

The Rosebud Education State of the Reservation Report of 2013

INTRODUCTION

The Rosebud Sioux Tribal Council established the Rosebud Sioux Tribal Education Department in 1990 which developed and enacted the Rosebud Sioux Tribal Education Code in 1991. The Code asserts the Rosebud Sioux Tribe's inherent sovereign authority over formal education of its tribal members and is supported through Federal Law. The code establishes this authority over all educational entities providing services to Rosebud Sioux Tribal members, this includes on and off the reservation, public, federally funded and private educational entities. The Education code states Tribal laws applies to local schools and other educational institutions to the maximum extent. The means that all laws and ordinances of the Rosebud Sioux Tribes applies to the maximum extent of the jurisdiction of the Rosebud Sioux Tribe to all educational institutions.

“The federal government has a trust obligation as embodied in treaties, statutes and the United States Constitution to provide for the formal education of Indian Students who attend federal, tribal and state schools. The federal government historically has failed to live up to its responsibilities in the area of Indian Education. The state of South Dakota has also historically failed to meet the needs of Indian students on the Rosebud Sioux Indian Reservation. Recognizing that a good formal education is critical to the survival of the Rosebud Sioux Tribe, it is in the best interest of the Tribe to assert it responsibility and inherent sovereign right over the formal education systems on the reservation to improve those systems and the Tribes.”

The Tribe's authority over education is to “preserve, protect and perpetuate the tribe”, “promote intra-government understanding and coordination”, and “make education a good experience and good preparation for life”. The Tribe's “education must be effective, appropriate for and relevant to the reservation” and “shall help prepare students to perpetuate the Tribe””its resources, and its culture” and language.

(RST Education Code)

GEOGRAPHICS AND DEMOGRAPHICS OF THE ROSEBUD SIOUX TRIBE AND RESERVATION

The Treaty of Fort Laramie in 1868 between the Rosebud Sioux Tribe and the United States provided for a 3.2 million acres reservation for the Rosebud Sioux Tribe. Acts of Congress in the early 1900s substantially reduces this treaty-reserved land holdings. The Act also have been held by the United States Supreme Court to dis-establish the original Reservation boundaries. *Rosebud Sioux Tribe v. Kneip*, 430 U.S. 584 (1977). Today the Reservation boundaries are continuous with Todd County as political entity of the State of South Dakota. The Reservation and/or Todd County encompass 1,388 square miles of 958,000 acres. About 580,000 acres (60%) is held in trust by the federal government for the Rosebud Sioux Tribe members, Indians, non-Indians, and state and federal government hold the remaining acreage primarily in fee simple. An additional 500,000 acres of Indian trust land are located outside Todd County but within the original boundaries of the Reservation.

The total population of the Rosebud Sioux Tribe is over 45,000, making it among the largest five tribe in the United States. There are approximately 6,570 Youth (individuals 19 or younger) making up 46% of the tribes populations. Over 18,000 tribal members live on the Reservation or on Indian trust lands within the original Reservation boundaries. The total population of Todd County is over 15,000, about eighty percent of who are Indian. Unemployment, depending on the work season is between 75% -85%. Per capita money income is \$11,075 compared to \$23,445 for the State of South Dakota. Persons below poverty level are 45.3%, compared to 14.2% for the State of South Dakota.

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The checkerboard land holdings and mixed populations present situations of concurrent and often overlapping jurisdiction among the tribal, federal and state governments generally and especially respect to education.

(RST Education State of Reservation Education Report 2012)

EARLY CHILDHOOD EDUCATION

The Rosebud Sioux Tribe has an Early Childhood Code which defines Early Childhood Education to mean any and all educational, developmental, transitional and child care programs and services offered for children of the tribe who are under the age of 6 years regardless of who is the provider of such programs or services and regardless of where the programs and services are provided or located. The Early Childhood Code states a comprehensive assessment shall be made of all Early Childhood programs and or services to recommend revision as needed. Establish and maintain a data base on all laws, regulations and policies pertaining to the implementation of Early Childhood programs and or services. Establish an Advisory Committee to; Will foster and support coordination, collaboration, improvement, and alignment and transition services of Early Childhood Programs; Will provide professional development for staff, provide quality standards, curriculum and assessments to include tribal culture and language and most importantly maintain parental involvement.

Currently the primary Early Childhood Program is the Rosebud Sioux Tribes' Head Start program which is funded by the Department of Health and Human Services. The program serves children ages 3 to 5 years old whose families meet the DHHS/ACYE low-income eligibility requirements. The Head Start program is a comprehensive child development service which provides direct instruction to children, nutritional services, health screening and services, social service intervention and education for parents in all areas of child development and care. Professional services for evaluation, diagnosis and prescriptive services are contract on a case by case basis. The Head Start program has a specified mission, objectives, policies, program description and children progress measure. The Head Start program makes an annual report to the Rosebud Sioux Council's Education Committee and the 2013 report is available. The Early Childhood Advisory Board meets quarterly and has 11 members from the various programs and or services throughout the Rosebud reservation. List of member programs and or services is available.

EDUCATIONAL ENTITIES PROVIDING EDUCATIONAL SERVICES TO AND FOR ROSEBUD SIOUX TRIBAL MEMBERS

St. Francis Indian School- A P.L. 100-297 Tribally Controlled Grant School (per RST resolution) provides services for Kindergarten through 12th grade and is funded by the Bureau of Indian Education

Sicangu Owayawa Oti- Rosebud Sioux Dormitory- A P.L. 100-297 Tribally Control Grant School (per RST resolution) provides dormitory services students in grades and is funded by the Bureau of Indian Education

Todd County School District 66-1- A state of South Dakota public school district with 7 peripheral Elementary Schools for Kindergarten thru 8th grade, Todd County School in Mission with 1 Elementary School, 1 Middle School and 1 High School, 1 Alternative School. The school district also provides service for youth in the Rosebud JDC

White River School District 47-1- A state of South Dakota public school district with- 4 schools that provides services on the borders of the Rosebud Reservation

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Winner School District 59-2 A state of South Dakota public School district with- 3 schools that provides services on the borders of the Rosebud Reservation

South Central School District 26-5 A state of South Dakota public School district with 3 schools that provide services on the borders of the Rosebud Reservation

Chemawa Indian School and Dormitory- Bureau of Indian Education Operated School for grades 9-12

Crazy Horse School A P.L. 100-297 Tribally Controlled Grant School (OST Resolution) for grades K-12

Crow Creek School and Dormitory A P.L. 100-297 Tribally Controlled Grant School (CCST Resolution) for grades 9-12

Flandreau Indian School and Dormitory- Bureau of Indian Education Operated School for grades 9-12

Gregory School District 26-4 A state of South Dakota public School district with 3 schools that provide services on the borders of the Rosebud Reservation.

Marty Indian School and Dormitory- A P.L. 100-297 Tribally Controlled Grant School (YST Resolution) for grades 9-12

Pierre Indian Learning Center Elementary School and Dormitory- A P.L. 100-297 Tribally Controlled Grant School (multiple resolution from several tribal councils) for grades 1-8

Riverside Indian School and Dormitory- Bureau of Indian Education Operated School for grades 9-12

Sherman Indian High School and Dormitory-Bureau of Indian Education Operated School for grades 9-12

St. Joseph's Indian School and Dormitory- Private School run by Catholic organization for grades k-8th

White Eagle Christian Academy –Private Christian School on the Rosebud Reservation for Grades K-8

Each School has a Web Site to access information about the school. South Dakota Public Schools data information can be access on the State Education Web site under Statistical Information. BIE funded schools data information can be accessed on the BIE Web site and under Reports

ELEMENTARY AND SECONDARY EDUCATION ACT –REAUTHORIZED TO BE CALLED THE NO CHILD LEFT BEHIND ACT OF 2001-P.L. 110-107

In 1965 during the war on poverty- congress enacted the Elementary and Secondary Education Act to provide supplementary educational services to equalize access for all students to have equal educational opportunities. This law was reauthorized over the years since 1965 and is currently referred to as the No Child Left Behind Act.

The ESEA known as No Child Left Behind intent was to provide not only educational equalization for students but require schools to be accountable for the educational services through the documentation of Adequate Yearly Progress and require State Education Agency to enforce consequences for lack of progress. The Adequate Yearly Progress-AYP was/is based on an accountability system of assessment.

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Each state had to develop this system to document their students' progress. This system had content standards to be taught to and a system of measurement to make AYP. Annually students were assessed by the measurement system and their scores totaled to document Adequate Yearly Progress. AYP was defined in terms of basic, proficient and or advance for the students. The desire was for 100% of all students in grades 3 thru 8 and 11th to be proficient and or advance in the areas of Language Arts or Reading Comprehension and Mathematics. In addition to this State Education Agency could define a 3rd level of criteria which the State of South Dakota chose attendance which they defined as 100% of students should be in attendance to school 95% of the school year. The State Education Agency reviewed the results and defined a status level for schools of having made AYP, or not making AYP. If the school has not made AYP then the number of years of not making AYP is defined in levels of Corrective Action and Restructuring. The State of South Dakota had define a progression of percentages of students at proficient or advance to increase over a period of 12 years to reach 100% of students at proficient or advance. This progression was defined thru reviewing the test scores of all the public schools within the State of South Dakota. The Tribally Controlled Grant Schools test scores were not used in this process. The law requires the Tribally Controlled Grant Schools to use the definition of AYP from the state where they are geographically located. The Bureau of Indian Education created their interpretation of South Dakota's definition of AYP and used this to identify Tribally Grant School's status. Depending on the status of the school would define the development of a school improvement plan to state how the school will eventually make AYP.

The emphasis has been on teaching to the test. The process is now in an evolution of change. The state of South Dakota has requested a waiver from the U.S. Department of Education to not administer the previous AYP definition and is requesting to develop a new process to correlate with the current standards of Common Core. The State of South Dakota started this process in 2012-2013 and began piloting a new assessment called Smarter Balance. And they were ending the current assessment called D-Step.

The scores currently being reported for the end of the school year of 2012-2013 are a reflection of the end of this process and a reflection of schools beginning the process of change to standards of Common Core and preparing for the use of the assessment called Smarter Balance. The Bureau of Indian Education still must follow the state definition that the schools are located and this creates a problem for schools in the state of South Dakota. The USDOE gave the State of South Dakota a waiver but did not give the BIE a waiver.

The law requires that the State Education Agency identify the schools status before the beginning of the next school year- however the BIE did not give a letter stating the status of the Bureau Funded schools until the beginning of this school year 2014-2015. The state of South Dakota does have a status for the public schools on the school's report.

The School Reports are available for all of the schools identified on the Rosebud Sioux Education Department's web site- both public and BIE funded schools. The private schools do not have a school report to access via the internet.

Part of the requirements of this law is to assess those students who may be considered English Language Learners- generally these are students who come into the school system speaking a language other than English as their primary language and must learn English to function in the American Public School system. Often times Native children will be identified as English Language Learners based on how they respond on the basic assessment administered to determine or find English Language Learners. This may not always be accurate information.

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The Rosebud Education Code states the desire of the Rosebud Sioux Tribal Council to have their tribal members to speak the Lakota Language and know their culture. The Educational Entities located on the Rosebud Reservation do focus on teaching Lakota language and culture, however it is not enough for students to become fluent in the Lakota language.

The law requires State Education Agencies to develop Annual Measureable Objectives- AMO's and these are the percentages that are used to determine how many students per grade level are proficient in Math and Reading. Test Scores were determined by ranking all of the public schools from the public school with the highest test scores to the public school with the lowest test scores and all other public schools ranked by their scores in between then the median is found and the AMO's are set up to start from the middle score to 100% and this is done in the base year/first year of the use of established assessment

The 2012-2013 School year is the last year of using the D-Step assessment and the State of South Dakota will begin using the assessment called Smarter Balance in the 2013-2014 school year. It would not be a fair comparison of the D-Step scores to the Smarter Balance test scores.

The ESEA/NCLB law requires High Schools to show their graduation rate

All Public Schools and BIE funded school test school scores are listed and copies of School reports available at the Rosebud Tribal Education Department.

State Public Schools- that provide education to Rosebud Sioux Tribal Members

Reading

Todd County School District	K-12	34.65%
White River School District	K-12	44.63%
Gregory School District	K-12	79.1%
South Central School District	K-12	64.29%
Winner School District	K-12	71.34%

BIE Funded Schools- that provide education to Rosebud Sioux Tribal Members

Reading

St. Francis Indian School	K-12	18.75%
Chemawa Indian School	9-12	36.96%
Crazy Horse School	K-12	less than 10%
Crow Creek Tribal School	9-12	less than 10%
Flandreau Indian School	9-12	25.00%
Marty Indian School	9-12	28.35%
Pierre Indian Learning Center	1-8	39.44%

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Riverside Indian School	9-12	23.24%
Sherman Indian High School	9-12	37.45%

State Public Schools

Math

Todd County School District	K-12	21.64%
White River School District	K-12	46.63%
Gregory School District	K-12	79.66%
South Central School District	K-12	55.36%
Winner School District	K-12	74.45%

BIE Funded Schools

Math

St. Francis Indian School	K-12	9.18%
Chemawa Indian School	9-12	16.30%
Crazy Horse School	K-12	less than 10%
Crow Creek Tribal School	9-12	less than 10%
Flandreau Indian School	9-12	22.50%
Marty Indian School	9-12	27.56%
Pierre Indian Learning Center	1-8	37.32%
Riverside Indian School	9-12	37.02%
Sherman Indian High School	9-12	34.22%

Graduation Rate for High Schools and Attendance Rate for all schools

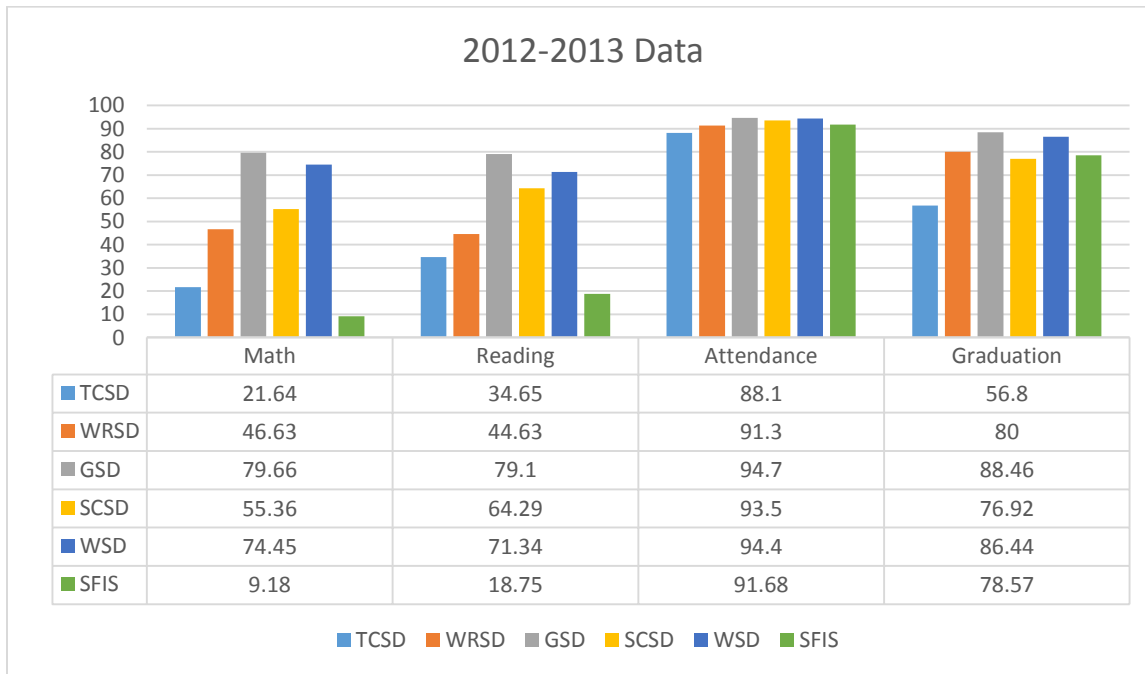
State Public Schools		Graduation	Attendance
Todd County School District	K-12	56.8%	88.1%
White River School District	K-12	80.0%	91.3%
Gregory School District	K-12	88.46%	94.7%
South Central School District	K-12	76.92%	93.5%
Winner School District	K-12	86.44%	94.4%

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BIE Funded Schools

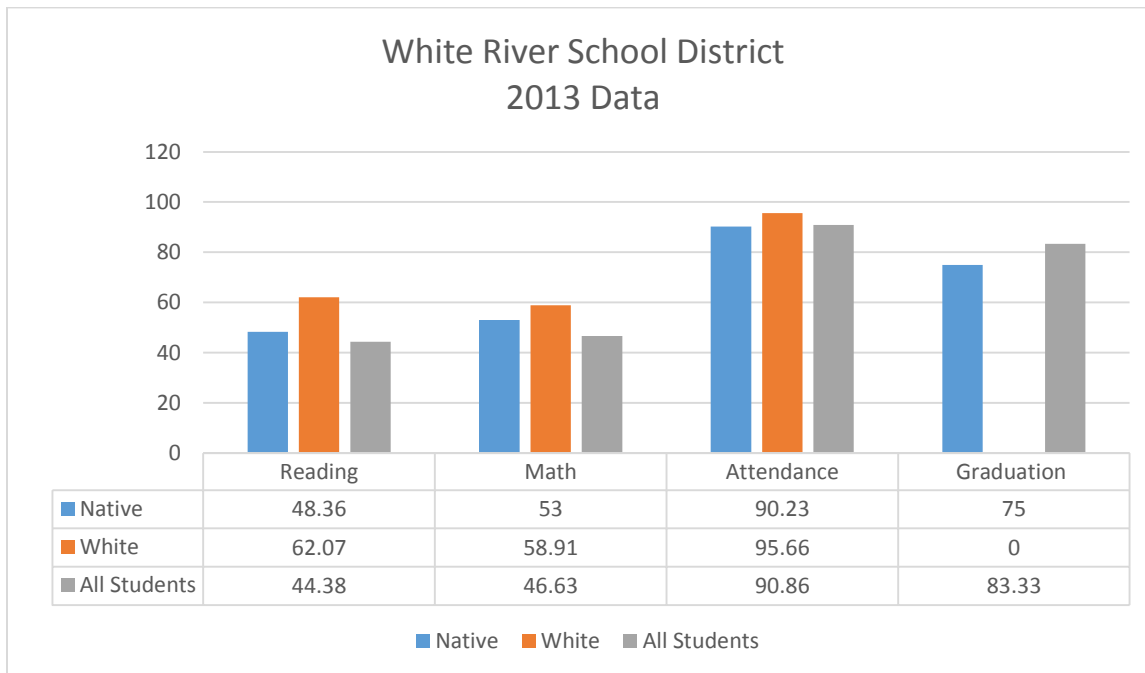
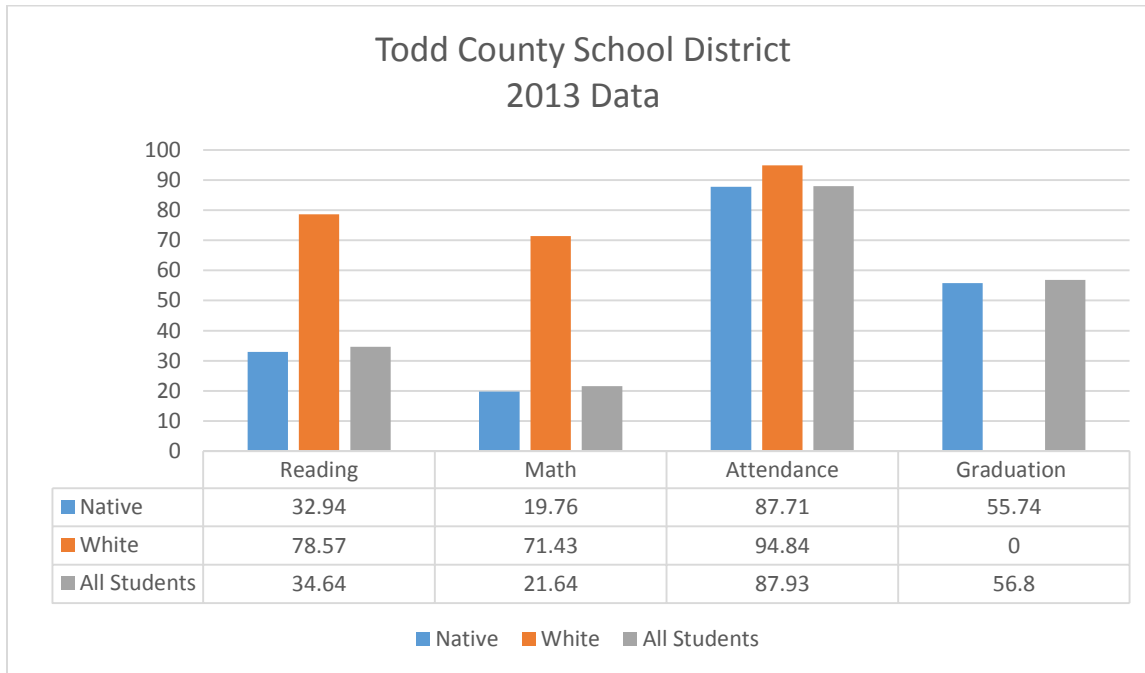
St. Francis Indian School	K-12	78.57%	91.68%
Chemawa Indian School	9-12	62.07%	96.27%
Crazy Horse School	K-12	No Data for this school	
Crow Creek Tribal School	9-12	No Data for this school	
Flandreau Indian School	9-12	47.62%	89.84%
Marty Indian School	9-12	51.61%	84.52%
Pierre Indian Learning Center	1-8		99.91%
Riverside Indian School	9-12	37.23%	96.75%
Sherman Indian High School	9-12	71.19%	96.12%

All Schools Data Comparison Chart

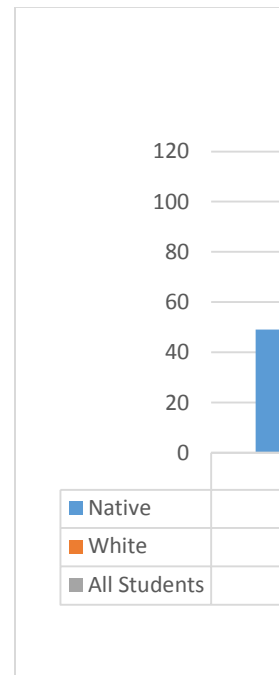
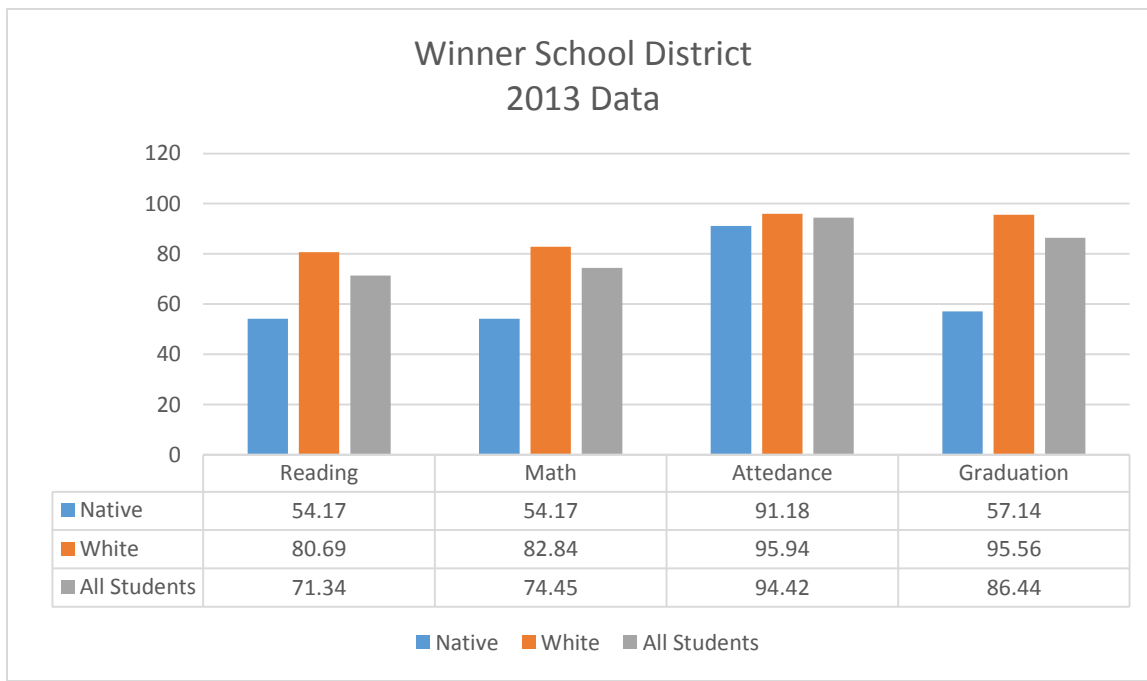
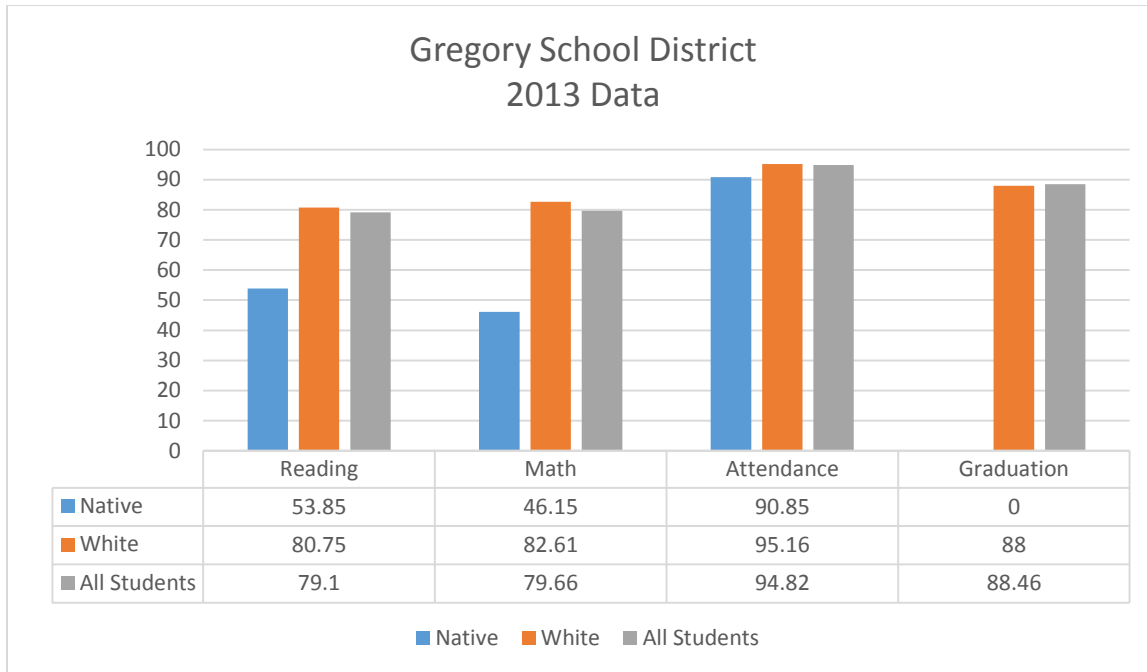


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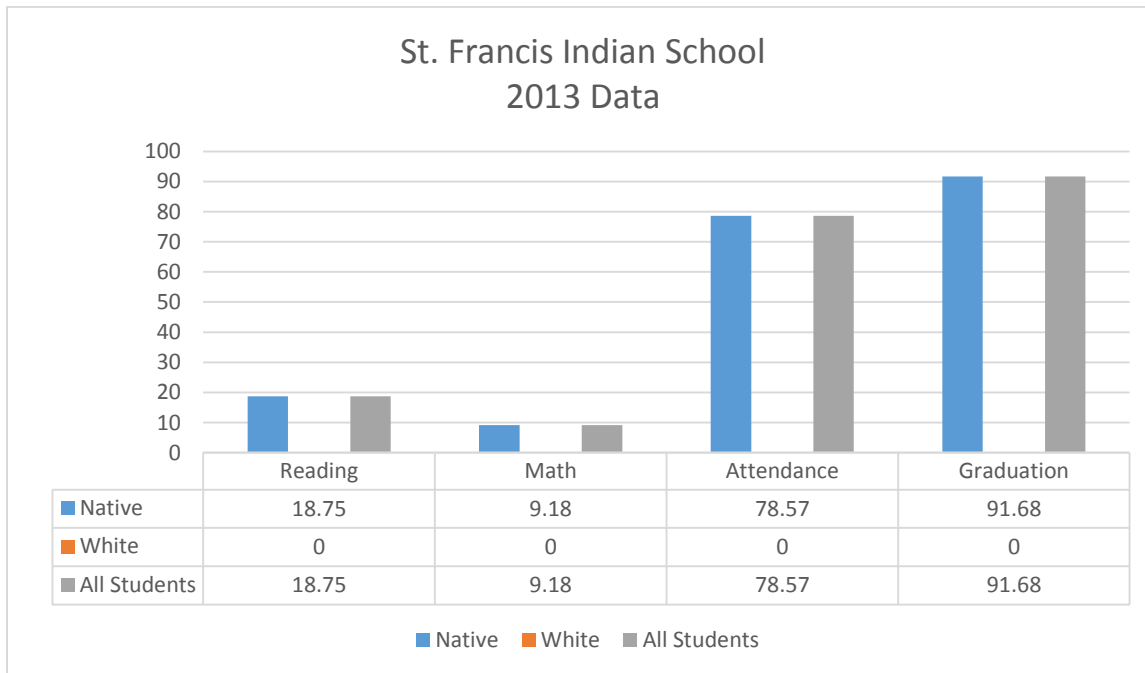
Data per School



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No Data will display at the school or district level if the subgroup does not meet the minimum size for reporting

The Bureau of Indian Education does not report any data except Native student data.

The above data implies the Public Schools students are performing better than the BIE funded Schools student, however it is important to remember all criteria was established on public schools and designed for public schools. And Public Schools are designed to civilize- assimilate native children. Whereas BIE funded Tribally Controlled Grant Schools focus on Native language, culture and history in

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addition to the public school curriculum the BIE requires of the BIE funded Tribally Controlled Grant Schools to use for assessment purposes. State Education Agency provides guidelines for the public schools to follow in implementing educational services for their students. The Bureau of Indian Education is not a State Education Agency and does not have the expertise to provide a similar type of service however in their attempt to be an SEA the BIE becomes dictatorial in their expectations of the BIE funded schools. This becomes a situation of inconsistent directives and makes it difficult for the schools to meet their students' needs

The Rosebud Education Code

“Ordinance No. 91-04 is designed to set out a system for regulating education on the reservation and for coordinating resources on reservation issues.... The Tribal Education Code was developed to monitor and improve the education system on the reservation....The code’s structure and content maintains and uses the Rosebud Sioux’s inherent sovereignty while addressing the Tribe’s unique educational needs.Historically, the Rosebud Sioux Tribe controlled tribal education and that education was a success” for the people’s needs of the time. The Fort Laramie Treaty of 1868 states “In order to insure civilization of the Indian.....the elementary branches of an English education shall be furnished”. This puts the emphasis of education to civilize and assimilate members of the Rosebud Sioux Tribe. The education code *does address the teaching the Lakota Language and Culture and indicates the desire to have the youth to be proficient in the areas of “an English education” of math, reading and language arts.* As the code is review and adjusted to meet the needs of the Rosebud Sioux Tribe it is important to keep the strength of the code in the maintenance of the Lakota Language and Culture and the balance of “an English education”

“Through Ordinance NO 91-04 the tribe recognizes it jurisdiction over education on the reservation and asserts it in four substantive areas: curriculum and education standards; alcohol and substance abuse education; teacher and administrator training and hiring; and parental and community involvement. At the same time, Ordinance No 91-04 recognize the jurisdiction of non-tribal government in education on the reservation. It provides a tribal framework for overseeing and monitoring the jurisdiction by all sovereigns and provides a means by which reservation education condition, needs and issues will be addressed.”

(The Rosebud State of the Education Report 2012)

Drug and Alcohol Use among students on the Rosebud Reservation

There is no current information for the 2012-2013 school year. However surveys have been administered in the past and indicate there is a continuation of underage consumption of alcohol and continued use of illegal drugs such as marijuana and other drugs. Misuse and abuse of prescription drugs is of concern too. Schools located on the Reservation are participating in the Rosebud Sioux Tribes’ Defending Childhood Initiative.