

Vermont Commission on Native American Affairs
Minutes
August 24, 2006

Members Present: Mark Mitchell, Chair; Donald Stevens; Jeanne Brink; Charlene McManis; Judy Dow; Howard Lyons; Timothy Richard de la Bruere

Others Present: Jane Lendway, State Historic Preservation Officer, Agency of Commerce and Community Development (ACCD); Jeff Benay, former Chair of the Governor's Commission on Native American Affairs; John Moody; Donna Moody; Fred Wiseman, former member of the Governor's Commission on Native American Affairs; Doug Brink; Jedd Kettler; David White, VT Department of Education

The meeting was brought to order at 1:00 p.m. by Mark Mitchell at the Title VII Indian Education Office in Swanton, Vermont.

1. Introduction of Commission Members – Mark welcomed the commission and reminded them that their duties are of statewide policy concerns for all Native Americans, and that there is a tremendous amount of work to be done.

2. Meeting Protocol/Procedure and Meeting Schedule – There was a discussion concerning Robert's Rules of Order vs. the Consensual Model. Howard requested a review of the previous Commission's procedure. Mark said the previous procedure worked well and Jeff Benay concurred. The Commission agreed that meetings would proceed with the Consensual Model.

Mark commented on the work of the previous Commission and asked Jeff if the transition was as smooth as it could have been with the intent to fill the Commission with qualified individuals. Jeff met with Governor Douglas who took to heart the former Commission's recommendation that the Commission be all Natives. Jeff felt that Susanne Young and Jane Lendway excelled in the job of interviewing and selecting appropriate Commission members, and that the Commission would not have come about without assistance from the late Senator Julius Canns, and from present Senator Vincent Illuzzi and Senator Diane Snelling.

Mark discussed member protocol. All calls received by members should be referred to Mark. Commission members should discuss with Mark any meetings with legislators, school boards, or municipalities. The Commission was informed that there will be 10 meetings held during the year. Five meetings will be held in Swanton; August thru December. Five meetings will be held in Montpelier; January thru June. There will be no meetings during the months of July and August. Mark strongly recommended that the Commission be active and spend time outside of the meeting with reading and telephone work.

3. Review and Discuss Vermont Statute and Mission of Commission – Mark read the Vermont Statute to the Commission. Jane clarified that ACCD would take meeting minutes in Montpelier and would also arrange for a local person in the Swanton area to take minutes when

the meeting were held there. Jeff Benay reminded the commission that the former commission was entirely volunteer and never asked for money from the state to retain their independence. This action was helpful in soliciting grants, or going to the Legislature. Jeff encouraged the new Commission to request reimbursement for mileage. Donald asked if any grant funds had been left from the previous Commission. Jeff replied that grants were for very specific use e.g., funding for Monument Rd. re-internment and there were no leftover funds. Jane clarified that if Mark was interested in mileage for members, he would need to discuss it with Susanne Young as the Commission is not budgeted for this. Mark reminded members that mileage is tax deductible.

Donald asked what the relationship between the Commission and the Governor is in regards to making decisions, for instance, the sale of Native American crafts. Fred replied that the authority is vested in the Legislature. Jeff informed the Commission that his contact with the Governor was through Susanne Young, the Governor's legal counsel. Jeff explained that this Commission is in statute, and not just an advisory committee. The Commission has the ability to go directly to the Legislature and does not have to go through the Governor for approval. If recommendations are related to the Department of Education, the commission would discuss it with Commissioner Cate and ask him to recommend legislation. Charlene asked if the former commission wrote grants directly for communities. Jeff replied, yes, and even though the Commission was not a 501c(3), it did it through other organizations.

Mark stated that networking with other communities, organizations, and individuals in Vermont will be significant; bringing the information to them on Native American concerns is important. Some examples are the lack of a Native American on the Human Rights Commission; the need for Native Americans to know how to access state bidding requests for transportation projects to provide economic development. Other links to be made are with housing, human services, natural resources, the Arts Council.

Jeff Benay reported that the legislature used the term "minority" purposely in the Abenaki recognition bill because the Abenaki previously had no minority status that could be helpful in housing or other issues. Howard requested a definition of "minority."

Jeff used Rob Appel's recommendation (Human Rights Commissioner), that Fred Schmidt was a more reliable contact for the Native American census. Donald requested that, in the future, Jeff sit down with the Commission and go over recommendations for contacts and resources. Jeff felt a need to be looking at the archival nature of commission papers and decide where they should be filed. Mark suggested putting this in the September agenda. Mark asked for a change in the agenda to discuss #6 before #5.

5. Title VII of the Elementary and Secondary Education Act and U.S. Dept. of Education Office on Indian Education programs

Mark asked Jeff Benay to describe the programs resulting from the Indian Education Act of 1972, known as Title VII. Jeff started out by saying that the National Advisory Council on Indians (NACI) which is made up of Native people, decided to keep the term "Indian" to save on the costs of reprinting all their materials and use their savings for more important purposes.

Jeff summarized the three types of programs:

a. Education programs for communities to earn General Equivalency Diplomas (GEDs); grants go directly to 501c(3) nonprofit organizations

b. Pre-school and kindergarten grants go directly to entity with focus on culture; less significant now that Vermont mandates public kindergarten

c. Part A of Title VII provides support services to Native American children where at least 10 self-identify as Native American. School system is eligible and application is made through supervisory union or superintendent. This program has produced results in more Native American children finishing school.

There followed a discussion on how the Commission could work with Title VII, the Department of Education and supervisory unions in encouraging more use of the Title VII programs in Vermont.

Mark thanked Jeff for the information he provided.

6. Discuss Vermont Education Standards and Grade Expectations Regarding Native American Inclusion – Mark commented that education has always been at the forefront of the Commission and that Native American culture shouldn't be learned *only* by inviting special educators like Jeanne Brink and Judy Dow into classrooms. We should not go another year without Abenaki history and culture being taught in the schools. He introduced Dave White, Assistant Director of Standards at the Department of Education. David White thanked the Commission for an invitation at the very earliest point of their discussion. Dave apologized for Sigrid Lumbrá, Department of Education Social Studies, who could not be present at the meeting, but will be available in the future. He proposed 3 things for the commission to ponder in focusing their priorities:

1. **Framework of Standards** – distributed Vermont's Framework of Standards and Learning Opportunities in 1996; Great Expectations published 2004
2. **Local Curriculum and Assessment** – What are kids working on day-to-day? Districts determine day-to-day curriculum; the state has a statewide framework, not a statewide curriculum.
3. **Your Ideas** – Are there specific needs for educating Native American children in Vermont?

The Commission discussed whether "History & Social Science Standards" in the Framework were applicable to Native American studies. The Framework describes an "ending point" but not how to get there. "Grade Expectations" goes further in defining specific expected learning, but is not any more in depth about the content, though standard 6.4dd defines evidence of knowledge of historical connection by discovering "how Abenaki oral traditions affect and influences their society." There are no specific examples of how to do this. Judy felt as a

teacher, more mandates make it harder to get all standards met without combining some of the standards. She sees this across the board in every subject - math, reading, social studies – it all has to be included, not just in social studies. Abenaki culture needs to be incorporated into all subjects. Dave felt this was a good idea. When the Commission is at the point to sit down with Commissioner Cate for a recommendation, people like Sigrid Lumbra can be of help. Dave White does not want to discourage changing the framework, but realizes that it does take a lot of work to go through the State Board of Education, and to understand what the impact will be. A better option might be to link words in Framework to actual resources and information about Native Americans for teachers to follow; local curricula to be included.

Jeff distributed copies of “New Dawn: The Western Abenaki” a Curricula Framework for the Middle Level. This was distributed to teachers along with a statewide workshop for teachers to learn how to use it. Donald felt the Commission should work with resources like this that are already available. John Moody remarked that probably only 70-80 people are doing programs in schools, but on a town by town basis, and it would be a good idea to bring all teachers together. Mark felt that the only way this can be incorporated into expectations for all schools is by putting it into standards. As a former teacher, Dave understands that there are only so many minutes in a day. Teachers will want to see that there’s an alignment with the standards in any curriculum information they receive or they’ll see it as something “extra.”

Charlene wanted to know how Black History Month in February came about, and if all schools participate. What about Native American Month? Dave said that Sigrid would have this information. Charlene stated that George Bush designated November as Native American month and it’s observed in Oregon where she is from.

Dave said Sigrid has a statewide perspective and a fabulous newsletter that goes to every social studies instructor in Vermont. Howard remarked that when Abenaki children learn about their own culture in their own classroom, it directly influences the child so information should be accurate and appropriate.

Dave’s ideas about his third point are to consider the places you know of in Vermont where there is a concentration of Native children where a special focus could be made? Judy reported that Richford has a large Native population. John Moody believes that probably 1/3 of people in every municipality have Native connections. Donna Moody said that every classroom they’ve worked with in Vermont has at least 30% self-identified Native Americans and up to 60%.

Judy Dow stated that Richford has a large Native population. John and Donna Moody commented that probably every municipality has about one-third population with Native connection and their classroom work reveals 30-60% of children self-identify as Native Americans. Jeanne Brink stated that she makes recurring visits to schools and that they’re not always near a Native American population. In these communities, children might say they have a grandparent who is Indian, but do not identify themselves as Indian.

Dave says there is crossover with sectors of the population – ethnicity, poverty, special education needs, and there needs to be more analysis to guide how to improve. The Dept. of Ed cannot solve all issues but has the interest and capability to address teaching about Native

Americans. John Moody recommended that the Dept. conduct a statewide census of Native Americans.

7. Funding Avenues for Commission Discussion included under item #4

8. Other Business

Jeanne Brink is being honored by the Vermont Folklife Center on September 8 at Shelburne Farms for her book *Malian's Song*. The book is based on a story handed down in her family from 1759.

Judy Dow raised her concern about Burlington Electric Department's (BED) sale of 200 acres in the Intervale that is part of a recognized burial site. BED intends to sell the land to the Intervale Foundation which already leases adjacent land from BED and owns some of the land. Judy stated that the Intervale Foundation has a large composting operation with heavy equipment moving the piles daily, and this is on top of a documented cremation site. The Intervale Foundation plans to build composting toilets, which will involve excavation. BED plans to take the purchase to the voters on September 18. Judy wondered if any of the activities on the land by either the Intervale Foundation or BED are regulated. She noted that some of the land is in a floodplain, but she checked with the Army Corps of Engineers who said that the Intervale Foundation has no permit.

Mark Mitchell brought up the role of the Commission in developing a burial law that is agreeable to all and work with the Legislature to get it passed. He asked the members if they felt the Commission should work with Susanne Young and Jane Lendway on the BED issue. Don Stevens recommended that the Commission focus only on Native issues, not on wetlands or other natural resource issues. He also said that the Commission should clarify it whether it should be involved before something is found or after a burial is found. There was consensus that the commission would pursue further information on the Intervale/BED issue.

Mark called the meeting to a close at 4:04 and the commission agreed to end the meeting.

Respectfully submitted by Jane Lendway