

BRIAN SANDOVAL
Governor

SHERRY L. RUPERT
Executive Director



Mailing Address
5366 Snyder Avenue
Carson City, NV 89701

Phone: (775) 687-8333
Fax: (775) 687-8330

Physical Address
Stewart Facility – Building #3
5500 Snyder Avenue
Carson City, NV 89701

STATE OF NEVADA INDIAN COMMISSION

Indian Law and Order Commission Field Hearing January 13, 2012 Talking Stick Hotel, Scottsdale, AZ

Testimony of Sherry L. Rupert, Executive Director State of Nevada Indian Commission

Good morning Commissioners. I would like to thank Mr. Davis for inviting my testimony today. My name is Sherry Rupert and I am the Executive Director of the State of Nevada Indian Commission. I am both Paiute and Washoe and proud to say that I am a true "Native Nevadan," as I was born and raised in Nevada. The Nevada Indian Commission is a state agency established in 1965 to be the liaison for the Governor to the 20 federally-recognized Tribes of Nevada. My office has statewide responsibility and reports directly to the Governor's Office and to a 5-member board. The board is comprised of 5 Commissioners, 3 American Indian and 2 from the general public; all appointed by the Governor. The mission of the Indian Commission is to ensure the well being of American Indian and Alaska Native citizens statewide through development and enhancement of the government-to-government relationship between the State of Nevada and Indian Tribes and through education for a greater cultural understanding of the State's first citizens.

I understand our issues as it relates to lack of funding for law enforcement and the hardship of having our loved ones incarcerated in other states because of the lack of detention facilities, among others. Tribal governments have the right to determine their own membership, establish and enforce laws and to license and regulate activities as they see fit. I would propose that the Tribes should also be in control of their destiny, their future. Leaders often posture that "the youth are our future," yet I see many instances where education is not a high priority. I tell you this, because I believe that education can be a preventative measure against crime. I believe that if a child is given the opportunity to succeed they will. If a child is given a highly qualified teacher that is culturally competent and the child is given the opportunity to learn their language, to share the culture within the school walls they too will succeed. They and their parents become invested in the school. I think what we don't realize as parents is that we have a right to be in the school and to be a part of our child's educational experience. We are no longer in the days of the Indian boarding schools where language and traditions were forbidden.

In Nevada, our office works closely with the Nevada Department of Education, our Tribes and higher education institutions to improve the educational outcomes of our American Indian and Alaska Native children. Yet, the numbers still show an alarming picture. Currently, the Washoe County School District, one of two school districts that has the largest population of American Indian students, has approximately 1400 enrolled tribal members and descendants of enrolled tribal members enrolled in

their schools and participating in the Washoe County School District Indian Education Program. While, Washoe County School District has made gains in graduation rates in the past two years, the American Indian/Alaska Native subgroup has a 61.6% graduation rate, 10.3% below the district average of 71.9% and the American Indian/Alaska Native student dropout rate was 3.3%, slightly higher than the district average of 3.1%. And though, Indian children are making some progress, with the number of American Indian students earning degrees more than doubling at each level of degree between 1976 and 2003 (US Department of Education). However, American Indians and Alaska Natives attain bachelors and higher degrees at a rate almost half of their non-Native peers (US Census 2005: American Community Survey). Funding for Indian Education comes primarily from Title VII. The grant provides about \$250,000 annually to the Washoe County School District to support academic programs that promote achievement, graduation and culture for American Indian/Alaska Native students at targeted schools. However, there aren't enough funds to support programming at all schools in Nevada where American Indian/Alaska Native students attend.

President Obama has stated that education is a top priority and signed an executive order on December 2, 2011 to launch the White House initiative on American Indian and Alaska Native Education. The executive order states that, "recent studies show that American Indian and Alaska Native students are dropping out of school at an alarming rate, that our Nation has made little or no progress in closing the achievement gap between American Indian and Alaska Native students and their non-American Indian/Alaska Native counterparts, and that many Native languages are on the verge of extinction." Further, that it is the policy of his Administration, "to support activities that will strengthen the Nation by expanding educational opportunities and improving educational outcomes for all American Indian and Alaska Native students in order to fulfill our commitment to furthering tribal self-determination and to help ensure that American Indian and Alaska Native students have an opportunity to learn their Native languages and histories and receive complete and competitive educations that prepare them for college, careers, and productive and satisfying lives."

The executive order also establishes a partnership between the Department of Education and the Department of the Interior with the purpose of improving American Indian and Alaska Native education. Also, that the two Departments are to develop a Memorandum of Understanding (MOU) that will take advantage of the expertise, resources and facilities of both Departments. There is also language to create an Interagency Working Group on American Indian and Alaska Native education. I would like to see the Department of Justice actively involved in the Working Group to make sure that our youth are also being educated on the consequences, both short-term and long-term, of crimes like drunk driving, drug trafficking and abuse (physical, sexual, emotional, elder, etc.). Many times we think that crimes that occurred in young adulthood magically disappear from our records when we get serious and want to find a job. That is not the case and can haunt us throughout our adulthood when seeking employment.

As you know our tribal governments have a long history with the federal government that is grounded within the Constitution of the United States. The same relationship does not exist with our state governments. I hear time and time again that the federal government should provide funding directly to Tribes. I agree, but until such time as that occurs, and as much as the Tribes don't like the situation, more positive results would occur if Tribes would build and enhance their relationships with their state partners. And, "partners" is the key word here. From my experience in working with state agencies, most times it is not whether they want to work with a Tribe, but rather they don't know how or whom to contact within the Tribe. Sometimes, they are afraid of offending the Tribes because they don't understand the protocol, but really do want to help. This is where I would urge the Tribes to utilize their state Indian Affairs offices. Other state agencies view our agency as a "sister agency" and are more willing to seek our advice and to listen. The other advantage is that we have direct contact

BRIAN SANDOVAL
Governor

SHERRY L. RUPERT
Executive Director



**STATE OF NEVADA
INDIAN COMMISSION**

Mailing Address
5366 Snyder Avenue
Carson City, NV 89701

Phone: (775) 687-8333
Fax: (775) 687-8330

Physical Address
Stewart Facility – Building #3
5500 Snyder Avenue
Carson City, NV 89701

with the Governor's Office and therefore tend to garner more of a cooperative spirit amongst the other state agencies. We are very fortunate in the state of Nevada to have a Governor who understands the government to government relationship and the importance of the Tribal Governments to be at the table. To that end, Governor Sandoval has recently elevated the Nevada Indian Commission to having a seat on the Governor's Cabinet, allowing the tribal interests and concerns to have a seat in his Cabinet.

To close, Education can be the way to healthier, safer and more vibrant communities. The hope is that the federal government departments can work together with the Tribes to provide support and promotion of programs that would combine education, incentive funding for Tribes to develop and implement educational programs for their youth that not only would include information and training on the consequences of crimes, but the incorporation of our culture and language in our schools. We need to become an empowered people; a people that knows our history, our culture, our language and has the support of the federal government and our Tribes to access an education that will ultimately provide a brighter future and prevent abuse and unlawful behaviors.