

# Origin of Tribal Colleges/Universities and Their Role in Indigenous Nation Building Tribal Sovereignty

**A Presentation by Dr. Janine Pease, D. Ed.**

**Constituent Groups and Individuals Who Shaped the TCU Legislation, with a focus on American Indian Constituents' Influence.**

**Historical and Policy Antecedents for the Tribal Colleges Act, and its Policy Elements**

**The Tribally Controlled Community Colleges Assistance Act; Events that impacted its Development from Draft in 1973 to Passage in 1978**





## Constituent Groups and Individuals Who Shaped the TCU Legislation, with a focus on American Indian Constituents' Influence.

- ▶ First Six Tribal Colleges organized the American Indian Higher Education Consortium in October 1972: DeGana Wida College of DQU, Standing Rock College, Navajo Community College, Oglala Lakota Community College, Sinte Gleska College, and Turtle Mountain Community College.
- ▶ Presidents of the Consortium: Gerald One Feather - OSCC, Thomas Atcitty – NCC 74-75, Lionel Bordeaux – SGC 75-76, James Shanley – SRCC 76-77, Phyllis Howard – FBCC 78-79, Wayne Stein – SRCC 81-82
- ▶ Consortium Executive Directors: David Gipp – Hunkpapa Lakota 73-77, Leroy Clifford – Oglala Lakota 77-81
- ▶ Early Consortium Staff: Richard Nichols, Perry Horse, Wilhelmina Frederick, Cletus Satpauhoodle, Larry Dennison, Barbara Walking Stick
- ▶ Later Consortium Staff: Richard Nichols, Buddine Stewart, John Emhoolah, Page Baker, Roberta Wilson
- ▶ WICHE Director Patricia Locke, NIEA/NCAI Staff Chuck Trimble & Lucille Echohawk,



AIHEC Leaders  
1973 - 1978

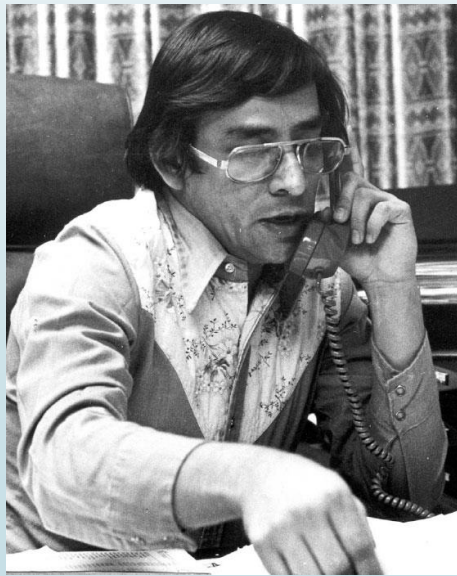


Gerald One  
Feather OSCC

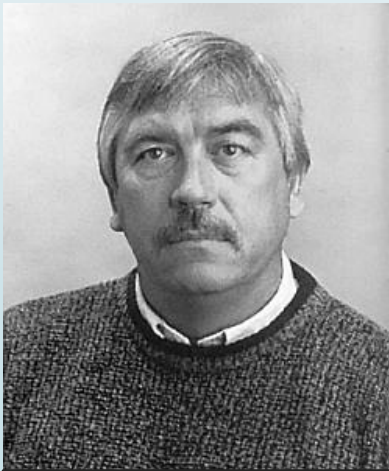
Lionel Bordeaux  
SGC



Thomas Atcity,  
NCC



Phyllis Howard FBC



James Shanley  
SRCC



## Constituent Groups and Individuals Who Shaped the TCU Legislation, with a focus on American Indian Constituents' Influence.

- ▶ AIHEC applied to Title III Developing Institutions, Higher Education Act, with Navajo Community College as sponsoring institution. Human resources and curriculum development commenced in 1973.
- ▶ The founding AIHEC colleges common denominator was the need for institutional resources.
- ▶ Assisting institutions were the Western Interstate Commission on Higher Education – Patricia Locke, Hunkpapa Lakota, Director, and the
- ▶ National Indian Education Association – Lionel Bordeaux was president of NIEA in 1971.
- ▶ National Congress of American Indians and the National Tribal Chairman's Association affiliated with NIEA for joint testimony during these years; on Indian Self-Determination , Title II, Indian Education Assistance Act, 1974.
- ▶ American Association of Community and Junior Colleges, AACJC, consistently supported AIHEC and the tribal colleges legislative initiatives.
- ▶ U.S. Senators: Irving of NC, Jackson of WA, Abourezk of SD, Young of AK, Kennedy of CA,
- ▶ U.S. Congressmen: Kildee of MI, Perkins of KY, Meeds of WA, Blouin of IA, Quie of MN, Ford of MI; staff Helen Scheirbeck, John Forkenbrock, Alan Lovesee.



Helen  
Scheirbeck



South Dakota  
Senator  
Abourezk



William Demmert,  
Office of  
Education

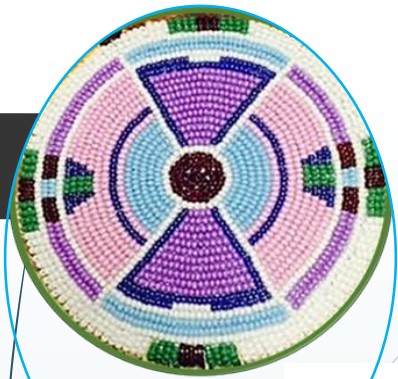


Al Quie, Minn.



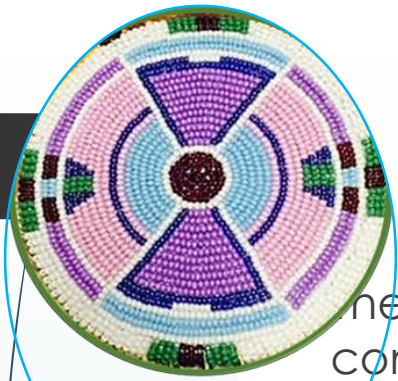
Patricia Locke  
WICHE





## The Tribally Controlled Community Colleges Assistance Act; Events that impacted its Development from 1973 to Passage in 1978 - 1974

- The Indian Self-Determination Act, **Title II, Indian Education** drafted in 1974
- National Congress of American Indians, National Indian Education Association devoted years of effort to the development of the Title II Indian Education, for **tribal contracting of BIA schools**, as part of tribal sovereignty.
- AIHEC proposed an **amendment to the Self-Determination Act**, Title II, Indian Education, for funding tribal colleges, 1974.
- **Senator Abourezk of South Dakota** was a sponsor for the Self-Determination Act; he won his US Senate seat with the Indian vote.
- AIHEC **President Bordeaux testified** about the underfunded tribal colleges in the Hearings on the Indian Self-Determination Act Bill.
- **Senator Irving's** staff member Helen **Scheirbeck wrote a prospectus** on tribal colleges funding, as a possible amendment of the Bill.
- **Senator Kennedy – CA and Senator Young – AK** said not enough time to consider tribal colleges funding authority as an amendment. **Senator Jackson of WA amended a Study of Tribally Controlled Colleges.**



## The Tribally Controlled Community Colleges Assistance Act; Events that impacted its Development, 1975

The **Study Provision** was contracted to AIHEC; AIHEC staff and colleges submitted the completed study in May 1975.

- **Oversight hearings** for technical amendments were held, AIHEC **submitted the Tribal Colleges Study**, in six volumes, to the Senate Select Committee on Indian Affairs, Sept 1975.
- The Indian Self-Determination Act, **Title II, Indian Education** passed in 1975
- **Oversight hearings** for technical amendments were held, AIHEC **submitted the Tribal Colleges Study**, in six volumes, to the Senate Select Committee on Indian Affairs, Sept 1975.
- **Tribal Colleges Act was proposed as an amendment to Indian Self-Determination Act, among technical amendments**, Nov. 1975.
- Western Interstate Commission on Higher Education, **WICHE, Patricia Locke** submitted a position paper – Tribal Colleges Act undermined tribal sovereignty and self-determination, warned of colleges proliferation, and criticized the naming of specific tribal colleges for funding in the TCU Act Bill. **Opposition testimony** came from the Secretary of HEW, the Department of the Interior and WICHE.
- **Testimony in support** of the TCU Act from the National Congress of American Indians, some tribal nations and the American Association of Community and Junior College.



The AIHEC staff in 1975 included (front row) Toni Snow (Rosebud Sioux), executive secretary; W. Buddine Stewart (Mandan/Hidatsa), curriculum director; Dr. Perry G. Horse (Kiowa), associate director and research director. Standing are David M. Gipp (Standing Rock Sioux), executive director; Roberta Wilson (Oglala Sioux), human resources director; Richard Nichols, accreditation director; and David Lee, comptroller. Photo by David Gipp.





## The Tribally Controlled Community Colleges Assistance Act; Events that impacted its Development 1975-76 in the US Senate

- Progress on the Tribal Colleges Act came to a halt in 1976
- The Self-Determination Act implementation was a period of contention; a rough environment for the Tribal Colleges Act.
- Senator Kennedy recommended that the Tribal Colleges Act be an amendment in the Omnibus Education Bill, half the TCU's supported this.
- July 1976, there was a stalemate over where the Tribal Colleges Act would be administered – Education? or Interior – BIA?
- Senator Kennedy pulled support for the placement of administration in Education.
- Senator Abourezk's Tribal College Act Bill S 2634 had criteria, no colleges named: tribal charter, sovereignty protection, all Indian boards, majority Indian student body, accreditation standard, administered by Dept. of Interior.
- Secretary of Interior Andrus position "no objections" to the Abourezk Bill. Dept of Education and BIA Indian Education deferred on the Bill until the Study was accepted.
- NCAI supported the TCA Bill; NTCA cautioned "tribal contravention"



## Historical and Policy Antecedents for the Tribal Colleges Act, and its Policy Elements

- The **Higher Education Act, Title III, Strengthening Institutions**, supported each of the early colleges through assisting institutions of higher education (Black Hills State College, Bismarck Community College, University of California at Chico, etc.). These grants were competitive and three to five years in term.
- The **Higher Education Act, FIPSE, Fund for the Improvement of Post-Secondary Education**, had provided some support for tribal colleges; this was short-term and competitive in nature.
- **AIHEC with Navajo Community College** obtained an eligibility waiver for development grant from HEA **Title III**. AIHEC issued a Position Paper on the viability of Title III for tribal colleges' resources development.
- The **Department of Interior --- federal Snyder Act of 1923** supported four of the first six tribal colleges, based on tribal prioritization of their college programs, in 1973. These were Standing Rock Community College, Turtle Mountain Community College, Sinte Gleska College and Oglala Sioux Community College. In 1974, SGC and OSCC were denied continued Snyder Act support.



## The Tribally Controlled Community Colleges Assistance Act; Events that impacted its Development 1976-78 in the House

Assigned to the US House Subcommittee on Indian Education; Carl Perkins of Kentucky and Lloyd Meeds of Washington State, Al Quie of Minnesota and Michael Blouin of Iowa. 1976.

- Reduced to **Study Group on Indian Education – Hearings** on the Federal Role in Indian Post-Secondary Education, **October 1977**. (Meeds became embroiled in controversy of Indian Fishing Rights in Washington, resigned from the Subcommittee)
  - Panel of Phyllis Howard – AIHEC President,
  - Lucille Echohawk for NCAI/NTCA/NIEA joint testimony – supported direct funding to tribes and funding equity
  - Congressman Ford viewed Tribal Colleges Act as “segregation, and the worst piece of legislation I have ever seen”
- **Congressman Blouin reintroduced** the Tribal Colleges Act in **May 1978, Hearing:**
  - AIHEC Director testified in favor; William Demmert of Dept of Ed deferred until study was accepted
  - Reported out of Committee , August 1978: capitation funded by FTE, tribal charter, institutional accreditation, tribal members in majority of students and board, short term authority.



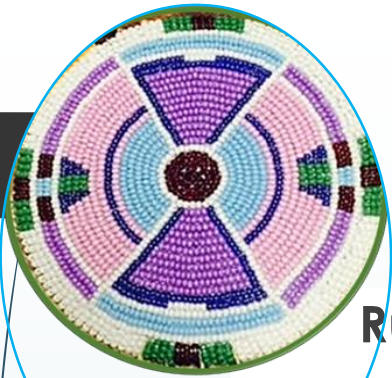
## Historical and Policy Antecedents for the Tribal Colleges Act, and its Policy Elements

- ▶ **Policy Context spelled out in the House Report, Sept 1978:**
- ▶ “Under special trust relationship to Indian tribes, this is an intensification of the existing federal commitment,...there should be no doubt in the eyes of the Higher Education Community that H.R. 918 is a program built around special legal responsibility between the federal government and Indian nations.”
- ▶ Committee intent was made clear: “Tribal governments are to be allowed to structure the governing boards and chartering instruments of their school to fit their needs and wishes, provided that: 1) there is an element of true control vested in the tribal council; 2) all requirements of this Act are fulfilled; 3) the action establishing a college or giving a tribal sanction to an institution is a formal action agreed to by a majority of the governing body of said tribe.”.”
- ▶ Congress had expanded the Indian policy boundaries, intensifying the federal commitment, based on the precedents from the past.
- ▶ **The U.S. House passed the Tribal Colleges Act on September 26, 1978 and the U.S. Senate concurred on October 03, 1978. President Jimmy Carter signed the bill into law on October 17, 1978.**



Spring 1976 AIHEC board meeting are (sitting, left to right) Sarah Hutchison, D-Q University board; Larry Belgarde, Turtle Mountain Community College president; Arlene Marshall, Cheyenne River Community College board chair; Phyllis Howard, Fort Berthold Community College president; James Hena, Navajo Community College representative; and Tom Short Bull, Oglala Sioux Community College president. Standing, left to right, are Louis LaRose, chairman of Winnebago Tribe and Nebraska satellites; Bill Teogisiak, mayor of Barrow and Inupiat University of the Arctic; Dr. James Shanley, Standing Rock College president; Thomas Atcitty, Navajo Community College president; Lionel Bordeaux, Sinte Gleska College president; and Charles Foote, Little Hoop Community College president. Photo by David Gipp.






## The Tribally Controlled Community Colleges Assistance Act; Events that impacted its Development 1979-1981

### Rules and Regulations, Appropriations, Feasibility Tests, Awards

- **Rule making was delegated to the Secretary of the Interior:** tribal consultations, publication of drafts, acceptance of public comments and final publication of rules. This was known as Task Force #12 – deliberated for six months. Half members were tribal college representatives, other members were Indian people from tribes and organizations. **Promulgated on October 28, 1979**, a year after the bill was signed by President Carter.
- **Appropriations – in the Interior appropriations committees** – AIHEC filed funding requests in march 1979, an add-on request for tribal colleges for FY 1980. The Consortium testified in the Senate in June 1979, requesting \$7.8 million for college operations and technical assistance.
- **Colleges Meet the Feasibility Test** – BIA retained **AIHEC to perform the feasibility studies**. Teams of TCU professionals started feasibility reviews; the first submitted by Sinte Gleska College on March 18, 1979. Feasibility designs was generated by Task Force #12 --- a 50 page evaluative instrument.
- **First Grant Awards – May 23, 1980** – to Nebraska Indian Community College, Standing Rock community College and Turtle Mountain College. Eleven awards were made during FY 1981.

## The Tribally Controlled Community Colleges Assistance Act; 73-78

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  - **Colleges Meet the Feasibility Test** first submitted by Sinte Gleska College on March 18, 1979.
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