge is given privilege” (p.170). Thus, there can be no justice in social science research when the legal, cultural, and human protections for Indigenous people are ignored, blocked, or unknown by western academia.

The tensions and gaps between western and Indigenous research theories make the dissertation process challenging, as Indigenous researchers must move figuratively, conceptually, philosophically, practically, and physically between and within the Indigenous and non-Indigenous worlds. The linear and disconnected structure of western research stands in contrast to the circular and interconnected nature of Indigenous research. Western academia categorizes research into epistemological, ontological, methodological, or philosophical categories (Cram & Mertens, 2015). Philosophy, epistemology (the study of knowledge or justifying beliefs (Steup, 2005), or ontology (the study of being or identifying what exists and how things relate (Gruber, 1993) are circular and connected for many Indigenous researchers because one of our central teachings is that all things are related (living, non-living, etc.). This makes writing chapters just about methods or just about theories feel incongruent because Indigenous researchers see the relationships, connections, and overlap of these theories/methods, not as distinct or separate as a dissertation study requires. Indigenous people see themselves as one integrated being in relationship with all things in the “seen and unseen world” (White Bison, personal communication, April 25, 2007). In my Native language, the word that best encompasses

reflection on who we are, how we think, and what exists is “elangomat” (The Lenape / English Dictionary, 2000), which means we are all related or all things are related. One may also say “kiiloonaa.” Roughly translated, this means that things are inclusive and belong to all of us (G. Jacobs, personal communication, April 3, 2007). Traditional Indigenous people continuously use a reflective process based upon lived experience and wisdom given to us from our elders through our cultural teachings and language. When this cultural and traditional process is followed, the traditional Indigenous community values and respects each person’s experiences as true. This Indigenous way of being and respecting each member’s perspectives contributes to a tendency for Indigenous researchers to question, deconstruct, and/or reject the neat categorizations, definitions, boundaries, and assumptions of mainstream academia. Instead, we find that all things are related: where we come from, how we do things, and how we live life regardless of the setting, whether personal, cultural, or professional.

Situating an Indigenous research study and an Indigenous researcher within the western academic context can be an intense and isolating endeavor for Indigenous graduate students. Vine Deloria, Jr. (1999) bluntly describes this tension between the western desire “to be clear, orderly, obvious, and without possibility of reform” and Indigenous worldviews as resulting in an “insanity that can survive only by renewed efforts to refine the definitions ... that, ultimately, becomes totally self-destructive” (p. 6). Rather than self-destruct or be forced to conform to using only western research paradigms rather than Indigenous ones, many Indigenous students choose to leave western school systems all together. I deliberately chose the academic journey of completing this dissertation as a study within the public educational policy context and school systems, hoping not only to complete the journey but also to do so as an Indigenous scholar who upholds the cultural, traditional, and academic expectations of my community. By using

Indigenous theories, methods, instruments, and because of the continued guidance I received from my traditional teachers/elders and traditional Indigenous academic scholars, this effort has been possible. Because of both the academic and traditional Indigenous influences, I have come away from this process with deeper understandings about Indigenous theories and methods through a self-reflective and reflexive practice that strengthened aspects of my Indigenous and academic identity. Placing myself as a contributor within an Indigenous field of scholars and understanding how my study fits within the educational policy landscape helped me situate my research within and across multiple contexts.

Dominant western research methods and inquiry strategies have continued to evolve and are more responsive to case studies or other research study designs. Experiential studies are no longer the rule for educational studies, particularly when culture, racial/ethnic, political, and contextual study design elements are so prominent in some research studies. Critical and Indigenous study methodologies (Denzin, Lincoln, & Smith, 2008) provide ways to decolonize inquiry and deconstruct traditional western methods of research that are more inclusive, constructivist, participatory, critical, post-positivist, phenomenological and transformative in design, underlying theories, and methods. These qualitative research strategies are valuable and credible ways to conduct research that provide both academic rigor and a space for new narratives, counter narratives, and epistemological worldviews to provide important, innovative, and empowering contributions to the field of educational research (Apple, 2000; Apple, 2003; Brown, 2011; Gitlin, 1994; Marshall & Gerstl-Pepin, 2004). Within Chapter IV, the study incorporates methods that are now recognized in the “mainstream” as valid and credible; they are also consistent with Indigenous approaches as a hybrid strategy for meeting the expectations of western and Indigenous contexts. These hybrid methods are appropriate because they bridge the

two worlds (traditional Native and western dominant). Although they are named differently, they function virtually the same during practical implementation. For example, though the term “talking circle” may be unfamiliar to those unaccustomed to conducting research in Indigenous contexts, it becomes familiar when described to western researchers, who understand the method as a group interview or focus group. The same can be said in reverse for Indigenous study participants who know “talking circles” but are unfamiliar with or not formally trained in “focus groups” or “group interviews.” Using these hybrid methods is not only appropriate and understood, but it builds trust with study participants and committee members because a common ground is found and understood, although the method’s name may be different for different study stakeholders.

Because this case study crosses the multiple contexts of Indigenous, education, and academia, the appropriate theoretical frameworks for my study are Critical Race Theory and Tribal Critical Theory. These theories are the foundation of my study design, support the critical and transformative nature of study methods, and are aligned to the questions of my study. These theories guided the study design and methods to produce findings that contribute to addressing Indigenous community needs in education. They also inform the creation and operation of multi-jurisdictional partnerships among public and Tribal government agencies that develop and implement educational policy that impacts AI students.

Critical Race Theory

Critical Race Theory (CRT) critically examines and deconstructs how political, legal, and other power relationships influence inequities seen within society, particularly in terms of racial/ethnic inequalities (Yosso, 2005). Within these contexts, CRT provides lenses to study the

interactive dynamics and influences of power relationships. Delgado and Stefancic (2001) define the six tenets of CRT as follows:

1. Racism is ordinary, not aberrational. People of color [or different marginalized populations, i.e. low socio-economic class, disability, sexual orientation, etc.] face racism [classism, etc.] on a daily basis. It is not a random or infrequent occurrence, and its ordinariness makes it difficult to cure or address.
2. “Interest convergence” or material determinism recognizes that racism can be difficult to address because it advances the interests of both white elites (materially) and working class people (psychically). There is little incentive in society to eradicate racism.
3. The concepts of “race” and “races” are the products of social thoughts and relations. These socially constructed categories do not correspond with biological or genetic reality. They are categories that society invents, manipulates, or retires when convenient.
4. The dominant culture practices “differential racialization”; in other words, the dominant society racializes different minority [or underrepresented] groups in different ways at different times based on social or political needs.
5. Intersectionality and anti-essentialism recognize that everyone has potentially conflicting, overlapping identities, loyalties, and allegiances in terms of race and identity. No one person has a single, easily stated, and unitary identity.
6. The voice-of-color thesis exists in uneasy tension with anti-essentialism. This theory holds that because of their different histories and experiences with

oppression, black, Indian, Asian, and Latino/a writers and thinkers may be able to communicate to their white counterparts matters that the whites are unlikely to know. Minority status, in other words, brings with it a presumed [but not necessarily actual] competence to speak about race and racism.

Having a minority racial status does not automatically make you a competent voice with which to speak about race and racism (p. 3).

Exploring the narratives, counter-narratives, and dynamic relationships among race, racism, and power (Bell, 1988; Delgado, 1989; Delgado & Stefancic, 2012) provides powerful ways the critical theorist can examine long-standing inequities. Understanding how these relationships operate within a particular context can be used as an epistemological, theoretical, and methodological tool for documenting educational inequities, transforming education, and liberating the voices of racial and ethnic minorities (Darder, Baltodando, & Torres, 2003; Darder, Baltodando, & Torres, 2009; Ladson-Billings, 2009; Ladson-Billings & Tate, 1995; Parker & Lynn, 2002). CRT questions the very foundations of the status quo and social order by deconstructing and critically examining equality theory, legal rationale for laws, and the widely accepted “neutrality” of constitutional law (Delgado & Stefancic, 2001, p.3). This critical questioning of constitutional law is paramount to addressing issues within public education, where policies serve as a basis for educational programming, funding, infrastructure, governance, and other resources that can either change or contribute to the chronic issues in educating AI students. Therefore, designing research studies using a CRT theoretical lens supports how educational research can be used as transformative lever not only for liberating the education of adults (Brookfield, 2005) who will be running our public schools and shaping

educational policy, but also for improving the education of students who face the highest levels of educational risk.

CRT's use in educational contexts builds upon the work of several scholars who used CRT initially in legal studies contexts, including the Civil Rights movement. CRT was initially introduced in educational classrooms in the 1970s (Delgado & Stefancic, 1998), when Derrick Bell, the first African American professor at Harvard University, used CRT to gain better understanding of western racial history and the conflict surrounding the litigation that supported the Civil Rights movement (Bell, 1987). Learning from the use of CRT in legal contexts, Delgado used Bell's Civil Rights litigation strategies as a model for a lever for momentum and change when he employed CRT methods as a response to the stalled (and repealed) progress made during the Civil Rights era (Delgado, 1987). Contemporary scholars use CRT tenets to study interest convergence between racially different groups, hate speech, social construction of racial realities, and the critique of rights and liberalism (Crenshaw, Gotanda, Peller, & Thomas, 1996; Delgado & Stefancic, 2001; Delgado & Stefancic, 2005).

CRT was used in the social sciences, including education, to study and deconstruct western history from the perspective of people of color, to interrogate and fight against those calling the corrections of historical errors "revisionist history," and to develop critical pedagogies (Diamond, 2006; Diamond, 2012; Diamond, 2013; Diamond & Huguley, 2011; Ladson-Billings, 2003; Ladson-Billings & Tate, 1995) for studying various underrepresented demographic groups (race/ethnicity, socio-economic class, sexual orientation, etc.) to learn collectively about what these marginalized groups had in common.

As it has evolved, CRT has proved fertile ground for the development of more diverse and specialized theoretical frameworks for examining the intersections of narrative, race and

power (Delgado & Stefancic, 2000; Delgado & Stefancic, 2001). New scholars, such as Latino-Critical theorists (Lat-Crits) (Stefancic, 1997) and Native American Critical Theorists (Tribal-Crits) (Brayboy, 2002; Brayboy, 2005; Haynes Writer, 2008) used principles of CRT to build upon the work of affirmative action groups, activists and researchers to forge disciplines with distinct identities, separate activities and scholarly endeavor. Today, these disparate groups are working to make sense of how they are situated within the larger field of CRT (Brayboy 2013; Brayboy, B., Gough, H.R., Leonard, B., Roehl, R.F. & Solyom, J.A., 2011; Brookfield, 2005).

Currently, CRT has moved from a deficit view to a focus on researching and learning from the cultural resources and cultural capital that often goes unrecognized and unacknowledged in mainstream society (Yosso, 2005), especially in education. Parker and Lynn (2002) utilize the CRT process as a “tool through which to define, expose, and address educational issues” (p. 7) including documenting strengths, resources, and effective practices developed and used by minority or marginalized populations. CRT allows for an information gathering process that is completed with “people representing differing perspectives” (Capper, 1998, p. 362) to critically document educational merit through their accounts and/or critical counter-stories (Love, 2004; Matsuda, Lawrence, Delgado, & Crenshaw, 2005).

Within this study, I use CRT’s general theoretical tenets about race/ethnicity and deepen CRT by providing a critical Tribal theory/perspective that directly relates to Indigenous contexts and public contexts where AI students receive their education. Tribal Critical Theory (TCT) is as an extension of CRT because it documents the power relationships and influences that shape educational policy regarding AI students from Tribal and non-Tribal perspectives. Recognizing the diversity in voices, experiences, and perspectives of Indigenous participants (one of the tenets of CRT, anti-essentialism), the study includes Indigenous communities on and off the

reservation; elected Tribal government officials; Tribal government or public school employees and administrators; regional and state educational policy makers from Tribal and non-Tribal agencies; and community members, elders, and traditional leaders. Within the study, Indigenous people are recognized as the creators, holders (Delgado Bernal, 2002), and disseminators of their knowledge. This approach, consistent with CRT, strives to empower Indigenous communities as one of the voices in a larger social-educational discourse and also values narratives and counter-narratives to put an Indigenous voice in the center of the public educational policy context, not as a marginalized side-conversation. CRT applied to educational research is also an active commitment to social justice, in which researchers challenge, hold accountable, and suggest meaningful Tribal-centric solutions that responsible public education systems should consider incorporating to improve the education of AI students.

CRT is an appropriate theoretical framework for this study because it recognizes racism as a daily, socially constructed, and multi-faceted phenomenon that has consequences for those in power and without power. Additionally, CRT helps us to better understand the concept of interest convergence as we look at a multi-jurisdictional and tri-lateral model (Bowman & Reinhardt, 2014) for educational service delivery as educational policy and agency subsystems (federal, state, local, and Tribal) intersect with one another. The influences of each of these subsystems and the larger educational policy context as these educational agencies interact when supporting educational programming, improvements, and reform for AI students in public schools can be better understood through CRT as we examine perspectives and behaviors of each educational agency. CRT interrogates the foundation of constitutional law to deeply investigate and question what is just and who reaps the benefits of our justice system. However, CRT does not fully address the legal, political, and cultural components unique to sovereign Tribal

governments and Tribal community members. Furthermore, CRT does not specifically address the historic destruction and forced colonization and assimilation of Indigenous people, the first inhabitants of what contemporary society calls North America. Tribal Critical Theory (TCT) extends Critical Race Theory, and deepens the theoretical frameworks that inform this study.

Tribal Critical Theory

Tribal Critical Theory (TCT) is a theoretical framework and method used to examine Indigenous people throughout the world for personal and Tribal empowerment and liberation (Brayboy, 2005; Pulitano, 2003). Unlike Critical Race Theory (CRT), which asserts that racism is endemic to society, TCT holds that colonization is endemic to society (Brayboy, 2001; Brayboy, 2002; Brayboy, 2005) and that colonization for purposes of assimilation is unique to Indigenous people in and outside of the United States. Building on the CRT framework, TCT deepens the theory by applying it to the distinct legal, political, historical, and cultural components that are uniquely tied to Indigenous people and Tribal governments. Brayboy (2005) offers nine tenets that summarize TCT and distinguish it as related to but different from CRT:

1. Colonization is endemic to society.
2. U.S. policies towards Indigenous peoples are rooted in imperialism, white supremacy, and a desire for material gain.
3. Indigenous peoples occupy a luminal space that accounts for both the political and racialized natures of our identities.
4. Indigenous peoples have a desire to obtain and forge Tribal sovereignty, Tribal autonomy, Tribal self-determination, and self-identification.

5. The concepts of culture, knowledge, and power take on new meaning when examined through an Indigenous lens.
6. Governmental and educational policies towards Indigenous peoples are intimately linked to the problematic goal of assimilation.
7. Tribal philosophies, beliefs, customs, traditions, and visions for the future are central to understanding the lived realities of Indigenous peoples, but they also illustrate the differences and adaptability among individuals and groups.
8. Stories are not separate from theory; they make up theory and are, therefore, real and legitimate sources of data and ways of being.
9. Theory and practice are connected in deep and explicit ways such that scholars must work towards social change (p. 429-430).

Race has fluid and de-centered social meanings that are continually shaped by political pressures (Calmore, 1992) and by Tribal perspectives and contexts (Brayboy, 2005; Warrior, 1995). Consequently, the intersection of CRT and TCT produces interesting data that may be similar or different, especially within educational contexts (Brayboy, 2004; Parker, Deyhle, & Villenas, 1999; Solorzano & Delgado Bernal, 2001). TCT recognizes the importance of Indigenous narratives as a legitimate data source that not only builds theory, but is precisely the theoretical lens needed to examine the impacts of colonization and assimilation, which are the root causes underlying many chronic issues in contemporary Indigenous communities, including education (Brayboy, 2005; Lomawaima & McCarty, 2002b). Therefore, TCT will be used for this research study to frame, construct, and include Indigenous perspectives and knowledge (gathered through survey and interview data) as powerful voices that can contribute to the

broader academic discourse (Brayboy, 2001; Smith, 1999; Wolf, 2004) regarding public education policy and programming for AI students.

TCT is a necessary framework for this study because it not only recognizes the interconnected nature of theory and practice, but also uses Tribal theoretical constructs to directly support the inclusion of Tribal governments and community members as sovereign, autonomous, and self-determined drivers of and participants in the research. Additionally, TCT as a theoretical framework builds into the study design the unique legal and political distinctions afforded only to sovereign Tribal governments. Thus, using TCT as a pathway to methodologically support a multi-jurisdictional study (Bowman et al., 2014) is not only appropriate given the study participants and context, but is also a rigorous and ethical way to design studies involving Indigenous populations.

TCT also supports documenting Indigenous narratives to contextualize and provide for deeper insights for improving educational policy and practice. TCT explicitly recognizes that AI participants have significant traditional *and contemporary* knowledge about education (Bergstrom, Cleary, & Peacock, 2003; Cajete, 1994; Deloria & Wildcat, 2001; Gilliland, 1999; Swisher & Tippeconnic, 1999). TCT creates a supportive theoretical space for using Indigenous research methods that allow for the inclusion and documentation of authentic and alternative Indigenous ways of knowing (Jacobs, 2008). TCT is responsive in terms of the Tribal and public contexts included in the case study design. TCT provides grounding for conducting culturally responsive research and generating educationally empowering information. As Ladson-Billings and Tate (1995) suggest about CRT, I intend to use TCT within this study as a way to “connect race and property as central constructs toward understanding the property functions of whiteness in relation to schooling...[that] move beyond the boundaries of the educational research

literature to include new arguments and new perspective from law and the social sciences...[to] demonstrate the centrality of a race-focused analysis to educational inequality in U.S. schools and schooling” (p. 88).

Alignment with a Broader Educational Research Agenda

The theoretical frameworks and tenets of CRT and TCT support the study design, but more importantly, align well with a larger, national, “Tribally-driven” Indian research agenda (National Congress of American Indians Policy Research Center [NCAI PRC], 2012) and are related to the 2015 educational priorities that Tribal governments have for Congress (NCAI PRC, 2014). These frameworks also take into account the national public educational reform discussions between Tribal and public education agencies, especially as they relate to the future reauthorization of No Child Left Behind, better known as the Elementary and Secondary Education Act of 1965 (Campbell, 2015; TEDNA, 2015; White House, 2014b). This case study is related to this larger national context because the educational reform efforts seen and debated at the federal and state level are being enacted and addressed locally with S-M children receiving public education at local education agencies (Shawano, Gresham, and Bowler School Districts). The study documents how collaborations and activities between the LEAs and the S-M Tribal government, Tribal Education Board, and Tribal Education Department are working within a larger educational reform agenda shaped by federal policy.

Beyond the theoretical study connections to a broader educational research agenda, using CRT and TCT will inform the western discourse as it relates using Indigenous frameworks for public education policy studies. Theoretically and methodologically, the study contributes by sharing new (to western academia) traditional and academic knowledge sources, provides awareness to Indigenous educational scholars, and offers fresh strategies and tools that public

university professors can utilize to support Indigenous students in the future who are conducting research at public universities. Building the capacity of public educational agencies and the human resources at these agencies would strongly contribute to the future educational success of Indigenous students in all educational contexts, including higher education.

Chapter IV: Methods

The history of American educational research is marred by a near complete dismissal and non-use of Indigenous theories, knowledge, and research methodologies because western methodologies continue to define the educational policies, programming, and decision making of K-12 public education (Harrington & Pavel, 2013). My study adds to the literature base through the theoretical use of Critical Race Theory (CRT) and especially Tribal Critical Theory (TCT), which informs all aspects of the methods. The alignment of the methods to these theoretical frameworks is discussed in detail within each of this chapter's subsections.

The methods section begins by describing the single descriptive case study design used for the study. The "indigenizing" case studies section explores how the constructs and methods of community-based participatory research (CBPR), Tribally-based participatory research (TDPR), and an understanding of the multi-jurisdictional legal framework of conducting research in AI or other Indigenous contexts inform the study design and ensure cultural responsiveness, scientific rigor, and adherence to ethical, professional, and legal standards. Sections discussing the study's participants, procedures, instrumentation, and analysis procedures follow. The chapter concludes with a discussion of the study's trustworthiness and the ethical considerations taken into account when creating and conducting this study.

Study Design: Case Study

This study has two research questions:

1. How does the Stockbridge-Munsee government develop educational policy?
2. What influences the Stockbridge-Munsee's educational policy-making process?

To address my research questions, I used a qualitative, *case study* design. Yin (1981a, 1981b, 2003) states that a case study is an empirical inquiry that investigates a contemporary

phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not evident. Case studies allow the use of a number of qualitative methods to collect detailed information from multiple sources, both Native and non-Native, over time (Stake, 1995).

Creswell's (1998) succinct explanation of qualitative research designs with use of visuals helped me to determine a more specific design for this case study. In his "differentiating traditions by foci" (p. 37) model, I understood the choices I had for the types of case study design for this study as depicted in Figure 1:

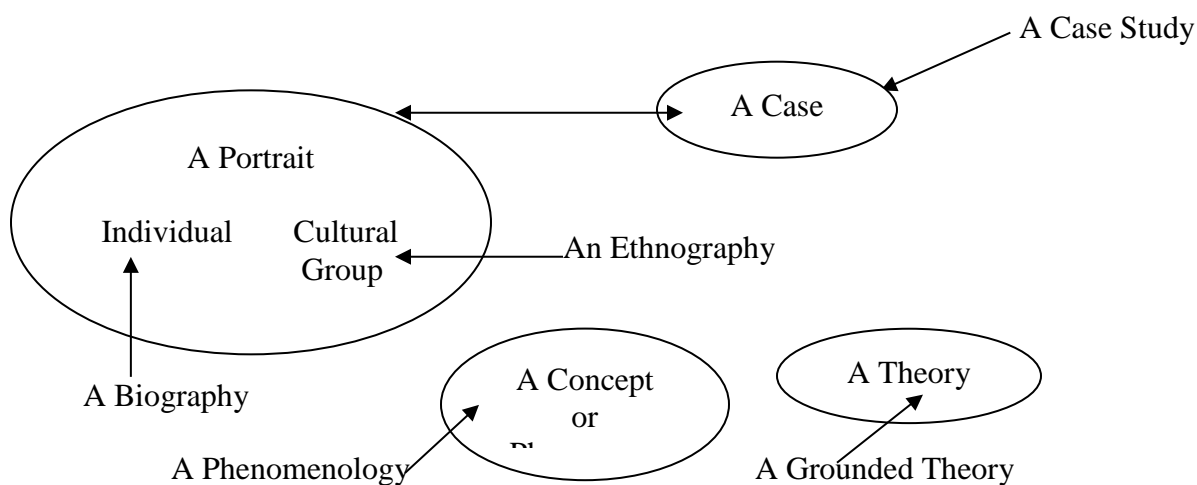


Figure 1. Differentiating Traditions by Foci.

From *Qualitative inquiry and research design: Choosing among five traditions*, by J. Creswell, 1998, p. 37.

This single case study is *descriptive* (de Vaus, 2001; Yin, 2003), in this case, documenting the educational policy development of the S-M Tribal government and what factors influence their educational policy making decisions and processes. As de Vaus (2001) notes, "good description is fundamental to the research enterprise ... [and] provokes the 'why' questions of explanatory research" (pp. 1-2); in other words, descriptive case studies can be

foundational to working toward social change, which is in keeping with the seven generations aspect of my work as an Indigenous scholar. Further, this study is an *embedded case study*, i.e., a case study containing more than one sub-unit of analysis (Yin, 2003). This embedded case study approach is appropriate for this research because the method addresses each unique subgroup (Tribal government, traditional/elder, and community members) within the broader S-M community that is considered part of my case study. The embedded sites within this case take into account the multiple contexts and naturalistic settings (Lincoln & Guba, 1985; Merriam, 1997) of the S-M reservation as well as communities outside the reservation boundaries where S-M people live and work and where students attend public schools because there is no Tribal school on the reservation. These embedded sub-communities fall within Shawano County, Wisconsin; contexts include Gresham, Shawano, Red Springs, Morgan Siding, Bowler, and the S-M reservation itself. Students from these communities attend public school in the Bowler, Gresham, and Shawano school districts. Within these sub-communities, the study recognizes that S-M people are not homogenous, but hold diverse perspectives based on race, class, gender, socio-economic, and cultural factors. Therefore, diverse perspectives of S-M were gathered from elected Tribal government members; elected Tribal board members; voluntary Tribal work groups; and Tribal employees in the Tribal Education, History, Library, or Cultural Preservation Departments. I also gathered perspectives from other members of the S-M community not employed by the Tribe; traditional community members, linguists, and elders; and residents within the Tribal reservation boundaries or living off the reservation in local towns, villages, and cities.

Utilizing an embedded case study design (Heck, 2004; Yin, 2003) allowed me to describe the multiple contexts and stakeholders and the diverse perspectives that exist within the broader

S-M community. This research design supported and gathered diverse S-M worldviews about Native American education across multiple contexts—community, home, society, and school.

Indigenizing Case Studies

Indigenous research conducted by Indigenous or non-Indigenous scholars must be ethical, culturally sensitive (Tillman, 2002), and appropriate for the communities where the research is conducted (Grande, 2004; Hood et al., 2005; Kovach, 2010; LaFrance & Nichols, 2009; LaFrance et al., 2012; Oakes et al., 2003; Smith, 2012). When culture and context are ignored or marginalized, researchers are not acting responsibly, legitimately, or purposefully (Hood et al., 2005; Hood et al., 2014). Furthermore, contextual and multicultural validity suffer when culture and context in academic research are not addressed (Kirkhart, 1995a; Kirkhart, 1995b; Kirkhart, 2005). Researchers must understand that there is both power (Gitlin, 1994) and disempowerment in the research we choose to do. We can choose to have our research catalyze social change (Hadden, 2000) or we can choose to continue marginalizing portions of our society to move the official knowledge of the status quo forward (Apple, 2000). By including culture and context in their study designs, researchers create a rigorous and responsive method (Hood et al., 2005) that increases opportunities for documenting the truth, allows for authentic participation of a wide variety of stakeholders, and increases the multicultural validity of a study (Kirkhart, 1995a; Kirkhart, 1995b; Kirkhart, 2005; LaFrance et al., 2012).

The case study is a formal qualitative research method that strives to discover a set of activities or strategies within one site or across multiple sites. Case studies address why decisions (or strategies) are used, how they are implemented, and describe the result(s) (Schramm, 1971). Qualitative research is understood as experiential, attending to the impressions made on the observer, with equal attention paid to standardized measures and

statistical aggregation (Stake, 1986). However, in light of the fact that colonized research designs and researchers have exploited and misrepresented Indigenous communities (Smith, 2012; Wilson & Yellow Bird, 2005; Yellow Bird, 2007), I propose “Indigenizing” the case study model by grounding and connecting it to CRT and TCT, using my own context and knowledge base as informed by the principles and methods of *community-based participatory research (CBPR)* and *Tribally-driven participatory research (TDPR)* embedded within a *multi-jurisdictional* educational context. “Indigenizing” this case study ensured that it included the distinct political and legal structures of a Tribal government interacting with non-Tribal governments and agencies carrying out educational policy and programming for educating S-M students in three public school districts. CBPR, TDPR, and multi-jurisdictionality aspects of indigenizing this case study are discussed further below.

At the core of community-based participatory research (CBPR) is the understanding that an empirical study involves a true partnership between the researchers and those being studied. Relationships evolve and are continuously evolving so that strengths, resources, voices, and capacities of the community under study are incorporated to produce results that are accurate, relevant, and meaningful to the community (Arizona Biomedical Research Commission, 2006; Brugge & Missaghian, 2006; Burhansstipanov, Christopher, & Schumacher, 2005; Caldwell et al., 2005; Christopher, S., 2005; Christopher, S., Watts, V., McCormick, A., & Young, S., 2008; Edwards, K., Lund, C., Mitchell, S., & Andersson, N., 2008; LaVeaux & Christopher, 2009; Mariella, Brown, Carter, & Verri, 2009; Macaulay et al., 1998; Nilson, Bharadwaj, Knockwood, & Hill, 2008; Sahota, 2010; World Health Organization, 2003). CBPR is well recognized and frequently used in creating federal research guidelines and human subject protection policies. It is also used by agencies or individuals carrying out research within traditionally

underrepresented or marginalized communities. CPBR stands in contrast to traditional research, which is often characterized as “helicopter,” “outsider,” or “safari” research because outside “experts” arrive in a community, conduct a study, and then leave without much participation or benefit to the community (Bartunek, 2008; Bartunek, & Louis, 1996; Brown, 2005; Christopher, 2005; Hodge, Weinmann, & Roubideaux, 2000; Macaulay, 1994; Mihesuah, 2005; Mihesuah & Wilson, 2004). Using a different approach to traditional social science research, CBPR offers a way to empower participants and expand evidence-based knowledge and practices for creating positive change by including Indigenous voices in the research where little to no published evidence of effectiveness exists. Furthermore, creating co-authored study reports with, by, and for Indigenous community members and/or study participants not only expands the literature but also develops the cultural competencies and skills of the western research team. Knowledge sharing; authentic participation in decision-making; shared data or creating data ownership agreements; and development of responsive and appropriate study designs, methods, and instruments are key considerations when using a CBPR study framework. These considerations also align with the tenets of CRT and TCT through inclusion of Indigenous perspectives, knowledge, and experiences as narratives and counter-narratives to inform socially constructed concepts about the legitimate needs and valid realities of Indigenous people. In summary, CBPR seeks inclusion and integration of participants’ knowledge into the study in order to help achieve practical and realistic solutions to social, educational, health, and other quality of life issues linked to a larger social change strategy that all self-determined Indigenous people and Tribal governments aspire to achieve.

Tribally-driven participatory research (TDPR) includes the core principals of CBPR but extends the community base of the model to a more active stance where the legal jurisdictions of

Tribal governments and individuals are included as part of the formal research study design. TDPR not only includes the diverse cultural, linguistic, traditional, and social aspects of Indigenous communities, but moves deeply into the legal framework and protections afforded to sovereign Tribal governments (Bowman, 2006; Bowman et al., 2014; Harding et al., 2011; Lomawaima, 2000; Mariella et al., 2009; NCAI PRC, 2009; Sahota, 2010). The essential difference between CBPR and TDPR is that TDPR recognizes that Tribal governments have the authority to codify research requirements in Tribal ordinances, statutes, and policies that can be even more stringent than institutional review boards or other federal requirements (Brown, 2005; Brugge & Missaghian, 2006; Fisher & Ball, 2003; Macaulay, 1994; Macaulay et al., 1998; NCAI PRC, 2009; Norton & Manson, 1996). Indigenous research is situated within a distinctive political and legal framework where Indigenous people and governments have the authority and jurisdiction to provide access to the community (United Nations, 2007). Thus, a research or evaluation study with Indigenous participants, contexts, and/or Tribal governments becomes a “multi-jurisdictional” study (Bowman, 2005; Bowman, 2006; Bowman et al., 2014) in which research teams, sponsoring agencies, and participants must adhere to multiple sets of research codes and policies. The differences between CBPR and TDPR are summarized in Table 3 below (Bowman, 2014):

Table 3. *Comparison of CBPR and TDPR principles*

CBPR principles	TDPR principles
Recognition of the community’s values and goals; do no harm	Tribal governments are established by law and have governmental authority to regulate research activities within their jurisdictions
Development of research team and community as full partners who build a trusting relationship over time	Tribal governments, particularly under self-determination policies and self-governance procedures, are more than a passive “base” for research; they can actively control and “drive” research
Community participation in all aspects of the entire research process	Research in which Tribal governments “drive” the research agenda, as well as research where Tribal governments invite external collaborators on the journey

Empowerment of the community by building research capacity	Empowerment is a reciprocal relationship where the community and research team build capacities and resources equally/together. This is a strengths-based approach to research because it recognizes that there are strengths, knowledge, and resources within a Tribal community/government
Recognition of the fact that the membership and boundaries of particular communities may change over time	Tribal governments have defined authorities and jurisdictions (Brugge & Missaghian, 2006). Tribal governments conduct their own research and build capacity over time (Stubben, 2001; Letendre & Caine, 2004; Brugge & Missaghian, 2006). Tribal governments have the jurisdiction to initiate and control research agendas and, as they determine appropriate, request the assistance and collaboration of agencies and universities (Macaulay et al., 1998; Manson, Garrouette, Goins, & Henderson, 2004; Nilson et al., 2008)

Following the principles of CBPR and TBPR ensures that the unique demands of the multi-jurisdictional context of research in Indian Country are recognized and taken into account. From multi-jurisdictional work in other fields (Bowman et al., 2014; Mackety, 2012; Mariella et al., 2009; Novins et al., 2006; Sahota, 2010), it has been determined that good research and evaluation design in the Indigenous context does the following:

- considers Tribal, state, federal, and international laws and policies for human subject protection, research or evaluation, intellectual and cultural property rights, data sharing agreements, and/or ownership, publication, and dissemination agreements that already exist
- identifies connections and differences between Tribal and non-Tribal researchers' policies and procedures
- acknowledges current infrastructure and builds on commonalities and strengths in policies, reporting formats, and expectations
- identifies and articulates policy and procedure gaps or differences in order to bridge gaps to achieve consensus

- provides visual examples of forms, instruments, or other databases to demonstrate the study methodology
- uses or modifies existing Tribal instruments, databases, or processes
- considers from the Tribal perspective how research may enhance the development of current or new capacities, policies, or protocols
- shares successes and best practices with other Tribal governments and Indigenous organizations, with the knowledge, consent, and participation of Tribal constituents
- obtains permission to share, present, or publish information outside of the Indigenous context in order to protect human subjects, culture, and intellectual property rights

By incorporating these best practices, “indigenized” research recognizes existing Tribal capacity, considers local needs, and addresses what the researcher hopes to learn. These multi-jurisdictional, CBPR, and TDPR methods are anchored in the TCT framework of Tribal autonomy, sovereignty, and self-determination. Furthermore, documented support from the S-M Tribe, different levels and types of participation from various Tribal perspectives (elected, employed, and traditional / community based), and quarterly reporting to Tribal participants of the study demonstrate that the study is Tribally-driven or centered because of the authentic and continued engagement between Indigenous researcher and participants working together to discuss and help meet long-term community needs regarding the education of S-M students.

CRT and TCT also acknowledge how colonization and western research methods have politicized and racialized the identities, realities, and perspectives of Indigenous people. Table 4 illustrates how the colonization process is forced upon Indigenous people (Frideres & Gadacz, 2000). My earlier work in this field (Bowman, 2007) offers a way to decolonize and indigenize case studies by addressing each of the Seven Steps of Colonialism to disrupt this destructive

process. In this way, the Indigenous case study process is informed by the principles of CBPR, TBPR and multi-jurisdictional methods, which are grounded in CRT and TCT – all essential elements used to construct this research study.

Table 4. *Indigenizing Case Studies*

Seven Steps of Colonialism (Frideres & Gadacz, 2000)	Seven Steps to De-Colonialize & Indigenize (Bowman, 2007)
1. Uninvited arrival of colonizers into territory	1. Utilization of a traditional Knowledge Council and community elders work together in the community
2. Destruction of Indigenous social and cultural institutions	2. Use of traditional knowledge (oral and written), Indigenous institutions, and non-Indian organizations if endorsed by Tribal community as a process to add to local Indigenous knowledge base
3. Creation of economic dependency of Indigenous people on colonizers	3. Providing traditional gifts as part of the research process in return for being allowed to work in the community and for their participation in the research
4. Establishment of external political control	4. Indigenous intellectual knowledge, approval of research, and ownership of data by Tribal community is controlled by Indigenous community and is formalized through Memos of Understanding with researcher and research organization
5. Provision of low level social services	5. Research data provides information to inform and improve local services being provided by Tribal and non-Tribal governments for Indigenous community members
6. Use of a colour line, i.e. racism, to justify the above	6. Critical examination by an external traditional Knowledge Council and participants to prohibit racism, end colonist practices in research, and promote the value and use of Indigenous knowledge and processes
7. Weaken the resistance of the Indigenous people	7. Empower Indigenous communities and individuals through research by honoring traditional knowledge, making research useful to community needs, and through Indigenous control/ownership of research data

By “indigenizing” my study design, I aligned my research with that of other Native American researchers, who seek to “see the world through the eyes of our ancestors and translate

the best knowledge of the world into acceptable modern scientific terminology” (Deloria & Wildcat, 2001, p. 28).

Participants

I selected the Stockbridge-Munsee (S-M) Tribe for this case study. Prior to European contact, the Mohican community included more than 10,000 members and the members originally resided in what is now New York, New Jersey, and Ontario, Canada (Stockbridge-Munsee Community, 2006; Stockbridge-Munsee Historical Committee, 1993). Through the process of forced removal, the S-M community was uprooted and forced west seven times since 1609 (Miller & Jacobs, 2011; Stonefish, 2003). Today, the S-M is a federally recognized Tribal government located in Bowler, Wisconsin. Nearly half of its 1,500 enrolled members live off the reservation. Enrolled membership (based on federal policy and adopted by the S-M government) must possess twenty-five percent S-M Indian blood. The Tribal government also recognizes in its ordinances first line (one-eighth) and second line (one-sixteenth) descendants; including these members puts the S-M population over 5,000 (S-M Historical Committee, 1993).² The S-M Tribal government constitution differentiates membership by blood quantum (enrolled=one quarter or more S-M blood, first line descendent= one-eighth S-M blood, second line descendent=one-sixteenth S-M blood). Constitutionally, these differing blood quanta afford different privileges under Tribal ordinances and policies (e.g., voting rights, eligibility to be an elected official, reimbursement for college, level of health care coverage, etc.).

The Tribal community is active in education contexts on both governmental and traditional (cultural) levels. The community has an elected Tribal government and Tribal Education Board; education ordinances, policies, procedures; a Tribal Education Office with a director and staff; historical, cultural, and linguistic committees and work groups; and an active

community-based culture and language program that is formally recognized and partially sponsored by the S-M Tribe. The culture and language programming, activities, and preservation activities incorporate formal education policy and curriculum as well as informal learning. These efforts include culture and language camps for the community; the development of a cadre of language speakers trained by elders and first speakers of Munsee; and community and ceremonial activities that provide education, language, and culture activities for interested family, children, and community members. S-M Tribal students are served by three public school districts in close proximity to the Reservation – Bowler, Gresham, and Shawano – because the S-M government does not have its own Tribal school.

Five key groups of participants were surveyed and/or interviewed to address both research questions. Fifteen surveys were completed and eighteen interviews were conducted with study participants. Participants included members from the following groups:

- Stockbridge-Munsee (S-M) Tribal Council (TC) elected government officials
- S-M Tribal Education Board (TEB) elected members
- Tribal Education Department (TED) employees
- S-M community members
- Other educational participants from local, regional, or state public education agencies, or nonprofit agencies concerned with Indian education

The *Stockbridge Munsee Tribal Council* (S-M TC) is the elected leadership body that makes policies and carries out the formal work of the Stockbridge-Munsee Tribal government. Its responsibilities concerning the education of Tribal students are to approve educational policy, approve educational budgets, and oversee the activities of the Tribal Education Board (TEB). S-M TC members were invited to participate in the study if they were actively involved in

developing Tribal education ordinances/laws, were regularly engaged through Tribal Education Board meetings, and/or if they had served on the TEB or as a Tribal education staff or volunteer in the past. Normally, only one or two members of the S-M TC are liaisons or engaged at the TEB level.

The *Stockbridge Munsee Tribal Education Board* (S-M TEB) implements Tribal ordinances, sets Tribal education policy that aligns to ordinances and community education needs, and oversees the educational policy and programming for S-M students through the Tribal Education Department (TED). Additionally, the TEB serves as a liaison to the three public schools that serve S-M students. Its responsibilities concerning the education of Tribal students are overseeing educational programming, working with public schools on behalf of S-M student educational supports, and providing a place for S-M students, families, and community members to express their educational needs and requests for support. S-M TEB members were invited to participate in the study if they were current or recent TEB members.

The *Tribal Education Department (TED)* is a Tribal government agency, equivalent to federal education agencies (FEAs) because of the Tribal government's sovereign status. State education agencies (SEAs) and local education agencies (LEAs) do not have equal governmental status with Tribal governments, but are the most frequent partners with Tribal governments in the local Indian education context when implementing policy and programming in public schools impacting S-M students. LEAs interact with Tribal governments on a daily or weekly basis to carry out educational policy and programming for Tribal students in their schools. The SEA (Wisconsin Department of Public Instruction) and regional SEA office (Cooperative Educational Service Agency #8) interact with the S-M Tribal government and TED on a less frequent basis when major educational policy or programming is being rolled out or during conferences, work

groups, and other state or regional-wide activities. Collectively, these non-Tribal agencies are responsible for public/general educational policymaking and implementation that support a high quality education for AI students. Additionally, because there is no Tribal school for S-M students, these non-Tribal governments and agencies have a shared responsibility for implementing educational policy specific to AI education that was developed by Tribal and non-Tribal governments. TEDs are informed by the education policies of the TEB and the education ordinances developed by the Tribal government. The S-M TED members are employees of the S-M Tribal government; the Tribal Education Director and staff implement Tribal government ordinances and TEB policies through their office programming and in collaboration with LEAs. Although Tribal governments have sovereign status and their own educational ordinances, policies, TEBs, and TEDs, the non-Tribal governments and educational agencies rarely follow formal Tribal consultation policies even though it is legally mandated (McCoy, 2005). In Wisconsin, formal Tribal consultation is not a legal mandate because the State Superintendent of Public Education is an elected position, not a cabinet-appointed position; however, Wisconsin Executive Order #39 recognizes Tribal sovereignty and a state-level order to conduct Tribal consultations (Wisconsin, Office of the Governor, 2007). Beyond formal Tribal consultation, Tribal governments or TEDs are rarely included as part of the normal educational stakeholder group (local, state, or federal level) in the public education discourse concerning policy, programming, or academic activities (U.S. Department of Education, 2011b). In the context of this study, the Tribal government (in this case, the S-M TC), TEB, and TED are uniquely important because they represent the missing unit of government in a multi-jurisdictional and tri-lateral educational model: sovereign Tribal governments (Bowman & Reinhardt, 2014). My study provides strategies that inform future public educational research studies via collaborative

partnerships with Tribal agencies, governments, and organizations via the designs, methods, and theoretical frameworks therein. Additionally my study produced evidence-based findings that provided strong suggestions for new ways public and other educational agencies can “do business” with Tribal governments and TEDs to strengthen future educational policy, programming, and service delivery activities. TED staff members were asked to participate if they were department leaders and/or had significant interaction with the TEB or LEAs.

Stockbridge-Munsee community members are members of the community such as elders/traditional members, cultural/linguistic teachers, and education leaders who affect and influence educational policy, though they may not necessarily be elected or employed by the Tribe. They are members of the sub-communities defined earlier in the case study design section as part of the broader context of the S-M community. Elders hold positions of respect within the community. Oral information passed down by them connects us as a Tribal community through elder epistemologies (Ackley-Christensen & Poupart, 2012), teachings, and cultural knowledge that they share. Traditional members are people who live according to traditional practices and use culture, language, and ceremonial protocols on a daily basis. Educational leaders include those who wrote and are responsible for teaching the S-M history curriculum to other teachers, practitioners, and educational staff from the local and surrounding communities/schools or the S-M Historical Committee. Other traditional leaders and elders who were recognized by the community as cultural experts in traditional teachings, ceremonies, and/or language were also asked to participate in the study. These community members provided a cultural/traditional perspective from the S-M community as a whole, in addition to the political (elected officials) and employee (staff) perspective. This supports the TCT theoretical framework of the study, which recognizes that there are diverse viewpoints within the Indigenous community in terms of

how sovereignty, self-determination, and self-identification are conceptualized and experienced within educational contexts.

Other educational participants included Tribal and non-Tribal leaders and staff employed by local, regional, or state public educational agencies and non-profit educational agencies. These are the educational administrators, policy leaders, or primary program contacts within public or non-profit agencies that interface with the S-M government, education board, or education department to carry out policy and programming for S-M students.

LEA participants were chosen for the study based on where S-M students attend school. Since the S-M Tribe does not run any Tribal schools, the vast majority of S-M students attend three public school systems in the area: Shawano School District, Bowler School District, and Gresham School District.

Regional and state agency participants included staff members from Cooperative Educational Service Agency #8 (CESA 8) and the Wisconsin Department of Public Instruction (DPI). CESA 8 is the regional education office supporting education in the public schools; it is a regional outreach office to the state education agency (SEA), DPI.

Both the regional and state educational offices work with the local education agencies (LEAs) to help them implement public educational policy and programming in schools. CESA 8 and DPI staff members were included in the study for several reasons. LEAs are responsible to the regional and state policy makers that CESA 8 and DPI represent. CESA 8 and DPI are responsible for assigning human resources and distributing some non-Bureau of Indian Affairs funding for AI educational programming at the public LEAs where S-M students attend school. CESA 8 and DPI oversee and help implement federal education policy (general and policies specific only to AIs) in public schools, which impacts AI students and families.

The study also included participants from one **non-profit agency**, the Wisconsin Indian Education Association (WIEA). Although WIEA is not the state or regional equivalent to an LEA, the S-M tribe (like all Tribal governments in Wisconsin), is a member of and represented by WIEA through membership, advocacy, and programming efforts at their annual conference. WIEA is also seen as a leader within the state by LEAs and SEAs as a partner in Indian education.

Interviews with LEA, SEA, CESA 8, and WIEA participants were necessary to document the ways in which other public or non-profit organizations and agencies interact with Tribal governments, Tribal Education Departments (TED), and AI educational staff to develop and implement educational policy and programming for AI students generally and/or with S-M students particularly in Wisconsin public school contexts. Participants from these public and non-profit educational agencies were invited to participate in the study if they were an administrator, principal, executive director, or primary contact for providing educational policy development or implementation and programming support for the education of AI students or S-M students attending Wisconsin public schools.

Procedures

In this section, I describe the procedures used to collect and analyze data; these procedures align with the tenets of TCT described in Chapter III (Theoretical Frameworks). Western research procedures and instruments are not adequate or appropriate for most Indigenous contexts and cultures (Miheesuah, 1998; Miheesuah, 2005; Pavel, 2005; Smith, 2012) because they are tools and methods that were used in the past to destroy and assimilate Indians into the western culture, including schools. TCT calls for procedures that incorporate the sovereign, autonomous, and self-determined characteristics unique to Tribal governments and

community members – characteristics that are legal, political, and cultural. Dominant western research procedures and instruments have not included these aspects. Western research designs or instruments are usually developed in isolation and/or have been used in studies that have not had continuous Indigenous participation or partnership in the study design (Lomawaima & McCarty, 2002a; Mihesuah & Wilson, 2004). TCT, as used in this study, supported “vetting” research methods with the Indigenous community, elders, or leaders through continuous cultural feedback loops (Dodge-Francis, 2009; Poff, 2006) and provided diversity in gathering various Indigenous perspectives (community members, elected leaders, and employees of the Tribe) to generate new conceptual understandings about knowledge, power, and perceptions about education. TCT served as a cultural anchor to methods (Brayboy, 2005; Brayboy et.al., 2011; Hughes, Seidman, & Williams, 1993) that are grounded in authentic multicultural understandings by a multiculturally competent and/or Indigenous researcher to ensure that valid decisions, understandings, and data were being carried throughout the study (Brayboy, 2013; Delgado & Stefancic, 2001; Harrington & Pavel, 2013; Hood et al., 2005), using a study design that was robust in multicultural validity (Kirkhart, 2004; Kirkhart, 2005; Kirkhart, 2013).

The procedures section discusses access to the community and how this study was introduced to and reviewed by the S-M community in ways that align with the “indigenized” case study design described earlier in this chapter. Educational stakeholders of the S-M community historically have been marginalized and have experienced different types of racism at different times from the public education system. The historical pattern and perceptions continue across generations as new family members enter the schools, further reinforcing the common belief that schools are meant to assimilate AI students through western policies and programming. Feeling disconnected, the AI students, families, and community members often

stop out, drop out, or have low levels of educational success and achievement. CRT informs the Tribal community review process because it supports sharing the diverse narratives and the counter-narratives to public educational experiences from the voices of various stakeholders. The case study demonstrates where the disconnects are but goes more deeply into the causes for disconnects and provides successful solutions that study participants from Tribal and public educational agencies have used over time to engage in more meaningful and effective ways for the collaborative educational support of AI students in public schools.

The data collection section describes how data was collected and the instruments that were used for the study. The data collection activities aligned with the “indigenized” case study design, which was informed by the theories underlying the study: CRT and TCT. The study followed TCT by collecting Indigenous perspectives using an Indigenized case study design that incorporated sovereign Tribal governance structures, agencies, and processes to understand Indigenous perspectives central and critical to solving long-term educational issues. Therefore, my study strongly suggests that a change is needed for general educational research paradigms because continuing to use western orientations and methods for education research will not serve AI students in public schools now or in the future (Harrington & Pavel, 2013, p. 487). CRT informed how the data collection procedures addressed questions that examined the power structure and status quo within educational contexts by sharing counter-narratives to the mainstream (western or public) educational discourse normally represented in academic studies and texts. The study’s methods and procedures were extended through TCT, based on gathering data that documented a strengths-based approach to education currently being carried out by collaborative Tribal and non-Tribal education departments, boards, agencies, and people. Through TCT, the participant selection in the study’s design and the instruments chosen also

documented the positive concepts, resources, perspectives, relationships, policies, and practices of Tribal and non-Tribal stakeholders used to strengthen the public education of AI students. In this way theory, practice, stories, and evidence-based strategies shared by study participants are connected, real and legitimate sources of data. Capturing these data not only empowers Tribal communities and people to be self-determined, but also supports a larger transformative social-change agenda in public education, two central tenets called for by TCT.

Access.

Research in Indian Country requires that cultural, academic, and community safeguards be put in place to protect Indigenous communities. Often these safeguards are orally transmitted (Indigenous Peoples Council on Biocolonialism [IPCB], 2004; Mihesuah & Wilson, 2004; Smith, 2012). To gain oral permission, especially from traditional community members, a researcher must have trusting relationships with and access to the leaders of the community. Because of my relationships with community members and participation in culture, language, social, and professional activities with the S-M community, I was given access to people and information integral to my study. The intergenerational behaviors of my grandparents, parents, and other family members also influenced the level of access I had within our community. For years, I have volunteered for social and community events and have provided support for professional activities as a way to “give back” to my community. I have trust and credibility with our elders, traditional leaders, and community activists based upon the responsibilities I was given over the last 20 years. Beyond these relationships (networks), I also utilized a strong Indigenous case study design, made instrument modifications to provide for the local and cultural context, and provided updates to elected, employed, and traditional community members on a regular basis. These study design constructs also included explicit safeguards agreed upon

by the researcher, the participants, and the greater community. All instruments, protocols, and agreements used in this study were reviewed by the traditional Tribal community and discussed with the researcher to ensure the research process was being done “in the right way” and would be “of benefit to the community.” These instruments were also reviewed by the Tribal government’s Historical Committee, which oversees cultural protections in terms of research, publications, and other community studies conducted on behalf of the Tribal government. The Historical Committee includes elected, employed, and/or traditional community leaders/elders (volunteers) from the Culture Committee, Tribal Council, and Tribal Education Board. Collectively, these diverse community members helped to oversee my work, provided constructive feedback, and ensured that I followed community and Traditional Knowledge Use protocols (Smith, 2012) to protect the cultural and intellectual rights of Indigenous people involved in my study. The S-M Tribal government issued a formal letter of support to accompany the study’s IRB application at the University of Wisconsin-Madison (see Appendix B).

Data collection procedures.

Three different methods – survey, interviews (individual and group, group interviews otherwise known in the Tribal community as “talking circles”), and key document collection – were used to gather data relevant to the study questions. The actual instruments used for each method are described in the Instrumentation section.

The self-assessment survey collected data from all groups of participants that were relevant to both study questions. I also used the self-assessment survey to help identify key informants for interviews. Key informant interviews with TED/TEB and LEA/SEA participants from public, non-profit, and Tribal education agencies were conducted to collect additional data

about how the policy process is carried out (question #1) and to move into deeper understandings regarding what influences S-M educational policy making process (question #2). Information from surveys and interviews produced data that informed both study questions because “how policy is made” and “what influences the policy making process” are closely intertwined. It should be noted that because of the small participant sample size (and relatively small community), participants could have multiple roles (e.g., an employee of an LEA who also serves on the TEB). In some cases, participants engaged in both the survey and interview process. Finally, the study gathered key documents that contextualized the survey and interview data. Key documents were collected in a variety of ways, including online research and access, via fax or U.S. mail, and at interview sites.

The first data collection procedure, the survey, used a modified version of the Native American Rights Fund (NARF) Tribal-Self Assessment Survey (McCoy, 1997) to collect data that addressed both research questions from TC, TEB, TED, LEA/SEA staff, and S-M community members. The survey data also enabled me to identify key informants for the interview portion of the study. Survey data allowed purposeful selection of these informants based upon their ability to provide more in-depth data related to the study questions. The properties of the NARF Tribal Self-assessment survey and its alignment with the study’s theoretical frameworks are discussed further in the instrumentation section that follows.

Forty-one participants from all groups were initially contacted to participate in the survey process. Of these, 28 agreed to participate, and 15 actually completed the survey, a 54% response rate.

Survey participants were contacted by telephone to alert them that they would receive an email invitation to participate in the survey. In alignment with the “indigenized” case study

model and as dictated by cultural protocols (oral transmission of knowledge), discomfort with technology, or lack of technology access, invited participants had the opportunity to take the self-assessment survey online, in paper format, as a guided telephone interview, or face-to-face. If requested, follow up was done in person before the actual survey was administered to demonstrate the survey software and to ensure that the participant's network server, technology, software, and equipment supported taking the survey online. The survey link was sent to the each participant's work e-mail address through secure online software (Survey Monkey). The survey itself took approximately 30 minutes to complete online and 45 minutes to complete as a telephone or face-to-face guided interview.

Face-to-face data collection for the survey took place at participants' offices or at a mutually agreed upon, publically available space in the community. It is particularly important to have an option for in person communication with cultural or traditional leaders as well as elders, because communicating together in the same place is the basis for traditional oral knowledge transmission. Contemporary American Indian elders and leaders still follow this communication process, especially if they are traditionally practicing Indians. With the request for participation, a traditional Native American gift (tobacco, food, beadwork, etc.) was offered as a part of a culturally appropriate request to an elder or traditional leader to share their knowledge. Participants had the option to have a traditional gift or contribution given to a community or education agency or initiative if they preferred. All in person discussions to collect survey data, whether by telephone or face-to-face, were digitally recorded with permission and knowledge of study participants. Cultural responsiveness requires "listening with your spirit, your whole body" (D. Turney, personal communication, April 23, 2007) and at times, taking written or digital notes later. In this survey context, written notes were taken after

parting from the study participant, immediately after the face-to-face survey data collection.

Notes included reminders of key documents to request or other people I should contact or investigate based on information gathered in face-to-face discussions. These notes are included as part of the memos that were written when coding the survey data later in the analysis process.

Participants initially had four weeks to complete the survey and received a weekly reminder by e-mail (generated by Survey Monkey software) if the survey was not yet completed. All participants received a copy of their own completed survey as a .pdf file e-mailed to them after all surveys were submitted. Participants were asked to verify that the information captured was accurate and had a two-week window to provide updates or make changes, with a follow up call and e-mail the second week as a friendly reminder to review the accuracy of their information. Participants had the option to make changes to the data themselves by using their unique survey link. They could also ask me to make these changes. A final copy of the survey (if changes were made) was sent to the participant for final approval. Each participant received a written thank you note and a culturally appropriate gift of tobacco, venison, or other traditional gift of their choice that would benefit their agency or youth in the community (e.g., food or supply donation to the Mohican Family Center, LEA, etc.). Gifts to survey participants were not personal gifts, but rather benefitted someone else or another related community or educational program that they chose.

Survey data were collected and securely stored on the password-protected Survey Monkey website. Using this format allowed secure data collection, protected the confidentiality of the participants, allowed for individual participant tracking of data, provided a group aggregate reporting format, allowed for cross-question analysis that could be used to test categories generated by coding efforts based on responses by different participant subgroup

organizations. Using this software also enabled transferrable and digitized data storage in Excel files. Upon survey completion, Microsoft Excel summary files and the group survey report (.pdf) were sent to the project's academic advisor for safekeeping of project data and to demonstrate that the data collection process for surveys was complete.

The second data collection procedure employed was key informant interviews. Coded information from initial survey findings began to show emerging categories that could be further investigated through in-depth interviews with key Tribal education stakeholders. Information from interviews and surveys then could be reviewed again for consistency or in-depth probing to test emerging themes through additional key interviews with LEA/SEA public education stakeholders at districts where S-M students attended school.

An education department interview instrument was modified in order to collect data from two distinct groups: Tribal Education Department/Tribal Education Board Members (TED/TEB) and local/state educational agency staff (LEA/SEA). The education department interview instrument created and used for National Indian Education Studies conducted from 2005 to present (Beesley, Shebby, Mackety, Rainey, Cicchinelli, & Cherasaro, 2012) was modified for use with TED/TEB and LEA/SEA study participants. Key informant interviews were conducted using these two distinct, modified instruments to collect data addressing both research questions from key informants in the S-M Tribal community (S-M Tribal Council, S-M Tribal Education Board, S-M community) who completed the TED/TEB interview and from local (Gresham, Shawano, and Bowler School Districts), regional (CESA 8), state (DPI), and non-profit (WIEA) informants who completed the LEA/SEA interview.

A total of 32 participants from Tribal education (TED/TEB) and public education agencies (LEA/SEA) were asked to participate in the key informant interviews. Of the 32

interviews requested, 18 interviews were completed by TED/TEB and LEA/SEA participants. This represents a 56% response rate for all interviews. Response rates broken out by TED/TEB and LEA/SEA are as follows:

- TED/TEB interviews: $7/9 = 78\%$
- LEA/SEA interviews: $11/23 = 47\%$

Key informants for interviews were purposefully identified based on data from the self-assessment surveys. Interview participants were selected based upon their potential ability to provide more in-depth data that addressed the study's research questions and to inform the emerging themes arising from the original survey data. Tribal and non-Tribal interview participants led policy development and monitoring efforts, and/or led, coordinated, and facilitated the multi-jurisdictional educational policy making process across governmental systems and agencies for programs affecting Indian students in public schools.

All interview participants in both groups received an initial e-mail that included a brief description of the study and notified potential participants that they would receive a follow up telephone call. The follow up telephone call included a more in-depth introduction to the project, sharing of project protocols, and additional information about the researcher.

Participants were informed that they had the option to be interviewed in person, via telephone, or Skype and were told that the semi-structured interview would take approximately 60 minutes. If the potential participant agreed to participate, a date, time, and location for the interview was established. Participants received the survey questions via e-mail one week prior to their scheduled interview, so they could review questions and locate background data, key documents, or other information needed to support an efficient and effective interview process.

Before the interview, participants were asked to sign a consent form or give verbal agreement to participate in the interview. The interviews were conducted in public places within the community or at a public meeting space within the Tribal or public educational organization. After the interviews, I took notes about key documents to request (via e-mail from interviewees) that were not publically available online, other people I should contact or investigate based on information gathered during interviews, and important impressions (memos) that were later included with interview transcripts as part of the data coding and analysis process. Notes taken after interviews were transferred from the researcher's journal to "post it" notes to align with codes, categories, and written memos that were emerging as the data was being cleaned and analyzed.

After the interviews, participants received an audio CD copy or an emailed audio file of the interview. Data from each interview were transcribed and summarized into an online and secure Survey Monkey database and the summarized transcript of their interview as a Survey Monkey-generated .pdf document was sent to their e-mail or mailed as a hard copy if participants preferred. Participants had four weeks to make changes to the data and respond to their summarized transcript. If transcripts were modified, participants had two additional weeks to approve the final transcript. A courtesy e-mail was sent to participants each week as a friendly reminder to provide feedback or formally approve the transcript for accuracy. All participants received an electronic or paper copy of their transcript, as well as a culturally appropriate "thank you" gift in keeping with the "indigenized" case study model. Gifts sent were not personal, and at the request of the interviewee were traditional gifts or donations to programs or people who would benefit from the community or educational agency.

Interview data were securely stored on the password-protected Survey Monkey website. Using this format allowed secure data storage, protected the confidentiality of the participants, allowed for individual participant tracking of data, provided a group aggregate reporting format, allowed for cross-question analysis based on responses by different participant subgroup agencies, and enabled transferrable and digitized data storage in Microsoft Excel and .pdf files. Upon interview completion, Microsoft Excel summary files and a .pdf file of the group survey report were sent to the project's academic advisor for safekeeping of project data and to demonstrate that the data collection process for interviews was complete.

The third and final data collection procedure for the study was gathering key documents that would address the study questions. Initially, to identify and collect key documents, I reviewed S-M, LEA, state, and federal websites for relevant Indian education policy documents using key words searches including as "education," "policy," "tribal education," "American Indian education," and "public education policy and American Indians." These documents were downloaded and compiled when possible; additional follow up was conducted as needed to obtain documentation referred to on these websites.

Policy scans covering the three LEAs that S-M students attend (Bowler, Gresham, and Shawano school districts) were completed to in order to collect relevant data and provide information about other key documents. Policy scans identified the local, state, federal, and Tribal government educational policies that impact S-M students attending the local public schools. Furthermore, these scans identified key documents that could potentially contain information relevant to the research questions. In many cases, these were documents that could be requested from the local, state, Tribal or federal agency websites or offices (when conducting key informant interviews) that were part of the study. Notes were taken on key documents and

policies; these notes became part of the coding and categorization process for analyzing data, developing emerging themes to be tested, and supporting study findings as part of the triangulation process of data analysis. The policy scan tables for the three participating LEAs are included in Appendices C, D, and E.

As noted above, the policy scans identified key documents related to S-M Tribal education policy that could be collected from both Tribal (TED/TEB) and non-Tribal (LEA/SEA) agencies, including community partners or stakeholders who support S-M education. These documents describe the S-M government's policy making process and the factors influencing educational policy making activities. I requested the most recent ordinance and policy handbooks related to Indian education from the Tribal, LEA, state, and federal Indian Education offices or directors in instances where online documents were not up to date. As part of the interview process, I also requested any relevant and related policy documents, formal reports or other key publications that were not available on public or Tribal websites, including potential documentation identified during the policy scan process.

Examples of key documents relevant to the S-M educational policy making process or Tribal education policies include agendas, meeting minutes, policy or ordinance statements, policy handbooks, school handbooks, research reports, working or advisory group reports, presentations, newspaper articles, strategic plans, and grant documents developed for accountability and monitoring purposes for Tribal, state, or federal program offices. Analysis of these key policy and educational documents contextualized and provided a descriptive history of the policy making process by the S-M Tribe as it interacted with LEAs and state or regional public education agencies. This document collection process provided additional depth to the study, allowed for analytical or theoretical field notes on key documents that informed additional

follow up and probing, and generated additional data sources to support trustworthy findings for the study via triangulation methods.

Table 5 below summarizes the data collection procedures and instruments used for the study as they align to participants, data sources, and study design questions.

Table 5. *Summarized Study Design*

Method & Instrument	Participants & Sample Sizes	Specific Data Collection Procedures	Alignment to Study Design & Questions
Survey Modified NARF Tribal Self-Assessment Survey (McCoy, 1997)	S-M TC members S-M TEB members S-M TED staff LEA/SEA staff S-M traditional elders/leaders (n=41 invited; n=28 agreed participants; n=15 participants)	Participants contacted by telephone to alert them to email invitation Participants invited by email to take online survey (approximately 30 minutes) Participants given option to take survey on paper, by telephone or in person if preferred (approximately 45 minutes) 4-week window for survey completion Participants provided with copy of responses, 2-week window for participant changes/corrections Participants received traditional or other “thank you gift”	Q#1 how is policy developed? Q#2 what influences the educational policy development process? Identify key informants for TED/TEB and SEA/ LEA interviews
Interview Modified Tribal [TED/TEB] Education Director Interview (Beesley et al., 2012)	TEB/TED participants identified from NARF survey data (n=15 identified; n=9 invited; n=7 participants)	“Heads up” email sent to potential participants Follow up telephone call to formally invite participants and schedule interview (Skype, telephone, face-to-face) Interview questions provided to participants in advance 60-minute interview conducted by telephone or face-to-face Participants provided audio copy of interview Participants provided with transcript of responses, 4-week window for participant changes/corrections Participants provided with final transcript, 2-week window to approve final copy Participants receive approved final transcript, traditional or other “thank you gift”	Q#1 how is policy developed? Q#2 what influences the educational policy development process? Identify and collect key documents informing policy creation

<p>Interview</p> <p>Modified LEA/SEA Education Director Interview (Beesley et al., 2012)</p>	<p>LEA/SEA participants identified from NARF survey data</p> <p>(n=23 identified; n=23 invited; n=11 participants)</p>	<p>“Heads up” email sent to potential participants</p> <p>Follow up telephone call to formally invite participants and schedule interview (Skype, telephone, face-to-face)</p> <p>Interview questions provided to participants in advance</p> <p>60-minute interview conducted face-to-face</p> <p>Participants provided audio copy of interview</p> <p>Participants provided with copy of responses, 4-week window for participant changes/corrections</p> <p>Participants provided with final copy, 2-week window to approve final copy</p> <p>Participants receive approved final copy, traditional or other “thank you gift”</p>	<p>Q#1 how is policy developed?</p> <p>Q#2 what influences the educational policy development process?</p> <p>Identify and collect key documents informing policy creation</p>
<p>Document review and analysis</p> <p>Key document checklist</p>	<p>Key policy documents or documents informing policy creation</p>	<p>Review S-M, LEA, SEA and federal websites</p> <p>Policy scans: Bowler, Gresham and Shawano school districts</p> <p>Request most recent ordinance and policy handbooks from federal, state, LEA and Tribal agencies</p> <p>Documents collected during interviews with key informants or forwarded by participants following interviews</p>	<p>Q#1 how is policy developed?</p> <p>Q#2 what influences the educational policy development process?</p> <p>Example key documents collected: educational policies, MOU, meeting notes, partnership agreements, strategic plans, policy handbooks, policy scan tables, etc.</p>

Instrumentation

This section describes the instruments used to collect data to address the research questions. Self-assessment surveys, interviews, and key document collection were used to identify and collect data for the study. In alignment with the principles of TCT, I chose to use instruments that have been extensively used with Native American populations, developed by Native American academics, and/or have been developed by non-Native researchers working closely with Native American researchers or community members.

All instruments used in this study were approved by both the University of Wisconsin-Madison IRB and the Tribal Historical and Education Committee, which provided a letter of support indicating community approval of the research study (see Appendix B). The Participant Information and Consent Form used for this study is available in Appendix F.

Modified NARF Tribal Self-Assessment Survey.

A modified version of the NARF Tribal Self-Assessment Survey (McCoy, 1997) was used to collect data from Tribal and non-Tribal participants. This instrument was created by the Native American Rights Fund, an Indigenous research group. I chose to use this instrument in part because it was created by Indigenous researchers, in alignment with the study's design principles. The main intent for using this survey was to collect descriptive, qualitative data that directly addressed the study's two research questions. It collected information to document Tribal perspectives on education, especially when working with public educational agencies where Tribal students attend school. The instrument also collected some quantitative data regarding human resource allocation, budgets, and agencies for documentation and comparison against other data sources.

This instrument was modified for use in this study in two ways. Questions were revised to be specific and relevant to the S-M education context and the survey was reworded so that questions were applicable to both Tribal and non-Tribal participants.

The 53-item survey contains questions addressing the following 12 areas:

- Demographic information (3 items)
- Tribal education history and current perspective (5 items)
- Tribal educational programming (5 items)
- Educational certifications and accreditations (2 items)

- Other programs that support or coordinate with TEB (2 items)
- Tribal education goals (5 items)
- Tribal government functions and capabilities related to education (4 items)
- TED and TEB activities (5 items)
- Tribal resources (7 items)
- Indian education: state and federal level (4 items)
- Indian education: local education agencies (7 items)
- Additional information, comments (4 items)

The modified NARF Tribal Self-Assessment Survey instrument gathered data regarding historical education activities, current perspectives on Tribal education, capacities, influences on policy-making, challenges to Indian education, and aspirations regarding future Indian education. It also gathered data concerning understandings of broader governance supports, activities of the Tribal education department, and interactions or collaborative initiatives between Tribal and public education partners and agencies. The modified NARF Tribal Self-Assessment Survey instrument contextualized the questions by asking S-M participants how the educational policy process has affected S-M children given their relationship to local, regional, or state education agencies. It enabled interviewees to review the evolution of education policy making and address how policies affect current educational practice with S-M students. Insights about future goals and initiatives based on past policy making processes and impacts could be elicited from interview participants. Understanding both the local policy process and the relationships, interacting agencies, and other systemic influences on Tribal education policy is important to the study because S-M students attend public schools in the area, not an S-M Tribal or other Tribal school.

The modified NARF Tribal Self-Assessment Survey instrument also collected information from S-M community members who were not elected or employed by the Tribe. My goal in this regard was to capture the perspectives of S-M community members who may have less political or economic influence, but who hold traditional social, cultural, and linguistic perspectives that are not necessarily represented within TC, TEB, or TED. Additionally these participants' behaviors, perspectives, and relationships may not be as influenced by the political or economic pressures faced by elected officials or employees. A copy of the modified NARF Tribal Self-Assessment Survey instrument is available in Appendix G.

Modified TED/TEB Education Interview and LEA/SEA Education Interview.

I modified the Tribal Education Director Interview (Beesley et al., 2012) to address and include the local, cultural, and educational context of study participants from Tribal, public, and non-profit educational agencies included in this study. The original instrument was modified to create two separate instruments to use with two different groups of key interview participants identified through the surveys: TEB/TED interview participants (42 questions) and LEA/SEA interview participants (25 questions).

Questions were revised to be specific and relevant to the S-M and local public education context. The TED/TEB interview guide included questions covering policy and documentation, TED programming, the relationship between the TED and SEA, and the relationship between the TED and relevant LEAs. The LEA/SEA interview included questions covering the relationship between the state or local education agency and the Tribe and TED, policy and documentation, and information about Indian students served. A question requesting access to relevant documents was included in both interview guides. Modifications to questions in both instruments were made to in order to include and name key organizations and relationships within the study,

such as “Stockbridge-Munsee,” “Gresham School District,” “Shawano School District,” “Bowler School District,” “Cooperative Educational Service Agency #8,” “Wisconsin Department of Public Instruction,” and “Wisconsin Indian Education Association.”

TED/TEB and LEA/SEA interviews sought to capture not only history, perspectives, and policies regarding AI and S-M education, but also to document the processes and interactive relationships, resources, and strategies used for collaborative policy development, implementation, and shared accountability for Indian education in public schools. All interviews collected data regarding the structural-functional, operational, policy, programming, and resources that Tribal and non-Tribal governments and agencies have dedicated to AI students in general and S-M students specifically who attend public school. Questions included items about budget or human resources dedicated to AI or S-M education; participation (frequency, type, membership diversity) in Tribal/public work or advisory groups; collaborative strategic planning or policy development studies with Tribal and non-Tribal agencies; and shared programming or resources utilized by Tribal and public education agencies on behalf of S-M students. It is important to understand how these agencies function as independent and interdependent policy sub-systems within a larger educational policy system carrying out general and Indian education policy on behalf of AI students. The interviews also explored the evolving relationship the Tribe has had with public educational agencies at the local, regional, or state level supporting AI education broadly and S-M students in particular. Descriptions of how these Tribal and non-Tribal governments intersect and interact provided important information about strengths, gaps, and needs in terms educational policy and practice regarding AI education. Finally, the interviews collected data from participants regarding key documents that demonstrated how multi-jurisdictional relationships operate among agencies where there is joint responsibility for

Indian education policy development, implementation, and enforcement. Copies of the modified TED/TEB and LEA/SEA educational interview instruments are found in Appendices H and I, respectively.

Key document checklist.

The key document checklist was created for this study to ensure that essential information about each document collected was compiled and analyzed. The checklist was used as a guide for aligning key document information to the study questions. Additionally, the checklist provided a framework for consistent collection and coding of relevant documents. The source of the data (Tribal/non-Tribal), data format (paper or electronic), and data type (research report, policy book, agenda, meeting minutes, student data, strategic planning document, newspaper article, etc.) was documented. Coding and memoing information could also be noted on this instrument as analytical notes or theoretical notes. Another section of the checklist documented the need for follow up if key documents raised additional questions about study data or emerging findings that needed further investigation. The key document checklist instrument is available in Appendix J of this document.

Analysis

Data analysis reflects the characteristics of social interaction of the local and broader Indigenous community in which the analysis and interpretation comes via the group actions, group interactions, and the interplay between the research participants and the primary investigator (Miles & Huberman, 1994). In this study, TCT and CRT provided a framework for including the critical, Indigenous voices that must be heard so that the social and educational issues of a community or underrepresented group can be addressed through research. An important part of the analysis process included strengthening educational leadership regarding

use of a tri-lateral or multi-jurisdictional educational policy framework. When education agencies from Tribal, municipal, state, and federal governments collaborate for the public education of AI students, a stronger systemic framework and evidence-based successful strategies must be documented and shared. I used TCT and CRT frameworks to inform this study because they question the status quo (public education) and include the self-determined and sovereign voice of Tribal government within public educational policy discussions.

For the analysis of my study data, qualitative data analysis activities (Miles & Huberman, 1994, p.9) were conducted that both utilized standards of educational policy contexts and incorporated cultural, social, and Indigenous methods more closely aligned with TCT and CRT tenets. The phases and processes of case study data analysis were:

- Affixing codes to survey, interview transcript, and key document data
- Extending coding to noting reflections in the margins (memo writing) to reflect, discuss, and analyze codes, which became emerging themes or analytic categories (Bryman & Burgess, 1994; Charmaz, 2011a, p. 165)
- Analyzing and comparing emerging themes through a basic constant comparative analysis method (Bogdan & Biklen, 2007, p. 75; Charmaz, 1995; Glaser, 1965; Glaser, 1994) then confirming or further testing themes by collecting more data (Charmaz, 2011a, p. 166)
- Extending the constant comparative data analysis using a TCT and CRT lens code and categorizing emerging themes until case study data saturation was achieved (Charmaz, 2011b), thus producing evidence-based study for shaping research and educational practice for Tribal and public educational policy leaders who have shared responsibilities for educating AI students

- Checking and discussing study data and emerging findings with external Indigenous educational policy experts and Tribal cultural experts. Given the social, cyclical and cultural influences of data coding, categorizing and analysis (Saldana, 2013), these experts provided critical feedback to discuss data issues, answered questions or provided resources about language or cultural protocols, and reviewed content for quality and accuracy. I did share and discuss this feedback with my academic advisor and two key dissertation committee members to strengthen the trustworthiness and accuracy of study findings.

The qualitative analysis for the project was carried out in multiple steps. First, I identified common themes in both the survey and interview responses. Data collected was coded to identify emergent categories (Bryman & Burgess, 1994). Within the emergent categories, data was coded into objects, statements, or relationships within each category. Constant comparative analysis (Glaser, 1965) was performed to further refine and compare similar data against other data across the categories or coded objects and statements to test emergent categories, clarify information, or to perform a more in depth analysis of established categories and themes that utilize CRT and Indigenous theories for studying educational policy making and implementation, and influences of the S-M Tribe. Furthermore this descriptive and critical case study documents the stakeholders, describes the Tribal and public educational contexts, and the dynamic interplay of the educational policy system and subsystems (Heck, 2004) germane to the public education of S-M students. This analytic process resulted in study findings that provide an alternative way to study the educational policy process and give new strategies for public and Tribal educational agencies to be more successful when educating AI students in public schools. The

findings also and suggest a more comprehensive tri-lateral and multi-jurisdictional educational model for policy subsystems (federal, state, local, and Tribal) to work in more frequent, authentic, and effective ways within and across educational systems to improve outcomes for AI students attending public schools.

Specifically, the six steps for constant comparative method of data analysis (Bogdan & Biklen, 2007, p. 75) used for the study included:

1. Data collection
2. Coding data for key issues, recurrent events, or activities in the data that become categories of focus
3. Revisiting data after collecting new data to document more incidents for the categories of focus, with an eye to seeing the diversity of the dimensions under the categories
4. Writing (memoing) about the categories explored; documenting, describing, and accounting for all the incidents within data while continually searching for new incidents until saturation of data is achieved
5. Working with the data to discover basic social, cultural, (Saladana, 2013) and educational processes and relationships across categories and participating agencies
6. Using initial survey data to assist with purposeful sampling to inform future data collection (interviews), additional coding, and more memo writing to distill information down into core categories of the study data

Survey Monkey software was used to generate individual and group reports from interview transcripts and survey data. This online software allowed me to create, share, and merge Excel files. I was also able to use Survey Monkey to build pie and bar graphs with the

study data, and to create filters to analyze across combinations of questions, search for key codes and categories, and analyze information across participant and agency groups. Reports by aggregate or disaggregated by customized groups (Tribal/non-Tribal, LEA/SEA, TEB/TC, administrator/teacher, etc.) were also generated for further analysis based on organizational type (Tribal or non-Tribal and by case site to compare responses between LEAs). Codes and emerging themes were checked by analyzing how reports connected study data back to the research questions. This helped me determine if there were additional emerging themes across the survey and interview instruments and if any additional data needed to be collected to better address the research questions.

Next, I compared findings generated from interview and survey data against key document data to confirm initial findings or probe more deeply into the data via a triangulation method (Patton, 2002). This ensured that the analysis was rich, robust, comprehensive and well developed. A content analysis of key documents was completed and information was coded by hand, including analytical or theoretical memos and follow up (if needed) to identify new emerging themes, relationships to the study's research questions and theoretical frameworks, and to confirm key study findings through triangulation methods for deeper probing and analysis. Analysis of policies, reports, and other key documents gathered from Tribal and non-Tribal settings was used to explore themes/generalizations consistently seen across them the data.

Finally, CRT was used to document key "counter-narratives" within the study's findings and data went through a final analysis to document themes related to TCT tenets within the data regarding sovereignty, self-determination, and cultural influences of participants with respect to education and education policy. These key themes were shared with the university, key Tribal academic colleagues, and traditional or community members to receive feedback. This

discussion process regarding study themes allowed me to further confirm, question, re-conceptualize, or reject themes or study findings (Strang et al., 2002). This member checking process regarding themes and study findings continued for nearly six months.

Trustworthiness

The trustworthiness of a study is demonstrated through the preparation, organization and reporting phases of the study (Elo et al, 2014). Data produced must be logical (Kelly, 1996), of use to the Indigenous community the study is serving (Dodge-Francis, 2009; Jacobs, 2008; Patton, 2012), and gathered appropriately (Grande, 2000; Mihesuah, 1996; Smith, 2012; Wolcott, 1994). This study demonstrates trustworthiness in terms of the data collection sources and methods used, the process of study co-construction and triangulation, and through external collaboration, reflexivity, and member checking throughout the data collection and analysis process. Each aspect of trustworthiness is discussed in further detail below.

Using instruments developed by and/or with and Native American scholars that have been extensively used with Native American populations provided a trustworthy method for data collection. The instruments produced by the Native American Rights Fund (NARF) and through the National Indian Education Studies (NIES) are both in alignment with a larger NARF initiative to bring Tribal sovereignty and self-determination into the context of public education, an initiative I embrace overall. The NARF survey (adapted for this study as the Modified NARF Survey) is part of a larger Tribalizing Education Series, which serves as a recognized model for Indian education research (McCoy, 1994-2005; McCoy 2005). The Education interview instrument produced by the NIES (adapted for this study as the TED/TEB and LEA/SEA Education Interview) has been used to collect Indian education data since the first comprehensive Indian education studies began in 2005. Both instruments have been used with

Tribal education stakeholders and within hundreds of public schools since 2005 to collect data from with AI students, their teachers, and educational leaders or policy makers. The survey was used to enable purposeful sampling of key informants for interviews that were closest to educational policy making and programming for S-M students. This confirmed the appropriateness of study participants chosen as they were educational policy or administrative leaders, board members, or practitioners implementing programming for S-M students.

Co-construction (Thomas & LaPoint, 2004) of the research design and use of triangulation methods in the analysis provided strong approaches for trustworthiness of the data. As discussed in detail in the Access section earlier in this chapter, this study design was co-constructed with S-M community members (S-M Historical and Education Committee and Tribal elders/traditional leaders); this included modification and approval of study instruments by the S-M community via the Historical & Education Committee for appropriateness to S-M Tribe entities and LEAs/SEAs. Triangulation was used for checking consistency of findings through multiple sets of data collected (survey data, interview data, key documents) and through recruiting multiple types of study participants (Native/non-Native, administrator, elected leader, traditional teacher or elder, practitioner), which also gives trustworthiness to the study findings.

Collaborative social research (Castleden & Kurszewski, 2000), reflexivity of the researcher, and member checks (Schensul & Schensul, 1992) lend further trustworthiness to the study. Through reflexivity and triangulation methods, the trustworthiness of study findings is examined and strengthened. As a researcher, I recognize and acknowledge that I grew up within and am a community member of the S-M, and have worked with the Tribal and public agencies in the study. I have also attended two of the three study LEAs for my own K-12 schooling. Thus, I had unique perspectives and access to the participants, agencies, and contexts included in

the case. Clearly, as a researcher, I had an impact on the collection and analysis of data because of my beliefs, attitudes, values and reactions to the object of the study. However, through reflexivity and triangulation, the credibility of the research study is strengthened. As a researcher, I engaged in personal reflexivity and worked with community members, traditional advisors, the PhD committee, and subject matter experts to discuss and address any ways that my bias, values, beliefs and experiences may have influenced the research.

Additionally, by including both traditional and dominant western ways of thinking, knowledge generation, methods for data collection, data sources, and study participant perspectives the epistemological reflexivity was embedded in the study to improve trustworthiness of findings. Specifically, external stakeholders (University of Wisconsin-Madison's IRB and the dissertation committee), traditional Tribal elders from the S-M Tribal community, and two Indigenous academic advisors external to this dissertation process provided comprehensive oversight of the study by people who are informed and considered experts in academic and/or Indigenous settings. The S-M community was asked to approve my study, as is documented in their letter of support. Other reflexive, member checking and external monitoring activities conducted for strengthening the trustworthiness of this study included:

- Meeting with the Indigenous participants of the study, who provided member checks after each interview or survey to ensure accuracy of information. Participants were allowed to provide verbal or written feedback to their transcripts and summarized information that was captured through Survey Monkey. Participants also received a copy of the study findings and were given the opportunity to provide comments or feedback.

- Meeting semi-annually to quarterly with the S-M Historical Committee, Tribal Education Department Directors (held simultaneously with the Historical Committee meetings) for member checking purposes. Information was also provided at any School Board or Tribal Education Board meeting where it was requested.
- Informal, but at least six times per year minimum (usually monthly) member checking meetings with traditional leaders, community educators, and elders through talking circles, community social events, cultural activities, before or after traditional ceremonies, and at language camps.
- Member checking with traditional teachers and elders either too far away (Canada) or unable to meet in person due to travel distance and/or failing health. I made semi-annual (minimum) contacts via phone or Skype, and/or met them at their home in-person to share updates on the study's activities and challenges, discuss solutions, and obtain linguistic or cultural translations as needed during the data collection and analysis, and while writing up my findings.
- Requesting review and feedback from two Indigenous scholars, external to the University of Wisconsin campus (Dr. Martin Reinhardt, Northern Michigan University and Dr. Carolee Dodge-Francis, University of Nevada-Las Vegas). These scholars, who are also practicing S-M elders/traditionalists or historians, subject matter experts in public and tribal AI educational policy/programming, and/or experts in Tribal governance/leadership reviewed my material several times to ensure that my work was accurate, culturally appropriate, ethical, and academically rigorous based upon both traditional and academic standards.

I provided paper and electronic copies of all study materials and instruments to the Stockbridge-Munsee Educational Department and Tribal Historical Committee for independent review and feedback throughout the research study. Discussion, comments, questions, and suggestions were provided; this formal member checking is also on record in meeting agendas and minutes of the S-M Tribe.

Continuously working with these committees and individuals provided for robust discussions, additional layers of feedback and analysis to consider regarding emerging findings, and a means to monitor my conduct to ensure that was ethical and appropriate for the Indigenous community (Mihesuah, 1996). Member checking also helped ensure that information generated from the study would be useful to the study's participants (Patton, 2002; Patton, 2012), which will help shape future educational policy making and practice. This comprehensive member checking process also ensured that I was a reflective, reflexive, rigorous, and respectful researcher throughout the entire study process.

Beyond member checking with these stakeholders, my academic advisor, select committee members, and an external technical editor provided guidance during my data collection, analysis, and as I wrote up the findings. Collectively these member checks and other safeguards preserved control and limited access (Lambrou, 1997) to agencies, people, or other entities who are not acting for the benefit of the Stockbridge-Munsee/Mohican, Lunaape, or larger Indigenous community.

Collectively the descriptive, interpretive, multi-cultural, and ecological validity (Kirkhart, 1995a; Kirkhart, 2005; Kirkhart, 2013; Lomawaima & McCarty, 2002a; Maxwell, 1992) can be determined trustworthy by consensus and acceptance of the study's findings by the academic and Indigenous community. Consensus was reached by continuing to share information, make

modifications, and repeating chapter reviews or discussions until the stakeholders mentioned in the member checking process either approved the materials or processes, or said they had no additional feedback. This collaborative oversight and continuous member checking by the western academic community and a Tribal community demonstrates a model that present and future Indigenous and non-Indigenous researchers could use when conducting research in Native American communities residing in rural, urban, or reservation contexts.

Ethical Considerations

Ethics concerns in research studies are addressed through informed consent and the protection of participants protocols (Bogdan & Biklen, 2007). For this study, ethical protections were reviewed by an Institutional Review Board (IRB) at the University of Wisconsin Madison, secured as SE-2012-0334 on October 23, 2012, and re-affirmed in a continuation IRB application that was approved on October 11, 2014. The study protocol was sent to participants prior to their participation to ensure they had time to review and sign or verbally consent to participation. I also discussed the informed consent protocol via telephone or in person with each participant to ensure that all participants understood, were comfortable with, and were safe during the research process (see Appendix F). This documentation via electronic text or digital audio file is available upon request and is housed with the Academic Advisor at the University of Wisconsin-Madison.

In keeping with the “indigenized” case study design, I used frequent and continual member checks (Lomawaima & McCarty, 2002a; Schensul & Schensul, 1992) to ensure that the study was conducted ethically and with integrity in this Tribal context, as discussed at length in the Trustworthiness section above. The researcher and Indigenous participant interaction for member checking should be authentic and treat Indigenous participants as collaborative

researchers and learners (Castleden & Kurszewski, 2000) throughout the study. In this study, this responsibility was shared by me, as the researcher, and Stockbridge-Munsee Historical and Education Committee and the elders/traditional leaders who are members of the Culture and Language Committee and community. These participants were critical informants who ensured that I carried out my research in ways that were respectful and appropriate to the community, and who guided me with their constructive suggestions when I strayed from this path.

At this time, the S-M Tribal government does not have ordinances or policies regarding intellectual and cultural property rights for the Tribe. However, given the multi-jurisdictional nature of the research conducted, it was important in this case to recognize the sovereign rights of the S-M Tribe and seek their approval for the study. The Tribe's letter of support is on file with the University of Wisconsin-Madison IRB and is also included in Appendix B.

All digitized and other information generated by the study are the intellectual property of Nicole Bowman. Requests for reproduction and copyright protections will be included with the electronic deposit of the final dissertation per the University of Wisconsin-Madison's Graduate School protocols. Copies of digital instruments, protocols, and the final dissertation will be provided electronically to the S-M Historical Committee, S-M Education Department and Board, and will be available to any participant who was part of this research.

The methods for data collection and analysis were robust, involved a multi-step process, were culturally responsive, and employed multiple strategies to ensure the trustworthiness of the study's findings. Chapters V-VII the key findings of the study that align with the original two research questions and use CRT and TCT frameworks to document evidence-based strategies for shaping multi-jurisdictional practices of Tribal and non-Tribal government agencies for strengthening the public education of AI students. Chapter VIII addresses limitations of the

current study and explains how this study contributes to the wider field of educational policy and leadership. Chapter VIII concludes with suggestions for future American Indian educational research topics, and includes strategies for conducting more effective, collaborative, culturally responsive and multi-jurisdictional research studies, with Tribal governments and Indigenous research providers as key partners in strengthening the public education of American Indian students.

Chapter V: Findings - The Context and Process of Tribal Educational Policy Development

Chapter V is the first of multiple findings chapters for the case study. Chapter V begins with a brief review of the study's major research questions, methodology, data sources, and provides details about study participants. The chapter then summarizes major study findings, each of which is addressed in separate chapters (Chapters V-VII). The majority of Chapter V provides information about the study's first major finding: Tribal education policy is a contextualized and multiple-step Tribal government process. Sub-sections supporting the first finding provide evidence about policy context(s) and multi-jurisdictional educational system influences that impact Tribal educational policy development. An S-M visual organizer illustrates the multiple steps that the S-M Tribal government takes when developing Tribal education policies. Exploration of how the S-M develops and approves Tribal education policy through three internal policy subsystems uses study data to define the processes, pathways, and activities of key internal S-M policy stakeholders across their respective subsystems as Tribal educational policies are developed and approved in an eight-step process. Chapter V concludes by summarizing the contexts and steps the S-M Tribe engages in to develop policy (finding one) to transition into the multiple influences of Tribal policy development (finding two) presented in Chapter VI. Chapter VII's discusses the third major study finding about Tribal education policy variations and effects as policies are implemented within public educational contexts where S-M students attend public schools.

Review of Case Study Data Sources and Participant Descriptions

The purpose of this single descriptive case study of the Stockbridge-Munsee Tribe was to explore how Tribal education policy is developed by a sovereign Tribal government in Wisconsin, and to determine the influences the on Tribal government's policymaking process.

Tribal education policy, together with public education policy, is implemented in three northeastern Wisconsin public K-12 school districts (Bowler, Gresham, and Shawano) where nearly all S-M students attend school. The study focused on two research questions:

3. How does the S-M government develop educational policy?
4. What influences the S-M's educational policy-making process?

The case collected data through surveys (n=15), interviews (n=18), and by reviewing/coding key documents (n=98). A total of 27 participants (unduplicated count) were surveyed and/or provided key informant interviews. Participants included representatives of all three public local education agencies (LEAs) (Bowler, Gresham, and Shawano), the state educational agency (SEA) (Wisconsin Department of Public Instruction), other public or non-profit educational agencies (CESA 8 and WIEA), and the S-M community (elected officials, employees, and traditional teachers/elders). There was diversity in participants in terms of agency represented (Tribal, local, state), job function (board member, employee, administrator, teacher, youth service provider, community volunteer, elder, or traditional teacher), age (mid 20s – 70 years old), gender (male and female), race/ethnicity (enrolled Tribal members, first or second-line descendants, mixed Tribal heritage, white, bi-racial, and/or multi-racial), and by socio-economic status. Because some of the 27 participants held multiple key educational roles (e.g. both a teacher at an LEA and serving on the Tribal Education Board), some study participants completed both surveys and interviews. Some participants completed more than one type of interview. Table 6 below describes case study participants and the ways they provided data for the study.

Table 6. *Case Study Participants*

Participant Role(s)	Representation(s)	NARF Survey	TED/TEB Interview	LEA/SEA Interview
1. Educational Administrator	Tribal Employee, female, experienced employee with Tribal education, policy, and programming	x	x	
2. Youth Service Provider	Tribal Employee, female, experienced employee with Tribal child and family policy and programming	x		
3. Youth Service Provider	LEA-Gresham, female, non-Tribal member, experienced with public educational programming	x		
4. Traditional Teacher	Tribal Community Member, female, experienced with family, community, and cultural knowledge of S-M	x		
5. Educational Administrator	LEA-Shawano, male, non-Tribal member, experienced general educational leader			x
6. Teacher	LEA-Gresham, female, Tribal member, experienced with public and Tribal educational policy, curriculum, and classroom practice	x		
7. Teacher / Education Board Member	LEA-Bowler / Tribal Education Board, male, Tribal member, experienced with Tribal and public education, policy, and programming	x	x	x
8. Educational Administrator	SEA-CESA 8, male, non-Tribal member, new general public education leader			x
9. Youth Service Provider	LEA-Shawano, female, non-Tribal member, experienced with public educational programming	x		
10. Educational Administrator	LEA-Bowler, female, Tribal member, experienced public and Tribal policy, programming, and educational leader			x
11. Educational Administrator	SEA-WIEA, male, Tribal member, experienced public and Tribal policy, programming, and educational leader			x
12. Educational Administrator	SEA-DPI, female, non-Tribal member, experienced public policy, programming, and educational leader			x
13. Youth Service Provider / Traditional Teacher	Tribal Employee / Tribal Community Member, elder female, Tribal member, experienced community and family Tribal policy and programming and cultural knowledge expert	x		
14. Educational Administrator	LEA-Gresham, male, non-Tribal member, experienced public education policy leader			x

15. Education Board Member / Elder	Tribal Education Board / Tribal Community Member, elder female, Tribal member, experienced public and Tribal education policy and programming leader	x	x	
16. Tribal Leader	Tribal Council Member, male, Tribal member, experienced public and Tribal educational policy maker/leader		x	
17. Traditional Teacher / Elder	Tribal Community Member, elder female, Tribal member, experienced public and Tribal education policy and programming leader	x		
18. Traditional Teacher / Elder	Tribal Community Member, elder female, Tribal member, experienced public and Tribal education policy and programming leader and cultural/language knowledge holder/leader	x		
19. Education Board Member	Tribal Education Board, female, Tribal member, Tribal education policy and program leader		x	
20. Educational Administrator	LEA-Bowler, female, non-Tribal member, public and Tribal educational policy/leader			x
21. Educational Administrator	SEA-DPI, male, Tribal member, early career public policy, programming, and educational leader			x
22. Youth Service Provider	LEA-Shawano, female, Tribal member, tribal and public education policy and programming practitioner/coordinator	x		
23. Teacher / Elder	LEA-Bowler / Tribal Community Member, elder female, Tribal member, public and Tribal educational policy and programming leader/teacher	x	x	x
24. Traditional Teacher / Elder	Tribal Community Member, elder female, Tribal member, Tribal policy analyst and community member/teacher	x		
25. Tribal Leader	Tribal Council Member, elder female, Tribal member, Tribal and public educational policy leader		x	
26. Educational Administrator	LEA-Bowler, male, non-Tribal member, public and Tribal educational policy and programming leader			x
27. Traditional Teacher	Community Teacher, female, Tribal member, tribal policy analyst and cultural/language knowledge keeper/leader	x		

Note: where possible, supporting quotations used in these chapters indicate the participant's primary context (public or Tribal) and role (e.g., employee, community member, elder, etc.). In accordance with safeguards established with study participants, less specific information about speakers is given in places where a full description might compromise the anonymity of the respondent.

Brief Overview of All Major Study Findings (Chapter V-VII)

When asked about the critical aspects of public and Tribal educational agency collaborations that need to be considered for strengthening the education of AI students (S-M included) one public education administrator summed it up by stating, "Relationships are what's going to make the changes and building in relationships by investing in each other is what will ultimately make the most difference." In examining case study data, it became clear that the concept of *relationships* is central to all the study findings including educational policy development, interactive policy activities of Tribes and public education agencies, and influences to Tribal and educational policy development on behalf of S-M students attending public schools in Wisconsin. The type and strengths of relationships give great insight to what's working, what's challenging, and what's missing when it comes to improving the education of S-M and/or AI (AI) students in Wisconsin public schools.

Through the coding, analysis, and triangulation of case study data, numerous themes emerged regarding Tribal educational policy development, influences upon Tribal policy development, and how policy activities between S-M and public educational agencies vary across LEAs. Relationships across and within policy contexts created a dynamic and complex educational policy system and subsystems that span multiple jurisdictions via Tribal and public governments and their respective boards and educational agencies. These linked and intertwined

policy activities of Tribal and public education stakeholders on behalf of S-M students who are receiving a public education also produce case study findings that are interwoven. The case study examines two major research questions regarding how the S-M Tribe develops Tribal education policy and what the influences are upon the policy making process; however, these findings cannot be separated and reported on by each individual question. The data generated from the case study via interviews, surveys, and key document review produce findings that inextricably link these two research questions together. Consequently, the findings are not shared by each research question. Rather, findings are discussed based on the three major themes emerging from the data.

Chapter V shares the study's first finding: Developing Tribal educational policy is a contextualized and multiple step process. Multiple educational contexts (Tribal and public) and the policies of agencies in those contexts (Tribal or local, state, or federal agencies) define who is considered American Indian (AI). Variations in definitions within Tribal or public contexts and agencies impact educational programming, funding, and other resources for S-M and AI students receiving a public education. Consequently, when Tribal and public educational agencies intersect because AI or S-M students are attending public schools, these diverse contextual factors create a very complex system of supports or barriers for students. Internally, the S-M educational policy system and subsystems are a series of intra-Tribal interactions where policy is created in multiple steps involving the Tribal government (Tribal Council), Tribal Education Board, and Tribal Education Department. Each of these Tribal educational policy stakeholder groups has distinct roles in the policy process. A visual organizer to support case data provides a picture of the internal workings of the S-M educational policy system and subsystems that develop Tribal education policy. Chapter V concludes by summarizing the key points of the S-

M Tribal government's Tribal educational policy process and the multi-jurisdictional contextual influences of Tribal and public agencies upon Tribal education policy development.

Chapter VI shares the study's second finding: Multiple factors influence Tribal education policy development. Study data reveal there are several shared or cross-cutting influences that most Tribal and public education stakeholders in the study say shape Tribal education policy. The chapter also shares community and cultural/traditional influences on Tribal education policy development and provides rich examples from participant data and key documents that illustrate influences on S-M Tribal education policy development. Chapter VI concludes by sharing how public/western education influences S-M Tribal education policy and how S-M educational stakeholders' working knowledge about Tribal and public education policy is important because both types of policy influence the public education of S-M students attending the three LEAs in the case study.

Chapter VII shares the study's third and final major finding: Tribal and public educational policy activities vary across educational agencies and affect the policy environment, inter-agency relations, and perceptions of educational stakeholders. These differences in policy and related policy or educational activities between the S-M Tribe and public educational agencies in the case study had different impacts on supports or barriers in the policy environment, interagency relationships and collaborative activity levels, and affected study participants' perceptions about the value, benefits, and challenges of Tribal and public educational agencies working together to support S-M students attending the three public schools in this case study. Chapter VII begins by sharing how Tribal and public education policies are separate but related activities and provides an overview of the major Tribal and public education policies that impact AI and S-M students in Wisconsin (based on online policy scans for key

documents, participant survey or interview data, and key policy documents from key informants). Study data analysis demonstrates that formal Tribal and public educational policies provide the strongest support for publically educating S-M students. Federal, state, and S-M Tribal education policy examples applicable to the local case are shared.

Finding 1: Tribal Education Policy Development is a Contextualized and Multiple Step Process of the Stockbridge-Munsee Tribal Government

The Tribal law is broad and policies are more included in the education handbook. [The education handbook] is reviewed by the Tribal education board, which makes education policy recommendations to the Tribal Council who can approve policy or make law. The Tribe’s attorney always reviews laws and policies before Tribal Council approves them though.

– S-M Tribal member and TED staff

In order to understand the major findings of the study, it is important to begin by understanding the complexities in educational policy context(s) and how contextual information from Tribal and public policy systems broadly influences, situates and impacts the process of Tribal educational policy development itself. The first sub-section of finding one begins by explaining how multi-jurisdictional educational policy systems and agencies (Tribal, local, state, and federal) use statutes and policies to define AI and S-M students differently. These multiple jurisdictional influences significantly impact the types of supports and/or barriers S-M students encounter, especially since S-M students can be left out or fall through the cracks when it comes to Tribal or educational policy. Study data shows that Tribal or public educational policy applicability and impacts (including resources and related supports for S-M students) differ based on the context the student is in and the jurisdictional definitions governing that context.

Community, historical, and cultural information supporting rationales about “who counts as AI” is provided along with demographic information about AI and S-M enrollment and population in the three public schools of the case study.

The second sub-section of the first finding provides a multi-jurisdictional systems overview of how the S-M Tribal and public education agencies intersect and operate on a daily basis to support S-M students receiving a public education. This discussion extends the earlier tri-lateral education model specifically to the policy contexts of the S-M Tribe and public education agencies included in this case study. Study data provide examples of how Tribal and public educational policy systems and subsystems work together to develop and implement educational policy and programs for S-M students attending three Wisconsin public school districts – Bowler, Gresham, and Shawano.

The third sub-section under the first finding describes how the S-M Tribe develops internal Tribal educational policy for S-M students that is applied to the Tribal and public context. This policy development process is summarized by a S-M visual organizer. The S-M policy system has three interactive subsystems including the Tribal Council (TC), Tribal Education Board (TEB), and the Tribal Education Department (TED). Together, these three subsystems use an eight-step process that is guided by the S-M Constitution, educational ordinances, and policy activities to develop, implement, and monitor the effectiveness of Tribal education policy.

Descriptive study data provides a clearer picture and better understanding about the S-M Tribal educational policy development process in terms of context and practice. The first finding’s exploration of the broader multi-jurisdictional influences upon and actual processes of

S-M's educational policy activities is a foundation of the study's two other findings about the local influences, variations, and effects of Tribal and public education policy on S-M students.

Multiple contexts, multiple meanings: Who is really an AI?

Nationally, more than 92% of K-12 AI students attend public schools (Bowman, 2005; Chavers, 2001; Education Trust, 2013; Tippecanoc, 2003). In Wisconsin, over 85% of AI students between the ages of five and eighteen years attend public schools (Wisconsin Department of Public Instruction [WI-DPI], 2015). Data from WI-DPI (2015) and from interviews and key documents suggest that approximately 11,000 of the estimated 13,000 AI K-12 students in Wisconsin attend public schools. S-M students and families have homes throughout Wisconsin and live in other communities across the United States. Even though S-M students live throughout the state and nation, S-M students primarily attend three Wisconsin public K-12 school districts located in the northeastern part of the state (Shawano County) because there is no Tribal school on the reservation. Bowler, Gresham, and Shawano public school districts provide public education to at least 700 AI students on average each year, as estimated based on 2010 - 2015 information provided by study participants, key documents, and data from WI-DPI (2015). These 700 AI students attending the three LEAs in the study have Tribal affiliations to the S-M, Menominee, Oneida, and/or Ho Chunk Tribes.

Several factors complicate the way that numbers of AI students are determined. Defining who "counts" as AI depends on the policy, context, and who does the counting. Public schools "count" students who self-identify, or whose families identify them, as AI. Tribal governments use constitutionally defined blood-quantum levels to determine Tribal membership, as well as variations on benefits afforded to members based on blood-quantum. Most Tribal governments and Tribal educational agencies "count" only Tribally enrolled students. For educational policy

and reporting, the S-M government does not “count” S-M students who are first or second-line descendants, students with mixed Tribal heritage who are enrolled in another Tribe, or students who are bi-racial and have a blood quantum lower than one-sixteenth. Given these factors, the number of AI students served in public schools is likely higher than official estimates, as previously discussed in Chapter II. This supposition is confirmed by key documents collected by the study as well as survey and interview data from TEB, TED, LEA, and SEA educational leaders. According to one member of the S-M Tribal Education Department, the recognized number of AI K-12 students “would at least double if not triple” if the Tribe had the capacity and resources to count first and second line descendants, mixed race students with some S-M lineage, and children with other Tribal or non-Tribal racial/ethnic makeup in these three local schools.

The assimilationist and contemporary policy stance of the Tribal government in terms of membership stands in sharp contrast to how traditional teachers, elders, medicine people, and clan leaders determine membership. As one study participant explained, traditional S-M and other traditional AI communities leaders do not count or care if “you are one drop or full blood” when determining who is considered a Tribe member. Instead, they are more likely to consider behaviors, community contributions, speaking the language, participation in formal cultural ceremonies, and/or being active in social events that the traditional community values when determining who is identified as a member. This contrast within the S-M community about who counts as “Indian” becomes very important as the study examines the influences that shape Tribal educational policy development and implementation. These influences (western vs. traditional/cultural) presented themselves regardless of whether participant responses were from enrolled Tribal members or not. The findings about both traditional (cultural) and western influences on S-M policy development are discussed later in this chapter.

Understanding the complexities of who “counts” as Indian informs understanding of demographic patterns of AI student participation within the three LEAs in this study. Placing the numbers and percentages of AI student populations within the overall school district population provides a broader picture of the size of the AI and S-M student population for the participating LEAs. I used publically available data gathered from the Wisconsin Department of Instruction to determine the “official” numbers of AI students attending the three study LEAs between the 2010-11 and 2014-15 school years, as illustrated in Table 7 below.

Table 7. *AI Student Population at Bowler, Gresham, and Shawano Districts*

School District	2014-15	2013-14	2012-13	2011-12	2010-11
	# AI Students & % of LEA Population	# AI Students & % of LEA Population	# AI Students & % of LEA Population	# AI Students & % of LEA Population	# AI Students & % of LEA Population
Bowler – all grades	135 36.8%	143 37.9%	149 37.6%	145 36.9%	143 37.2%
Gresham – all grades	96 31.5%	103 32.6%	100 34.0%	96 32.3%	105 34.1%
Shawano – all grades	461 18.5%	446 17.3%	453 17.6%	388 15.3%	403 15.8%
Total for all 3 LEAs	692 21.87%	692 21.15%	702 21.46%	629 19.49%	651 20.04%

Wisconsin’s “official” numbers of AI students enrolled in the three study LEAs do not match numbers available from the LEAs and Tribal sources that participated in the study. Key documents, survey data, and interview data indicate that the number of currently enrolled S-M students attending Bowler and Gresham was 256. Neither the Shawano School District nor the Tribal Education Department could provide current numbers of S-M students attending Shawano schools because of the identification and tracking complexities mentioned earlier. The table also shows the percent of AI students ranging from roughly 15% to 38% (WI-DPI), but key documents, surveys, and interview data from the LEAs suggest that 45-50% of the total student

population is AI. Clearly, questions about who “counts” affect Tribal and public educational policy, programming, and data. Other social, historical, political, cultural, and family factors play a role in who “counts” as AI. Concepts of self and if students see themselves as AI, S-M, or something else are also influenced by these other factors.

Beyond merely numeric or blood quantum questions about who “counts” as S-M are factors related to mixed racial/ethnic bloodlines that impact the context or concepts of “self”: self-perceptions, self-identities, and behaviors or cultural practices that S-M students embrace. A student’s Tribal heritage is rarely singular (full blood); most students have “mixed Tribal and/or multi-racial bloodlines as part of their S-M racial/ethnic identity” (S-M Tribal elder). Culturally, students may identify similarly or differently to their race/ethnicity. For example, an S-M student whose family member participated in this case study pointed out that, “my niece is white, S-M, and Mohican. Her white mother raised her to follow the S-M ways, not her enrolled S-M father. After doing oral and family historical research, she’s decided to speak and live as a Mohican even though she’s also Munsee (Lenape) and white” (S-M Tribal member, elder, and historian). This impacts how S-M students see themselves in the school, community or larger context. “Understanding who we are as Tribal people and where we came from helps us understand our vision for education. And if we can’t connect to that, how can the schools?” (S-M Tribal member and elder). As these two LEA study participants point out, making “cultural connections” or understanding the “cultural needs of Native American learners” is challenging, especially when S-M students, families, and Tribal community members count who’s S-M and the criteria for determining who is S-M are unknown, incomplete, different, and/or wants to stay hidden or not explicitly discussed or named.

Formally the S-M Tribal Government “counts” S-M members and students in the top tier of “enrolled” membership for Tribe members having one-quarter or more S-M blood, per the S-M Constitution. These enrolled members get the highest levels of S-M governmental support for education (tuition, scholarships, academic or athletic rentals, etc.). S-M Tribal members with one-eighth (first line descendants) or one-sixteenth blood quantum get far less from the Tribe (e.g., less funding for scholarships, no tuition reimbursement, no rental support, etc.).

Consequently, even within the S-M Tribe, the question of how AI students are “counted” creates another gap for student support of S-M students beyond the public school context. These blood quantum policies inform Tribal education policy development and activities for the S-M as financial, human, time, and program resources (and reporting on S-M student populations) in Tribal government or public policy and educational reports is impacted. S-M only “counts” enrolled S-M students; this has huge implications for state and federal formula monies coming into the S-M Tribe that are distributed into the three public schools that S-M students attend.

These cultural self-perceptions concerning how S-M students are counted as S-M or as Tribal community members have additional impacts in the public school context. The legal guardian/family member of the student attending public school fills out paperwork to identify their child. Family member identification may or may not be similar to how the student self-identifies or how peers identify the child. According to case data, other factors that influence S-M identification include family structure (married, divorced, single parent, long-term partnership, etc. and the cultural influences within the home) and racial/ethnic makeup of the family (white mother and enrolled S-M father; enrolled and traditional living/speaking Ho Chunk mother with an enrolled and traditionally speaking/living S-M father, etc.).

The multi-generational family history around education, including highest degree achieved and perceptions about public education systems are other complicating factors. As one participant explained, “Our history with schools was steeped in violence (physical, sexual, spiritual), racism, assimilation, cultural genocide, and apathy” (S-M Tribal member and LEA employee). As discussed in Chapter II, these social and historical impacts, violence, intergenerational trauma, and loss of culture, language, and life related to boarding or missionary schools and/or other assimilationist education policies are all valid reasons that S-M people may fear, reject, or be disconnected from the public school system. “Education was used as a tool to civilize us by cutting our hair, not speaking our language, and they [mission/boarding schools] told us about new things to believe in. We are still working today to recover our culture and all that was lost” (S-M Tribal elder and historian). The historical, racialized, and cultural contexts for S-M in terms of negative impacts of public schooling is often unknown or little understood by public educational policy makers, administrators, or practitioners. For example, as study participants shared, S-M students experience tension between “acting white” if they go to school vs. a perception that school can “help our S-M community.” These cultural criteria and influences impact the context of public schools as S-M families attend public schools in the study because who they say they are, how they act, who they associate with, and what policies and program supports they receive are further defined by public school contexts and self-identification of being S-M at school.

Racial/ethnic or cultural identity along with other personal, social, philosophical, historical, and/or legal factors (for example, how the S-M or public schools define who is S-M within educational policies), creates contextualized and changing meanings for who is S-M. For most S-M Tribal education policies, a student must be at least one-quarter S-M to receive

services, financial incentives, and other educational support. Within public educational contexts, American Indian status is based on self-identification and the policy definitions within each local, state, or federal program or agency. Who defines themselves as S-M and by what criteria they use (legal, policy, cultural) impacts the educational support, behaviors, and perceptions (self or other's) about S-M students. The next section moves from the *individual* influences, concepts, and definitions of S-M students to discuss the broader *multi-jurisdictional* influences on the S-M's Tribal educational policy development.

Multi-jurisdictional influences on Tribal educational policy development of the Stockbridge-Munsee Tribe.

Multijurisdictional factors across Tribal and public education agencies can be either barriers to or supports for stronger educational policy and programming support for S-M students. Therefore, the intersecting policy contexts for S-M students must be understood to situate this case study. The S-M Tribal and public educational policy systems and subsystems interact and influence educational policy at the three public schools that S-M students attend. Stakeholders have varying levels of confidence in how these systems work together, but there is a general agreement that they must interact effectively. As one study participant explained, "I do not see education promoted very well. The Tribe and schools that our students attend all need to get together and get on the same page" (S-M Tribal member, community educator, and traditionalist). Understanding the relationships and intersections of Tribal and public educational agencies as they work together (or not) is critical to addressing long-term issues and designing a long-term strategy for improving the public education of AI students.

Study data illustrate that public agencies lack understanding of the Tribal government's role in creating educational policy. When new policies or programs are developed and rolled out by federal or state education departments and school districts (LEAs), these public agencies most

often engage academic or policy subject matter experts as key participants, rather than Tribal governments, TEBs, or TEDs. LEAs do not always meet with S-M TC, TEB, and TED, and when they do it is often in the context of “once per year” (S-M TEB member) annual meetings that are mandated in order to receive federal funding, i.e., the “required Title VII meeting.” Because western or mainstream educational institutions, public educational policy leaders and administrators, and/or academia are unaware that the 11 Tribal governments in Wisconsin have a role to play in developing and carry out educational policy at Tribal or public schools, there are few resources to turn to in public or higher education. “I don’t think they [public agencies] know who we are or what we do,” remarked one S-M elected Tribal leadership participant when asked about their relationship to public education agencies at the state or federal level. Having knowledgeable, responsive, and responsible public and academic partners who have training and work experience regarding the Tribal government’s formal role in the public educational policy process regarding S-M or AI students is critical if true school reform efforts are to be realized in a more effective and efficient way. Understanding how S-M’s and public education intergovernmental policies intersect is the first step to better understanding how applied research studies can increase the likelihood of improving educational practice (Borg, Gall & Gall, 2003, p. 11-12). Applications to the S-M and LEA context of this case study will illustrate these multi-jurisdictional policies and relationships next.

As discussed earlier in Chapter II, under the U.S. Constitution, it is the sole responsibility of the federal government to interact with each individual Tribe. Several states, including Wisconsin, have become involved in AI education based on subsequent provisions within federal AI education law. To situate any policy study involving multiple governments and government agencies, one must understand the complex intergovernmental and multi-jurisdictional (Bowman

& Reinhardt, 2014) relationships that connect those responsible for creating and implementing Tribal or public education policies. Three governments develop Tribal or public educational policy that affect S-M and AI students attending public schools: Tribal, federal, and state. *Tribal* education policy is developed and created by Tribal governments, the S-M government in this case study. Tribal education policy may be implemented in Tribal or public school contexts. *Public* education policy is related to Tribal education policy because it affects S-M students attending local public schools. Public education policy is developed by the local school board (Bowler, Gresham, and Shawano), state government agency (Wisconsin Department of Public Instruction), and/or federal government agencies (U.S. Department of Education) and implemented at the three public schools S-M students attend. Details about the differences in and examples of Tribal and public educational policy are discussed in greater detail in Chapter VII.

Operationally, the Tribal, state, and federal governments have AI, S-M, and/or education specific policies and departments that work with each other and through local education agencies (LEAs) to develop and implement policy and programming for AI / S-M students attending public schools. In the context of this study, the LEAs (school districts) are a subset agency of the state government (Wisconsin Department of Public Instruction). The Tribal Education Department (TED) is the LEAs counterpart and is the subset agency of the S-M government. LEAs have public school boards while the TED has a Tribal Education Board (TEB) to answer to and implement educational policies that are set. The S-M Tribe's practices follow this model, as demonstrated by key documents and survey or interview data. Theoretically, within the context of public education, these Tribal and public educational stakeholders work together to develop, implement, and monitor Tribal and public educational policies and programming impacting S-M /AI students.

Figure 2 expands the tri-lateral model for educational service delivery for AI students developed by Reinhardt and Maday (2006) to illustrate the multi-jurisdictional interaction of S-M Tribal and public education stakeholders. It is important to utilize the tri-lateral model to visualize the multi-jurisdictional key stakeholders included in this study. The S-M, LEAs, Wisconsin Department of Public Instruction, and U.S. Department of Education are all distinct agencies overseen by separate governments (Tribal, state, and federal) which have different jurisdictional laws, policies, and oversight responsibilities. Hence, the term “multi-jurisdictional” is used to describe the Tribal and educational ordinances, policies, programs, and service delivery mechanisms working to support AI students (Bowman & Reinhardt, 2014), and applied to this case, S-M students in particular.

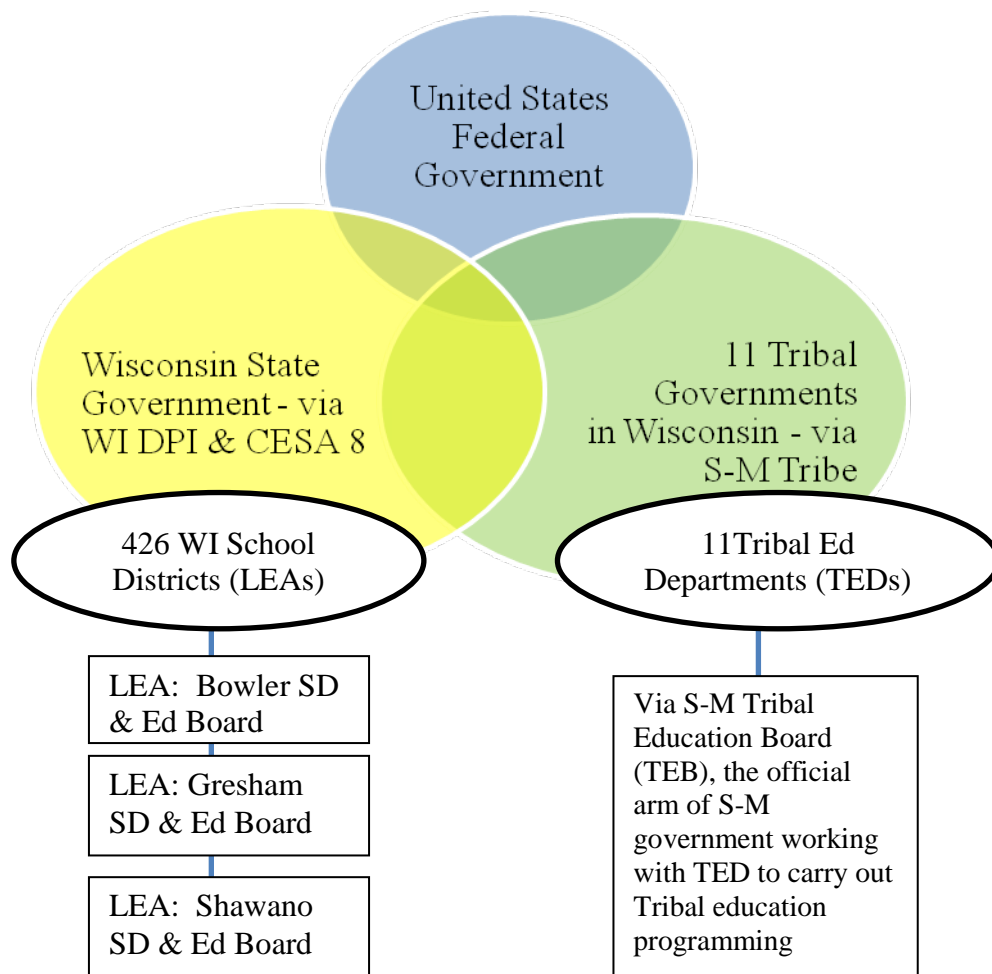


Figure 2. Tri-Lateral Model for AI Educational Policy Applied and Extended to S-M Context. Modified from Bowman, & Reinhardt, 2014. p. 5 and Reinhardt & Maday, 2006.

Tribal and public educational policies created by the stakeholders shown in the figure above may overlap, be completely separate, or responsibility for implementation and oversight of Federal policies regarding AI students in public schools can be the responsibility of the Tribe or state educational agency. In this case study, sometimes multi-jurisdictional policies overlap. One example of overlapping policies in this study context is Impact Aid policies. In this case, federal, state, local education agencies, and the S-M meet annually and adhere to the eight procedural requirements set by federal law in order to receive funding and resources related to Impact Aid programs supporting S-M students (Title VII, Title I, Title IX). One example of

separate or seemingly contradictory policy (because of the different jurisdictions) found in the data is related to eligibility for AI-related services. S-M policy defines an AI student as one who is “enrolled” with the S-M Tribe per the Tribal Constitution. In contrast, local, state, or federal policies and programs (unless specified within federal program language to defer to the Tribe’s eligibility definition) use “self-identification” as the predominant way to identify S-M or AI students in public agencies receiving support from public policies and programs as eligible per key documents collected for the case. Examples of how either an LEA or TED has responsibility for implementing Federal AI education policy and related programming from the data include:

- Johnson O’Malley (JOM): The S-M Tribal government, through the TED and TEB, oversee implementation, monitor effectiveness, manage the JOM human, fiscal, and program resources (the Indian student academic advisors at Bowler School District), and complete JOM federal reporting requirements annually (program) and quarterly (fiscal)
- Impact Aid and Title VII: Each LEA is responsible for applying for annual Federal Impact Aid and Title VII funds for each AI student in the district and is responsible for implementation, managing resources, and reporting effectiveness to the SEA and FEA annually

Most importantly, all of these Tribal and non-Tribal government agencies have policies concerning the education of AI students specifically and have a legal and ethical shared responsibility for providing a culturally appropriate, inclusive, and educationally rigorous public education that nurtures the success of AI and S-M students specifically, as noted within key documents. Multi-jurisdictional agency support or barriers for supporting S-M students

attending public schools depends on criteria summarized below, which were developed based upon interviews, surveys, and key documents collected by the study:

- The degree of established systemic capacities and infrastructures government, agency, board or council, department, and program
- The presence and effective use of formal and appropriate policies and procedures
- The amount of dedicated/shared financial and other resources adequate to needs
- The levels of established relationships and trusting work history
- The availability of skilled and responsive staff for policy development, implementation supports, and measuring effectiveness and impacts of AI policies

The case study data and findings under Chapter VI and VII will provide rich descriptions of the activities, influences to, and impacts of these inter-agency Tribal and public education relationships. Chapter VIII discusses and explores implications of how these multi-jurisdictional relationships create supports, barriers, or leave gaps for S-M education in Wisconsin public schools.

Documenting the multi-step system and processes for Tribal educational policy development by the Stockbridge-Munsee Tribal government.

Developing S-M Tribal educational policy involves multiple phases and steps that are carried out by the S-M Tribal government through interactions of the Tribal Council (TC), Tribal Education Board (TEB), and the Tribal Education Department (TED). This final section for the first study finding explains the role of these three internal Tribal entities, their distinct functions throughout the Tribal educational development process, and the interplay of intra-governmental offices in the development of Tribal education policy. Some influences on policy development (research question one) are included to provide some contextual descriptions; however, in-depth discussion of factors that influence S-M educational policy development is reserved for Chapter

VI. This section concludes with an overview of how Tribal education policy and public education policy development and activities are unique processes but interrelated for the education of S-M students in public schools. More detail on how these public and Tribal education policies differ and what types of policy activities TED and LEAs are engaged in are provided in greater detail Chapter VII (finding 3 - policy activities vary greatly between S-M Tribe and LEAs).

Within the S-M policy system, there are several S-M internal key policy stakeholders and subgroups that interact to create Tribal education policy. Until this study, there was no graphic or model describing the S-M policy system and subsystem or steps taken from a policy concept to an approved policy. The S-M Tribal educational policy system model illustrates details about the key Tribal education policy development activities within and across the TC, TEB, and TED, as well as the policy supports including the infrastructure, financial resources, and the eight steps of the actual S-M Tribal education policy process.

Tribal educational policy development is grounded in two Tribal government ordinances regarding education: Chapter 45 and Chapter 13. The S-M's education ordinance is Chapter 45- Tribal Education Law. Chapter 45 guides the S-M's TEB to develop Tribal educational policies, which are then presented to and finally approved by the S-M TC. The S-M TEB is directed to consider S-M community data from families, parents, or other educational stakeholders reporting to the TEB; LEA data retreats; study data; and/or S-M family/parent input to the LEA input on upcoming issues when developing policy. The second Tribal educational ordinance created by the S-M Tribal government (per key documents, interview, and survey data) is Chapter 13- Truancy. Chapter 13 illustrates the S-M's policy development process later in this chapter and

appears again under Chapter VI findings as an example of a response to a cross-cutting influence on both Tribal and public education policy development.

Understanding how S-M Tribal government develops policy, also known as “Tribal education policy,” is very important especially when S-M students are attending public schools where Tribal education policies and Tribal government systems intersect with public educational policy and systems. Tribal education policies (developed by S-M) differ from public education policy development (developed by public education agencies like Bowler, Gresham, Shawano, WI-DPI, and the U.S. Department of Education). These educational policy activities, while distinct and separate, are related and important for any Tribal or public administrator, policy maker, and/or researcher to be aware and have a working knowledge of.

As established in earlier chapters, it is rare to find the presence of AI populations or Tribal government activities related to public education research and policy studies in the literature or capacities of employees at public education agencies. Study data confirm this is also true in the S-M study context. Both Tribal and public education agency participants struggled with articulating the S-M’s Tribal educational policy process. Nearly half of the NARF survey study respondents (representing both Tribal and public education agencies) responded “no idea,” “not sure,” or “not applicable” when asked if the S-M Tribe had educational laws. Only 13% of these respondents could actually name the two S-M Tribal educational laws (Chapter 45-Education and Chapter 13-Truancy) that guided the S-M policies for education. When asked about the multiple internal policy activities within the S-M Tribe, nearly 87% of survey respondents either “didn’t know,” were “guessing,” and/or did not provide correct or complete information regarding the distinct and lawfully defined roles, responsibilities, and activities of the TC, TEB, and TED in the S-M Tribe’s educational policy development process.

Respondents most often cited the annual meeting between the S-M TC and an LEA (Bowler), monthly TEB meetings with minutes, and information sharing, scholarship support, and tutoring when asked about S-M policy development. While these examples are applicable policy *activities* being carried out by the TC, TEB, and/or TED as confirmed by the study data (key documents, meeting minutes, participant responses, Tribal ordinances, educational policies or handbooks, job descriptions, etc.), these responses do not demonstrate a high level of understanding by study participants regarding the comprehensive and multi-step internal processes of the S-M Tribal government's system for developing Tribal educational policy.

I analyzed and triangulated study data in order to determine the actual process used by the S-M Tribe to develop educational policy. The visual organizer in Figure 3 below, based on the study data, illustrates the internal S-M Tribal educational policy development system.

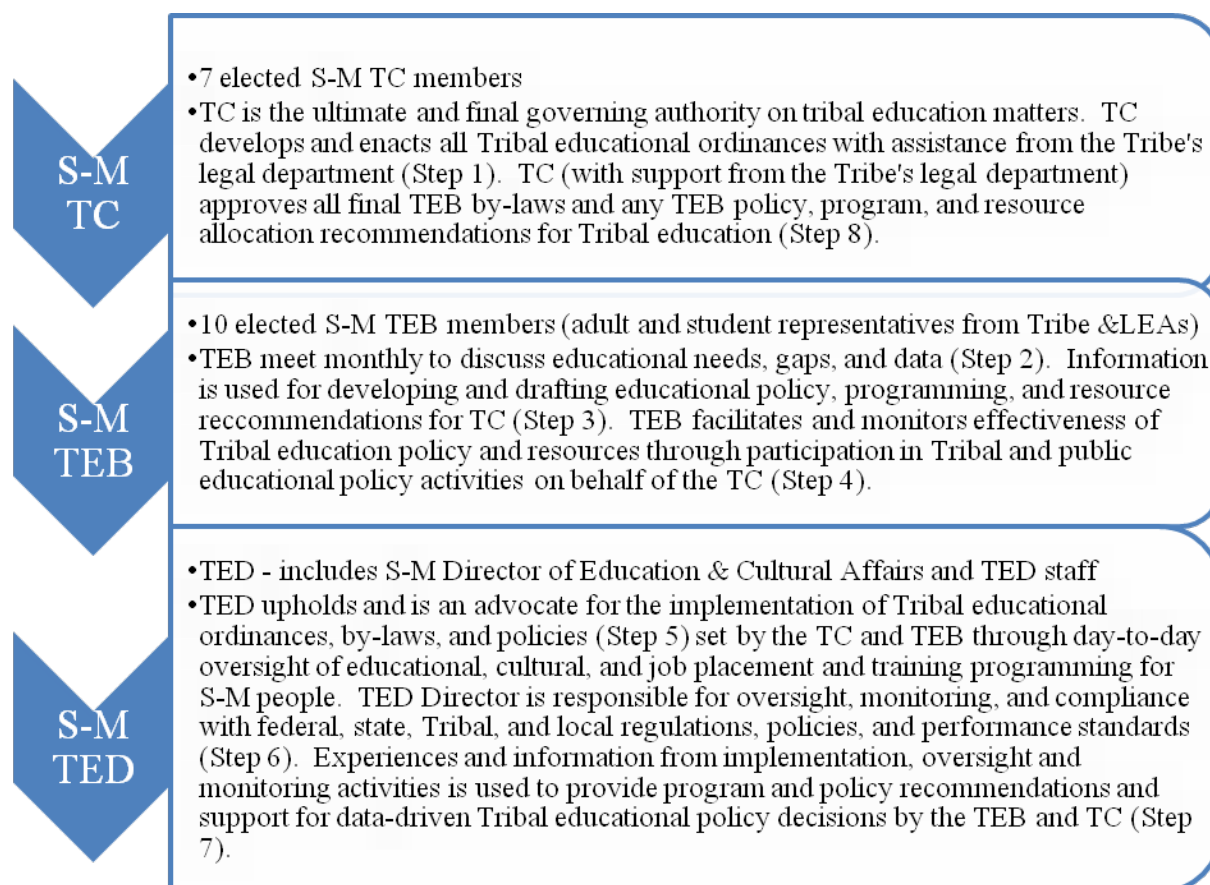


Figure 3. S-M Tribal Government's Education Policy Development System

As the visual organizer shows and study data supports, there are three sub-systems within the comprehensive S-M policy development system for education: the S-M Tribal Council (TC), the S-M Tribal Education Board (TEB), and the S-M Tribal Education Department (TED). Each of these sub-system groups has very specific roles and responsibilities for developing, approving, implementing, and monitoring S-M Tribal education policy. From study data, I was able to identify eight steps in bringing policies to life from the initial discussion and development stage to the final approval, implementation, and monitoring stages. These steps are:

1. TC develops Tribal educational ordinances with assistance from legal department

2. TEB meets monthly to discuss educational needs, gaps, and data
3. Based on step 2 information, TEB drafts educational policy, programming and resource recommendations for TC
4. TEB facilitates and monitors effectiveness of Tribal education policy and resources
5. TED upholds and advocates for implementation of Tribal educational ordinances, by-laws, and policies
6. TED Director ensures oversight, monitoring, and compliance with federal, state, Tribal, and local regulations, policies, and performance standards
7. TED uses information from implementation, oversight and monitoring activities to provide program and policy recommendations and support for data-driven Tribal educational policy decisions by the TEB and TC
8. TC approves all final TEB by-laws and TEB policy, program, and resource allocation recommendations

The first step of the S-M policy process begins with the S-M Tribal Council (TC). The S-M TC initiates Tribal education policy development by creating TC educational ordinances (e.g., Chapter 45 or Chapter 13), which are grounded in the Tribal Constitution. The TC has the ultimate authority over the governance of all of the Tribe's departments, resources, assets, and all aspects and activities of the Tribe, including approval of educational by-laws and policies as evidenced in the S-M Constitution, Chapter 45 ordinance language, and study participant data. An elected TC, composed of seven members is responsible for carrying out the S-M Constitution (1937) and by-laws (1937, last ratified 1995), and is responsible for approving final Tribal educational statutes, ordinances, and policies in accordance with the Constitution and by-laws. As noted in the preamble of the S-M Constitution (1937), the goal of the S-M TC is to "re-

establish our Tribal organization, to conserve and develop our common resources and to protect the welfare of ourselves and our descendants.”

Under current S-M Tribal ordinances, there are two major educational laws and one formal memorandum of understanding (MOU) between the S-M Tribe and one LEA (Bowler School District). These were all developed and approved by the S-M TC with the assistance of the Tribe’s legal department, and are examples of step one of the S-M’s Tribal educational policy process. Both laws and the MOU demonstrate how the Tribe’s Constitution and laws regarding education are the starting point for the Tribal educational policy development process and intra-Tribal government agency policy activities to support the education of S-M students. For example, case study data show that Chapter 13, which holds families accountable for their student’s school attendance, has been implemented in the local S-M community as seen in interview data, TC minutes, and legal / court documents of the S-M Tribe. Evidence of Chapter 13’s implementation is also found within the LEA (Bowler School District) since key truancy data, documents, meetings, and Tribal court appearances or legal meetings regarding truancy for S-M is found in study documents, including LEA and S-M TEB minutes, key truancy reports, school advisory/improvement meeting minutes, and interview and survey data. The implementation of the S-M MOU with the Bowler School District is discussed further in Chapter VII to illustrate strong Tribal and public policy supports for S-M education in public schools.

Another key ordinance in the S-M Tribal educational policy process is Chapter 45. This law formally establishes the S-M Tribal Education Board (TEB) and is the major Tribal law that guides how S-M Tribal educational policy and programming is carried out. Chapter 45 defines the policy system, subsystems, and internal processes by clarifying the roles, relationships, and activities of the Tribe’s internal TEB and the Tribal Education Department (TED), who are

responsible for developing, implementing, and monitoring Tribal education policy. Chapter 45 (Sections 45.1-45.13) establishes the TEB as the immediate and “official arm of the S-M TC on all education related matters and shall carry out the mandates of the TC with regard to education” (Section 45.12). Under Chapter 45, the TEB has the authority and responsibility for “facilitating maximum education services and maximum utilization of available resources for the S-M people including making recommendations to the TC for [educational] priorities, program development, planning, and general coordination of education programs within the S-M community (Section 45.7).” Study interview, survey, and key document data provide strong examples that the TEB does indeed develop and carry out policy for the S-M Tribe. Examples include participating in Tribal/public education meetings, attending school board meetings, listening to S-M parents, and discussing and advising the S-M TC and LEA boards about truancy, academic or behavior issues. These policy responsibilities and activities of TEB represent steps two through four shown in Figure 3 of the S-M Tribal educational policy system: listening and meeting about policy concerns (step two), drafting policy recommendations for the TC to consider (step three), and monitoring approved policy implementation and effectiveness (step four). Importantly, the S-M TC retains “ultimate Tribal authority” (section 45.12) with regard to education and votes to approve all education policy and dedicated resources, as evidenced in key informant interviews and key documents including TC meeting minutes, policy handbooks, and media releases. Thus, the TEB reports directly to the TC and functions as an advisor in developing and recommending S-M Tribal education policy. The TC has final approval (or not) of any educational by-laws, Tribal education policies, and/or suggested educational resource supports that the TEB has recommended for S-M Tribal education (step eight).

The elected 10 member S-M TEB is mandated to meet at least once a month as a policy advisory, educational advocacy, and monitoring group for S-M educational programming. The TEB is directed to report directly to S-M TC on a monthly basis (reports and in person); it also monitors, supports, and takes recommendations from the S-M community and S-M Tribal Education Department (TED). Survey and interview data and key document data (agenda, meeting minutes, annual reports, and educational needs reports or improvement plans) demonstrate that the TEB actually meets more than once a month as a board or with TC, TED, LEAs, or other public education or non-profit educational agencies. Types of meetings include special meetings, annual meetings, data retreats, advisory meetings related to school improvement or educational needs topics, and/or for community listening sessions. All these activities shape Tribal education policy and programming recommendations that the TEB brings to TC for approval. Since the TEB began meeting in 1979, the number of meetings with educational stakeholder groups has increased from nine annually to 25 on average annually as of 2015. The number of TEB education related meetings during 2014-2015 ranged from 15 to 35 meetings, including regular TEB monthly or bi-monthly meetings, annual improvement meetings with LEAs, data retreats or special educational needs topical meetings with public education agencies, semi-annual to quarterly planning and educational monitoring meetings with LEA administration and boards, and special internal TED/TC meetings regarding Tribal educational policy and programming topics. Other duties of the TEB include keeping official meeting minutes, interacting with the Tribal community and families to get feedback on education policies and services, providing an space to advocate and share concerns of the S-M students and families, approving reimbursements and educational programming expenditures, and engaging in Tribal educational policy and programming activities with the S-M Tribal Education Department

(TED) within the community and/or as with public and other non-profit educational organizations and key stakeholders locally, regionally, and within the nation.

A unique aspect of the 10 member S-M TEB is that there is a diverse group of adult and student Tribal and non-Tribal members on this board. TEB members serve one to three years based on total number of popular votes. Five members must be enrolled S-M parents or grandparents who have children/grandchildren enrolled at the Bowler and Gresham LEAs. One member can be enrolled or not in the S-M Tribe, but must reside within the S-M service area. Two S-M enrolled students and two teachers of AI students from each of the LEA secondary schools round out the final S-M TEB members. Interestingly, since the TEB and TED were established in 1979 when the S-M took educational responsibility from the Bureau of Indian Affairs, there has been no official representation on the TEB from the Shawano School District even though S-M students attend school at this LEA (per S-M TC, TEB, and TED records and participant study data). The TEB currently only includes Bowler and Gresham LEA representatives, as evidenced in its policy language for representation on the TEB. Implications of this LEA's exclusion from TEB representation despite S-M attending Shawano School District are discussed in Chapter VIII.

The final intra-agency internal partner (third policy subsystem) in the S-M Tribal educational policy system is the S-M Tribal Education Department (TED). The mission, vision, and value statement of the TED is, "The S-M Education & Employment and Training Programs will help guide the Community to maintain a culturally holistic educational & employment and training balance for Tribal progression [of students, employees, and community members]. The vision is life-long learning and employment satisfaction with respect to the Mohican culture.

The value is to link between the TED office and the ever changing needs of our [Mohican] people” (6.18.03 TED Education Policy Handbook).

The TED is led by the S-M Education and Cultural Affairs Director, with support from four TED staff and resource sharing with other intra-agency departmental/program partners within the S-M Tribe (4/19/13 S-M TED Director Job Description). The TED budget ranges from \$700,000 to \$900,000 annually, which represents a little less than 11% of the S-M Tribe’s overall operating budget, according to fiscal reports, interview and survey data. The annual TED budget fluctuates according to enrolled student counts, budget allocations set by the TC and grant funding (formula or competitive) in which the TED participates. It’s worth noting that only 4.7% of the overall TED annual budget comes from other sources (mostly Federal Bureau of Indian Affairs funding). Nearly 95% of the annual TED program funds come from the S-M Tribe. This includes financial support that is paid to public or other education agencies to support LEAs, higher education, and employment programming, student scholarship and tuition support, transportation, athletic/band rentals, purchase of curricular or educational supplies, and full funding for educational staffing of two full-time positions and part-time positions or stipends for supporting the public education of S-M students at LEAs.

Collectively, these TED staff, dedicated resources, and partners help to implement S-M educational policies (step five, aligned with the TEB role, as shown in Figure 3) and programming with eligible S-M Tribal members residing on or off the S-M reservation. The TED demonstrates responsibility for the continuing development of the educational and cultural growth of the S-M Tribe through several Tribal programs. These include Head Start, Library & Museum, Education (higher education, adult education, student scholarships, Johnson O’Malley, and Native American K-12 student counselors/tutors), and job placement and training (work

experience, classroom training, supportive services, youth employment, summer youth, and adult services). The TED's policy relationship to the TEB includes giving monthly program updates, key educational and policy reports, and providing policy/programming recommendations to the TEB that are taken to the TC (step six, oversight/monitoring policy, and step seven, using policy monitoring data to provide information about effectiveness and/or improvements to TEB, of the S-M Tribal educational policy process). The TED also supports and participates with the TEB in external educational policy development and programming activities of the S-M Tribe when working with LEAs or other public, non-profit, or Tribal agencies outside of the S-M reservation. The TED's responsibility for multi-jurisdictional monitoring and compliance with the regulations, policies, and performance standards of LEAs, SEAs, FEAs, and the S-M Tribal government agencies as they relate to the public education of S-M students is extensive and is a very valuable aspect of the S-M policy system. Impact, implementation, and outcome data from these public and Tribal educational policies and programs are continuously monitored, collected, and shared among the TEB, TC, and TED to shape evidence based policies, determine level of implementation and impacts, for program improvement, and to support data-driven decision making of the S-M Tribe in terms of education policy (step seven, TEB recommendations, and step eight, TC final policy approval, as shown in Figure 3). Steps one through eight of the S-M policy process take as long as needed and are repeated as new issues and policy activities arise for S-M students.

Summary of Finding 1

Understanding the comprehensive and internal process for Tribal education policy development (including TC governance and authority, TEB oversight and recommendations processes, and TED implementation and compliance reporting) that move the Tribal education

policy from initial development to formal approval is critical for comprehensive and multi-jurisdictional school improvement efforts. Two examples of the Tribal policies and processes with public agencies are discussed in Chapter VII (Finding 3), where examples of the case study's strongest supports for S-M student education in public schools are shared. In order for Tribal and public educational agencies to more effectively work together for strengthening AI education in public schools the educational leaders, policy makers, and key stakeholders from local, state, federal, Tribal and higher education agencies need an awareness and a basic understanding of the internal educational policy development process of Tribal governments. Public educational agencies, policy makers, educational leaders, and researchers can learn important information from one Tribe's internal educational policy system and process, which provide a starting point for better understanding Tribal governmental roles in education. These initial insights have implications for strengthening Tribal/public educational partnerships, infrastructures, and shared resources for future educational improvements with AI students attending public schools; these implications are discussed in Chapter VIII.

The next chapter, Chapter VI, explores the second study finding: multiple factors influence Tribal educational policy development. These influences include cross-cutting influences, as well as influences from the community, cultural/traditional, and western/public education.

Chapter VI: Findings - Influences on Tribal Educational Policy Development

Finding 2: Multiple Factors and Contexts Influence Tribal Education Policy Development

“Education is important to the Tribe and the Tribal Council.”

– S-M TC and community member

Tribal education policy development is influenced by many factors within the Tribal context, as well as external influences. “Cross-cutting” influences are those that span both public and Tribal educational contexts and are shared by both Tribal and education policy stakeholders. The study found that the quest for educational success (and factors supporting or creating barriers to that success) most shaped Tribal educational policy development regarding S-M students attending the three public schools in the study. Study data also reveal categories of influence on Tribal education policy development from the following contexts: community, cultural/traditional, and western/public educational. These categories not only influence the Tribal policy development process, but also extend beyond the Tribal context to influence inter-governmental educational agency policy collaborations, inter-personal communications and trust in public/Tribal relationships, and levels of policy implementation and building shared responsibility for educating S-M and AI students in public schools. This chapter concludes by discussing how Tribal and public educational policy development influence one another, especially in public educational contexts where S-M students attend school. Rich descriptions about varying levels of Tribal and public educational policy activities between S-M and LEAs are reserved for the third finding in Chapter VII.

Cross-cutting factors influence Tribal education policy development.

“The benefit of the LEA/Tribe relationship is that we are all on the same page and we all know what [policy] and activities are in place to help these [Stockbridge-Munsee] students succeed in school.”

– TEB member and Tribal community member

Throughout the study, survey, interview, and key document data provided by Tribal and public education stakeholders demonstrated that educational success for S-M and/or AI students was the driving factor behind educational policy development. The quest for achieving educational success of S-M students appeared to be the greatest influence shaping stakeholder decisions and activities around policy, infrastructure, resources (human, financial, time), programming, and educational accountability or reform efforts. Educational success was defined in different ways by different study participants. Definitions ranged from narrow definitions (“improvement on standardized test scores and graduation rates” (public educational administrator)) to broader definitions (“being a contributing member of the school and community who knows their culture, has a job they enjoy, and is prepared through education to be a leader on or off the reservation” (LEA employee and Tribal community member)). Though these definitions of success varied widely, it was clear that when there were shared concerns about complicating factors that blocked the shared vision for S-M student educational success, reaction to those shared concerns strongly influenced the support and activities for Tribal educational policy development. Concerns, data, perspectives, or perceived “chronic issues” that were shared by community, Tribal, and public education stakeholders provided the most momentum and entrée into initial policy discussions for the S-M Tribe. Stakeholder reactions to these shared concerns were mostly likely to result in formal S-M ordinance and Tribal educational policy development, as discussed further below.

Educational policy and program efforts to achieve the shared vision of educational success for S-M students most often began with a concern or gap that was first brought to the attention of educational policy leaders. As one community member noted, education is valued because, “Education prepares the S-M Tribe’s future leaders so we want students educated and out of trouble” (S-M TC member and community elder). This often resulted in policy development and policy activities lead or co-facilitated by the S-M Tribe. Both Tribal and public education stakeholders commonly noted the following educational concerns or gaps that influenced new or current tribal educational policy activities. These included academic achievement (test scores, achievement gaps, drop outs, graduation levels, etc.); truancy (attendance); student discipline; family participation; and creating a school/classroom culture that is inclusive of diverse learning needs based on developmental level (special education), learning style, or connecting curricular content with culture. Several of these educational concerns (truancy, attendance, and school/community relations) were noted as early as the 1970s, as evidenced by references in TEB, TC, and LEA meeting notes, agendas, and collaborative Tribal / public educational advisory or work meeting minutes.

When both public and Tribal education stakeholders shared educational concerns, a more collaborative and open approach shaped educational policy activities for the S-M Tribe with educational partners because, as one study participant explained, “everyone is on the same page and working together to help S-M students succeed at school” (TEB member and Tribal community member). Tribal ordinances have TEB policies, programming, and resources that are sometimes collaboratively developed with S-M Tribal and public LEA agencies where S-M students attend. These public and Tribal collaborations create joint policy discussions, activities, and new policies that address long-standing and cross-cutting concerns. A strong example of

how longstanding issues that concern both S-M and public education stakeholders generated policy is the S-M Tribal education ordinance concerning truancy, Chapter 13. Study data such as TEB, TC, and LEA school board minutes and key report documents indicated that issues of truancy and attendance had been concerns of both the Tribal and public education agencies (DPI, Bowler, Gresham, and Shawano) since the 1980s. In 1997, the S-M Tribe approved the truancy code under Resolution No. 226-97 and the Bureau of Indian Affairs approved it in 2003. The S-M Tribe's Chapter 13 truancy code uses Tribal and state statutes to align with LEA policies concerning required school attendance, truancy, and habitual truancy. Chapter 13 goes even further to create legal options for the S-M government to fine and hold families accountable for their child's required school attendance at LEAs. LEAs can now cite and use the new Chapter 13 Tribal statute and related TEB policies as the Tribal and public educational agencies collectively address truancy and attendance issues. Because these issues are a *shared* concern, one of the barriers to achieving the *shared* vision of educational success for S-M students, the *shared* response in terms of policy development demonstrates how cross-cutting issues that both Tribal and public education agencies identify strongly influence the Tribal educational policy process.

Community influences shape Tribal education policy development.

“An understanding of the community and working with Native American students should be a required prerequisite of a school district employee.”

– LEA employee and TEB member

As illustrated by the quote above, participants in this study often play multiple roles in the policy making process (e.g. TEB member, Tribal community member, and/or public education agency employee). Participants with these interwoven roles, contexts, and

perspectives often generated complex but supportive evidence that fit more than one of the finding or sub-finding areas in this study. This sub-finding area focuses upon teasing out supportive data that gives S-M community perspectives on what shapes Tribal educational policy development. In particular, this section discusses the historic and contemporary educational experiences and influences that S-M community study participants most often noted as influences upon Tribal educational policy and programming. The history, perspectives, and experiences that study participants brought to educational policy activities influenced not only the policy development process, but also affected Tribal and public educational agency interactions and relationships. These community influences are related to, but distinct from the cultural/traditional influences and western/public educational influences on Tribal educational policy development, which are discussed later in this chapter.

Across the Tribal community contexts, participants come to the Tribal educational policy development process with wide-ranging perspectives about the public education of S-M or AI students. These community perspectives have an influence on the attitudes, behaviors, and beliefs about Tribal education policy development and whether or not S-M Tribe policies actually have an impact in public education contexts.

For example, one study participant had a relatively positive perspective, “Having a good [public] education helps them [students] understand what/how their community members are doing. It prepares [younger] community members to one day be employees of the community. So doing a good job educating students prepares them to be contributing members of the community someday. And you’re only as good as the people you are working with” (LEA employee and TEB member). Conversely, another study participant shared a more critical perspective, “Working with the LEA on programming and policy is challenging because of

terrible relationships, lack of trust, everyone having their own agendas, and the poor history of education that Indian students and families have as the result of forced [public] government policies and programs which have not benefitted Indians” (Tribal community member and LEA employee).

Study data showed that when community members had positive or at least neutral experiences (i.e., no specific bad memories or experiences) with public educational agencies, their levels of participation (length of time, frequency) in Tribal policy development activities were higher. Contributions to Tribal and public educational policy activities were broader, reaching multiple Tribal and public educational contexts. As challenges arose, the interactions between Tribal and public educational agencies were more data and consensus driven, which more often resulted in additional resources (time, human, fiscal) being devoted to structured and formal part educational policy activities (e.g. data retreats, advisory groups, educational improvement teams, and/or co-development of shared educational policy, procedures, and practices). The types of experiences and perceptions that community participants had with different LEAs or with developing Tribal policy in the past affect the attitudes and beliefs that they brought into policy development discussion and activities. This is explored under the various influences to policies within this finding’s sections. Chapter VII (Finding 3) also discusses strongest supports for educating S-M students in public schools and shares effects of participant’s perceptions on Tribal and educational policy activities. Study data in the next paragraphs illustrate how community members’ perspectives and feelings shape educational policy development. Influences of stakeholder participation levels, types of policy engagement activities, and frequency and formality of Tribal and public educational policy effects on

cultivating an environment for policy development or new policies are discussed under the third finding in Chapter VII.

Community participants' positive experiences with Tribal educational policy development and implementation in the public education context affected how study participants felt about the policy development process, including collaborative attitudes towards LEAs. Often, community participants with positive experiences developing Tribal education policy implemented in the LEA and/or having policy shaped by LEA input used words with positive connotations to describe the relationships of the policy process. Examples include, "LEA relationship is more open, improving, and intimate," "LEA and Tribe's relationship is positive and being maintained for education," and "creating and building relationships [between S-M and LEAs] is vital to servicing S-M students at the LEA." Tribal community participants with positive and constructive policy development experiences with LEAs could provide more details about policy and specific educational ordinance or policy examples by name of policy or statute. They could also provide a more detailed chronology of Tribal educational policy activities between S-M and LEAs over the years than community members who had more negative experiences with Tribal educational policy development when interacting with LEAs.

In contrast, when Tribal community members had a poor history or negative experiences with public educational agencies, they were less likely to participate and have work experience in Tribal educational policy development activities. These community members also demonstrated less frequent collaborative activities with LEAs regarding educational policy for S-M students. They more frequently cited reasons why Tribal education policies or collaborative policy activities with public education partners wouldn't work, as documented in study surveys, interviews, TEB minutes, and other LEA/Tribal key documents. These community members

used language with negative connotations when describing the Tribal policy development process and S-M Tribal policy activities with LEAs. Examples include, “schools worrying about walk through (official observation of policy implementation and programming for S-M students),” “prying for test scores and other Indian student data,” and “LEA or state doesn’t want the Tribe nosing around or knowing what really goes on there [in the school].” Negative experiences regarding public education that Tribal community members bring to the Tribal educational development process influence the likelihood that they will see problems rather than solutions, be more skeptical or critical than they are trusting, and engage less in Tribal or public policy development processes or related policy activities.

Tribal and public educational policy development was also influenced by the quality and type of relationship Tribal community members had with public education agencies and employees. Relationship quality affected not only policy development, but also shaped the type of environment where policy activities take place. Trust and intimacy, length of time, and level of policy engagement between community members on the S-M TC, TEB, and TED influenced barriers to and supports for developing educational policy. As one participant explained, “Sometimes we don’t always agree so we have to work harder in order to achieve something we [Tribe and LEA] can both live with. Our job [S-M Tribe] is to make sure our kids get a good K-12 education so colleges will accept them with the knowledge they have received getting a good education before they got there” (TEB member, Tribal community member, and S-M Tribal employee). In cases where public and Tribal educational relationships have lasted more than five years, both Tribal and LEA participants acknowledge that the Tribe and schools have continued to grow together. Community participants noted that open communication, structured time to meet regularly, lack of turnover in key positions, and getting to know one another outside

of the educational policy context were factors that improved relationships and deepened a shared S-M and LEA commitment to strengthening public education for S-M students. “Yes there have been steps in the right direction and the TEB and LEA are still sorting out their roles. They are all willing to sit down, listen to each other, and discuss the tough things going on” as one TEB member and LEA employee confirmed. Succinctly, it appears that a deeper and broader commitment is held by Tribal and public educational policy stakeholders as they consult, debate, and discuss solutions that benefit S-M students and are acceptable in both Tribal and public educational contexts. The level and type of policy activities, including impacts on relationships, stakeholder perspectives, and impacts of Tribal or public educational policies on S-M students are explored further in Chapter VII – Finding 3.

Conversely, when Tribal community participants described Tribal/LEA relationships as less frequent and more informal, there appeared to be barriers to Tribal policy development and related policy activities with public education agencies. When these Tribal and public educational agency relationships are informal there were fewer opportunities for interacting on educational matters. In these situations, public educational agencies were more likely to use only one-way e-mail or US mail communication strategies to forward or share information. Participants more often cited communication gaps or misunderstandings about education based on culture/race. The weaker Tribal community and public educational agency relationships contributed to ignorance about “what students need,” barriers to education because “families don’t feel comfortable at the school” and a feeling of “not being understood.” These factors affected perceptions and beliefs about the ways Tribal and public educational policy could work on behalf of S-M students attending public schools.

Clearly, longevity and consistency in relationships between Tribal community members and LEAs influenced educational policy development. Strong, tested, and trusting relationships produced more collaborative policy solutions to address educational issues for S-M students. When educational stakeholders in these long-standing relationships worked through supportive policy activities and/or collaboratively created solutions-focused policies to address gaps or challenges, respondents reported increased and broader levels of participation, better sharing of resources, and stronger use of educational data (annual and longitudinal) to help Tribal and public educational stakeholders create evidence-based policies and appropriate educational programming and resource support for S-M students.

Next, when study participants from the Tribal community were able to share ways that the S-M people and/or AIs have benefitted from public education, more positive influences and supports were brought by Tribal community members to the Tribal educational policy process. Several S-M study participants noted how advanced degrees they received from public educational agencies (i.e. higher education) helped them as S-M employees to be more qualified and skilled in developing Tribal policy and “advancing the discussion and advocating for S-M students (S-M Tribal member and employee).” Receiving a public education also helped seven of the S-M tribal members to increase their ability to do advocacy and outreach to “make the [public] system work for [S-M] Indians,” because the more education you have the “more your voice is heard” (S-M Tribal member). Examples of new advocacy and outreach skills utilized included working within the community (helping S-M tribal departments develop policy and procedures) and in LEAs where S-M students attend school (working with LEA, SEA, or external consultants hired by the S-M to improve education for SM students). Other outreach skills cited included lobbying or social justice efforts, including participating in rallies,

presenting on educational change topics, and attending consultation or listening sessions with elected public or Tribal officials.

When experiences with public schools were good and public school education helped with S-M specific initiatives, the value of public school education was evident to S-M study participants. As one participant explained, “There are numerous benefits to Tribal members attending LEAs who get a good education and then come full circle to live and work back in the Tribal community” (S-M TC member and community member). Stories about influential S-M community members who went to public schools and returned to benefit the Tribal community were shared by thirteen Tribal community study participants and by five LEA study participants at least once in study survey or interview data. The influence of past and contemporary S-M community members who attended public schools and then used their education to be pioneers and social justice advocates for changing educational policy and practice for S-M students was very clear in the participant data. Tribal community participants cited these historic and contemporary S-M influences to education policy and programming; all are members of the S-M Tribe:

- **Electa Quinney:** In 1828, Quinney became Wisconsin’s very first public school teacher, educating S-M students and white European/missionary students after gaining an education in New York public education boarding schools (Saemann, 2014). The Electa Quinney Institute for American Indian Education at the University of Wisconsin-Milwaukee was established in 2010; the Institute grew from the Electa Quinney Endowed Chair/Professorship established in 1999 (University of Wisconsin-Milwaukee, n.d.). S-M policy makers in this study recognized the strong influence Electa Quinney had within the public education context; she was

the most frequently named role model within the S-M community in case study key documents, as well as participant interview and survey data.

- **Dorothy Davids:** In 1945, Davids became the first S-M woman to earn a bachelor's degree from the Wisconsin State Teacher College at Stevens Point; in 1961, she earned a master's degree from the University of Wisconsin-Milwaukee. She worked over 60 years until her death in 2014 on behalf of S-M and AI people, advocating as an educational warrior on educational policy, curriculum, and programming (Wisconsin Women Making History, 2015). Dorothy Davids is a relevant role model because all of the S-M participants knew Dorothy through policy development, monitoring policy implementation, and through her advocacy efforts within the LEAs of the study. Davids was the contemporary influential role model most frequently cited by Tribal or public case study participants as a person who has who shaped Tribal policy as well as local and state policies regarding AI education.

- Other educational leaders of the S-M Tribe mentioned in the survey and interview data included **John Sergeant, Konkapot, Aupamut, Jolene Bowman, Kim Vele, Leah Miller, and Joan Rosenow**. The S-M educational leaders of the past (John Sergeant, Konkapot, and Aupamut) serve as Tribal role models; their education philosophy and leadership styles were cited as influential by TC, TEB and TED study participants. These S-M leaders of the past provide examples of the Tribe's people who used public education to better the lives of S-M people. The contemporary leaders (Jolene Bowman, Kim Vele, Leah Miller, and Joan Rosenow) are not only past or present members of the TC or TEB but have worked between 20 and 50 years on Tribal and public policy activities of the S-M Tribe and within the three LEAs of the study according to study interviews and key documents. Like the historic S-M leaders, these contemporary leaders were cited as influential by study participants.

The influence of the Tribal community on Tribal educational policy is complex, as Tribal community members have multiple and sometimes overlapping roles on the TC, TEB, TED, and/or as employees at LEAs. The positive or negative experiences Tribal community members bring to Tribal educational policy activities not only impact the development of the policies but their beliefs about, levels of participation in, and types of relationships they have with public educational agencies working to support the public education of S-M students.

Traditional/cultural influences shape tribal education policy development.

Before contact with non-Indians, education was all our elders taught us. They taught us how to live off the land and respect Mother Nature and our people. We were taught to live in peace with all from the earth, sky, water, and spirit world.

– Tribal elder and community member

The case study reviewed participant responses and key documents to code and categorize information specific to the traditional/cultural influences on Tribal education policy development or educational policy activities. Traditional/cultural influences include the cultural, linguistic, and ceremonial aspects of the S-M people. Both the Mohican and Lenape-Munsee Band (Lenape Indians are sometimes referred to as “Delaware Indians” by western texts/sources) traditional influences were included as part of the coding, categorization, and development of themes and findings for study data. This section briefly presents the historical, cultural/traditional, and European or Christian impacts on the education of the S-M people as revealed by participant survey, interview data, and key document information, explaining the difference between contemporary “Stockbridge-Munsee” and the cultural/traditional identity of S-M people, that is, the Mohican and Lenape/Munsee. This section then discusses specifics of traditional/cultural influences on SM’s tribal educational policy development.

The “Stockbridge” in “Stockbridge-Munsee” refers to the place in Massachusetts where the first European settlement of S-M Indians settled with a missionary named John Sergeant in 1738. Thus, Stockbridge is not a cultural/traditional name or identity but a name that was given to a group of the S-M Tribe’s early Indigenous ancestors who were first “settled” or “Christianized” by missionaries who arrived to Turtle Island (North America) in the early 1600s. In contrast to being “Stockbridge” (settled/Christianized), that S-M people refer to themselves culturally/spiritually as Mohiikaneewi (Mohican), Lunaapeew (Lenape or Delaware Indian), and/or Minsii (Munsee, a band of the Lenape Indians). Oral knowledge, traditional teachings, pre-European contact philosophies/worldviews and language are inextricably linked to the cultural/traditional identity of the S-M, which provide the cultural/traditional lens through which case study influences were analyzed.³

Cultural/traditional influences upon Tribal education policy development were evident in survey, interview, and key document study data. Primarily, cultural/traditional influences were most often found in the study data in terms of philosophies on educational policies/programming, through behaviors in policy activities, and in the content of key policy or programming documents. Although cultural/traditional influences on policy development appeared in the study data, they were not the strongest influences to Tribal policy educational development – western or public educational influences were most prominent. The policy language of the S-M educational policies, legal citations, and the content within Tribal ordinances and Tribal policies direct that “S-M students and families following the LEA policies first before approaching the TEB or TC for assistance” according to several TC, TEB, and TED members or staff. The key policy documents from LEA and S-M also support this finding. The influence of western/public

education and policies on Tribal educational policy development are discussed in detail the next section of this chapter and within Chapter VII-Finding 3.

Tribal educational policy development and programming are influenced by community and family member concerns that are told as stories, perceptions, and oral “data” to share public educational experiences with the TC, TEB, and TED. As one study participant explained, “Through oral history, storytelling, and role modeling we learned natural and holistic strategies for survival to care for ourselves, our families, and our communities” (traditional Tribal community member and S-M employee). Tribal community members, families, and educational staff working with S-M students seek supportive policies, programming, and resources in the public schools to provide an “appropriate education that meets the cultural and educational needs and learning styles of S-M students.” The “appropriate education” provided by today’s schools partially addresses traditional/cultural philosophies of educating the whole child in a naturalistic way and treating learning as developmental and a life-long process. This holistic and naturalistic worldview as an underlying philosophy of education is more generalized (e.g. whole brain learning, recognition and use of multiple intelligences, etc.) and less specific to traditional Indigenous or S-M philosophies of education (e.g. oral history to teach vs. books/paper, using real-world activities to “evaluate” performance vs. standardized testing, etc.).

However, there were instances in at least 20% of the key documents reviewed where the TEB and LEA policy process utilized traditional teachings, participation of elders, and/or consensus in decision making to develop, implement, and/or study the impacts of educational policy for the public education of S-M students. Although not always explicitly described by study participants or within key documents as “culturally/traditionally” driven, these stakeholder behaviors do represent decentralized aspects of Tribal and public educational policy

development and leadership through broad community, family, and student engagement, which are reflective of a more cultural/traditional process often used by S-M traditional teachers, elders, and ancestors. One example of this traditional policy influence from study data is establishing tuition support for S-M students, where the tuition reimbursement policy language was developed first through a consensus (not top down) processes of the TEB followed by extensive member checking with the Tribal community via TEB meeting testimony by students or families, like talking circles or getting community input to make the best community decisions. Other traditional influences on policy creation are seen in policy outreach and sharing at community events in person, through oral conversations, and not just by e-mail or paper. In alignment with traditional values, policy proposals were published in the Tribal paper and at discussed at open TC or TEB meetings so the community could provide feedback before final policy language was drafted and approved by S-M TC, honoring the value of group discussion and ensuring that and all voices were heard without time or other constraints.

Educational success has always been supported and influenced by S-M community resources, as study data demonstrates. Prior to European contact, the resources for educational success were learning from our elders and being able to pass knowledge down to sustain life (intergenerational knowledge transmission) and utilizing individual strengths, skills, and talents to the benefit of the community, to name two examples. Post-contact through today, resources are more likely to be viewed as monetary, but central concepts of learning from other S-M people and working for the benefit of the community can still be seen. Key documents reflect the influences of traditional/cultural aspects of the S-M tribe in shaping educational policy and practice. The TED's mission/vision/values statement (2006) states that "keeping a culturally holistic balance ... for lifelong learning ... with respect to the Mohican culture..." is the driving

philosophy underlying the Education & Employment and Training Handbook, which includes the educational policies developed by the TEB and approved by the S-M TC. Budget documents, survey data, and interview data from the S-M TC provide evidence that the Tribe covers 95% of the TED annual budget to support culturally-responsive policy implementation, monitoring, and educational programming for S-M students. As one study participant explained, “Central to the educational success of the S-M Tribe is money and it is always budgeted to support the educational success within the Tribe” (S-M Tribal member and LEA employee). Examples of using funds to support culturally-responsive policy implementation include development of rubrics as alternatives or supportive supplemental assessment strategies in the S-M curriculum; use of elders and traditional teachers from the S-M community who received stipends for participation in school events and field trips to help facilitate learning and to provide a cultural content to subject matter and field trips; and inclusion of elders and traditional S-M community members as part of larger school improvement or inter-agency planning process such as the annual meeting between S-M and Bowler School Board. Thus, the modern day S-M government utilizes Tribal economic policies to influence and support their educational policies. In this way, the financial system and economic, employment, and educational policies of the contemporary S-M community upholds the traditional/cultural Tribal community philosophies of valuing education, learning first from one another, and using skills and talents for benefit to the broader S-M community.

S-M policy reflects the traditional value of learning from one’s own community. Examples include Indian hiring preference policies; utilization of S-M or AI staff as employees within the TED or as elected members of the TEB as part of the formal job description; employment policies; and/or TEB or LEA Board policies, and educational and employment

policy language that hires and includes S-M or AI academic advisors and/or Indian student counselors working with S-M students and families within public LEAs. Traditional and cultural teachings support the use of intergenerational or “being taught by our own” (S-M Tribal elder) as part of the ways S-M lived prior to contact with Europeans. These contemporary employment and educational policies of the S-M Tribe incorporate these traditional teachings when they privilege and value S-M and AI educational hiring practices.

The TED and staff members support Tribal and public educational policy implementation and monitoring to ensure the “educational and cultural growth of S-M students,” “promote and advocate betterment for all S-M students,” and “serve as a liaison between S-M tribe, LEAs, and the S-M Language & Culture Committee, Historical Committee, and Education Board” (2013 TEB Education & Cultural Affairs Director Job Description). Development and use of S-M school curriculum, language camp activities that include the LEAs, and specialized professional (Act 31 Trainings or Institutes) or policy development activities (data retreats with S-M data only) or cultural community building activities (listening sessions or talking circles, community powwow or other social events open to LEAs) that are sponsored, co-sponsored, and/or facilitated by traditional S-M tribal members with LEAs are ways that the S-M community uses cultural/traditional strategies to shape educational policy and the relationships between Tribal and public educational policy stakeholders. Bringing LEA members into the community to show or talk to them about history (e.g. S-M Library Museum), providing LEAs with curricular materials that help them shape policy (e.g. S-M contributions to help schools develop Indian education policies regarding discipline and alternatives to discipline), and paying for S-M and LEAs to attend language or history conferences together to learn about best practices in Tribal/public school collaborations for S-M students (e.g. Wisconsin Education Association and

Wisconsin Indian Education Association annual conferences) are all examples from the study data that demonstrate how culture/tradition and S-M support and resources for education shape policy. Collectively, these financial, time, curricular, activity, and human supports demonstrate how the financial infrastructure and human resources of the S-M Tribe provide supports that allow traditional/cultural components of the S-M to have a larger influence on Tribal and public education policy development.

The actual use of S-M language (Mohican or Lenape) was rarely found in key documents, Tribal educational policy development activity key documents, in policy language, or in study participant survey or interview data. Reasons for this low use of S-M language are discussed further below. Two traditional community members used S-M language in responding to questions around Tribal education policy (interview data). Some use of language and many cultural/traditional activities and history of the S-M prior to and after European contact are found within the S-M curriculum. This is important because the cultural/traditional content (and any language used) contained within the curriculum is evidence of how culture/traditional influences shape both Tribal and public education policy, as discussed below.

The S-M curriculum to teach history and fulfill the social studies requirements under Wisconsin Act 31 is a curriculum that includes seven units plus appendices and resource books/materials, for a total of over 115 pages of curriculum. Study data show that all LEAs in the study use the S-M curriculum for local classroom application, while the SEA uses it at statewide conferences (annual WI-DPI sponsored Act 31 Institute). On average, 48% (40%-67%) of the curriculum contains traditional/cultural content information; there is cultural/traditional content to some degree within each unit. Cultural/traditional influences to the curricular content include discussion of medicines, plants, cultural activities, and sacred places.

The curriculum also includes philosophies and knowledge transmission methods of the S-M people, including storytelling, oral transfer of knowledge for survival, not owning but caretaking the land, etc. Curriculum units or activities that best highlight the cultural/traditional influences in the curriculum are Part 2-Background of the Muh-he-con-ne-ok (early history and culture, many trails of the Muh-he-con-ne-ok) and Part 1-Foundations (Mohicans of the past and present, spiritual and traditional Mohican values). While 100% of the curriculum is about S-M people, their history, effects of colonization, and/or contemporary status, many aspects of the curriculum were not coded as cultural/traditional content because they are historically descriptive or provide details about geography, economies, and/or services that the S-M Tribe provides. Examples of S-M curriculum not coded as cultural/traditional include geographic definitions of reservation boundaries or sites that Mohican people were removed to since European contact; Part 7—Life Today for the Mohicans (key Tribal government and commercial services, economies of the Tribe, and sites of Tribal commerce and community activities); and discussion of S-M participation in U.S. military efforts.

The S-M curriculum was written in English, so there is little Mohican or Lenape language within the lessons themselves. One of the reasons it was written in English is because the primary audience for this curriculum is public school teachers instructing S-M students. Another reason that the S-M curriculum has little actual S-M language is because the S-M languages themselves (Mohican and Lenape) are “critically endangered” (2010). Because there are “only a few living Munsee speakers left” (S-M Tribal elder) who were born with the language and have English as their second language. The S-M TC did not have a first language speaker (Mohican and Lenape) who was traditional, practiced ceremonies, and spoke/taught the language until 2014. This TC member learned the language in language immersion camps as

well as from historical documents of the Mohican and Lenape, and by working with the fluent elder language speakers in the local community and from other parts of the United States and Canada according to study data.

Since the early 2000s, many S-M people have worked to revive the language and cultural practices through sponsored language immersion camps and other community language activities. The use of Mohican or Lenape (Munsee dialect) language increases when the policies are developed and/or curriculum is taught by a person who knows cultural teachings or stories from ancestors/elders (traditional/elders, LEA teachers, and Tribal leaders) and/or uses the Mohican or Lenape language to some degree or another (fluency not required) as observed through data collection for this study, as seen in key documents collected for the study, and confirmed through survey and interview data from the seven traditional/language speakers who participated in the study (who also were S-M curriculum developers and teachers of the curriculum in LEAs and leaders for community language / culture activities). Thus, attendance at language camp by Tribal or non-Tribal community members, LEA staff, and public and/or Tribal educational policy makers and administrators is strongly encouraged and is a suggested supplemental activity by the S-M curriculum developers including TC, TEB, and TED. The participation of LEA and Tribal educational policy stakeholders in language/culture immersion activities or camps has enhanced the ability of instructors to increase the cultural/traditional content of the S-M curriculum by “using more language and being able to tell in cultural/language activities “learn more about culture and how culture can be better addressed in the classroom” (LEA educational staff) and “feel more comfortable talking to and going into the community” (LEA administrator) to discuss educational topics and issues. Collectively, these cultural and language interactions within the LEAs or the S-M community have helped to

develop more “open” and “trusted” communication between TEB, LEAs, and S-M community members as evidenced by survey and interview data.

Why is the S-M curriculum considered an important influence to shaping Tribal and public policy for AI students in public schools? First, the S-M educational mission, vision, and values statement along with the S-M constitution, TEB policies, and TED Director’s job description all mandate “respecting the Mohican culture,” “maintain[ing] a cultural balance,” supporting the “continual development for the cultural growth of the Mohican Nation,” and “recognize[ing] the ‘Great Spirit’ fostering the care of the S-M people.” The S-M curriculum enacts this policy guidance in the cultural/traditional content of the curriculum, with specific information about the Mohican traditional values, philosophies/teachings of Mohican leaders in the past and present, and by providing rich information and examples to draw comparisons between how traditional Mohican people live, survive, and thrive through their cultural/linguistic practices, ceremonies, and teachings despite the mighty impacts of European contact, colonization, forced removal, and assimilationist policies. These post-contact impacts from hundreds of years ago continue inter-generationally, as summed up by one study participant:

I believe the non-Indian religions, Christian schools, and boarding schools were forced upon our people. Years ago they agreed in order to [physically] survive. One of my grandfathers shared stories about how the ministers and teachers hit our [SM] people when they were speaking their own language. I believe our people put a high value on the life that was given to them from our Creator. They didn’t want their children to be hit so they learned English and didn’t talk the language to the children. (SM Tribal community member and elder)

Next, the S-M curriculum is related to Tribal educational policy development since the S-M tribe through the TC, TEB, TED, and the Tribal grant writer helped fund curriculum development, partnered in curriculum implementation, and supported culture/language activities in the school and community. These included LEA teacher participation in language/culture camp activities and talking circles for professional development for those who implemented S-M curriculum in their classrooms. Tribal educational policy development must be supported by financial, human, and program resources (like the S-M curriculum) so that it moves beyond development to the implementation stage. The TC, TEB, and TED adopted this curriculum as part of the formal S-M history and teaching resources available to Tribal, non-profit, and public educational agencies. Study participant data and key documents indicate that several grants were secured to provide deeper and broader curriculum implementation. For example, two Wisconsin Improving Teacher Quality (WITQ) grants (3 years each) were obtained to train LEA educators and administrators on the S-M curriculum so they could teach it in their own classrooms. These WITQ grants also provide funding to collect impact data on the S-M curriculum as used locally in LEAs and where other state, regional, and federal public educational agencies have used it for summer and academic year professional development sessions (WI-DPI). Thus, the S-M curriculum's cultural/traditional influences extend beyond the S-M Tribal education policy context to public educational policy contexts.

A final connection of the cultural/traditional influences of the S-M curriculum to policy through its connection to Wisconsin Act 31 (WI-DPI, 2011). The S-M curriculum meets the statutory requirements for implementing Act 31, which mandates instruction in the history, culture, and Tribal sovereignty of the eleven federally recognized Tribes and bands in the state for K-12 schools and teacher education programs. Anyone seeking a license to serve as a

professional educator in the state, as a teacher, pupil services professional, or administrator must receive instruction in these areas. The S-M curriculum is an example of how Act 31 is implemented in LEAs but goes beyond to support the implementation and accountability (Hadley & Trechter, 2014) for meeting other required state statutes, executive orders, and policies of the Wisconsin Department of Public Instruction (SEA) related to AI education that all public schools (LEAs) must adhere to. These include the state to Tribal government relationship via Executive Order 39 (Wisconsin, Office of the Governor, 2007); Wisconsin state statutes related to school operations, finance, and requirements to teach the contributions of AIs as part of the statutory requirements to teach the state's social studies standards (WI-DPI, 2011); and federal statutes and policies from the U.S. Department of Education, Health & Human Services, and Department of Interior (Bowman & Reinhardt, 2014) related to the public education of AI students. These western/public educational influences on Tribal educational policy development are the final sub-category finding discussed under Finding 2.

Western/public education influences shape Tribal education policy development.

When working with the public education agencies it is good to know they are listening and taking steps with us to make things better. That's a benefit and has a lot to do with having peace of mind.

–S-M Tribal Education Board Member

On the federal level, there has been increased commitment and federal education agency (FEA) support for AI policy and programming in public schools. At the December 2014 White House Tribal Nations Conference, President Obama reaffirmed “the commitment to the educational and economic development through upholding the promise of sovereignty, treaty rights, and trust responsibilities” (White House, 2014b) that the federal government has to the

566 Tribal governments in the United States. This is an example of how FEA and Tribal government statutes and policies can influence each other and inform educational policies, programming, and commitment of resources for educating AI students. This section explores how Tribal and public policies influence each other in the context of this case study.

Within this case study, FEA policy influences appear as consistent funding for Indian education programs (Title I, Title VII, and Title IX), increased funding and programming through FEA grant awards, and participation in professional development workshops/webinars and advisory groups sponsored by the U.S. Department of Education. Many study participants reported that on an annual or semi-annual basis, they are not only directly influenced by the previously mentioned federal education policies, but use federal law like formal policies regarding the FEAs required responsibility to conduct annual Tribal consultations (DOI, 2009) so S-M can engage in public policy discussions that influence public and Tribal educational policies. Study participants viewed this influential; as one participant explained, “All of our [S-M] Tribal Presidents went to Washington to make sure S-M got their grant monies and heard about what our educational needs were” (S-M elder and community member). Other ways study participants noted that they used federal policy to shape public and Tribal education policy discussions were giving feedback through formal Tribal consultation sessions with federal agencies, providing direct Congressional testimony regarding Indian education, and participating in national or regional workgroups through U.S. Department of Education and Bureau of Indian Affairs educational offices at national conferences or meetings. In fact, 41% of study participants (n=11) have participated in these types of national or FEA sponsored events within the last year to influence public policy discussions, which shaped their Tribal policy activities in the S-M community and when working with LEAs in the study. Nearly half of these respondents

(n=5) have provided Tribal education policy input via consultation sessions and/or through congressional or state testimony annually for the last ten years. Study data (key documents, interview and survey data) from both Tribal and public participants indicate that the following FEA K-12 public educational policies were most influential in shaping Tribal education policy development and policy activities.

- **Title VII Indian Education Act of 1972** (now part of the No Child Left Behind Act of 2001). Wisconsin educational institutions currently receive funding for three areas under Title VII, including formula grants, a demonstration grant, and a professional development grant. The most prolific program under this act for Wisconsin is the formula grant; this grant requires AI parent committee participation. The formula grants are given to public school districts and Bureau of Indian Affairs (BIA) -operated or supported schools based on the number of AI children and the state's per-pupil expenditure for education. Grants go only to districts where there are at least 10 AI children or where AI children make up at least 25% of the total enrollment. This is the case in all three participating LEAs. Each LEA in the study receives at least \$3,000 (exact levels of funding for the Title VII budgets at each LEA in the study are shared in Chapter VII). The annual Title VII meeting held by the LEAs is the most common implementation of this federal policy influence, as evidenced in survey and interview data as well as in meeting agendas, minutes, and key federal documents collected.

- **Indian Self Determination & Education Assistance Act of 1975.** The Indian Self Determination and Education Assistance Act of 1975 as amended provides a mechanism for the federal government to contract with Tribes for the administration of programs that were formerly administered by the Secretary of the Interior, including BIA schools. Title I of the Act also includes authorization of grants for planning, training, and evaluation in support of the

contracts. Title II of the Act reforms the Johnson O'Malley Act by authorizing tribes to administer the programs. This federal policy implementation has a local implementation and influences the S-M policy and funding infrastructure because the Tribe administers and oversees all related federal programs locally that once went through the BIA. Meeting minutes, key informant interviews, and key documents also show regular BIA audits to ensure S-M Tribal policies and procedures support the effective and legal implementation and administration of these federal funds.

- **Johnson O'Malley Act of 1934.** The Johnson O'Malley (JOM) Act of 1934 as amended provides supplementary funding for AI education at schools that are on or near Indian reservations. These programs can be contracted directly to schools or administered by Tribes. Programs funded under this act also require parent committee participation. JOM meetings held by the S-M community, attending JOM conferences, and handling the program's administration and funding are the most common federal policy implementation activities that influence Tribal educational policy and programming of the S-M TED, according to survey and interview data as well evidence from meeting agendas, minutes, and key federal program documents collected.

- **Impact Aid Act of 1950.** Multiple Wisconsin schools receive impact aid funding based on the Impact Aid law of 1950 as amended. This funding is provided to local school districts in lieu of property taxes for schools that are on or near Indian reservations and military bases. Like the Title VII formula grant and JOM programs, these programs require an AI parent committee. Annual meetings funding tied to this federal program are cited as the most common influences of this federal policy with S-M community members and students as mentioned in survey and interview data as well as in meeting agendas, minutes, and key federal documents collected.

Tribal policy development is also affected by state-level influences. The Wisconsin DPI is the representative SEA in this case study; it works with LEAs and Tribes to introduce and implement new public policy from federal or state government agencies. Recently, the Wisconsin State Superintendent of Public Instruction (DPI), Dr. Tony Evers, set the explicit goal of improving the academic and educational outcomes of AI students in Wisconsin public schools (WI-DPI, 2015). Dr. Evers' statement reflects ongoing state support of Tribal education that was recognized by study participants. Both public and Tribal stakeholders noted increased influence of public education policy on Tribal education policy because the relationships have improved over time, especially at the SEA level. The communication and supports between Tribes and the DPI is consistent, according to study participant responses and key documents. This has contributed to how Tribal and public policies can and do influence each other. As one study participant explained, "When working with our public education agencies all relationships benefit because communication is clearer and it gives everyone [public education and Tribal education stakeholders] to all be at the same table working together as a whole" (S-M TC and LEA school board member). One recent SEA example of how public policy discussions shaped attitudes around Tribal education policy was referenced by several study participants regarding the DPI's resources and stances regarding achievement gaps and changes in policy/practice. DPI State Superintendent Dr. Evers' State of Education address (2014) demonstrated evolving attitudes regarding AI students in Wisconsin public schools. Dr. Evers' comments struck a note with two S-M TC members who specifically mentioned "having a larger voice" and "increasing our presence with the state" for S-M education. The 2014 statement Dr. Evers made addressed the increased role of AI partners with the state (the Wisconsin Indian Education Association) and emphasized the role of Tribal sovereignty as a legal framework for "major collaboration," citing

the “important role of AI Tribes in Wisconsin’s history,” and “importance tribal sovereignty has in the fabric of our state.”

Study participants and key documents gathered confirm these intertwined tribal and state policy influences on education policy and programming through the creation (by SEA) and participation in (by S-M Tribal and LEA study participants) an “Excellence for All Task Force.” Increased requests in Wisconsin State Legislature budgets for AI educational funding (SEA) and receipt of that funding through formula or competitive education and language grants (by S-M) is a second example of western/public educational influence on S-M education policies and activities with the SEA.

According to study participant data and key documents (meeting minutes, reports, and curriculum), Act 31 (1989) is the state policy that most shapes Tribal policy and programming; however, it is an **unfunded** state mandate. This has implications for policy support, levels of implementation, and policy impacts within public schools that are discussed further under findings two and three. A majority of study participants cited this act specifically and frequently in surveys and interviews. As noted earlier, Act 31 requires LEAs to teach the history and contributions of AI governments as part of the statutory state requirements for social studies curriculum (Chapter 115). Act 31 also mandates teacher training requirements as a prerequisite for state teaching licensing (Chapter 118), as well as funding for curriculum materials to support Act 31 implementation (Chapter 121).

One study participant called Act 31 an opportunity to “teach about history and social studies by looking East,” from the viewpoint of AI and S-M perspectives, as opposed to historically looking West to see Europeans “settle” their homelands. Act 31 statutes are a way to “replace cultural conflict and misunderstanding with appreciation and understanding through

education (Burns, n.d.). Although there were SEA level budget provisions for Act 31, there was not LEA funding available specifically for supporting the implementation, professional development, or resource creation to strengthen the implementation and impact of this policy within the case study's three LEAs or within any other LEAs in Wisconsin, as noted by the 2014 Act 31 Survey (Hadley & Tretcher, 2014). This is important because Act 31, a specific State policy shapes Tribal and public education policy activities. This is evidenced through: LEA and S-M participation in the annual Act 31 survey, noted use of Act 31 survey data to inform Tribal and public policy discussions between S-M and local LEAs, and gaps in funding, resources, and programming to support local Act 31 implementation in the LEAs were activities and long-term needs noted through the study's key documents collected online, survey and interview data, and from content scans of S-M TEB and local LEA meeting minutes.

Study data indicated that after Act 31, Act 250 (2009) and Wisconsin Executive Order 39 (2004) were the other SEA statutes that most influenced educational policy activities for Tribal and public education agencies in the study. Like Act 31, Act 250 and Executive Order 39 are also SEA level policies with some programming, human, and financial resource support that have no local resource supports to implement the policy within Tribal or LEA contexts. This is important because formal policies, at any level (FEA, SEA, LEA, or Tribal Education Agency) without infrastructure and resources (human, financial, program) to implement policies have limited influence in terms of educating S-M students and policy activities between S-M and public education agencies. These policy variations will be discussed further under finding three.

Act 250 establishes policies and procedures for community members to challenge the use of race-based logos (Indian mascots) used by LEAs. Starting in 1932, the Shawano LEA used "Indian" as the school's mascot; according to survey data and key documents, the mascot was

changed to the “Hawks” in 1992, well before the establishment of Act 250. However, four key informant interviews and several key documents collected as part of the case study data suggested that S-M policy activities were influenced by Act 250. Respondents cited their participation in political advocacy within the broader community, at the SEA level when working on Act 31 policy and program or resource development activities, and by specific tribal policy statements SM co-developed and sponsored through the Wisconsin Indian Education Association as activities influenced by the existence of Act 250.

Executive Order 39 directs state cabinet agencies to recognize the unique legal relationship between the state and the Tribes. These state public policies are important influences to Tribal policy because they open opportunities for Tribes to advocate on educational topics. As one study participant explained, “Executive Order 39 gives us another way to be heard and have an ability to represent the Tribe in the Capitol (S-M Tribal Council member).” Key documents collected and meeting minutes show that the S-M TC, lobbyist, TEB, and TED utilize Executive Order 39 to carry the Tribe’s educational policy and programming priorities to elected state officials and departments within the state government. These Tribal advocacy and policy activities for S-M education with state agencies have resulted in “being heard and having an ability to ask questions as a formal process between S-M and people at the Capitol (S-M TC member)” that has led to securing financial support and policy and program resources for anti-bullying, language, academic achievement, special education, and school improvement efforts between the S-M Tribe and LEAs according to survey, interview, and key documents.

These FEA and SEA policies and activities shared between public and S-M educational policy agencies also influence policy language of S-M Tribe’s educational ordinances and policies. S-M participants acknowledge this western/public influence; as one stated, “Today the

Tribe uses more of the mainstream/western philosophy of education” (S-M Tribal educational policy stakeholder). Beginning with Chapter 45, the S-M Tribal Law on Education (2012), the following western/public educational influences are evident:

- Under TEB Composition (Section 45.1 B): TEB composition will have student and adult representatives from the two public LEAs: Bowler and Gresham School District.
- Under Duties (Section 45.8): the TEB shall perform all duties to carry out the goals and objectives of the Federal Johnson O’Malley, Title IV, and Head Start programs and any other future [public] educational programs which the Tribe may participate in.

Within S-M Chapter 13 Tribal law regarding truancy, it is clear that public statutes and policies guide the Tribe’s educational policy, as seen in the legal citations and language of the S-M education policies specifically regarding truancy, habitual truancy, attendance, and required school enrollment. This is evident under Section 13.6, Sections A-Definitions and E-School (application to Bowler, Gresham, and Shawano School Districts); Sections F and G regarding school attendance (S-M students following current LEA school policy on attendance); and Sections J and K on Truancy and Habitual Truancy (as acceptable under Wisconsin state statutes). In total, the Tribe’s ordinance on truancy specifically cites local or state ordinances and policies nine times within the four-page truancy law document. Both Chapter 45 and Chapter 13 are carried out through the TEB’s policies and the TED’s programming. Together, these two Tribal educational laws and corresponding Tribal educational policies show strong public/western influences as shown by the policy language, specific citations of LEA or SEA policies or laws, and deference to the policies of the public educational context, which are to be followed as the first (and usually only) option because S-M students attend public schools and “must follow the LEAs rules” as noted by one TEB member.

Public education policy is cited within and has influence upon Tribal educational laws and policies as demonstrated by the examples provided in this chapter. When Tribal and public educational agencies collaborate to create educational policies that are supportive of one another in the public school context, more communication and resources are dedicated to the policy and related programming efforts. This impact is discussed further in Chapter VII – finding 3. Study data revealed that when S-M students attend public schools, the LEAs’ rules and policies are given first priority, with Tribal educational policies taking the role of supporting that process.

Summary of Finding 2

There are multiple influences upon Tribal educational policy development and the S-M Tribe’s policy activities. Some influences, like a shared vision for educational success, are cross-cutting and are shared across the community, cultural, and public contexts. Other influences are more community-based, and Tribal education policies are developed based on community members’ experiences with and perspectives of the LEA. Good experiences influence Tribal educational policy development in a positive way and bad experiences produce the opposite effect. Culture, language, and traditional knowledge content can shape Tribal educational policy. Use of S-M curriculum to support Tribal and public education policy regarding the contributions of AI and S-M people in the public school curriculum is an example of cultural/traditional influences upon Tribal policy development. Finally, western or public influences upon Tribal education policy development are seen in Tribal education ordinances, policies, and program or position descriptions. Often, state or federal influences upon policy directly align with larger public programs and funding like Title I, Title VII, and Title IX. State and local ordinances and policy influences are also seen within the S-M ordinance documents as legal citations and language. These documents explicitly use public policy language by naming

federal programs within the Tribal laws regarding education and truancy. Collectively, these influences shape how the S-M TC, TEB, and TED develop, implement, and monitor the effectiveness of Tribal education policy in public educational agencies where S-M students attend school. Building on the second study finding, Chapter VII provides information about the third and final study finding: Types of policy activities with the S-M Tribe vary across and have different impacts within public education agencies.

Chapter VII: Findings - Tribal and Public Education Policy: Variation and Effects

Chapter VII shares the study's third and final major finding: Tribal and public educational policy activities vary across educational agencies and affect the policy environment, inter-agency relations, and stakeholder perceptions. These differences in policy and related policy or educational activities between the S-M Tribe and public educational agencies in the case study had different impacts on study participants' experiences, perceptions, and attitudes about Tribal and public educational agencies working together to support S-M students attending three public schools in Wisconsin. Chapter VII begins by revisiting the concept that Tribal and public education policies are separate but related activities, then explores how policy activities vary across agencies. Evolution of the public and Tribal education policy environment; the quality and type of FEA/SEA, LEA, and S-M policy interactions; and resource allocation and implications for policy environment are discussed. Evidence from study data demonstrates that formal Tribal and public educational policies provide the strongest environments for supporting for the public education of S-M students through structured, consistent, collaborative activities between S-M and LEAs that have the greatest financial support and which provide the broadest and deepest programming for S-M students. Tribal and public educational policy examples applicable to the local case illustrate the strongest policy frameworks for supporting S-M students in public schools. In some instances, LEAs do not have formal education policies with the S-M Tribe, but engage in activities that support a collaborative policy environment between S-M Tribe and the LEAs. Examples of these activities and related strategies are discussed below. This chapter then explores the impacts upon the policy environments and activities between the S-M Tribe and LEAs when formal policies do not exist to support S-M students in public schools. The chapter concludes by summarizing the study's third finding and lays the

groundwork for discussing the study's implications based on the study's theoretical frame and original research questions in Chapter VIII (Conclusion and Discussion).

Tribal and Public Education Policy Development are Related but Separate Activities

The educational philosophies set for S-M students are the ones set by the [public] schools. So if educational issues arise we advise [S-M] families to follow the school's policies and processes, whatever that may be. And if they need more help we will assist them by looking up these processes online. We also provide them with information we have, like a resource center, which are available to [S-M] families and students. Most of these resources are from external agencies. The S-M TEB will hear K-12 issues but do not address all of them. Some [major] issues may come up during annual and/or other special joint or federally required board meetings (a funding requirement) between S-M TC, TEB, and the LEA Boards. But for the most part we encourage them [S-M families] to follow the school's policies and processes.

– S-M educational policy key informant

The quote above sums up the relationship between Tribal and public educational policy and how this affects S-M students attending public schools. Public or western educational policy and Tribal educational policy and public educational programming are intertwined with each other. Since S-M students attend public schools, western/public policies of the LEAs, as well as the FEA and SEA policies that those LEAs must observe, greatly influence policies and policy activities of the S-M TC, TEB, and TED. Before discussing specific findings and examples of the western/public educational policy influence on tribal educational policy development, it is worthwhile to revisit how Tribal education policy development and public educational policy are related but separate and distinct activities that support AI education.

Tribal and public educational policy development is separate and distinct because of governance, legal, political, and jurisdictional aspects of educational policy development. As illustrated in the tri-lateral service delivery model in Figure 2 and S-M internal policy development system/subsystem model in Figure 3 (both Chapter 5), different constitutions, statutes, policies, and governance structures create policies for AI students attending public schools. The federal, state, and Tribal governments are the key legal and governing authorities over educational policy related to AI students. For the purposes of this case study, Tribal educational policy development is defined as educational policy created by the S-M TEB, which acts as the “official” educational policy arm of the S-M Tribe, while S-M TC has the “ultimate authority” for approval of Tribal educational policies. The Tribal government, in this case study, the S-M Tribe, represents the first government in the tri-lateral model. The SEA and FEA represent the two other governments (public governments) in the tri-lateral model. Within this case study, public education policies are defined as ordinances and policies created by the FEA, SEA and by the LEAs acting under the SEA – all agencies that have their own separate and distinct development processes.

Thus, S-M Tribal and public education policies are related because all have statutory and policy language that directly applies to the education of S-M and/or AI students. As one S-M TEB member said, “We have the responsibility for knowing Tribal and public policy because both types of policies govern our S-M students going to Gresham, Bowler, and Shawano schools.” The multi-jurisdictional relationships form and interact in similar and different ways as Tribal and public policy systems, subsystems, and implementation of the educational policies themselves come together to support S-M education in public schools.

Finding 3: Tribal and Public Educational Policy Activities Vary Across Educational Agencies and Affect the Policy Environment and Inter-Agency Relations and Perceptions

This section of Chapter VII describes broad differences in policy activities at the FEA, SEA, and LEA levels, with examples from the findings to illustrate differences. This chapter then explores more specific differences in policy activities and supports or resources for policy development and implementation for each LEA. Evidence of and discussion about the strongest formal policy supports and how lack of policies and activities between LEAs and S-M contribute to barriers, gaps, and challenges for public education of S-M students conclude this section.

Evolution of public and Tribal education policy environment.

The S-M Tribe (like other Tribes in the United States) developed its education policy over hundreds of years. Policy initially developed through treaties; at first, these were oral treaties between S-M community leaders and what is now known as the federal government. Later, these were documented as Wampum belts, and paper agreements. As one study participant explained, “Education has been recognized for centuries and made a priority in order for the Tribal community to survive” (Tribal elder and community member). According to interview data from S-M Tribal elders and key documents collected, “the first S-M treaty with the [U.S.] government was in 1788 with the Ft. Schuyler Treaty.” This treaty was recognized by the state of New York and confirmed the Oneida Nation land grant to the S-M as well as establishing the community of New Stockbridge near Vernon, NY (National Park Service, n.d.). This treaty is important because it signals the foundation of educational policy, with the first public (mission) school for S-M students built in 1790.

Many treaties regarding education and other matters were made between the S-M and the U.S. government over the years. These treaties impacted cultural, community, and land-based

rights of the Tribe (Milwaukee Public Museum [A], n.d.), which caused internal Tribal conflicts, loss of culture/language, and traditional living practices of the S-M people (Milwaukee Public Museum [B], n.d.). However, as historical and educational study documents indicate, “many of these early treaties were broken with S-M and there were many federal court cases” (Tribal elder). The history of broken treaties and forced removal of the Mohican Nation since 1614 is illustrated in Appendix K. These treaty cases in federal court are important to modern day S-M policies because these court cases fostered federal laws establishing sovereignty of Tribal governments and the trust responsibility between the federal government and the Tribe. It became federal trust responsibility to provide economic and educational self-sufficiency (among many other things) in exchange for the S-M giving up their land and resources associated with the land. One S-M Tribal employee and traditional community member emphasized this policy history and trust responsibility stating, “Because we lived in the East we were among the first to be contacted [by Europeans]. So the kids went to mission or boarding schools and learned to read English but it also took away from our culture and language.” It is from these treaties, through federal laws, and by establishment of trust relationships between the U.S. and sovereign Tribal governments that the S-M Tribal Constitution was established in 1938, an action precipitated by the 1934 Indian Reorganization Act (Milwaukee Public Museum [B], n.d.). The case study includes this historical governance and educational data, as related by S-M study participants and confirmed by key documents, to provide historical context for the S-M governance and educational policy activities of the twentieth and twenty-first centuries, which provide the primary content of the study’s findings.

Study participants characterize this education policy relationship between public and Tribal policy makers as changing and evolving over time, mostly in a positive way. One

participant noted that Tribal members have gained both will and capacity to advocate for education, stating, “It seems to me that our [S-M] people in the past used to be more quiet about education and went with the flow. Now we have our own [Tribal] education board and we interact with the schools and some of our [Tribal] members have even been elected on public school boards” (S-M Tribal elder). Another reported positive growth in S-M’s capacities this way, “We’ve come a long way when it comes to Tribal relations and advocating for our student’s education ... the Tribe even has its own lobbyist now and advocates at the state and federal level for our S-M students” (S-M TC member).

Quality and type of FEA/SEA, LEA, and S-M policy interactions.

Education for S-M students is carried out through policy development and policy activities by the S-M Tribe and between the Tribe and public education agencies as policies and programming are implemented in the three public schools S-M students attend. These policy activities are different within each public education agency based on frequency of policy activities, types of policy developed and implemented, varying levels of participation in the policy process, and influences and differences in the policy environments of the LEAs who work with S-M. In general, the study found that FEA/SEA interactions with S-M Tribal policy makers is usually less frequent, limited in scope and more generalized to all AI contexts rather than that of the S-M context. LEA interaction with S-M Tribal policy makers is generally more frequent and substantial. This section briefly discusses SEA and S-M policy activities but primarily focuses on the S-M and LEA policy activities at the Bowler, Gresham, and Shawano school districts.

At the SEA level, the federal government has contracted with states to provide education policy implementation and programming for S-M students at Wisconsin public schools. This is

done through the Wisconsin Department of Public Instruction (DPI) and study participant interviews, key documents, and survey data confirm interactions between the DPI and the S-M Tribe or LEAs in the study. How the DPI interacts with the S-M Tribe as compared to LEAs differs in policy activities and supports for S-M education. For instance, Wisconsin monitors implementation of and compliance with the Federal Elementary and Secondary Education Act of 1965 (currently NCLB) and all the policies therein in Wisconsin's public schools, including Bowler, Gresham, and Shawano school districts. This policy activity is reflected in interview data and key documents including public and Tribal board meeting minutes, as well as NCLB reports. The SEA's interaction via the DPI with the S-M Tribe regarding NCLB policy implementation and policy activities is more limited in terms of type and frequency of interactions. As one participant described this interaction, "The SEA is a reporting agency. They do an audit, come in and tell the Tribe what they are doing wrong, and that's about it" (S-M TC member). Another study participant described the more limited role of the SEA with the S-M Tribe thus, "Annual consultations are done and occasional opportunities to speak at the State Capitol but I question if the State is listening though" (S-M TC member and LEA board member).

The policy activities between the SEA (DPI or CESA 8) and LEAs in the study differ from the SEA's interactions with the S-M Tribe in that there are more frequent and different types of policy activities occurring, levels of participation in SEA/LEA policy interactions is higher, and the types of policy support and educational services from the SEA available to and used by the LEAs is greater than what the SEA currently offers to the S-M Tribe. Case study data provide several examples to support this finding. DPI or CESA 8 carry out more broad statewide or regional educational activities regarding AI education policy and programming in

general. Examples include Act 31 workshops and conferences, semi-annual to quarterly participation in and funding support for the Wisconsin Network for Native American Student Achievement Network, and resource support within the LEAs for S-M special education students through the Disproportionality Technical Assistance Network. Study participants most often cite the help with “special education laws and policies” (S-M TEB member), “advocacy in LEAs for S-M students with individualized education plans” (S-M community member and LEA employee), and “answering S-M Tribe or community member questions about special education” through hotlines or resource recommendations (e.g. Wisconsin Disability Rights, CREATE, Birth-to-Three). The LEAs most report SEA (DPI or CESA 8) supports with NCLB policy and implementation activities (local accountability and local implementation of NCLB policies, ESEA waivers) related to meeting the academic requirements for student proficiency levels and reaching state goals for attendance and graduation rates with S-M students. They also report using advocates for S-M students to better meet special education modifications under NCLB specific to S-M (e.g. grandparents or other family members at IEPs, following NICWA guidelines within IEPs). Case data from interviews and key documents indicate that other cited areas of support for LEAs from the SEA (DPI or CESA 8) are data retreats with DPI or CESA 8 to review student test scores for school improvement planning; attending SEA sponsored professional development trainings related to NCLB policy implementation at LEAs (IEP planning, meeting parental involvement requirements, meeting the standard for “highly qualified teachers”); and “assistance with ESEA waivers.” Cross-referencing SEA developed key documents and SEA participant survey and interview data from the DPI or CESA 8 confirms these LEAs policy level supports related to S-M students attending their schools. The SEA (DPI participants) also report providing “student achievement task force,” “dropout prevention

supports,” “assistance with common core,” and “positive behavior intervention and supports” policy assistance to the LEAs. The SEA (DPI) maintains that “removing the third wheel to connect questions with the DPI staff member who has the best answer” and “providing support to anyone who asks” is the most direct way to support and involve the LEAs and S-M in the policy and program support the SEA has to offer. Hence the SEA is supportive to LEAs and Tribes but does outreach and support in broad ways through conferences, annual meetings, and achievement support networks unless specifically contacted by Tribes or schools about local concerns needing educational support.

Big-picture information about the Tribal, SEA, and FEA policies directly related to the public education of AI and S-M students in Wisconsin was obtained from an online policy scan of key documents that found qualitative and quantitative evidence of Tribal and public policy implementation and support for S-M students attending Bowler, Gresham, and Shawano public schools. The initial policy scan provided results that were cross referenced with key policy documents collected from key informants of the case study and were also coded and located within study participant’s survey and interview data to categorize policy activities by agency type. Study data confirm that multiple Tribal and public education policies that apply to LEAs and S-M study participants. Study data also demonstrate that these policies have different levels of development, implementation, and resource supports for S-M students attending the LEAs.

In total, study data provided information about 21 AI-related educational policies that were broadly applicable to Wisconsin LEAs and specifically to the S-M students attending the three LEAs of the case study. These Tribal, federal, five state policies are summarized in Table 8 below. Of note, the “other” bullet points noted in this table allowed for the addition of local LEA and S-M Tribal specific policies that were found in key informant interviews and

documents collected locally from the LEAs and TED. Specific examples from the case study data are discussed further to demonstrate how educational policy activities varied across public education agencies when working with S-M Tribe and students. Impacts of these variations are discussed at the end of the chapter.

Table 8. *Overview of AI PK-12 Educational Policies Impacting Wisconsin Public Schools*

Tribal Government: American Indian Education Policies	Wisconsin State Government: American Indian Education Policies	Federal Government: American Indian Education Policies
<ul style="list-style-type: none"> • Aboriginal rights • Memoranda of Understanding • Oral history • Treaty rights • Tribal constitutional provisions • Tribal laws • Other formal and informal procedures/agreements 	<ul style="list-style-type: none"> • Act 31 of 1989 • Wisconsin Executive Order 39 of 2004 • Act 250 of 2009 • Wisconsin Charter School Law - State Statutes 118.40 as of 2014 • Other formal and informal procedures/agreements 	<ul style="list-style-type: none"> • Johnson O'Malley Act of 1934 • Impact Aid Act of 1950 • Title VII Indian Education Act of 1972 • Indian Self Determination & Education Assistance Act of 1975 • Native American Languages Act of 1990 • Improving Head Start for School Readiness Act of 2007 • American Reinvestment and Recovery Act of 2009 • Executive Order 13592 of 2011 • Other formal and informal procedures/agreements

Resource allocation and implications for policy environment.

Publically available school district data gathered in the policy scan, key documents received from study informants during interviews, and by mining participant survey and interview data provided information about levels of policy activities and documented resources

(human, time, financial, and other policy or educational resources) dedicated to support Tribal and public education policy in the three LEAs. Coding and categorizing the case's policy data and resource data by agency type (Tribal or public) then by policy type (Tribal, LEA, SEA, or FEA) provided patterns in the data that could be triangulated to understand resources dedicated to supporting S-M students in the three LEAs. Analysis of the data revealed that Bowler School District serves the largest population of S-M students (total number or percent of overall school population) and receives the highest levels of financial support for FEA policies and related programming of all LEAs in the study.

Table 9 below illustrates how the FEA policies that apply to S-M students in the three study LEAs received different levels of financial support from FEA programs and agencies related to the stated FEA policy. The table includes information where online data was available; it is worth noting that online financial information was not available for six of the eight federal policies cited in Table 8 above.

Table 9. *Federal Policy Revenue Table for LEAs Serving S-M Students*

Federal AI Polices		
LEA	Impact Aid¹	Title VII²
Bowler	(14) \$715,249	\$52,429
Gresham	(9) \$25,998	\$31,612
Shawano	(12) \$16,766	\$138,012

¹ From www.USASpending.gov. Data shows number of distributions and total obligation during FY2013

² From U.S. Department of Education Award Database: <http://wdcrobcop01.ed.gov/CFAPPS/grantaward/start.cfm>. Accessed 2.16.2014; shows total award during AY2012-13.

Note: S-M specific data not available for this analysis. Bowler and Gresham AI students are predominantly S-M; Bowler also has HoChunk students; Gresham and Shawano has Menominee students.

Interview, survey and key document data confirm that funding from state sources to support S-M students in the three LEAs is minimal. Study participants say that state funds are most often allocated by “way of a competitive grant” (S-M TEB member) for language programming, developing the S-M curriculum, and for targeted projects to support school improvement efforts related to academic achievement, closing achievement gaps, increasing graduation or attendance rates, for discipline, or to increase school/family involvement. The effect of resource allocation on the ability to compete for this type of grant funding is discussed further below. While the state and federal governments also provide formula grants, this funding is not significant. As one study participant said, “The Impact Aid to Native Americans at our school is so minimal it isn’t worth the time doing the paperwork and applying for it anymore” (LEA staff member). Public policy implementation and resource tables created for each LEA further illustrate variations in policy activities and program, staffing, and/or financial supports across the public schools that S-M students attend. Key Tribal and public agency informant interviews and key documents provided by interviewees added to the evidence that there are variations in educational policy environmental supports for S-M education at the LEAs, as discussed throughout and at the end of this chapter. The summary tables for the Bowler, Gresham, and Shawano School Districts’ federal, state, and Tribal policy implementation levels, policy activities, and resource supports are located in appendices C, D and E.

The S-M Tribe provided the most significant resources to support educational policy and programming within the three LEAs. In 2014, the total S-M TED annual education budget to support S-M student activities in the Tribal community and/or within LEAs during the academic year and summer 2014 was approximately \$850,000, according to a key informant interview and confirmed by financial documentation and survey data from Tribal government elected officials

and employees. The S-M education budget represented nearly 11% of the S-M Tribe's overall 2014 budget. Tribal stakeholders in the study generally understood that the S-M government provided a majority of the annual budget and the rest came mostly from federal sources (as noted in the table above). According to multiple sets of financial and key informant interview data from the S-M, the Tribe provided nearly 80% of the 2014 \$850,000 annual S-M Tribal education budget while the remainder came from federal government agency sources, including the Bureau of Indian Affairs and U.S. Department of Education.

The budget supported S-M policy and programming implementation for S-M students, Indian counselors, conference and professional development training, student field trip support, school rentals, annual S-M student graduation celebration, scholarships, tuition payments/reimbursements, and stipends for TEB members and paying TED staff. Budget activities not only include paying for programs and services within these LEAs (rentals, tuition, school supplies, staffing, educational materials like books or software programs), but also outreach and community activities that LEAs and S-M students attend outside of LEAs including field trips, conferences, school/community pow-wows, graduation ceremony costs, and professional development. Most of this funding was provided to the Bowler School District. Analysis of key documents and key informant interviews from the S-M TC, TEB, and TED found that Bowler School received 80% of the annual S-M TED budget, while Gresham received 10% and Shawano received 5%. Additional financial trend data from the S-M Tribe or LEAs was not publically available for the S-M education budget to support S-M students in public schools. The variances in policies, policy activities, and resource allocations have effects on S-M and LEA agencies, which will be in further detail at the end of this chapter.

Public education stakeholders also knew that the S-M Tribe committed significant funds to the education budget, but were unsure about the amount or percent of dedicated financial resources. LEA participants often commented upon how “federal or Tribal funds help to support Indian education” and LEA participants more often cited financial relationships or support with the Tribe as part of the value or benefit of working with S-M. Payments for “field trips,” “school supplies,” “band or athletic rentals,” “transportation,” “professional development and conference support,” and “paying for tutors and counselors for S-M students at school” were examples that LEA participants cited and appreciated in terms of the financial resources the S-M Tribe brought to the LEAs. Often the S-M Tribe allocated funding, as noted by Tribal participants in the case study. S-M provides annual grants to aid local governments as part of a “collaborative and intergovernmental strategy to build relationships” (S-M Tribal community member) to help improve Tribal and municipal government agency activities within in the LEA and S-M service areas.

Additional information collected locally regarding resource support for education policy and related programming for S-M students in the LEAs discussed below includes study data that highlights how the policy and resources are implemented at LEAs to support S-M students. Tribal and public educational agency study participants confirmed that the variations in resource support at the LEAs impact not only educational policy and programming activities, but also perspectives about relationships and perceptions about policy and programming activities between LEAs and S-M. Informal strategies used by LEAs and the S-M Tribe to enrich the policy environment support for publically educating S-M students, as well as impacts to S-M and public education agencies when few or no formal policies between LEAs and the S-M Tribe exist are discussed in the next two sections.

Resource rich environments are fertile ground for policy enactment and for positive attitudes about collaboration. For example, all respondents working with TEB, TED, TC, or in the more resource rich Bowler School District mentioned that the one of the “biggest benefits of working together” was the financial support for the two Indian counselors available within the district at the elementary and secondary level. These Indian counselors are employees of the Tribe and are completely funded by S-M budgeted funds. These S-M Tribal employees work within the school to implement Tribal education policy and programming. They work closely with Bowler’s Title VII Coordinator, an employee of Bowler School District funded by FEA under Title VII (Indian Education Act of 1972). Collectively, these three staff provides support for the LEA to implement both public and Tribal education policy. Examples include an annual Title VII meeting, homework and tutoring support, participation in data retreats between S-M and Bowler, working together implement LEA and S-M policy within the school, community, and home contexts that address truancy issues. The Indian counselors and Title VII coordinator also are members of the TEB and/or the S-M community, so their work ebbs and flows between LEA, S-M Tribe, and the Tribal community as they work “like a school and Tribal community liaison” (LEA Indian counselor) to support the educational success of S-M students.

Conversely, analysis of study data finds disappointing impacts in resource poor environments where there is less Tribal resource support at LEAs for policy or related programming. At Shawano School District, S-M does not provide financial resources to hire Indian counselors or tutors. The funding available to LEAs is allocated based on numbers of S-M students attending the LEA and the budget available to the S-M TED, which is allocated by the S-M TC. Tutoring and other human, program, or financial resources for S-M students primarily comes from Title VII. According to LEA and TED interview and survey data, funding

that does come to Shawano school district from S-M is devoted to providing lower level resources such as band or athletic rentals, student scholarships, to support conference participation, and support for defraying S-M student costs for field trips.

In discussing Shawano School District's perceptions about the S-M Tribe, S-M students, and how the LEA supports S-M through educational policy and programming, survey and interview respondents were less able to accurately or directly articulate how S-M and the LEA work together to support S-M student success. For instance, district representatives reported that the "benefits" or "positive impacts" of working with S-M include "promoting CMN [College of Menominee Nation] coursework," "being able to review Native American data," and "greater percentages of Native American students graduating" from the LEA (credited to work by a Title VII counselor). Though the interview process included multiple direct questions and probes around the S-M Tribe, responses from Shawano representatives related instead to the Menominee Tribe (CMN), which is a completely different Tribe. Furthermore this district, which receives low direct funding from S-M for human resources, identifies more broadly with AI populations in the district, state, or nationally. District participants most often cited FEA policy (Title VII) and resources to support policy implementation (Title VII coordinator, Title VII student programming and tutoring) as what is most beneficial and influential to policy activities for supporting AI students in the district. Clearly, when districts have formal less contact with the S-M through policy activities, programming, or resource support (especially financial support), they are likely to be able to specifically articulate the benefits, values, or activities involved in engaging with the S-M Tribe. The impacts of lower or no policy activities and/or policy supports between S-M and LEA's include weaker policy environments,

relationships, frequency of activities, and perceptions about benefits/values of working with the S-M Tribe. This is discussed further at the end of Chapter VII.

Study data from Gresham School District indicate that they do not have formal education specific policies with S-M Tribe as seen in Bowler School District, but that they do have state and federal policies cited within LEA policies, as does Shawano School District (e.g. Impact Aid policies, Act 31, Title VII). Gresham's Impact Aid policy doesn't go as far as Bowler School District's Indian Education Policies or MOUs in terms of community/family assessments of school services, annual meetings, or reserving a place on the Gresham School Board for a S-M Tribal member, but it does provide for more measurability and shared accountability for S-M students at Gresham than is seen at Shawano. Examples from Gresham data include data review with Tribal populations and families, and creation of special advisory committees to study issues specific to Tribal students. These measures are changing and improving over time according to Gresham and S-M survey and interview participants.

Unlike Shawano, Gresham School District has formal MOUs and other non-education school policies with dedicated S-M or LEA/S-M shared resources, according to interview data and key documents. As one Gresham informant explained, "We collaborate very well with the Tribe and have several joint activities together now and look forward to more collaborations in the future" (LEA employee). For example Gresham School hosts an S-M Tribal police liaison officer (present daily at the school). Gresham has implemented shared sports policies and resources where S-M, Bowler School District, and Gresham School District (because of their small size) collaboratively participate on one team for track and field, soccer, and football. Analysis of Gresham and S-M data also showed high family participation in S-M/school events (e.g. culture club activities and pow-wow), school/parent committees (e.g., academic

achievement and data retreats), and fundraising activities (e.g. student scholarships via Dollars for Scholars). The Gresham School superintendent stated that “having S-M Tribal members as staff and on the school board” had opened lines of communication, collaboration, and had helped with policy and strategic planning review for school improvement and future educational programming efforts. In summary, it appears that even though there are fewer formal policies between the S-M and Gresham than between S-M and Bowler, the presence S-M members as LEA employees, shared educational resource supports through sports and police liaison officers, and representation of S-M on the elected public school board and on advisory work groups all provide support that strengthens the policy environment between Gresham and S-M.

Finally, it is worth noting that resources beget resources, and there are different levels of LEA resource supports for projects that support S-M students that are funded by competitive grants. This grant funding is perceived as important; as one participant noted, “Without extra grant funds services to S-M students would not get done” (S-M employee working in the LEA). Often, S-M and LEAs partner through their TEB/TED and LEA staff/administration because S-M Tribal capacities to write grants is limited. The limitations in capacities and resources leave many S-M educational stakeholders feeling less supported by the S-M government when it comes to help with grants. Though, as noted by one community member, some technical assistance is available from the S-M for final submission and formal paper work required upon submission, in general, as one participant explained, “S-M community members, families and staff at the TED or LEAs lead the efforts for finding grant funding without much grant writing help from the Tribe” (S-M Tribal and TEB member). Grant assistance from SEAs or FEAs is minimal and functions mostly as a question and answer activity, not training or technical assistance for grant writing. Formula grants from the state or federal grants administered by

Wisconsin are available for special education, free and reduced lunch, and similar programming, but do not often require assistance with writing because they are non-competitive and normally require head counts, minimal data, and filling out/filing a form. But support and participation in securing competitive grants for S-M targeted activities is “inconsistent and limited at best” according to one S-M Tribal community member who also volunteers on grant writing teams for S-M and the LEAs.

LEA and S-M TEB or TED study participants dedicate their own time and human resources for collaborating on state, federal or other competitive grants based on personal or agency capacities and resources available. Study data give examples of grant projects that the S-M community (including TEB/TED) and LEA study stakeholders have collaborated on in the last ten years in support of educational policy activities and related programming for S-M students. These include Wisconsin Improving Teacher Quality (Bowler School District, S-M Tribe, and University of Wisconsin-Eau Claire), Comprehensive School Reform Grant (Bowler School District and S-M Tribe), and 21st Century Community Learning Center grant (Shawano and Gresham School Districts). Longitudinal and comprehensive grant data was not made publically available by S-M or the LEAs for this study.

In conclusion, these variations across LEAs in types policies, levels of support for policy implementation (human, financial), and differences in policy activities between the S-M Tribe and participating LEAs impact the public education of S-M students. The next section explores findings about the types of policies and activities of S-M Tribal and LEAs that most strongly support S-M student education in public schools. Two specific laws from the federal, state, and S-M Tribal governments provide the study’s strongest evidence of policy implementation examples and collaborative policy activities between the S-M Tribe and LEAs.

Formal Tribal and public education policies provide the strongest supports for educating Stockbridge-Munsee students in public schools.

Study data show that when there are formal Tribal and public education policies specific to S-M students, the policy activities between LEAs and S-M are more frequent, include higher levels of resource supports (funding, staffing, policy/program resources), and are better attended. Communications and relationships are stronger when policy activities drive LEA/S-M interactions, and the educational and policy environment cultivates more collaborative Tribal and public policies to support the success of S-M students. For instance, when Bowler School District's MOU with the S-M Tribe became a formal policy and practice in 1988, the number of collaborative meetings between S-M and Bowler's School Board increased, as documented by key S-M and LEA documents. When the MOU was updated again in 2003, the number of policy activities and meetings between S-M and Bowler had doubled by and has quadrupled since 2010. Policy activities include annual and quarterly meetings, per LEA and S-M survey, interview, and key document data. One study participant's comment describes both this type of collaboration and the sense of ownership it fosters, saying, "We meet regularly to figure out ways to make our [S-M] students successful, with an emphasis on 'our' students" (S-M TEB member)."

By far, the S-M and Bowler School district have the most formal and collaborative education policies for supporting S-M students of the three LEAs in the study. The Bowler School District and S-M Tribe utilize many policies and policy activities to regularly engage with one another and support S-M students. The most regularly cited include the Bowler School District Indian Policies and Procedures (2008), Bowler and S-M MOU (2003), Title VII Indian Education Parent Committee, Bowler School Improvement Committee, Bowler Comprehensive Plan, Annual "Joint" Meeting between Bowler School District and S-M, Chapter 45 (S-M Tribal Education Law), Chapter 13 (S-M truancy law), shared educational support policies (e.g. sharing

sports teams and police liaison officer), LEA representation on S-M TEB, S-M representation on Bowler School Board, and use of Indian counselors (S-M employees) within Bowler School District. One study participant stated, “There is a relationship, formal and informal. That makes for a lot of open dialog and communication in the past five years between the [Bowler] school and the TED (S-M TEB member and LEA employee).”

This is not to say that Gresham and Shawano do not have S-M or AI policies; they do. Based on interview data and key documents collected, Gresham participated in formal policy activities (e.g. annual data retreats with S-M, occasionally participating in S-M TEB meetings) on a semi-annually to quarterly basis on average, and in informal activities (e.g. cultural activities like pow wows, sporting events, parent/teacher conferences, field trips) on a quarterly to monthly basis. Shawano participation in formal policy activities was mainly required annual participation Title VII Indian Advisory meetings, attended by S-M and other AI families in the district.

Two key policy examples from the Bowler – S-M Tribe context next illustrate how formal Tribal and public education policies provide the strongest structures for supporting S-M students in public schools, building in mechanisms for accountability and shared responsibility for S-M student success by both public and Tribal stakeholders. Other informal activities by LEAs with the S-M Tribe are provided after this section to show how informal activities can also support a stronger policy environment for Tribal and public education partners.

Public Law 874 and federal Indian policy implementation at LEAs: Indian policies and procedures of the Bowler School District.

Public Law 874 (Education Encyclopedia, 2015) helps states and Tribes enter into collaborative efforts and for schools receiving Impact Aid for AI students. The law requires at least one annual meeting to receive Impact Aid for S-M students for each federal program being

implemented at the LEA (e.g. Title VII). This requirement is acknowledged by study participants, as one stated, “LEAs must meet regularly with the S-M Tribe and families as part of the funding requirement” (LEA administrator) for all school programs and activities. Key documents and interview data confirm that Bowler School District has Indian Policies and Procedures for S-M (1989, revised 2008) and for the last six years has engaged frequently (monthly to quarterly according to TEB and LEA minutes and key documents) with the S-M TC, TEB, TED, and/or S-M families and community members. The 2008 “Indian Policies and Procedures” for the Bowler School District goes beyond the minimally required annual meeting dictated by the Federal Impact Aid policies for compliance and has used FEA policy language for Impact Aid as the basis to develop eight standards to ensure the District’s policy that “all Native American [S-M] children will be given the opportunity to participate in all school programs on an equal basis.” These standards are specific and measureable to the local and Tribal policy context specific to Bowler and the S-M Tribe. Bowler’s eight contextualized standards are:

1. Annual materials shared with S-M education officials and families should include Impact Aid application and reports, school equity reports, program evaluations of any education programs assisted by Impact Aid funds, and LEA plans for initiating or eliminating programs. These materials will be sent well in advance for S-M stakeholders to review and reflect upon before Tribe/LEA annual meeting (all day retreat/discussion).
2. Bowler will seek Native American [S-M] views and disseminate information about the joint annual meeting, established by this district policy, between S-M Tribal Council, S-M TEB, and the Bowler Education Board. The Bowler Education Board will invite suggestions for improved participation and soliciting public input.

3. Bowler School District will use multiple mechanisms to inform Native American [S-M] parents and Tribes about the location of meetings including school newsletter, school website, Tribal newspaper, and local County newspaper.
4. Bowler School District will give Native American [S-M] parents and Tribal officials opportunities to comment on participation of Native American children on an equal basis with other children in educational programs and activities of the school district, including the Bowler Education Board soliciting, reviewing, and assessing the extent of the impacts of Native American children's participation in district educational activities.
5. Bowler School District will assess the extent Native American [S-M] children participate in academic and co-curricular activities, review school data, provide public comments, and use of data to explain funding decisions, participation levels, and academic success.
6. Procedures for modifying the Bowler District education programs will ensure Native American [S-M] student participation on an equal basis happens. Procedures include use of an advisory committee for addressing concerns with representation from S-M on committee, reviewing both public and Tribal data/inputs to concern, accepting Tribal/public recommendations for policy/procedures or other changes necessary, developing final recommendations list for advisory committee, TEB, and Bowler Education Board to review.
7. Bowler School District will regularly consult and involve Tribal [S-M] officials and parents in the planning and development of education programs and activities including Native American representation on major task force committees so there is a forum for input of their views on total school district programs, including curriculum and activities.

By resolution, a resident of the S-M reservation will hold a seat on the Bowler Board of Education.

8. Procedures and policies for modifying District policy will be continually articulated and procedures will allow for Tribal [S-M] and parental assessment of Native American child participation in Bowler education programs and activities.

Public Law 874 is also used at the two other LEAs in the study to establish Impact Aid compliance per federal regulations and to meet the minimum requirement to hold an annual meeting with Native American families through an “Indian Education Advisory Board” (through Shawano and Gresham’s policy and procedure 884). However, Bowler’s specific policy inclusion for Tribal assessments and feedback mechanisms multiple times per year, the requirement for response to recommendations within two months, actively soliciting participation and feedback from Tribal stakeholders, defining multiple communication mechanisms and publications by name for information sharing/awareness of meetings, naming Tribal representation on advisory or task forces, establishing a resolution to include a S-M Tribal representative on the public education board, and establishing an all-day annual meeting/data retreat between the S-M Tribal Council, TEB, and the Bowler Board of Education for educational policy and programming discussions and planning for improvement gives the local context, measurability, and shared accountability for increasing the implementation and effectiveness of this LEA’s policy regarding S-M students. By having an annual meeting, Gresham and Shawano LEAs meet the law’s minimum requirements to receive federal funding. Additional meetings, policy activities, and/or intergovernmental activities would require more time, human and financial resource capacity and commitments by both S-M and LEAs. Implications for these needs and gaps will be discussed in Chapter VIII.

Wisconsin state statute 66.30 (2): Intergovernmental Memo of Agreement: S-M Tribe and Bowler School District.

Wisconsin state statute 66.30(2) (1995) is used to help municipalities enter into cooperative agreements with other governments, including federally recognized Indian Tribes, for receiving or providing services as a joint exercise of the power of each government's duties. As one participant explained, "Working collectively with the LEA helps us to work together to better educate our students, improve communications, and find ways to solve problems together" (S-M TEB and community member). This state statute provides the legal foundation to the second example of formal policy support of S-M students in LEAs: the Intergovernmental Memorandum of Agreement (MOU) between the S-M community and the Bowler School District. According to an S-M community member and LEA employee, in Wisconsin there are "only two other MOUs between Tribes and LEAs" besides Bowler's with the S-M; those MOUs have "seemed to work out pretty well" for the Tribes and LEAs.

The MOU between Bowler School District and S-M Tribe "began sometime in the 1970s as the 'Parents' Bill of Rights,'" per the S-M TED. Key policy documents and TEB meeting minutes show that there were at least three versions of this policy available from the 1970s to 1987. The Parents' Bill of Rights policy had 17 procedures in total; only one of these pertained to the LEA's requirements under the policy, stating that the LEA had the responsibility to monitor achievement, curriculum/instruction, attendance, homework completion, and regulate TV/media viewing of students. The main emphasis of this policy pertained to parents as the central focus. Procedures under the policy discussed the rights to their child's information on school performance, standardized test scores, psychological testing, academic progress, and attendance. Further information about communication with parents, being treated by the LEA with courtesy and respect, and the right to be notified about the curriculum, educational supports,

and classroom activities impacting their child was open and always available to parents. Parents could participate in LEA committees, observe their child's classroom, and have any/all access to their child's files at the LEA.

This policy appeared and began to evolve during the 1970s and 1980s, a time when chronic and frequent complaints about Tribe and LEA relationships appeared in TC and TEB board minutes, media articles from Tribal and LEA sources, and in key school improvement or legal documents about the LEA and S-M relations. Coded data show that Tribal and LEA relationships, activities, and interactions were labeled in very negative ways, using words like "mistrust," "unfair," "injustices," "stressful," and "uncomfortable." One study participant reported that the history was "gloomy because students are mistreated all in the name of public education" (S-M Tribal member). Another stated that a call for the LEA (Bowler) to "change the school culture so stereotypes about Indians in education could be addressed ... and that building a positive association with education" for S-M families, community members, and students was vital so that this educational transformation could be realized (S-M Tribal member and LEA employee). One S-M study participant suggested that the newness of the TEB/TED (established in 1972) and acclimating to the rights and powers of Tribes that accompanied this change added to "an already tense relationship between the Tribe and the school" (S-M Tribal elders).

The Bowler School District developed their policies on Indian education in the late 1980s. Case study data shows the evolution of the LEA and S-M relationships including the evolution and influences of educational policy activities between these public and Tribal agencies. For example, the Bowler School District established a policy mandating an S-M Tribal representative on the public Board of Education. As one participant noted, "Having a S-M Tribal member on the LEA school board has helped improve relationships, opened up

communication, and built trust. (S-M TC member). Study data show evidence of improved school/Tribal relations and a public educational agency commitment to doing the business of education in a new way with the Tribe beginning in the late 1980s and early 1990s.

Improved relations and policy activities initiated by the Bowler School District influenced the Tribe's policy activities, development, and perceptions about working with the Bowler School District. With growing momentum toward collaboration, the old Parents' Bill of Rights evolved into an intergovernmental MOU (July 20, 1988) between the S-M Tribe and Bowler School District. This intergovernmental MOU is still in place and was last updated in 2003. One S-M Tribal study participant credits the impetus for this policy change to "improved relationships" between S-M and the LEA. Another S-M Tribal elder and former TEB member says that new Tribal leadership was elected that had more open minds, fresh ideas, and a "commitment to seeing and using public education as a tool for the Tribe to advance into the twentieth century." The 2003 MOU's stated purpose is "Promoting the cooperative use of resources, to meet the needs of Native American students in the Bowler Schools, to improve communication between the Tribe and school, and to establish that the Indian student counselors (paid for and as employees of the S-M Tribe) are school district officials with legitimate educational interests in having access to pupil records as discussed in Wisconsin Statutes 118.125." Study data confirm that these criteria under the purpose of the MOU have been met. The following examples from case study data support this statement: Indian counselors are hired and working in the LEA and community (per TEB and LEA key documents); annual meetings between the LEA and Tribe have been held since 2007 (per joint meeting documents); and school improvement plans, strategic plans for education, and collaborative educational needs assessments for S-M funded by Tribal and public education funds have been completed twice in

the last decade (per survey documents, key educational reports, TEB / LEA school improvement committee meeting minutes, and interview data). Additionally, communication has increased. TEB and LEA meet for board meetings (attending each other's meetings) on a monthly to quarterly basis; there are quarterly TEB/TED policy and program meetings with LEA leadership to discuss S-M student achievement, success, and areas of concern; and an annual meeting between LEA and S-M TC/TEB has been held since the early 2000s (indicated by survey/interview data and key documents).

In conclusion, using Shawano County ordinances to create a formal intergovernmental agreement between the local education agency and the S-M Tribal government has proven to be a local solution to strengthening the policy environment for Tribal and public school collaborations. The formal MOUs between S-M and Bowler School District established a shared responsibility for S-M student success; included definitions of resource sharing strategies (including dedicated levels of funding, physical space, and staffing patterns); provided clearly defined roles, responsibilities, and procedures for mitigating jurisdictional or governance issues should issues arise; and defined a shared vision for S-M student success indicators that included measurable and operational goals, purposes, and activities with specific methods and timelines to evaluate the effectiveness of intergovernmental MOUs. An MOU between LEAs and Tribes without these formal structures and measurable processes embedded within it is just another ineffectual AI policy sitting on a shelf rather than an innovative strategy that impacts educational change. These implications are thoroughly discussed in chapter VIII.

Informal education strategies contribute to collaborative policy environments.

Beyond the formal policies between S-M and the LEAs discussed earlier in the chapter, the study data reveal that the LEAs also utilize informal educational strategies to engage the S-M

Tribe to strengthen the policy and programming environment for supporting S-M students attending their school districts. Between three and 26 different informal education strategies support the policy environment between LEAs and the S-M Tribe according to interview, survey, and key documents. Analysis of data from study participants identified informal education strategies under two main categories: collaborative interagency/intercommunity activities (e.g. community/school sponsored pow wows or cultural activities) and higher levels of visibility in Tribal/public contexts different than the study participant (e.g. LEA administrator attending TEB meetings or S-M community activities, S-M participation as elected or employed personnel within LEAs), and developing shared resources for S-M students (e.g. collaboration on competitive grant writing and implementation after grant is awarded). This section describes how these informal strategies support the educational and policy environments between the S-M and LEAs in the study.

The common factors that all LEAs stated were of most support and value to the education of S-M students were funding and human resources, according to participant survey and interview data. (Funding is discussed further later in this section.) Bowler, Shawano, and Gresham participants all stated that they valued the interaction, constructive feedback to improve programming, and funding support that comes from Title VII federal policy and programming at their school. The Title VII coordinators, all funded through federal dollars, were most commonly called upon by LEA administrators in the study as “resource support” for S-M students (e.g. tutoring, homework), helping the administration be the primary “connect” with S-M families and communities (for more family involvement with the LEA), and were asked to assist the LEAs with communication and/or information sharing to the S-M Tribes. LEAs participants saw their work as valuable. As one participant explained, “The Title VII

Coordinator is a good liaison between the TEB and the school district” (LEA administrator). Study data confirm that Title VII and S-M Tribal employees or volunteers within the LEAs work together to implement policy and programming for S-M students in the LEAs. Examples from study data include Title VII working with Indian counselors at Bowler; support at Shawano for sharing information with families about graduation or student opportunities; and support at Gresham to plan and implement shared LEA/Tribe activities like field trips, language camps, or cultural activities such as guest S-M or AI speakers in the school.

Having a S-M presence daily or regularly at the LEA made a difference in how study participants value, assess benefits, and/or perceive S-M and LEAs as partners in educating S-M students. An LEA representative where S-M presence was more frequent reported, “We have a good relationship. The TEB and TED are good advocates and the Indian counselors are a great help to the district” (LEA administrator). S-M also have several community members who are LEA employees or members of the LEA School Board. Study participants reported that this was very helpful in terms of keeping the “visibility” (LEA administrator) of S-M community members regular within the LEAs. Key documents and participant interview data confirmed that five S-M community members were employed by or elected to the Bowler school board. Analysis of Gresham data found that S-M community members working there included one LEA employee, one S-M Tribal employee, and one past school board member. The Shawano School District had one S-M employee at an elementary school, but no S-M community members who worked district wide or were elected members of the school board. These S-M community members, in their various roles as employee, elected board member, and/or volunteer all provide higher visibility of the S-M Tribe in LEAs on a regular basis (daily or monthly). This visibility and availability affected the policy environment. Study data (key documents and interviews)

showed that when S-M community members were a natural and regular part of the LEA's activities, they were more often pulled into work groups (e.g. school advisory committee), data retreats (e.g. student achievement data and meeting NCLB), policy activities (e.g. attendance, truancy, special education, and student achievement), and long range planning (e.g. comprehensive school improvement or educational strategic planning) with the LEAs on key or priority topics related to S-M students attending their public schools.

Participating in community activities different than their own increased visibility in and knowledge about the S-M and LEA contexts; data suggest that this led to more opportunities for collaboration and strengthening Tribal/public agency relationships. As one study participant explained, "The relationship is growing. Sharing sports activities, a police liaison officer and having a S-M Tribal member as an employee really has helped a lot. I've even been invited now to TEB meetings and have started attending. I'm looking forward to learning more and getting [the LEA] more involved [with the S-M Tribe]" (LEA school district administrator). The study data demonstrates that when LEAs or other public education agencies attended S-M Tribe or community cultural events away from their own public agency, it had a positive impact on the support for policy and educational environments and relationships between Tribal and public education stakeholders. One LEA participant explained, "Working with the S-M through the TEB or TED helps me learn so much every time I go into the school and community" (LEA administrator). Data showed how activities such as LEA or SEA members attending TEB or TC board meetings (to listen and/or share S-M data from the LEA with the Tribe), participating in S-M or AI conferences and workshops (e.g. speaking or presenting at the Act 31 Institute), and attending specific S-M community events (e.g. professional development training and language camp activities at the Mohican Family Center) not only increased the awareness of policy and

educational supports for S-M students but benefited both S-M and LEA stakeholders because it increased the value and benefits participants have as “partners in educating S-M students” (LEA administrator). When Tribal and public education agencies collaborated and participated in each other’s communities through informal or formal policy and education activities on behalf supporting of S-M students, nearly two-thirds of the participants described these occasions positively, for example as “successful,” “transparent,” and giving “continuity” to “working together on a common ground.”

The relevance of these collaborative and inter-agency activities to the case study is that when there are educational policy changes at the state, federal, local, or Tribal level, they create opportunities to “communicate and get the whole community involved” (LEA administrator) so we can “work together ahead of time so we are together on issues impacting S-M students” (SEA study participant). Having visible S-M Tribal members regularly engaged in LEA contexts and having public agency elected officials or employees participate in S-M community activities builds relationships and communicates a shared value and commitment to the success of S-M students. Little to no informal educational or policy activities between S-M and LEAs can have the opposite effect, as discussed below.

Absence of formal education policies between the Stockbridge-Munsee Tribe and public education agencies has adverse effects on the policy environment and informal education support strategies for S-M students.

When formal education policies between LEAs and S-M are low or non-existent, the perceived value and benefits of being partners in educating S-M students is adversely affected. “The benefits of education are nothing Native American [or S-M] specific...Native American students here want to be better than those they grew up with...we don’t have a relationship with ‘those’ [S-M TEB, TED or Tribal Government] agencies” (LEA administrator). Analysis of the

study data (key documents, survey and interview data) revealed that in agencies with the least number of formal education policies with the S-M Tribe, there are direct adverse impacts, including:

- The lowest amounts of funding committed to S-M students (LEA or S-M budgets dedicated to supporting S-M students in public schools)
- The least amounts of LEA outreach to S-M community (e.g. attending TC or TEB meetings or S-M community activities)
- The lowest involvement of S-M representation in LEA formal or informal policy activities (e.g. on elected education boards, participating in data retreats or on educational improvement committees) or family/parent participation in school activities (e.g. parent/teacher conferences)
- The highest number of challenges reported with the S-M community (e.g. how to “deal with culture,” “not understanding the needs, frustrations, and demands of Native youth”)
- The most infrequent or one-way types of communication (e.g. annual meetings required by federal programs, information sharing is one-way, intermittent, and via e-mail only)

In fact, at LEAs where there are the lowest levels of formal and informal policy activities, the relationship and value of the S-M Tribe was most often described in financial or other resource terms (Title VII funding, courses, advisory meeting, district Title VII coordinator, Head Start, Johnson O’Malley).

Analysis of interview transcripts, coded surveys, and key document content also revealed that public agencies with little or no formal policy, informal policy or educational activities, and low levels of communication, participation with, inclusion of, and outreach to the S-M Tribe (TEB, TED, TC), Tribal community, and/or S-M families referred to S-M people in less

inclusive and accurate ways. Participants from these agencies were more likely to use words like “other,” “those,” “Native American,” “American Indian,” or to name a completely different Tribe (Menominee) when asked about S-M students specifically. The frequency in coded data shows that the word S-M is used by LEAs with low/no formal policies and very infrequent relationships with the S-M Tribe at about one-tenth of the frequency than by representatives of public agencies who have with formal policies and/or more frequent informal policy and educational strategies used for public agency activities with the S-M. For example, one LEA participant defined the partnership with S-M as working with and through the “National Indian Education Association, U.S. Department’s Office of Indian Education, and the Bureau of Indian Affairs” (LEA administrator). Given that these agencies are all national and/or are housed within the U.S. federal government, the actual frequency of contact is minimal; in fact, data shows that none of these agencies worked on site or were hired by any of the LEAs in the study. Instead, most of these relationships to the LEA are defined by the money that comes with the federal program applicable to S-M students.

These differing perceptions are important in the context of this case study because LEAs with formal policies and higher levels of informal policy and educational strategies work the most locally through the TC, TEB, and TED or S-M Tribal members who are employees or elected officials working in the schools. Conversely, LEAs with no or very few educational policies or policy activities with the S-M Tribe most often cite activities, agencies, policies, and program related resources that are the furthest from the local community. These disconnects between S-M and public agencies not only adversely influence at policy, programming, and resource levels but also extend themselves incompatibly to the Tribal and public policy environments. It is in these policy contexts, where educational philosophies and mutual benefits

of S-M and public agency partnerships need to be considered as a possible and valued aspect of cultivating Tribal/public agency collaborations for strengthening S-M student success in the future. Chapter VIII will discuss these findings and their implications for future consideration.

Lack of informal educational strategies by public education agencies with the S-M weakens not only the policy environment for supporting S-M students in public schools but has an adverse effect on Tribal and LEA relationships, interagency collaborations, and perceived benefits to LEAs partnering with the S-M Tribe. When Tribal relationships with the S-M are defined and articulated primarily by financial or resource allocations available to the LEAs it is not only limiting, but it removes the cultural and human components of the S-M in particular as articulated by some public agency study participants. The key to building a valued, trusting, and shared responsibility for supporting S-M students attending public schools by Tribal and public agencies must go beyond financial and resource supports. A discussion of how formal policies and informal education strategies (or lack thereof) have implications for Tribal and public policy environments, interagency relationships, and how this contributes to the gaps, barriers, and needs of S-M students in public education agencies is discussed in Chapter VIII.

Summary of Finding 3

Over time, the S-M has been working to re-establish their power and governing authority for educating the S-M citizens. In 1970s the S-M TEB/TED was created; for nearly 40 years, the S-M Tribe has been asserting Tribal sovereignty by developing Tribal education policy and participating in policy activities with public agencies to further the Tribe's influence and reach for strengthening supports for the education of S-M students in public schools. These efforts have resulted in differences in policies, policy activities, levels of policy influence, and variations in educational policy impacts at the three LEAs in the study where S-M students

attend school. Study data demonstrated how Tribal and public education policies are different but related activities that can support S-M students attending public schools. When the S-M and LEA have formal policies to that end, the support for S-M students is strongest. However when formal policies and informal educational activities are low or absent between S-M and public education agencies, there is an adverse effect on the policy environments, policy stakeholder perceptions, and value of interagency relationships and activities. Chapter VIII discusses the study's three major findings and explores their implications for contributions to the field of education policy through the study's theoretical lenses of Critical Race Theory and Tribal Critical Theory.

Chapter VIII: Discussion

In this first and one-of-a-kind multi-jurisdictional policy study, Critical Race Theory (CRT) and Tribal Critical Theory (TCT) were used to document how the S-M Tribal government develops education policy and how Tribal and public educational policy influence each other and intersect within public education contexts where S-M students attend public schools in northeastern Wisconsin. The study's findings about these interagency educational policy activities and intersecting multi-jurisdictional Tribal and public government policy systems have implications for the field, current policy development activities, and future educational policy research studies.

Chapter VIII begins by explaining how the design and findings of this case study contribute to the broader field of educational policy and leadership within public agency contexts. CRT (Darder, Baltodando, & Torres, 2009; Delgado & Stefancic, 2012; Ladson-Billings & Tate, 1995; Parker & Lynn, 2002) and TCT (Brayboy, 2005; Pulitano, 2003) provide a theoretical framework that structures the discussion of common themes emerging from the study's key findings. These themes have implications for current public and Tribal education policy activities. The chapter concludes with a summary of discussion points related to the study's two research questions, provides limitations of this study, and suggests future areas of study for education and policy researchers to consider, especially when AI students attend public educational agencies.

Contribution to the Field

The case study findings contribute to field of work regarding educational policy development and educational policy studies regarding the public education of AI students. Currently, public agencies develop and implement education policy and academia conducts

educational policy studies in ways that exclude Tribal governments and Tribal education policies as described in Chapter II. This systemic exclusion of the Tribal perspective in developing, implementing and studying educational policy has resulted in the public education system having the same educational outcomes and chronic issues (i.e. highest dropout rates, lowest graduation rates, and widest achievement gaps) for AI students as shown in national educational research and policy studies that include AI students, starting with the Merriam Report in 1928 through the most recent 2011 National Indian Education studies conducted by the U.S. Department of Education's National Center for Education Statistics.

CRT provides a theoretical framework to examine these long-standing inequities. This single case study of the policies and activities between the S-M Tribe and three public schools offers a lens to reconsider and transform the way current public educational policy research, development, and practice is carried out, particularly when AI students attend public schools. In the case study, CRT provided a place for the marginalized voices of the S-M to be heard and the policy activities and influences of the S-M Tribal government within public education agencies to be seen. Exploring formal S-M policy influences, informal education and policy activities, and the variations of these within each LEA context by using CRT helps the field not only understand the policy environments between the LEAs and S-M Tribal government, but matters because using CRT as a theoretical foundation of a study gives educational and policy researchers a new and more inclusive and responsive way to design research studies regarding AI students in public schools.

Current educational policy literature does not consider or include Tribal governments as an essential part of the policy process when it comes to public education policy and implementation, as discussed in Chapter I and II. Therefore it is important for the field to

understand and engage S-M and other Tribal governments actively and authentically as essential policy stakeholders in a larger multi-jurisdictional policy process with public (federal, state, and local) agencies. TCT (Brayboy, 2001; Brayboy 2002; Brayboy 2005) was used for the case to examine the effects of colonization and assimilationist public education policies discussed in Chapter II on S-M. TCT provides counter-narratives to the educational discourse regarding the impacts of public education policies on S-M students. If academia and public policy makers continue to exclude Tribal governments and Tribal education policy processes in public education, I argue that similar educational experiences and outcomes will continue for AI and S-M students as we've seen for another 70+ years.

Using TCT as another theoretical underpinning for the case study also provides the field with a design strategy for studying public education policy and programming for AI students. In this case study, TCT provided a means to go beyond CRT in order to document the distinct legal, political, historical, and cultural components influencing the S-M Tribe related to education as well as documenting the S-M Tribal education policy development system and processes themselves.

TCT also was used to examine how the S-M assert their sovereign rights of educational self-determination (Brayboy, 2005). These findings have implications for public educational policy, policy activities, policy environmental resource supports, and Tribal policy implementation effects within public education contexts where S-M children attend school. As the findings show, when the S-M Tribe has formal policies and structured policy activities with the LEAs, there are stronger policy environmental supports (programming supports, regular and consistent meetings, transparent and varied interagency communication strategies, funding and

human support, and trusting and intimate relationships) to support the public education of S-M students.

Examined through the lenses of CRT and TCT, study findings support the conclusion that educational rights of the S-M Tribe – and potentially, other sovereign Tribes – are not just about including culture or public education agencies being culturally responsive, but must focus upon upholding the legal trust responsibilities under federal law, based upon S-M treaty rights, that the federal government has with the S-M Tribal government. The state of Wisconsin also recognizes this government-to-government status with the S-M Tribe and other Tribal governments in the state. This is important to the field because public educational policy makers and educational leaders must adjust the way they do business in terms of public policy development and implementation where AI students attend public schools. Using a multi-jurisdictional or “tri-lateral” education model (Reinhardt & Maday, 2006) offers the field a new way to include and interact with Tribal governments as true partners in educational policy development, as is explored in depth later in this chapter.

Grounding Discussion in Theory

This section of the discussion chapter used CRT and TCT as lenses to discuss findings from earlier chapters to address the case study research questions, which are:

1. How does the S-M Tribal government develop educational policy?
2. What influences the S-M educational policy making process?

As discussed in Chapter III Critical Race Theory (CRT) holds that racism is endemic to society and critically examines and deconstructs how political, legal, and other power relationships influence inequities seen within society, particularly in terms of racial/ethnic

inequalities (Yosso, 2005). CRT is useful in examining educational contexts (Bell, 1988; Darder, Baltodando, & Torres, 2009; Delgado & Stefancic, 2012; Ladson-Billings & Tate, 1995; Parker & Lynn, 2002). Six tenets of CRT outline the interactive dynamics and influences of power relationships (Delgado and Stefancic, 2001).

TCT (Brayboy, 2001; Brayboy 2002; Brayboy 2005; and Pulitano, 2003) holds that colonization is endemic to society and that colonization for purposes of assimilation is unique to Indigenous people in and outside of the United States. Building on the CRT framework, TCT deepens the theory by applying it to the distinct legal, political, historical, and cultural components that are uniquely tied to Indigenous people and Tribal governments. TCT's nine tenets (Brayboy, 2005) were used as another theoretical lens for designing the case study and examining findings.

In this study, CRT illuminated the marginalized voices from the S-M Tribal government and policy stakeholders to interrupt the current public education policy and academic discourse by providing Tribal perspectives and contributions to how S-M supports, participates in, and perceives public educational experiences on behalf of S-M students. TCT provided a deeper look into the S-M Tribal government's educational policy development process and contributions by the S-M Tribe through participation in education policy activities and environmental supports that were valued and utilized in public education contexts. Examining this case through these lenses produced the following conclusions:

- S-M Tribal education policy is important for all education stakeholders to know
- Effectively addressing issues in the public education of S-M students will require a systemic transformation to a multi-jurisdictional model for educational policy and programming

S-M Tribal education policy is important for all education stakeholders to know.

Study findings suggest that when both public and Tribal stakeholders had a solid understanding and working knowledge of the complex inter and intra-system policy activities of multi-jurisdictional educational systems supporting the public education of AI or S-M students, this was beneficial in terms of creating a policy environment that could support the education of S-M students. In the LEA where this working knowledge was the highest (Bowler School District), the most formal policies, structured policy activities, and informal policy environmental supports for S-M and public LEAs were available. Additionally, both Tribal and public study participants reported stronger levels and types of interpersonal communications, higher financial and human resource supports, and increased collaboration activities for Tribal and public education policy in the LEA that had the most formal education policies with the S-M Tribe.

However, study participants (Tribal and public educational stakeholders) didn't know about, were unable to provide details, or couldn't completely describe what the Tribal educational policy development process and system is. Only a few of the study participants could describe how educational policy systems and subsystems interact across the public and Tribal government sectors. Clearly, the first step in creating stronger Tribal and public education policy environments begins with understanding how the S-M Tribal government educational policy system works. Through stakeholder data and key documents, I was able to construct a visual organizer or model of the S-M Tribal system for educational policy development (Chapter V), informed by the tri-lateral, multi-jurisdictional model developed by Reinhardt & Maday (2006). This model can be used to inform both local and wider understanding of how Tribal educational policy is developed.

Different levels of understanding in different educational contexts result in different policy activities and resource supports for S-M students attending public schools.

The level of LEA awareness, working knowledge, and active participation in S-M Tribal education policy activities impacted the level of support or barriers for the public and Tribal policy education agencies working on behalf of S-M students attending public schools.

Conclusions drawn from study findings demonstrate how variations in policy activities between the S-M Tribe and LEAs impact policy environments and differences in resource supports in the following ways:

- Variations in the level and types of policy and programming activities within the LEA and between LEA and S-M Tribe (Bowler has the most formal policies and highest levels of policy activities between LEA and S-M Tribe; Shawano has the least)
- Similar or contrasting understandings about public and/or Tribal policies that are specifically applicable to S-M students attending the LEA (e.g. Gresham’s goal is to “build a working relationship with the Tribe and [LEA] education board so both know what is possible” in terms of supporting S-M student success (LEA administrator))
- Discrepancies in the knowledge levels of the LEA about who the S-M Tribe and/or students are (e.g. Shawano participants report the district “doesn’t have a lot of interaction with those [Tribal] agencies” (LEA administrator)” and confused the S-M Tribe with other Tribes in the region)
- Differences in the LEAs’ awareness of and ability to maximize S-M resources available to the public school that could support S-M students in the district (e.g.

“the power of the Tribe is not used to the advantage of the school” (S-M Tribal member and LEA employee))

Some public educational agencies at the local, regional, or state level admitted to “not knowing” or “not [being] aware” of the Tribal educational policies, Tribal policy process, resources supporting Tribal education policy, or benefits of educational policy collaboration with the S-M Tribe. Several public educational agency members stated there was “no benefit” and/or “no relationship” with the S-M Tribe. Tribal or public educational agency meeting minutes and attendance records for TEB/TED sponsored events open to all LEAs also confirmed much lower to no levels of participation by some local, regional, and state public education agencies. These differences in levels and types of S-M policy activities within LEAs, especially when low or no policy activities are seen, can and do adversely affect the relationships, levels or types of participation, perceptions, perceived benefits, and resources that S-M and public education agency stakeholders bring to the policy environment. Unsurprisingly, in environments where policy leaders do not see the S-M Tribe as a policy partner and are unable to articulate the benefits of working with the S-M Tribe, this leads to continued public schooling for colonization and assimilation, which has contemporary impacts to S-M students similar to those seen in the past.

Education policies and activities reinforce public schooling as a tool for colonization and assimilation.

TCT (Brayboy, 2005; Pulitano, 2003) shows us how public government and educational policies towards Indigenous people continue to be tools of colonization and assimilation given the long-standing outcomes for AI students in public education systems. In contexts where S-M and LEA policy activities were low or nonexistent, S-M participants (TEB, TED, and S-M community members) reported negative perceptions of public education (e.g. being “racist” or

“not understanding us”) or feelings of being disconnected or losing the S-M culture when attending public schools (e.g. “we learn to read and write but lost our culture and language”).

One study participant sums this perspective up by stating, “There exists a contemporary belief that to be educated is to be white and that has a huge impact on student and member capabilities to succeed” (S-M Tribal community member and LEA employee).

At LEAs where there was low or no Tribal community, TC, TEB, and/or TED participation or influence on educational policy or programming, the LEAs more often held a general philosophy of education. These LEAs were also unable to specifically articulate the differences between general AI or Tribal distinctions and the S-M specific Tribal education policies, processes, or policy supports for S-M students attending their public schools. The broader systemic levels of support (S-M, LEA, state, federal) needed to strengthen S-M Tribal and public education partnerships were also not valued or understood in LEAs with low policy interactions with S-M. Participants described a perceived systemic “policy neutral” stance on education in LEAs that had low in-district interaction or educational or policy outreach activities with S-M. Comments such as “we educate all students here,” “our district embraces all cultural differences of all students in the school,” or “the district treats all students equally regardless of race, creed, culture, or gender,” were given by LEAs with low or no S-M specific policy activities. This is important because it suggests that some public educational agencies do not understand, cannot articulate, and/or have no interest in learning about the legal, jurisdictional, cultural, and educational structures and needs of S-M government, community, families, and students – or other Tribes, for that matter. Lack of formal policies, structured policy activities, and/or resources to support S-M educational policies in LEAs likely also contribute to these

issues. Thus, study evidence suggests that the current public education for S-M students at some LEAs leads to colonization and assimilation.

The LEAs with the lowest environmental policy activities and supports for S-M also reported the most areas of challenge and gaps for supporting S-M students. Low levels of communication, lack of collaborative activities, and misunderstandings about cultural respect and responsiveness of LEAs to S-M were most often cited as the sources for gaps and challenges. Specifically, study participants most often cited Tribal and LEA policy communication and supports (human and financial); lack of parent/school communication and involvement leading LEAs to think “families don’t care about school”; and experiences or perceptions of “racism” with LEAs as reasons for weak collaborations between S-M and LEAs. S-M participants who had negative LEA experiences reported that students in LEAs with low or no policies or activities with S-M said the policy and educational environment at the LEAs “singled out S-M students,” stated that LEAs of this type were “incapable of outreach to the S-M community, students, and families,” and believed that the “school is hiding” data on S-M students. CRT gave voice to these counter-narratives in the study and TCT provided a framework to document where strong collaborations and a shared value for education existed between S-M and LEAs.

These negative experiences stand in contrast to positive LEA and S-M educational experiences reported in other contexts. In LEAs where there were frequent policy activities, more consistency and structure in the policy environment, and adequate financial and resource supports for policy, S-M participants reported almost the opposite perspectives regarding LEA interactions. Even in instances where S-M study participants reported their own earlier negative LEA experiences, the more S-M policy stakeholders involved themselves in the Tribal

educational policy development process in conjunction with formal public educational policy activities, the more likely it was that S-M participants could articulate specific environmental policy supports for S-M education in public schools. They were also more likely to describe the public and S-M educational relationship favorably as “supportive,” “collaborative,” and “strong” when speaking of LEA/S-M policy activities and resources dedicated to publically educating S-M students. The contrasting views of S-M study participants who have positive experiences and perspectives for LEAs with formal policies, frequent policy activities, and adequate policy supports vs. LEAs who have weaker policy environments with S-M is has important implications regarding a new way public and Tribal education agencies can do business in the future.

Effectively addressing issues in the public education of S-M students will require a systemic transformation to a multi-jurisdictional model for educational policy and programming.

Study findings make it clear that we (Tribal and public education policy and stakeholders) need to work differently together if we truly want to transform educational outcomes for S-M or other AI students in public education contexts. As introduced in Chapter II and documented in findings Chapter V, a multi-jurisdictional or tri-lateral model (Reinhardt & Maday, 2006) is needed for educational policy development to support S-M students. This change in policy systemic structure to include a tri-lateral responsibility by Tribal, federal, and state governments is needed, along with collaborative policy development and resources, to begin changing the public educational policy environment for S-M and AI students attending public schools in the nation. Changes in federal education policy, supported by ample resources, aim to hold public agencies accountable for changing assimilationist public education policies with AI students and require public policy and education leaders to be co-facilitators with Tribal governments in creating a better future for AI students attending public schools in the USA.

There is evidence that suggests that the federal government is moving towards supporting this structural change, where the trust responsibilities are considered moral and legal foundations to improving public education's destructive impacts on AI students. Reports from the December 2014 Tribal Nations Conference and the final 2014 White House Report on Native Youth in the United States (2014c) make it clear that the federal government recognizes that the federal government's unique nation-to-nation trust responsibilities to Tribal governments are the "highest moral and legal obligations" given the "history of deeply troubling and destructive federal policies and actions that have hurt Native communities, exacerbated severe inequality, and accelerated the loss of tribal cultural traditions." Furthermore, as President Obama stated, "these repudiated federal policies regarding the education of Indian children are among those with a devastating and continuing effect on Native peoples. Past efforts to meet trust obligations often have led to problematic results, even when intentions were good. Education was at the center of many harmful policies because of its nexus with social and cultural knowledge. Education was—and remains—a critical vehicle for impacting the lives of Native youth for better or worse. In education, recognizing that tribes must be part of the solution in Indian country means that that federal policy must shift to align itself more closely with Tribal goals" (White House, 2014d).

TCT provides a framework for connecting conceptual and theoretical applications of how a multi-jurisdictional "tri-lateral" model (Reinhardt & Maday, 2006) can practically be applied to Tribal and public education policy environments as the S-M case study has shown. The applied tri-lateral model was extended to the policy context of the S-M and documented Indigenous ways of knowing, developing, and implementing Tribal education policy as a legitimate, legal, and desperately needed component of the larger public educational policy system(s). Using this

model to demonstrate how S-M Tribal education policy activities are (or are not) implemented in Tribal and public education agency contexts lights the way to a better way to do business with Tribal governments when S-M students attend public schools. Development of Tribal educational policy and programming, as influenced by cultural and linguistic content from the S-M, can help address intergenerational issues, close cultural gaps between Tribes and public schools, and help support collaborative and culturally responsive educational policies created by Tribal and public educational agencies to more strongly support S-M or AI students attending LEAs.

Summary of Significant Study Discussion Points Related to Original Research Questions

Use of CRT and TCT provided theoretical frameworks to thoroughly discuss findings and provide key points of discussion emerging from the findings. The analysis of data, study findings, and key discussion points connect strongly back to the original case study research questions: How does the S-M develop Tribal education policy? What influences S-M policy educational development?

Tribal education policy development and public educational policy development are related but separate activities. Both types of education policy can support S-M students attending public schools. However knowing *both* the Tribal government's policy development process and public agency educational development process at the local, state, or federal level is critical. Study data revealed that when Tribal and public education study participants knew and were active in *both* types of policy development processes, there were more formal education policies, policy activities, and environmental policy resource supports for S-M and public education policy implementation in public schools. Furthermore, the perceptions, benefits, and value for S-M Tribal and public educational partnerships were much higher in LEAs with strong

educational policy activities with S-M. In contrast, LEAs with low or no educational policies with the S-M Tribe had less frequent Tribal and public policy activities, weak environmental policy supports (human, financial, time) for publically educating S-M students, and had experiences and perceptions of more fragile, untrusting, less communicative, and disconnected relationships between Tribal and public education agencies and stakeholders.

Limitations of the Study

There are limits to the case study. First, since this is an original case study that examines Tribal education policy development as it intersects in public education agencies, there are no original studies in the western literature with which to compare design elements, findings, and/or implications. This may limit the usefulness or generalizability of case study findings, rationale and methods for choosing a case study as the most appropriate way to study Tribal policy development, and/or trying to reduce (or eliminate) uncertainties surrounding case study findings (Cook, 2002). Second, given the small sample size of case study participants, the findings may be oversimplified and/or additional similar studies to increase the sample size and contexts that the case is tested in may be needed to more rigorously confirm study findings and implications (Heck, 2004, pp.201-211). Third, since I am the only researcher who has designed and used this case in one community and three LEAs, other researchers may or may not arrive at the same findings and conclusions that I have as key points of discussion and implications for future educational policy and practice. Sabatier & Jenkins-Smith (1993) recognize this as a limiting factor in conducting case studies (scholars coming to different conclusions from the same data), but also note that case studies focus on the particular, so replication of results can be challenging. Ways to mitigate the limitations of the study and increase the trustworthiness of the study were discussed earlier under Chapter IV.

Future Areas of Study

First, replication of this multi-jurisdictional study (using a tri-lateral model) is needed to fill gaps in the western and Indigenous literature bases. Educational policy studies that include Tribal and public governments and their respective Tribal and public education policy activities are greatly needed. In this specific case, going more deeply into each LEA would provide further insights about the depth of multi-jurisdictional activities within each LEA and could include tying Tribal and educational policy activities to AI educational outcomes at these specific schools. This case study provides a start to this process and broad replication of this initial study could provide a multi-jurisdictional, tri-lateral framework for guiding future studies that include more Tribal governments and LEAs both within and outside Wisconsin. Replicating this study will provide more empirical data about the process of a Tribal government developing and implementing educational policy (as well as data about actual Tribal ordinances and policies regarding education). This is needed because each educational policy process for Tribes is as different as each of the 566 federally recognized Tribal communities in the United States. Tribal governance processes, ordinances and policies, organizational and program infrastructure, influences (political, philosophical, cultural, etc.), and dedicated resources (human, time, financial, etc.) are unique to each Tribe and the contexts for educating their Indigenous students. Consequently, this case study provides just one of 566 possibilities from which educational researchers could gain insight, but serves as a good starting point for informing future educational case studies with Tribal governments. Engaging Tribal colleges, Tribal governments, and Tribal scholars (independent scholars or those at public universities or nonprofit agencies) will be key to this research process to ensure culturally responsive, community-based, and Tribally-driven research approaches are used by western research teams.

Next, documenting the differences between Tribal education policies and public education policies and how they are developed – whether collaboratively or separately – is important to understanding Tribal and public policy environmental supports and barriers. Knowing how to differentiate between types of educational policies is critical to transformative educational research designs that seek to empower traditionally underrepresented, disenfranchised, and excluded voices in western research. Understanding multi-jurisdictional systemic, agency, and policy stakeholder activities, perceptions and interactions is central to that process. Future policy studies of this type would generate empirical data to further test and possibly modify the tri-lateral or multijurisdictional model. These studies would also document broader and deeper perspectives about the resources, capacities, and infrastructures that Tribal governments need to develop Tribal education policy and strengthen Tribal and public education agency policy activities and environments for the public education of AI students. Multi-jurisdictional educational policy studies should include gathering information about:

1. The unique aspects, types of policies, policy activities, and interactions in multi-jurisdictional policy environments between the Tribal government and local educational agencies, state educational agencies, and federal education agencies
2. The specific multi-jurisdictional policies, infrastructures, and resource supports that most strengthen the policy environments to support the public education of AI students
3. The specific barriers to and existing gaps in multi-jurisdictional partnerships for the public education of AI students

Last, the variations seen within each public education agency that the Tribal government interacts affect AI education in public schools. Studying how variations of policy activities

between Tribal and public agencies impacts funding and other resource supports, policy development and organizational culture of policy environmental support and implementation, fidelity, and effectiveness of AI policies would be important to further this case study research. This has implications not only for educational policy but for leadership, governance, and organizational or educational systems development. Conducting a policy impact study to correlate or find relationships between AI policies (and resource supports) to AI educational outcomes would extend the current western and Indigenous literature about evidence-based practices for AI student success to the educational policy and leadership level.

Understanding the source, influences, development, and implementation process for both Tribal education policies and public education policies provides the strongest foundation for comprehensively understanding American Indian education in the broadest and most inclusive sense when conducting educational and policy research studies with American Indian study participants. The Stockbridge-Munsee Tribe case study – a community-based and Tribally-driven collaboration between the Tribe, the public education agency site participants, and the researcher – provides a shared vision for how changing the practices and interactions of the education system/policy subsystems to improve the public education of American Indian students when working with Tribal governments may be accomplished in the future.

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