

**YELLOW KIDNEY, ET
AL. V. MONTANA
OFFICE OF PUBLIC
INSTRUCTION, ET AL.**

PLAINTIFFS

Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation

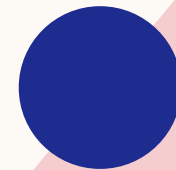
Fort Belknap Indian Community

Northern Cheyenne Tribe

Little Shell Tribe

Confederated Salish and Kootenai Tribes of the Flathead Reservation

18 Individual Plaintiffs





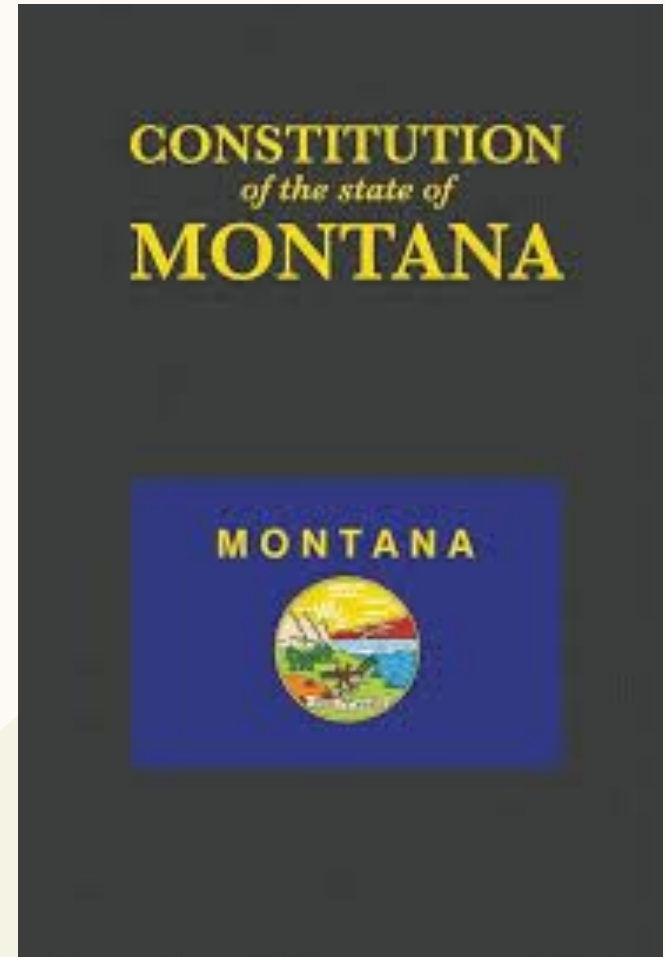
PLAINTIFFS' COUNSEL



1972 AMENDMENT ARTICLE X – EDUCATION AND PUBLIC LANDS

Section 1. Educational goals and duties.

(2) The state recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity.



1999 - MCA 20-1-501 (INDIAN EDUCATION FOR ALL)

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20-1-501. Recognition of American Indian cultural heritage -- legislative intent.

(1) It is the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of American Indians and to be committed in its educational goals to the preservation of their cultural heritage.

IEFA CONTINUED

(2) It is the intent of the legislature that in accordance with Article X, section 1(2), of the Montana constitution:

(a) every Montanan, whether Indian or non-Indian, be encouraged to learn about the distinct and unique heritage of American Indians in a culturally responsive manner; and

(b) every educational agency and all educational personnel will work cooperatively with Montana tribes or those tribes that are in close proximity, when providing instruction or when implementing an educational goal or adopting a rule related to the education of each Montana citizen, to include information specific to the cultural heritage and contemporary contributions of American Indians, with particular emphasis on Montana Indian tribal groups and governments.

IEFA CONTINUED

(3) It is also the intent of this part, predicated on the belief that all school personnel should have an understanding and awareness of Indian tribes to help them relate effectively with Indian students and parents, that educational personnel provide means by which school personnel will gain an understanding of and appreciation for the American Indian people.

COMPLAINT FILED IN JULY 2021 FOR STATE'S FAILURE TO:

- Implement
- Monitor
- Enforce

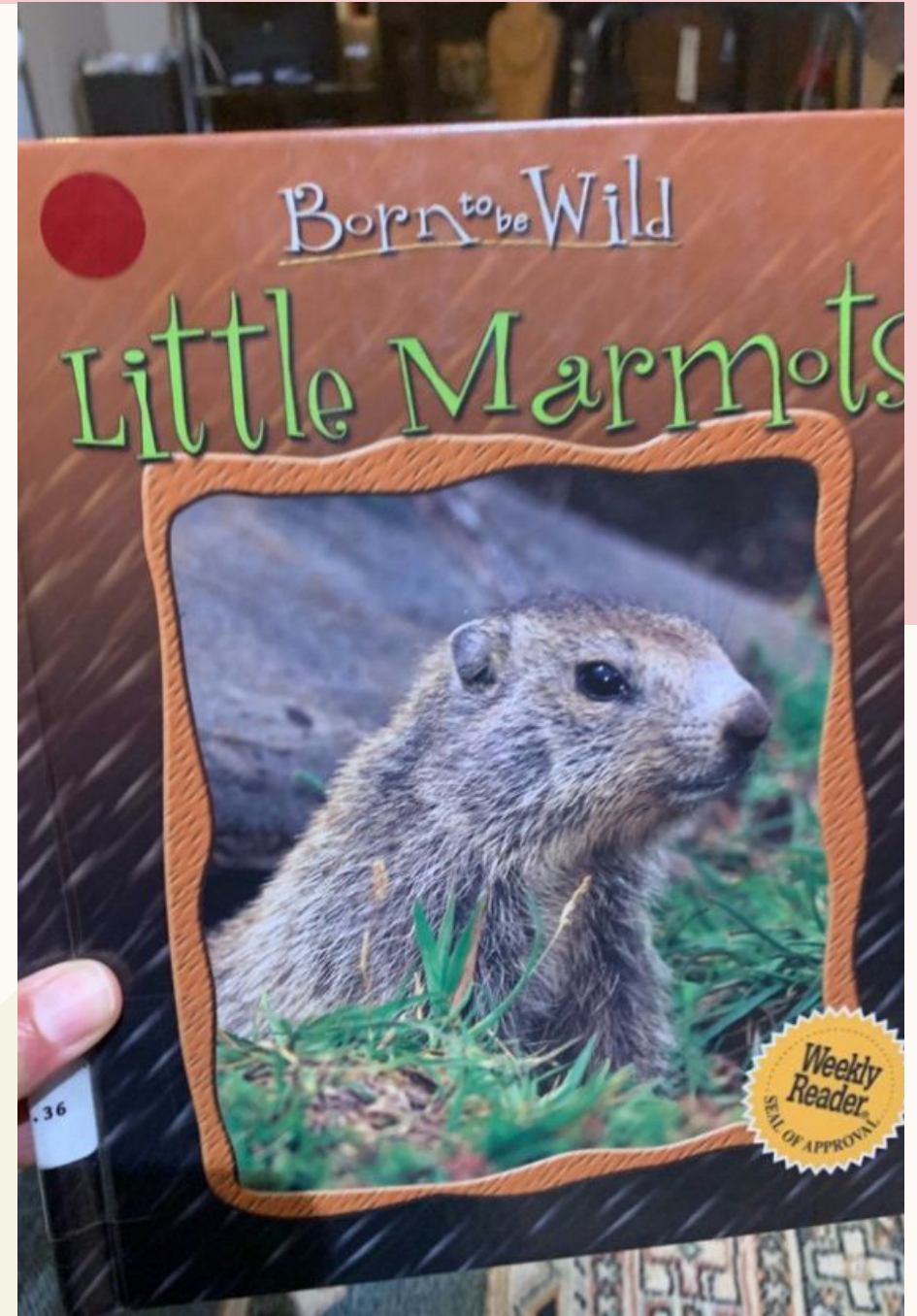
Indian Education
Provisions in the
Montana
Constitution and
IEFA

Cooperate with
Montana Tribes

HOW ARE IEFA FUNDS BEING SPENT?

Evidence of misspending of IEFA funds

Bigger issue is lack of reporting by the school districts and lack of enforcement by the State



BEYOND MONTANA

- What are the applicable laws in your state?
- Who is responsible for implementing them?
- How are they being implemented?
- Who is suffering the injury?
- Previous litigation related to law?
- Litigation vs. Advocacy