

September 22, 2016

AGENDA ITEM: Public Hearing

PURPOSE: The purpose of this agenda item is to allow the public an opportunity to provide input to the Board regarding a potential agreement between MRSD and the Confederated Tribes of Grand Ronde. The proposed agreement is related to SB 1509 and the use of Native American Mascots.

STRATEGIC PRIORITY 1.2: Engage with Grand Ronde Leadership to determine a pathway for successfully navigating SB 1509)

BACKGROUND

In 2012, the State Board of Education adopted a rule which prohibited districts from using Native American mascots on or after July 1, 2017.

Senate Bill 1509 directed the State Board of Education to adopt rules relating to agreements between districts and Oregon federally recognized tribes for the appropriate use of Native American mascots.

On January 21, 2016 the State Board of Education adopted rules to implement Senate Bill 1509; attached is the rule for reference.

The new rules allow a school district to enter into an agreement to permit the use of a Native American mascot with an Oregon federally recognized tribe(s) whose traditional area of land interest the district is located within. To this end, District representatives have met with leaders for the Confederated Tribes of Grand Ronde and begun discussion regarding a potential agreement.

On August 24, 2016, Molalla River School District received notice from Chief of Staff for the Confederated Tribes of Grand Ronde that Tribal Council had voted to allow Molalla to continue to use the name "Molalla Indians;" thus, the two bodies might proceed with next steps related to an agreement.

The agreement will specify the district's use of historically accurate and culturally relevant curriculum in grades 4 and 8. It will also provide for the creation of a "Native Club" open to any student. Most importantly, it will specify that the District and Tribe meet and modify the mascot imagery to ensure that it culturally appropriate.

Prior to public comment, Superintendent Mann will review for the Board and audience information regarding the framework of the proposed agreement between the Tribe and the District. Members of the public will then have an opportunity to provide written and oral comments to the district.

Tony Mann

From an Oregon Department of Education Memorandum regarding SB 1509 and agreements between districts and federally recognized tribes:

- At a minimum the agreement must include the following:
 - A determination by the tribe entering into the agreement that the district's mascot represents, is associated with or is significant to the tribe;
 - The signature of the school district board chairperson;
 - The signature of the chairperson of the tribal council or other tribal leader designated by the tribe;
 - A description of the acceptable uses of the mascot that the district is using. The description must include the name of the mascot and pictures depicting any image, logo or letterhead that is deemed as an acceptable use;
 - A description of how American Indian / Alaska Native history and culture will be included in the curriculum of the district;
 - A description of how the agreement will be enforced between the district and tribe;
 - The time period of the agreement, which may not exceed 10 years;
 - A review of the agreement by both the tribe and district at least once every five years;
 - An outline and description of how disputes and complaints relating to the agreement will be resolved;
 - The process for renewal of the agreement. This renewal process must include approval of the agreement by the school district board, tribal government, and State Board of Education.
 - A copy of district policies that were adopted in accordance with ORS 339.356 that address complaints based on harassment, intimidation or bullying and cyberbullying and a description of how the policies are distributed to parents and students who attend the public school. This may be attached as an appendix to the contract. ; and
 - A copy of district policies adopted in accordance with OAR 581-021-0049 that address complaints based on race, color, religion, sex, sexual orientation, national origin, marital status, age or disability and a description of how the policies are distributed to parents and students who attend the public school. This may be attached as an appendix to the contract.

- A completed signed agreement must be sent to the State Board of Education for approval. Agreements must be received by State Board of Education no later than April 1st, 2017. If a school district with a Native American mascot does not have an approved agreement with a tribe in place by July 1, 2017, the school district may be found to be in violation of the original prohibition on the use of a Native American mascot.