

STATE BOARD OF EDUCATION – TOPIC SUMMARY

Topic: Native American Mascots and Logos

Date: 3/8/12

Staff/Office: Supt. Castillo & Chair Frank

Action Requested: ☒ Informational Only ☐ Adoption Later ☐ Adoption ☐ Adoption/Consent Agenda

ISSUE BEFORE THE BOARD: Discussion on the use of Native American mascots and logos by all schools which receives state funding in Oregon.

BACKGROUND:

On December 7, 2006, Che Butler, Siletz Tribal member and senior at Taft High School, and Luhui Whitebear, Coastal Band Chumash Tribal member, gave a presentation on the use of Native American mascots by Oregon public schools before the State Board of Education. In 2007, the Superintendent of Public Instruction Advisory Committee on Native American Mascots asserted the dignity of every human person and recognized the importance of respecting the cultures and sacred symbols of all Peoples. They recognized the harmful impacts of racial stereotyping of sports mascots in the social identity development and self-esteem of Native American young people. The advisory group publically opposed stereotypes, policies and practices that demeaned and degraded people.

As the Native American Mascot Advisory Committee for the Oregon Superintendent of Instruction, they recommended the following actions:

- Eliminate the use of Native American Mascots and logos by all schools receiving state funding in Oregon.
- Educate all students about Native American stereotyping and its negative effects.
- Use culturally accurate education, materials, curriculum and resources.

They recommended that the Superintendent of Public Instruction propose an administrative rule to the State Board of Education that would mandate a ban on the use of all Native American names, mascots and logos by Oregon Schools that received public funding. In complying with this mandate, they recommended that the school district's use a public involvement process in choosing their new mascot and logo. This recommendation enables the State Board of Education to be in compliance with ORS 326.051(1)(e) which charges the State Board of Education to ensure discrimination practices do not occur in school programs or interscholastic activities. Further clarification of the Boards responsibilities are defined in ORS 659.850 (2) which states that a person may not be subjected to discrimination in any public school or interschool activity. The prohibition of discrimination is additionally stated in OAR 581-021-0045. Subsection (1) this rule says *"Discrimination" means any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on age, disability, national origin, race, color, marital status, religion, sex or sexual orientation.* ORS and OAR are clear on the prohibition of discrimination. Research findings link the use of Native American symbols as mascots, logos and team names and the detrimental effect on the achievement, education, self-concept, and self-esteem of Native American students and send an improper message to everyone of the true meaning and spirit of being of American Indian heritage. That being said, the school district obligations stated in OAR 581-022-0606 cannot be ignored. This OAR requires School districts to have Continuous Improvement Plans which provides safe educational environment to promote student achievement.

The recommendation to ban the use of all Native American names, mascots and logos by Oregon Schools that received public funding was broadly reported in the media. The Superintendent also sought input from tribal

leaders on the recommendation. Some schools have made progress in relation to the recommendations and some have not.

The perpetuation of derogatory images of any one individual or group leads to misinformation and contributes to a hostile learning environment. The elimination of Native American mascots can lead to the end of culturally abusive behavior and this piece of institutionalized racism towards Native American people. The Advisory Committees recommended action will benefit all students and supports the Civil Rights Act of 1964. The United States Commission on Civil Rights on April 13, 2001 issued the following statement:

“The U.S. Commission on Civil Rights calls for an end to the use of Native American images and team names by non-Native schools. The Commission deeply respects the right of all Americans to freedom of expression under the First Amendment and in no way would attempt to prescribe how people can express themselves. However, the Commission believes that the use of Native American images and nicknames in schools is insensitive and should be avoided. In addition, some Native American and civil rights advocates maintain that these mascots may violate anti-discrimination laws.”

The use of Native American names, images and symbols are based upon stereotypical qualities or traits often attributed to ethnic groups in the past. While originally justified as “honoring” Native Americans, Native Americans feel marginalized instead. In a published article, Dr. Cornel Pewewardy asserts the following:

“As long as such negative mascots and logos remain within the arena of school activities, both Indigenous and non-Indigenous children are learning to tolerate racism in schools. Finally, I challenge educators to provide the intellectual leadership that will teach a critical perspective and illuminate the cultural violence associated with Indian mascots used in schools. Inaction in the face of racism is racism. As culturally responsive educators, we must understand that *‘enslaved minds cannot teach liberation.’* That's why educators can't ignore Indian mascots.¹

All students, without exception, have the right to an educational environment that is free from any form of harassment or distortion of Native American people. The use of Native American mascots can prevent the achievement of this goal.

STAFF RECOMMENDATION: Adopt a resolution and administrative rule that eliminates the use of Native American mascots and logos by all schools that receive state funding.

¹ “Why Educators Can’t Ignore Indian Mascots,” Cornel Pewewardy, Ed.D., retrieved on August 30, 2011, from <http://www.aistm.org/cornel.why.educators.htm>

State to re-examine schools' use of Native American mascot names

Jerry Ulmer, The Oregonian, February 21, 2012 10:26 a.m.



In December 2006, as then-Taft High School senior Che Butler waited to testify before the Oregon Board of Education against the use of Native American mascot names in the state's high schools, he was realistic about affecting change.

"Nothing is going to happen right away," said Butler, a member of the Confederated Tribes of the Siletz.

He was right. Five years later, despite recommendations from an Oregon Department of Education advisory committee to abolish the use of Native American mascot names by September 2009 and remove such images from

schools by September 2011, nothing has changed.

There are starkly diverging views of the issue. Some see the mascots as community tributes to Native American culture. Others see them as offensive stereotypes.

the Native American community who believe strongly in the latter antsy for the state to take action.

"As a community, we were very hopeful that this incredibly racist would be discontinued," said Nichole Maher, executive director of American Youth and Family Center in Portland. "We supported the recommendations, and we are deeply disappointed that they have been implemented. We're hopeful that they will be soon."

Laws forcing change could be around the corner. The Board of will discuss the controversial issue when it meets March 8 and 9 in that are open to the public.



Those in are getting

practice the Native policy's not yet

Education sessions

The issue is beginning to simmer again in Oregon as it continues to resurface in the sports world, from professional leagues to high schools. Wisconsin's high school association adopted a law in 2010 to address it. In North Dakota, a debate raging over the University of North Dakota's use of the nickname "Fighting Sioux" could come to a statewide vote this year.

The Oregon Department of Education has continued to research the issue, although progress has been slowed by budget cuts and personnel turnover, according to communications director Christine Miles.

She said new research indicates that the use of Native American mascot names and imagery "may not be healthy and safe for children. Part of the reason it's back on the agenda is that there's new research about this issue that may help the board make a decision.

"I know people are interested in moving on, and so are we."

The Board of Education will hear a presentation about the issue at the March meeting and decide on whether to move forward with a hearing.

"If they make a ruling, that becomes law, and the schools have to follow it," Miles said. "We want to work with everyone on a timeline. I don't think anyone out there is looking at this as, 'Hey, we don't want to be culturally aware.'"

Sixteen Oregon high schools have mascots such as Indians, Braves, Chieftains and Warriors (in reference to Native Americans). Among them are two overseen by the Bureau of Indian Affairs: the Chemawa Indian School (Braves) in Salem and the Siletz Valley School (Warriors).

"I find it incredibly objectifying of our people," Maher said. "We would never allow any other ethnic groups to be treated that way. I'm deeply disappointed that our state is a place that allows that kind of gross injustice to exist.

"I think they should all be abolished, with the exception of tribal schools that have an image that represents their

identity."

In Roseburg, the mascot name "Indians" has become part of the town's identity.

"The Indian is very embedded in this community," Roseburg superintendent Larry Parsons said. "It would be hell to pay to get rid of it. You can imagine, all those people in this town, who went to Roseburg High School 30, 40, 50 years ago, they don't give up the mascot name easily."

The high school has worked with the Cow Creek Band of Umpqua Tribe of Indians to ensure that it is sensitive to the local Native American community. In the 1990s, the high school dropped a "warrior" logo and other Native American imagery around the campus and went exclusively with a "feather" logo. Students can be seen wearing "Fear the Feather" t-shirts.

"We're Indians in name only. There's no mascot," Parsons said. "Any caricatures or pictures of Indians, you'll never see them at Roseburg High School. We've really tried to be sensitive about that here, and I think we've come as close to that as humanly possible."

The local Native American community is satisfied with the treatment from the high school, according to Susan Ferris, spokesperson for the Cow Creek Band of Umpqua Tribe of Indians.

"The relationship between the high school and the Tribe is good," Ferris said. "Each has been sensitive to the other in working towards a good solution, a solution that requires education and evolution and time."

Ferris has concerns about the state getting involved.

"My judgment is having a state law abolishing the use of Native American mascot names doesn't provide for the considered thoughtfulness that would create solid change," Ferris said.

Would the state consider making an exception for schools that receive approval from the local Native American community, even if the school's mascot name is not specific to that tribe?

"That's something that will be brought up to the board," Miles said. "We don't have an answer to that."

A state law regarding Native American mascots wouldn't be without precedent. In 2010, Wisconsin passed a law aimed at eliminating race-based nicknames, logos and mascots in its schools.

If a complaint is filed against a Wisconsin school, the law requires the state department of public instruction to review the nickname, logo and mascot. If it is deemed offensive, and the local Native American community doesn't approve of it, the state has the authority to require a change.

Of the roughly 60 schools in Wisconsin with Native American mascot names in 2010, about a half-dozen have been forced to adopt a new mascot.

The University of North Dakota's use of "Fighting Sioux" goes against an NCAA policy against mascots "deemed hostile or abusive toward Native Americans." But residents who favor the nickname have filed petitions with the secretary of state in an effort to keep it.

For high schools to eliminate the Native American mascot names and images -- such as logos on uniforms, gym floors, signs, etc. -- would be costly for districts already feeling a budget crunch.

"School districts are going to have to come up with the funding," Miles said. "That's going to be part of the new research we're getting. What is that going to cost and how do we phase that in? And how do we prepare the schools? What is their input?"

Because the mascot names often are intertwined with the tradition of the school and community, changes could spark a backlash.

"Some tribes feel it's not a good idea to support this because it'll be looked upon differently," said Sam Sachs, a Portland resident and self-described racial-justice advocate.

Sachs, 43 -- who has taught diversity training and works for Panera Cares, a nonprofit community outreach organization -- said he hopes that sensitivity will prevail.

"I would rather help those communities who have these mascots understand why they are so insensitive and hurtful to people, rather than force this upon them," he said. "But by doing nothing, we can't do that."

Roseburg's Parsons said that working with the local Native American community can help others become more culturally aware. For now, the issue seems to be settled in Roseburg.

"I think the folks know that and would have a hard time understanding why we would have to get rid of (the mascot name)," Parsons said. "They're proud to be Roseburg Indians. Changing the mascot would be a difficult thing to do in this community. It would be probably the last thing I did here."

-- Jerry Ulmer