



Module 1

WHY TEACH NATIVE AMERICAN HISTORY?

Title of Lesson: Tribal Sovereignty

Lesson Plan #5

Grades: 9th grade to 12th grade

LESSON PLAN DEVELOPED BY: Lynette St. Clair – Eastern Shoshone

COMMON CORE STANDARDS ADDRESSED IN LESSON:

(See Standard Definition at end of lesson)

9th - 10th Grade:

CCSS.ELA- LITERACY.Literacy.RH.9-10.1 - Key Ideas and Details

CCSS.ELA- LITERACY.RH.9-10.4 - Craft and Structure

CCSS.ELA- LITERACY.RH.9-10.5 - Craft and Structure

CCSS.ELA- LITERACY.RH.9-10.9 - Integration of Knowledge and Ideas

11th – 12th Grade:

CCSS.ELA- LITERACY.RH.11-12.1 - Key Ideas and Details

CCSS.ELA-LITERACY.RH.11.12.3 - Key Ideas and Details

CCSS.ELA- LITERACY.RH.11-12.9 - Integration of Knowledge and Ideas

WYOMING STANDARDS ADDRESSED IN LESSON:

Social Studies Standards (2018) at the end of 12th Grade

WY Standards 1: SS12.1.1.a - SS12.1.5.a. - SS12.1.6.a

Short Videos: Why Teacher Native American History? (4:04 minutes) How Does Tribal Government work? (8:38 minutes) <http://windriveredu.org> or <https://wyoming.pbslearningmedia.org/collection/native-american-studies/>

DURATION:

Video = 4:04 / 8:38, two 60-minute class periods

INTRODUCTION:

The purpose of the lesson is to explain tribal sovereignty and the other rights that Native American communities possess. By educating students about these rights, they will be able to better understand both perspectives from controversies that have arisen between tribal nations and the dominant society. Student interests will be captured by having them attempt to fill in the blank when analyzing the different types of government in the U.S.



MATERIALS REQUIRED:

Materials:

- Pre-made KWL handout (attached), 8 copies
- “Indigenous Peoples Rights in the United States” Fact Sheet, 25-30 copies
(http://www.theadvocatesforhumanrights.org/uploads/indigenous_rights_fact_sheet_2013_2.pdf)
- Wyoming Education Modules, Why Teach Native American History? And How Does Tribal Government Work? <http://windriveredu.org>
- Pre-made exit ticket (attached)

Arrangements:

- Depending on size of class, break students into different groups during the lesson introduction, each group should contain about 3-4 students
- Once groups are arranged, each group will be given one KWL chart to complete as indicated in the agenda outline
- After the conclusion of the introduction, teacher will distribute to every student a copy of the “Indigenous Peoples Rights in the United States” Fact Sheet
- Near the end of the “Why Teacher NA History”, teacher will distribute to every student an exit ticket

KEY VOCABULARY:

Vocabulary:

Sovereignty-The inherent right of Native American Tribes to self-govern that includes the ability to create and impose their own laws in the interest of their tribe.

General Council-This forum is comprised of any member of a federally recognized tribe 18 years or older, who possess the authority to present items related to the tribe and request a vote to pass into law the presented item.

Tribal Business Council-The Tribal Business Council’s consist of six (6) representatives from each tribe who are elected by their respective tribal membership to serve as their governing body to oversee the day-to-day operations and business of the tribe as a whole.

DESCRIPTOR:

LEARNING OBJECTIVES:

1. Students will understand the meaning of sovereignty in general and the powers of a sovereign nation.
2. Students will understand additional rights that all Indigenous people possess.
3. Students will understand the historical controversies that have arisen in our country over these rights.

CONNECTIONS:

List any links to other content areas/subjects: N/A

How does the lesson connect to future learning:

- Understanding tribal sovereignty will make connections to the U.S. government.
- Knowing about other cultures can make you more aware of your own culture and traditions.
- Learning about other cultures can help build acceptance and appreciation.
- Reflecting upon perspectives from both sides of a controversy assists in the creation of empathy.

LESSON INTRODUCTION:

How will the students learn the above objectives? What methods or activities in your lesson plan will you employ to ensure the specific learning objectives? What methods and activities will allow students to use what they may already know about the topic or to relate to the topic?

- KWL chart: Students will make connections about what they know, what they want to know, and what they learned about tribal sovereignty and other rights.
- Group Discussion: Students will learn about tribal sovereignty and other rights, and learn about the issues that have arisen in relation to it
- Exit Ticket: Students will identify and explain two main concepts that they learned from this lesson and why they are important; students will also define tribal sovereignty in their own words
- Video: Students will learn about the Shoshone and Arapaho Tribes
- Lecture: Students will learn about how tribal sovereignty relates to the governments that they are familiar with (local, state, federal governments)

Connection to local, state, federal governments builds upon prior knowledge

Differentiation strategies: How will you support students who require different strategies or support (e.g., students with IEP, linguistically diverse students, varying reading levels, English Language Learners, etc.)? List each specific need and describe the accommodations.

- Students who have a written expression disability may orally express their thoughts and definition of tribal sovereignty to the teacher instead of writing their response on the exit slip.
- Students who have varied reading levels may receive additional time to read their portion of the “Indigenous Peoples Rights in the United States” fact sheet, or may have a fellow group member read the passage aloud with them.
- Students with IEPs will receive the accommodations as stated within the aids and services in their individual IEPs.
- Linguistically diverse and ELL students may receive additional time to read their portion of the “Indigenous Peoples Rights in the United States” fact sheet, they may have a fellow group member read the passage aloud with them in English, or they may receive and respond to the materials in their native language if necessary.



LESSON OUTLINE:

- 1) **Energizer/Warm-up Activity-** 15 minutes
- 2) **Methods/Activities-** 30-35 minutes
- 3) **Conclusive Dialogue/Wrap-up-** 15 minutes (“Why Teach Native American History” (4 mins) and/or How Does Tribal Government Work (8:39 mins) video

entire lesson approximately one hour/one class period

STEP BY STEP PROCEDURE:

1) **Energizer/Warm-up Activity-** The activity will begin with the presentation of four lines on the whiteboard. Above three of the lines will be the words: federal, state, local. The last line will contain a question mark. Students will be expected to brainstorm about what word belongs on the last line. After providing time for student reflection, the teacher will explain that the correct word is tribal. Today the class will be learning about the tribal government and the different rights that Native Americans possess. The teacher will then write the different Indigenous people’s rights categories on the whiteboard (self-determination; participation and free, prior, and informed consent; land; education; health; safety and security; culture; non-discrimination; livelihood). The teacher will explain that Indigenous People are guaranteed certain rights throughout the United States. The words listed on the board are examples of rights that Native Americans have, and today the students will be analyzing these categories. The class will then be divided into equal size groups (groups of 4, 6, etc.). Each group will be provided with a KWL chart that lists the words that are printed on the board in each of the columns. Each group will then be allotted two minutes to determine what one category of Indigenous people’s rights mean and will then write their statements on the first column of the KWL chart. After two minutes, the paper will be passed to another group and students will define a different category. This process will continue until the sheets have been passed to every group and every category contains a statement.

2) **Methods/Activities-** Once each group has their original KWL chart returned, the group will be given approximately 5 minutes to review the additional statements made and then complete the “What I Want to Know” column on their KWL chart. Each group will then be assigned a particular Indigenous people’s right and will read their designated section found on the “Indigenous People’s Rights in the United States” fact sheet. Once every group has finished reading, they will be designated as “experts” of their assigned right. Each group will be expected to present what they learned about their right. The teacher will explain that when a group is presenting, the other groups will be expected to review the information they have on their KWL chart for that specific right and make changes to the statements made if they are incorrect or further explain correct responses. These corrections and explanations will be written within the “What I Learned” column. The teacher will model by being an expert in the right to self-determination. The teacher will explain that self-determination is another name for tribal sovereignty, which is very important because it refers to the tribes’ right to govern themselves. The example of what this looks like for the Shoshone and Arapaho Tribes is discussed in the video titled “How Does Tribal Government Work” at video marker 0:53-2:38. This is important to understand because tribal sovereignty recognizes that tribes may legally operate differently from the other governments that we are familiar with (local, state, federal).



Once the teacher has concluded, every group will then present an overview of their right to the entire class.

3) Conclusive Dialogue/Wrap-up- The teacher will conclude the lesson by re-emphasizing the importance understanding tribal rights. The teacher will then explain that controversies occur when people fail to understand these rights within our society. These misunderstandings can lead to physical violence, verbal racial aggression, and media inaccuracies. The teacher will pass out the exit ticket slips near the end of the film. Once the film has concluded, the teacher will have students complete the exit ticket. Students will hand in their group KWL charts and their individual exit slips to the teacher when finished.

ASSESSMENT:

Informal: Group Tribal Right Presentations

- When the small groups present their assigned tribal right, teacher will informally evaluate:
 - The accuracy of the content
 - The depth of the information being presented (i.e., was the information covered in enough detail for the rest of the class to understand the topic? Was the information summarized in a clear and concise manner?)
 - The overall structure of the presentation.

This assessment enables the teacher to informally evaluate groups' oral work in terms of their ability to understand and interpret tribal right concepts.

Formal: KWL Chart & Exit Ticket

- In the “What I learned” column of the KWL chart, students will make corrections or further explain correct responses that were written on the “What I Know” column of their KWL sheet
- Students will list two things they learned from today’s lesson that they didn't know before and will also be expected to define tribal sovereignty in their own words on the exit ticket.

EVALUATION:

These assessments allow the teacher to monitor students’ understanding of the lesson by evaluating their ability to define tribal sovereignty, to correct inaccuracies, to elaborate upon correct statements, and reflect upon information that was presented.



ADDITIONAL RESOURCES:

K, W, L CHART

What I Know	What I Want to Know	What I Learned
<p>Self Determination:</p> <p>Participation and Free, Prior, and Informed Consent:</p> <p>Land:</p> <p>Education:</p> <p>Health:</p> <p>Safety and Security:</p> <p>Culture:</p> <p>Non Discrimination:</p> <p>Livelihood:</p>	<p>Self Determination:</p> <p>Participation and Free, Prior, and Informed Consent:</p> <p>Land:</p> <p>Education:</p> <p>Health:</p> <p>Safety and Security:</p> <p>Culture:</p> <p>Non Discrimination:</p> <p>Livelihood:</p>	<p>Self Determination:</p> <p>Participation and Free, Prior, and Informed Consent:</p> <p>Land:</p> <p>Education:</p> <p>Health:</p> <p>Safety and Security:</p> <p>Culture:</p> <p>Non Discrimination:</p> <p>Livelihood:</p>

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EXIT TICKET

Identify two ideas/concepts that you learned about today and explain why you believe each idea/concept is important to understand:

1.

2.

In your own words, define tribal sovereignty:





All Indigenous Peoples Have a Right to:

Self-determination

The right to control over political, economic, cultural, and social matters' as long as that control is exercised in accord with international human rights standards.²

Participation and Free, Prior, and Informed Consent

The right to participate in all levels of decision-making concerning policies that affect indigenous populations.³ The right to be fully informed prior to the imposition of federal or state action to their governments, their peoples, or their territories, and to freely give or withhold their consent to such actions.

Land

The right to own and control traditional territories⁴ and the right to restitution in the case that this land or resources has been improperly taken or damaged.⁵

Education

Equal access to all levels and forms of education,⁶ and the right for this education to reflect traditions, values, and languages.⁷

Health

The right to sufficient health for one's self and family, including food, housing, and access to health and other services.⁸

Safety and Security

The right to life, liberty, and security of person.⁹ The right to live in peace, free from genocide and other violence.¹¹

Culture

The right to protect, preserve, and control cultural and intellectual heritage,^{12,13} including historically or religiously significant objects, areas, or remains.¹⁴

Non-Discrimination

The right to "exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law."¹⁵

Livelihood

The right to work and to a means of survival, including access to land and resources necessary for traditional forms of subsistence living.¹⁶

INDIGENOUS PEOPLES RIGHTS

in the United States



WHO ARE INDIGENOUS PEOPLES?

The UN Permanent Forum on Indigenous Issues suggests these criteria to help determine indigenesness: ¹⁷ 1) Individual acceptance of the label, 2) Acceptance as part of an indigenous community or social group, 3) Traceable pre-colonization lineage, 4) Social and cultural distinction, 5) Non-dominance as a social group, 6) Strong territorial links, and 7) A desire for cultural reproduction. In the U.S., Native American Indians, Alaska Natives, and Native Hawaiians are Indigenous Peoples. Indigenous individuals born in the U.S. are not recognized as citizens under the 14th Amendment to the Constitution, but became citizens of the U.S. under the Indian Citizenship Act of 1924.¹⁸

WHAT ARE THE RIGHTS OF INDIGENOUS PEOPLES?

Although the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) established universal rights for all human beings, continued disregard for the individual and group rights of indigenous peoples led the United Nations to adopt the Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007. The Declaration rejects discrimination against indigenous peoples and supports their rights to social services, cultural control, ownership and control of their lands and resources, and self-determination.¹⁹

DOES U.S. LAW RECOGNIZE THE RIGHTS OF INDIGENOUS PEOPLES?

The U.S. Constitution and federal courts recognize the law of nations as part of the federal law. The government has a legal obligation to honor the 600 treaties and other contracts²⁰ made with Indian tribes, their property rights, and their rights as nations. However, the U.S. government continues to violate treaties and wrongfully take treaty land. While the U.S. was one of only four countries that voted against the UNDRIP,²¹ the U.S. reversed its position in 2010 and announced that it endorsed UNDRIP and would pursue its implementation.²²

IS THE U.S. FULFILLING THE RIGHTS OF INDIGENOUS PEOPLES?

Right to Self-determination

Self-determination is the right of indigenous Peoples to freely determine their political status, and freely pursue their economic, social, and cultural development like all other peoples. Native Americans' right to self-determination was established early in U.S. history, when the government began making treaties with Indian nations,²³ recognizing that Native tribes were sovereign nations.²⁴ However, the Supreme Court made many rulings and Congress has passed laws failing to properly recognize Indian nations' sovereignty. A 1903 Court ruling gave Congress the power to change or nullify treaties, to limit tribal jurisdiction, and to impose federal and state requirements upon the governments of Indian Tribes without Indian consent.²⁵ This power continues to be used today.^{26,27}

Federal recognition is necessary for tribal self-determination. With it, tribes have a right to the government-to-government relationship that allows them some control in federal decisions about their affairs.²⁸ Between 1954 and 1962, Congress revoked recognition of 109 Indian nations, leaving them severely disadvantaged and has since restored only a few.²⁹ There are still many tribes seeking federal recognition.^{30, 31}

Native Americans' limited control of their monetary and environmental resources also violates the right to self-determination. In 1996, Native Americans brought suit against the U.S. government for mismanaging billions of dollars of Individual Indian Money accounts for 300,000 Native Americans, and many tribes have similar group claims.³² Such failings have led some to call for more tribal control of lands held in trust for them by the U.S. government³³ and of the money deriving from this land's lease and resource production.³⁴ Existing federal statutes which allow such tribal control are not enforced by the Bureau of Indian Affairs.



COMMON CORE STANDARDS ADDRESSED IN LESSON:

9th – 10th Grade

Key Ideas and Details:

CCSS.ELA- LITERACY.Literacy.RH.9-10.1

Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.

Craft and Structure:

CCSS.ELA- LITERACY.RH.9-10.4

Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.

CCSS.ELA- LITERACY.RH.9-10.5

Analyze how a text uses structure to emphasize key points or advance an explanation or analysis.

Integration of Knowledge and Ideas:

CCSS.ELA- LITERACY.RH.9-10.9

Compare and contrast treatments of the same topic in several primary and secondary sources.

11th – 12th Grade:

Key Ideas and Details:

CCSS.ELA- LITERACY.RH.11-12.1

Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.

CCSS.ELA-LITERACY.RH.11.12.3

Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.

Integration of Knowledge and Ideas:

CCSS.ELA- LITERACY.RH.11-12.9

Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.

WYOMING STATE STANDARDS ADDRESSED IN LESSON:

Social Studies Standards (2018) Grade 9th – 12th Grade

Social Studies Content Standard 1 - Citizenship, Government, and Democracy

Students analyze how people create and change structures of power, authority, and governance to understand the continuing evolution of governments and to demonstrate civic responsibility.

Rationale

The vitality and continuation of a democratic republic depends upon the education and participation of informed citizens. All students should have opportunities to apply their knowledge and skills and participate in the workings of the various levels of power, authority, and governance, which should be applied to the rights and responsibilities of good citizenship.



W.S.21-9-102 requires all publicly funded schools in Wyoming to “give instruction in the essentials of the United States constitution and the constitution of the state of Wyoming, including the study of and devotion to American institution and ideals...” In order to receive a high school diploma, instruction must be given for at least three (3) years in kindergarten through grade eight (8) and one (1) year in the secondary grades.

SS12.1.1.a Compare the rights, duties, and responsibilities (inherent rights, treaty obligations, and tribal sovereignty) of being a tribal member on the Wind River Indian Reservation to the rights, duties, and responsibilities of an American citizen.

SS12.1.5.a. Describe the inherent powers held by Indigenous Tribes of Wyoming due to their sovereignty. (e.g., taxation, membership, per capita payments, fish and game)

SS12.1.6.a Compare and contrast various tribal political systems (e.g., ideologies, structure, and institutions) within the United States.