

House BILL NO. 490

INTRODUCED BY

*W. Whitehead*

A BILL FOR AN ACT ENTITLED: "AN ACT ENCOURAGING ALL PUBLIC SCHOOL DISTRICTS IN MONTANA TO REQUIRE THAT ALL OF THEIR PERSONNEL SATISFY THE REQUIREMENTS FOR INSTRUCTION IN AMERICAN INDIAN STUDIES; AND AMENDING SECTIONS 20-4-213 AND 20-4-214, MCA."

WHEREAS, the Montana Constitution commits the educational policy of the state to the preservation of the cultural integrity of the American Indians; and

WHEREAS, the constitutional framers intended that the preservation of American Indian cultural integrity would be effected through educational programs available to both Indians and non-Indians; and

WHEREAS, the current Indian studies law applies mainly to public school districts located in the vicinity of an Indian reservation; and

WHEREAS, the Committee on Indian Affairs believes that all public school districts in the State of Montana should provide the means by which school personnel can gain an understanding of and appreciation for the Montana Indian people and pass on that understanding and appreciation to their non-Indian students.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-4-213, MCA, is amended to read:

"20-4-213. Qualification in Indian studies -- trustees and noncertified personnel. (1) Any board of trustees for an elementary or secondary public school district ~~on or for a public school located in the vicinity of an Indian reservation where the enrollment of Indian children qualifies the school for federal funds for Indian education programs~~ may require that all of its certified personnel satisfy the requirements for instruction in American Indian studies as defined in 20-4-211. This requirement must be a local district requirement with enforcement and administration solely the responsibility of the local board of trustees.

(2) Members of boards of trustees and all noncertified personnel in public school districts ~~on or in the vicinity of Indian reservations~~ are encouraged to satisfy the requirements for instruction in American Indian studies as defined in 20-4-211."

1           **Section 2.** Section 20-4-214, MCA, is amended to read:

2           "**20-4-214. Other schools encouraged to comply with requirements on Indian studies.** ~~Boards of~~  
3 ~~trustees for all public school districts other than those defined in 20-4-213 and governing~~ Governing  
4 authorities for all nonpublic schools in Montana are encouraged to comply with the provisions and intent  
5 of 20-4-211 through 20-4-214."

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7           **NEW SECTION.** **Section 3. Notification to tribal governments.** The secretary of state shall send  
8 a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little  
9 Shell band of Chippewa.

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