

## C.R.S.T. ORDINANCE NO. 66

### THE LAKOTA LANGUAGE AND CULTURE EDUCATION CODE OF THE CHEYENNE RIVER SIOUX TRIBE

#### Section 1. Title.

The title of this Ordinance shall be “The Lakota Language and Cultural Education Code of the Cheyenne River Sioux Tribe.”

#### Section 2. Findings and Declaration of Policy.

After a thorough review of the need to teach Lakota Language, History and Culture, general educational needs of tribal members and resident Indians, the Tribe’s duty to provide for the welfare of our people, and the trust responsibility of the United States, the Tribal Council of the Cheyenne River Sioux Tribe (Wakpa Waste Lakota Oyate) finds and declares:

- (1) The Cheyenne River Sioux Tribe is a sovereign, federally recognized Indian Tribe composed of four of the traditional seven council fires of the Lakota Nation: Minnecoujou (Planters by the Water), Itazipco (Without Bows), Siha Sapa (Blackfoot) and Oohenumpa (Two Kettle).
- (2) Our people fought to defend our Lakota way of life, our people and our sacred lands in many wars and battle, including the Powder River War of 1866-1868, the Battle of the Little Bighorn and the so-called Great Sioux War of 1876-1877.
- (3) Our people have suffered persecution by the United States for speaking our language, practicing our culture and following our own religion. Our people were massacred at Wound Knee for using one of our religious ceremonies, the Ghost Dance. Yet, our people have always maintained our Lakota language, culture, and religion despite persecution.
- (4) Despite wrongs visited upon us by the Federal Government, the United States recognized the status of the Cheyenne River Sioux Tribe as a sovereign Indian tribe and a division of the Great Sioux Nation in the Treaties of 1815, 1825, 1851, 1865, and 1868 with the Sioux, the Act of March 2, 1889, and the Indian Reorganization Act of 1935. In these Treaties and Acts, the United States undertook a sacred trust relation to protect the Great Sioux Nation and its constituent tribes as sovereigns and undertook corresponding duties to provide for the educational needs of Indian people.
- (5) In recent years, the United States Congress reaffirmed and recognized its trust duties in the Indian Self-Determination and Education Assistance Act of 1975, Tribally Controlled Schools Act of 1988, The Native American Languages Act of 1990, and other enactments.
- (6) In the Native American Languages Act of 1990, Congress found that: *“the status of the cultures and languages of Native Americans is unique and the United States ha the responsibility to act together with Native Americans to ensure the survival of these unique cultures and languages,” 25 U.S.C. § 2901(8).*

(7) Based on expert testimony and research, Congress found that in the Bilingual Education Act that:

A primary means by which a child learns is through use of the child's native language and cultural heritage [and] instructional use and development of a child's non-English native language promotes student self-esteem, subject matter achievement and English language proficiency.

20 U.S.C. § 3282. Recently, the United States Senate reaffirmed those findings in the Bilingual Education Act Amendments of 1994, as follows:

The use of a child's or youth's native language and culture to classroom instruction can - -

- (i) promote self-esteem and contribute to academic achievement and learning English by limited-English proficient children and youth;
- (ii) benefit English proficient children and youth who also participate in such programs; and
- (iii) Develop our Nation's national language resources, thus promoting our Nation's competitiveness in the global economy.

S. 1513, § 7103(5)(C). Thus, based on research and expert opinion in the field of education, the Tribe anticipates that instruction for our Indian children and youth in our Lakota language will help improve academic in other areas.

(8) Today, the status of the Cheyenne River Sioux Tribe as a sovereign Indian tribe, our rights to self-determination, survival of our history, values, and political institutions, and our future self-sufficiency, are directly related to, and dependent on, the vitality of our Lakota language and culture. In recognition of this fact, Congress declared, "the traditional languages of Native American cultures, literatures, histories, religions, political institutions, and values." 25 U.S.C. § 2901(3).

(9) The Secretary of Interior has been directed by Congress to "take into account the special needs of Indian students and the support and reinforcement of the specific cultural heritage of each tribe" in promulgating standards of education for B.I.A. Schools. 25 U.S.C. §2001. To fulfill this mandate, the B.I.A. declared its policy:

to provide for a comprehensive, multicultural and multilingual education program including . . . teaching and learning strategies that will reinforce, preserve and maintain Indian . . . languages, cultures and history.

25 C.F.R. § 32.4.

(10) Consonant with overall federal Indian education laws and regulations, the policy of the United States stated in the Native American Languages Act is to:

*Preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages; . . . encourage and support the use of Native American languages as a medium of instruction; . . . encourage all institutions of elementary, secondary and higher education, where appropriate, to include Native American languages in the curriculum in the same manner as foreign languages and to grant proficiency in Native American languages in the same full academic credit as proficiency in foreign languages.*

25 U.S.C. §§ 2903(1) & 2903(8).

- (11) Lakota is the traditional, historical native language of the Cheyenne River Sioux Tribe, 25 U.S.C. § 2902(6), and the Tribal Council mandates that the Constitution and by-Laws of the Cheyenne River Sioux Tribe, as amended, shall be published in both Lakota and English. Additionally, the official business of the Cheyenne River Sioux Tribe may be conducted in Lakota and English. Thus, the Cheyenne River Indian Reservation is a “jurisdiction where the native language has official status.” See Bilingual Education Act.
- (12) The education of our children as fluent Lakota speakers is vital to maintaining Lakota as a living language and education of our children in our Lakota culture is vital to the maintenance of our culture for the next seven generation. Therefore, Indian children educated on the Cheyenne River Sioux Reservation should be fluent Lakota speakers and well versed in our Lakota culture, and history, including political institutions, upon their graduation from High School.<sup>1</sup>
- (13) Lakota language and culture equal or surpass any language or culture in the world in their beauty and expressiveness. Indian students are fully capable of fluency in both the Lakota and the English languages and complimentary instruction I both Lakota language and culture and English language and culture will enhance the overall education skills and achievement of our students.
- (14) The Tribal Council has the duty to enact minimum standards for education in Lakota language and culture for Bureau of Indian Affairs schools on the reservation to provide the same curriculum to our Indian students in attendance there. *See* 25 U.S.C. §2903(4). The Bureau has a duty to comply with minimum education standards for Lakota language and Culture promulgated by the Tribal Council. 25 U.S.C. § 2903 (5) (*recognizing tribal right to use its native language as medium of instruction*): *see also* 25 U.S.C. § 2001 (d) (*recognizing tribal right to review curriculum*).

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<sup>1</sup> The mandate to educate Indian students as Lakota speakers recognizes that so-called non-member Indians share close ties with our Indian community and to actively participate in our community life, they need an opportunity to understand and speak Lakota.

**Section 3. Policies for Instruction in Lakota language, Culture and History; Certification of Instructors.**

(1) *Fluency in Lakota Language; Knowledge of Lakota Culture and History.* The goal of instruction in Lakota language, culture and history shall be to enable Indian students to be fluent Lakota speakers and well versed in Lakota culture and history, including our tribal political institutions, by the time of their graduation from high school.

(2) *Parental Involvement and Participation in Public Events.* It shall be the policy of the Bureau of Indian Affairs schools and the tribal schools to encourage parents of Indian Students to teach their children and youths Lakota language and culture and provide opportunities for our Indian children to use Lakota language in day-to-day conversation and to practice Lakota culture at public and cultural events. 25 U.S.C. § 2903 (4).

(3) *Eminent Tribal Leaders and Elders.* The Tribal Council recognizes that among the Cheyenne River Sioux Tribe and the Great Sioux Nation, there are eminent tribal leaders and elders who have knowledge above and beyond that attained by academics with degrees. These tribal leaders and elders, possessed of fluent understanding of the Lakota language and in depth knowledge of our culture, may be certified by the Tribal Council or authorized school board as qualified to teach Lakota language, culture and history studies in the B.I.A. and tribal schools. 25 U.S.C. §2903 (2).

**Section 4. Requirement for Instruction in Lakota Language, Culture and History.**

(1) *Head start.* Head start programs within the territory of the Cheyenne River Sioux Tribe shall provide a program of beginning instruction in Lakota language and culture for Indian students and other interested students.

(2) *Kindergarten through 6<sup>th</sup> Grade.* Bureau of Indian Affairs schools and tribal schools within the territory of the Cheyenne River Sioux Tribe shall provide a minimum of one class period per day of instruction in Lakota language and culture for Indian students in kindergarten through 6<sup>th</sup> grade, and

(a) *Kindergarten through 3<sup>rd</sup> Grade.* Bureau of Indian Affairs schools and tribal schools within the territory of the Cheyenne River Sioux Tribe shall emphasize basic conversational use of Lakota language and Lakota stories, music and dance for students in kindergarten through 3<sup>rd</sup> grade.

(b) *4<sup>th</sup> through 6<sup>th</sup> Grade.* Bureau of Indian Affairs schools and trial schools within the territory of the Cheyenne River Sioux Tribe shall emphasize conversational use of Lakota language and Lakota stories, music and dance for students in 4th through 6<sup>th</sup> grade.

**(3) 7<sup>th</sup> through 12<sup>th</sup> Grade.** Bureau of Indian Affairs schools and tribal schools within the territory of the Cheyenne River Sioux Tribe shall provide the following courses to Indian Students in the following grades:

**(a) *Lakota Language.*** A minimum of one class per day shall be devoted to instruction in Lakota language instruction for all Indian students.

- (1) 7<sup>th</sup> and 8<sup>th</sup> Grade.** Lakota language instruction for Indian students in the 7<sup>th</sup> and 8<sup>th</sup> grade shall continue to emphasize conversational use of Lakota language.
- (2) 9<sup>th</sup> and 10<sup>th</sup> Grade.** Lakota language instruction for students in the 9<sup>th</sup> and 10<sup>th</sup> grade shall emphasize instruction in Lakota grammar and reading of Lakota or Dakota texts.
- (3) 11<sup>th</sup> and 12<sup>th</sup> Grade.** Lakota language instruction for students in the 11<sup>th</sup> and 12<sup>th</sup> grade shall emphasize instruction in writing in Lakota language and reading of Lakota or Dakota texts.

**(b) *Lakota Culture and History.*** A minimum of five class periods per week shall be devoted to instruction in Lakota culture or history; provided, however, that the required period of instruction for Lakota culture or history may overlap by one-half instruction in Lakota language.<sup>2</sup>

- (1) 7<sup>th</sup> and 8<sup>th</sup> Grade.** Instruction in Lakota culture for Indian students in the 7<sup>th</sup> and 8<sup>th</sup> grade shall cover Dakota and Lakota history both prior to the first contact with the United States and history from that contact to the present day.
- (2) 9<sup>th</sup> and 10<sup>th</sup> Grade.** Instruction in Lakota culture for Indian Students in the 7<sup>th</sup> and 8<sup>th</sup> grade shall emphasize the public events and the ceremonies that are central to Lakota culture.
- (3) 11<sup>th</sup> and 12<sup>th</sup> Grade.** Instruction in Lakota history and culture for students in the 11<sup>th</sup> and 12<sup>th</sup> grade shall emphasize the significance of the Treaties between the United States and the Great Sioux Nation, the Interrelation between the United States and the Cheyenne River Sioux Tribe, and the structure and functions of the tribal government.

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<sup>2</sup> For example, if one half of a Lakota language class is devoted to instruction related to required Lakota culture subjects, total instruction for that day in both Lakota language and culture could be one and one-half class periods. Additionally, required Lakota culture instruction may be integrated into general courses, such as South Dakota History.

**Section 5. *Other Required Language Instruction.***

**Instruction in Lakota language shall fulfill any instruction requirements which might be required by the United States through the Bureau of Indian Affairs in a language other than English.**

**Section 6. *Instruction for Non-Indian Students.***

**Non-Indian students in attendance at Bureau of Indian Affairs schools or tribal schools may participate in Lakota language and culture and history courses at their option.**

**Section 7. *Effective Date.***

**The effective date of this Code shall be January 1, 1995 and this Code shall be implemented to the maximum extent practicable on that date.**

**(1) *Initial Implementation Period -- January to June, 1995.***

**The tribe recognizes that there will be some variance in the level of implementation in the initial period of instruction from January through June, 1995. For example:**

**(a)The Tribe is informed that Takini School will be prepared to fully implement the Code on January 1, 1995.**

**(b)The Tribe is informed that the Cheyenne-Eagle Butte School System will implement the Code to the greatest possible extent beginning January 1, 1995, and the Tribe expects that this will include instruction in all grades for the greatest number of Indian Students possible.**

**(2) *Instruction for All Indian Students by September 1, 1995.***

**Bureau of Indian Affairs Schools and Tribal Schools shall plan and implement instruction in Lakota language and culture for all Indian students in all grades by September 1, 1995.**

**(3) *Tribal Assistance and Cooperation in Implementation.* The Tribal Council hereby pledges to devote the resources of the Tribal Council Cultural Preservation Committee to assist all reservation schools to meet the requirements of this Code and to plan a long-term project on curriculum development.**

**CERTIFICATION**

**I, the undersigned, as Secretary of the Cheyenne River Sioux Tribe, certify that the Tribal Council is composed of fifteen (15) members of whom 11, constituting a quorum, were present at a meeting, duly and regularly called, noticed, convened and held this 8<sup>th</sup> day of September, 1994, regular session; and that the foregoing resolution was duly adopted at such meeting by an affirmative vote of 11 for, 0 against, 0 not voting and 4 absent.**

**(signature affixed here)  
Arlene Thompson, Secretary  
CHEYENNE RIVER SIOUX TRIBE**