

QUESTIONING INDIAN LAND WORKSHOP: A CEREMONY
BASED APPROACH TO LEARNING

by

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More relationships will be honored later on...

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ABSTRACT

Tafoya suggests, “Stories go in circles.” This thesis is the story of learning to implement an indigenous research paradigm in a college classroom then designing the workshop because of the relationships formed together. First the thesis describes preparing for the research ceremony then focusing those relationships through the lens of *Research is Ceremony*. Followed by summarizing how the workshop functioned as a ceremony. Then characterizing how the four directions guided the evolution of the relational workshop.

The research paradigm exemplified by indigenous scholar Shawn Wilson in *Research is Ceremony* overlaps nicely with adult educational theories that suggest making personal connections to new information is how learning occurs. Indigenous research is a relationship embodied in the elements of ontology, epistemology, methodology and axiology. Ontology and Epistemology together form each individual’s worldview. Ontology questions the nature of reality. Epistemology examines how we think about what is real. Methodology and axiology describe how we remain accountable to the relationships forming our reality. Methodology is how we strengthen our relationship to reality. Axiology defines what’s worth knowing more about. Through ceremony, researchers respectfully seek knowledge from the Cosmos.

The workshop was a ceremony for asking personal questions about Indian land. A reality-based inquiry design rooted in scholarly practice directed by students was planned and implemented in the pilot workshop. In this workshop, the teacher learns alongside the students – acting as a guide for the self-regulated discovery of new knowledge. Respecting the knowledge and process is the ceremony.

The relational workshop wheel graphically depicts the five dimensions of the cycle and their interconnectedness. By asking respectful questions of the unknown, the cycle begins. As a researcher and teacher living a congruent lifestyle and preparing the space for the ceremony, academic information and practical experience collide to devise the methodology and axiology for the journey. Bringing together the ingredients opens the space for the ceremony, where students’ questions about the land guide the workshop’s search. Reflecting on the knowledge gained while leading the ceremony then evolves the workshop into something accessible to responsive educators. The ceremony creates personal accountability to modify the course, and the wheel turns again.

1. INTRODUCTION TO THE RELATIONAL WORKSHOP

“Stories go in circles. They don’t go in straight lines. It helps if you listen in circles because there are stories inside and between stories, and finding your way through them is as easy and as hard as finding your way home. Part of finding is getting lost, and when you are lost you start to open up and listen” (Wilson 2008, 6; quoting Tafoya 1995, 12).

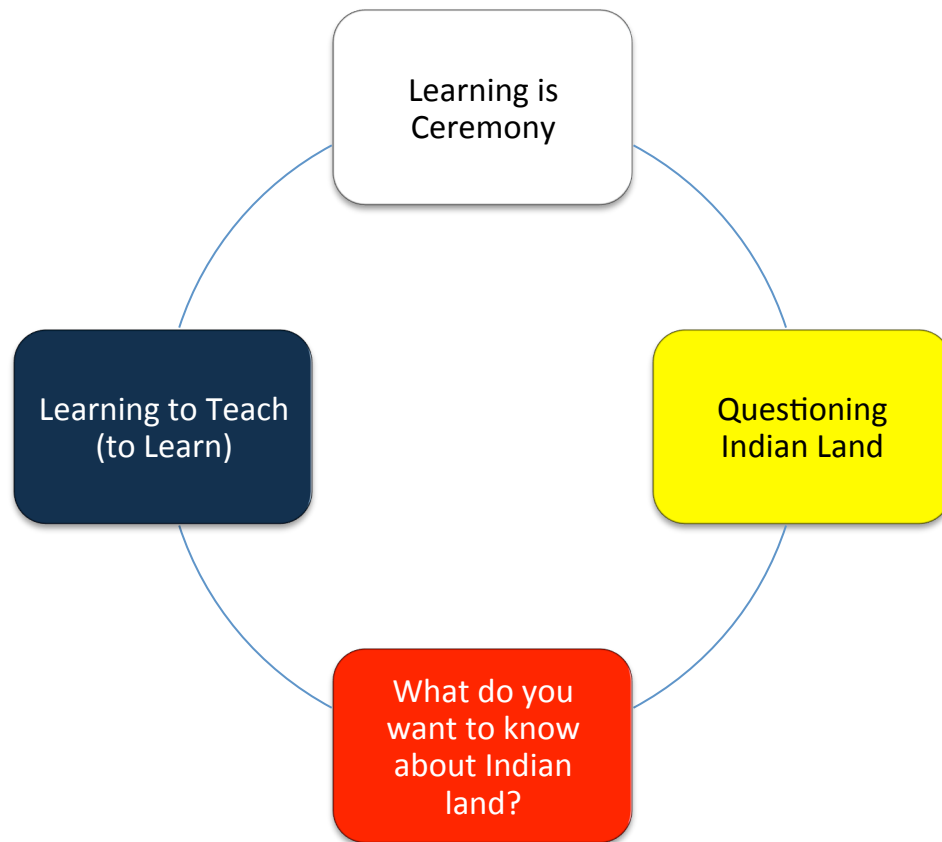


Figure 1: The Relational Workshop

What is a relational workshop? A relational workshop, represented by the four directions in the medicine wheel above, is the model for orchestrating a reality-based learning environment. Each direction of the wheel is informed by the other components. Each component could not exist without the other perspectives. The relational workshop is more than the sum of its parts. By modeling the paradigm this way, I also acknowledge the wisdom *Research is Ceremony* had conceptualizing the workshop into a ceremony. The author, Shawn Wilson, explains that linking ideas in a wheel indicates that they “are interrelated and each one blends into the next. It also implies that the ideas flow from one to the next in a cyclical fashion. A change in one affects the others, which in turn effects new change in the original. All parts of the circle are equal; no part can claim superiority over, or even exist, without the rest of the circle” (Wilson 2008, 70).

As will be explained throughout this thesis, relationships form reality and according to the scholarly research on teaching, connecting individual experience to new relationships is the way students learn. This workshop was built out of the idea that people with a curiosity about their land deserve a forum to ask whatever questions they have about the neo-colonial land tenure system and its confusing rules, policies, and procedures. Seen from Shawn Wilson’s indigenous perspective, knowledge is accepted as part of the living cosmos and therefore something sacred. Keeping the idea that knowledge has a life of its own and is sacred helps when building respectful relationships looking for answers to student questions – learning in this respectful way is a ceremony. The pilot workshop steeped in the pedagogy of problem-based learning creates the space to bring together the ingredients of the learning ceremony so students can form respectful

relationships with the sacred knowledge of the land tenure system in a reality-based research program.

“Black Swan logic makes *what you don’t know* far more relevant than what you do know” (Taleb 2007, xix). The workshop wheel never really stops, the unknown, represented in the system but outside the wheel by the Black Swan can enter the system at any point. The workshop addresses the unknown with a humble question: “what do you want to know about Indian land” (Yellowtail 2011, personal communication)? Students were encouraged to compose their own question. Having the courage to ask the question is important, but how you respectfully engage the unknown to find the answer is equally as critical. The student directed structure of the workshop being problem-based followed a respectful protocol in seeking out relationships with new knowledge.

Learning to teach is a process. Complete with reading and experiential components. Lacking formal training, my own research ceremony began that first day in front of fifty undergraduates in *Introduction to Native American Studies*. Approaching class lessons as a teacher-learner in these early experiences built relationships between the scholarly research and actual classroom practice. This early exposure to teaching helped clarify my role in connecting information to students’ past knowledge. The research and practice from the teaching experience was then integrated into the philosophy, objectives and goals for the pilot workshop. The workshop becomes the sacred ground that combines western education theory, and the indigenous research paradigm to form an indigenous teaching paradigm with relationships and relational accountability at its core (Wilson 2008).

Bringing together the components of the pilot workshop merged the question, personal research, and accountability to teach in the respectful manner necessary for student success. With the focus on students' questions, workshop participants could change their strategies according to their goals (Wilson 2008, 40). The flexibility of the classroom research presented a unique opportunity and challenge to create a problem-based learning environment that is accessible and supportive to virtually all members of the community that want to question their land situation.

This workshop was offered for free to the Northern Cheyenne community through Chief Dull Knife College. This project is important because it educates and encourages community members to ask their own questions about Indian land. Education is the crucial component to contending with the illogical rules of this colonial system. In the words of Chief Morning Star (a/k/a Dull Knife), "we can no longer live the way we used to. [...] We have to learn a new way of life. Let us ask for schools to be built in our country so that our children can go to these schools and learn this new way of life." My goal is to contribute to the education of others so that knowledge empowers change within the community. According to Michele Curlee, Dean of Academic Affairs at Chief Dull Knife College (CDKC), a course of this type in this subject has not been offered at CDKC before.

I'm not trying to represent the Northern Cheyenne community's worldview. Rather, I present what I learned and how it created a classroom rooted in relationships and accountability following an indigenous research paradigm for the first time. To honor my personal accountability, and give back to the community, the knowledge from

the first experience was synthesized and integrated into the evolving workshop model. *Questioning Indian Land* is the result of a single revolution of the relational workshop wheel. It evolved out of the growing relationships between the teacher, students, and topic of Indian land. The indigenous teaching paradigm is at the heart of the only question used to guide the wheel's path, "What do I want to know about Indian land?" The relational workshop wheel serves as a preview for what is to come. And a reminder of what we already know.

Just like the relational workshop wheel, this thesis is organized into four parts. The first part tells the story of how the question was formed. Then, by describing a self-directed learner "teacher who is a learner," the experience exploring scholarly teaching will be synthesized into an indigenous research project (Cleary & Peacock 1998, 5). Next, the problem-based learning (PBL) design of the workshop kept the direction loose but collectively engaged in a respectful learning ceremony. Finally, with new experience and knowledge from the first revolution of the wheel, a more structured *Questioning Indian Land* workshop was created. This curriculum will be available through Indian Land Tenure Foundation's teacher network, which funded the research with a new course implementation grant.

The purpose of this indigenous investigation was to collaborate with the Northern Cheyenne Community to develop a relational learning workshop on Indian land tenure issues. The investigation used a two-pronged approach blending the indigenous research paradigm and problem based learning strategies. The common element between these two approaches is the role of relationships in forming knowledge. The people who

participated in the workshop define the relationships in the indigenous research model. In problem-based learning, relationships relate to the connections students make between the new information and their prior knowledge. The central functions of relationships in both of these contexts support the adage of the teaching and learning context, like research is a ceremony.

With a deeper understanding of the concepts that comprise an indigenous research paradigm – relationality and relational accountability – I hope that you, the reader will come to see learning is a ceremony. “The research that we do as indigenous people is a ceremony that allows us a raised level of consciousness and insight into our world.” [...] “Let us go onward in this ceremony with good hearts and open minds” (Wilson 2008, 11).

2. WHAT DO YOU WANT TO KNOW ABOUT INDIAN LAND?

A Simple Question

The following tale tells of the beginnings of the workshop from a simple question. A few days before the start of the fall 2011 semester, Kristin Ruppel and I drove to Crow Agency to attend a sort of land tenure meeting organized on the spur of the moment by Bill Yellowtail. He invited the professor – I got to tag along – and other staff and faculty members of the Little Big Horn College. Sitting in a large circle were the college representatives Birgit Graf, Tiffany White-Clay, Velma Pretty on Top, David Small, and a few Crow landowners: Bill, Sargie, and Virgil. The MSU contingent consisted of Bill (in his dual role), Kristin and myself. At the time, my purpose in being there was to listen to real world questions and experience. I took copious notes, but I had no way of knowing just how important their questions and information would be in planting the seed for this work.

This impromptu focus group hastily assembled by Bill offered their “nuggets” for a course that would help students’ research their personal questions about being a landowner. The idea for this meeting was a result of the Indian Land Tenure Foundation (ILTF) holding a workshop for Crow allottees a few weeks earlier. This meeting discussing the implications and responsibilities of being an individual trust landowner or heir. The ILTF workshop questioning the implications and responsibilities of individual trust landownership nurtured a question in Bill of what it meant to be an Indian/Native owner of fee land within the reservation. He quickly recognized the gap in educational opportunities for Indian landowners, whether they own their land in fee or not, in any

curricula in Montana. The discussion this day was a high level brainstorming session for the Crow landowners to give a voice to the questions they asked as they maneuver the responsibilities of land ownership in the dominant neo-colonial land tenure construct. In a very real sense, Bill, Sargie, and Virgil were the focus groups helping the educators outline a hands-on class to answer real world land questions.

In this brainstorming session, the group continued to entertain different teaching methods to answer simple, and not so simple, questions. These rough ideas of what this community wished for started to take shape by theorizing an applied Indian land course that could provide answers to whatever questions people cared to ask. The following comments and topics are paraphrased from my personal notes of the August 2011 round table gathering of landowners. Their thoughts spanned the gamut of questions about the land. For example: these landowners wanted to know what their possible options are for putting their land into agricultural production. Other questions seemed not so obvious, such as: what options exist for building or financing a home? Where is my land and what are its exact boundaries? What happens to my land when I die? How can I ensure my property will go to my heirs? How does probate work? How do you sell or lease land? How can I borrow against my land to expand or start a business, cattle operation or farm? What can the proceeds be used for? What jurisdiction controls the environmental rules on fee land within reservation borders, if the owner is Native? What are the pros and cons of converting to fee land (from the author's personal notes, 2011)? I came away realizing how few answers were readily available in Indian Country.

After capturing the array of questions and topics summarized above, the group put the last of our steam behind devising long-term, creative answers that apply not only to Indian fee landowners but also trust landowners and their heirs. These Crow landowners desired a connected workshop that explored the different types of ownership in a problem-based learning environment where personal questions drive the research and flow of the course.

A few days later, Bill Yellowtail emailed his “first notes on a construct that we could call ‘inquiry learning’” for a course on “land literacy” (Yellowtail 2011, personal communication). Bill’s “noodling [was] a pretty simplistic” way to look at the topic “in a totally practical way, as if [the instructor] were the community person or the student” (Yellowtail 2011, personal communication). Bill has been around academia for a while. I have seen him teach by playing the shrewd novice coaxing ideas out of young minds. I imagine that he is no stranger to the academic and scholarly support of working hands-on with students in the strategic way he frames the qualities of the workshop.

The construct of inquiry learning – sometimes called “problem-based learning” or “reality-based learning” – is a cutting edge method to “[e]ngage participants in guided discovery of information” that is relevant for the student (Yellowtail 2011, personal communication). Most importantly, the pilot *Indian Land Workshop* grew out of the inquiry-based paradigm that Yellowtail championed. The pedagogical concept of problem-based learning is that students are motivated to solve problems. Problem-based learning designs are ambiguous; the student will seek out whatever knowledge is necessary to solve that problem. Students receive some introductory material but then

have to solve the question on their own (Svinicki 2011, 207). The workshop was synched with the scholarly research on learner-centered teaching practices including teaching as a novice and connecting to students' past experience with reality-based activities (Lowman 1994, Zull 2006, Svinicki 2011). The ideas from the brainstorming session coalesced over the next few months into the key tenets for leading the class the following summer. I sincerely appreciate the thoughts of Bill and the other landowners because without them, I never would gain the experience that I did learning alongside the other students in the workshop. The teaching prototype patterned in the ceremony will continue to guide my practice as an Indian land scholar.

Yellowtail's notes vocally supported a teaching paradigm that he termed "inquiry-based learning" which he felt could "achieve similar learning outcomes as text-and-lecture format, but in a format that engages students in an interesting way" (Yellowtail 2011, personal communication). The following section characterizes some of the more relevant scholarly research on teaching and learning, including practical ways to incorporate hands-on, problem-based learning with students in the pilot workshop. The core expectation of the learning ceremony in the workshop is to build students' relationship with the topic of Indian land, in a respectful and accountable way.

3. LEARNING TO TEACH (TO LEARN)

Scholarly Teaching and Learning

Several overarching themes appear in the scholarly literature on teaching and learning. These themes were selected because they support that learning is a ceremony for building stronger relationship with ideas (Wilson 2012, Camosun U). The first theme deals with teaching students to be self-regulated learners, which I will explain by describing my own experience as a student learning to be a teacher who is a learner. If it sounds circular, you might be starting to understand the wheel. The next theme continues by distinguishing learning as an internal process for each individual. Cognitive development theory suggests that learning links new knowledge to past experience; students take an active role in connecting and reflecting on new knowledge to make it a part of them. Another highly researched theme emerging from the literature explains the complex and dynamic relationship of learning and teaching, including various styles and archetypes for both roles and descriptions of interactions. The next theme guides the application of teaching and learning theories in a practical way in the classroom. Application resources include numerous teaching activities and ways to encourage student thinking. The final category lacked a coherent unifying theme and includes various model curriculums that helped operationalize the pilot syllabus, also included are primary Indian land references that informed the instructor's academic development into a resource for students. Finally, these academic resources need to be practiced; therefore, without the hands-on teaching experience gained from *Introduction to Native American Studies*, the personal connections to the theoretical and academic material would have

been fluff. Teaching is more than just rambling on for a class session lecturing.

Teaching and learning is a relationship where both actors have to help the other learn.

Undeniably, the single most influential resource for teaching and learning in Indian Country is *Collected Wisdom: American Indian Education*, conceived of, researched and told by Linda Miller Cleary and Thomas Peacock. These teacher/researchers interviewed nearly 100 successful teachers at schools serving large American Indian populations. Schools were located in all corners of the country on or near reservations. The teachers' stories naturally amalgamated into several themes that were then shared throughout the text.

What was special about this nonfiction is that while learning theory from a Native American perspective from Dr. Larry Gross, real world stories in a learning environment were equated to theory forming a more tangible and real context. Perhaps, the most important contribution to my teaching methodology came from foundational advice offered by Tom Ketron, a teacher whose words echoed the themes identified by other teachers, too. "There are [times] as a teacher when you don't know the things you need [to know], and you better get them someplace else...I may be the teacher, but I need to learn something too" (Cleary & Peacock 1998, 5). In the contexts of these teachers' words, this means being a teacher who is a learner. In a sense helping this teacher live a "congruent lifestyle" in preparation for a workshop ceremony nearly a year and a half into the future (Wilson 2012, Camosun U). As Ketron's quote suggests, a teacher's learning is not limited to academic knowledge; rather the teacher learns to ask about

cultural knowledge they do not understand (Gee 1989, Rendon 1994, Chism 1994). In this way the teacher assimilates to the community's ongoing discourse.

Other advice from the teachers interviewed for of *Collected Wisdom* offered something from their experiences for the new teacher in Indian Country. Most of their advice fits the teacher-as-learner archetype. Indian parents and students have much to teach outsider instructors about their culture in order for the teacher to succeed in the community (Cleary & Peacock 1998, 2-20). Expressly, if you don't know why something is the way it is, then ask. As a teacher and learner you must give yourself latitude to admit when you don't know something; bluffing will not work (Cleary & Peacock 1998, 5). Further, the text highlights the need to respect cultural differences, such as acknowledging and appreciating difference in ways of being. Examples include: different conception of eye contact, body language and attention, issues with time, competition and collaboration, modes of inquiry, humor, family and an oral tradition, to name a few (Cleary & Peacock 1998, 27-45). Part of being a teacher-learner is striving to understand how your students learn best and tapping into the teaching strategies that play off each learner's abilities. "Through the composing of this story, we will construct a new base of knowledge from which to act" (Cleary & Peacock 1998, 3). *Collected Wisdom* formed this space where connecting all of the pedagogy and Native American historical, legal, land and housing references together could take place.

Ultimately, in my view, being a teacher who is a learner is the same as being a "self-regulated learner," one who seeks out knowledge and never ceases to look for relationships to past knowledge (Schunk 2005, Pintrich 2004). A teacher might ask how

students judge which information is relevant and valuable for their context? In a classic, yet highly relevant study, William G. Perry and the research team presents a teaching paradigm that many modern instructors embrace, as illustrated with William Moore's assertion that the "Perry schema of intellectual and ethical development represents the single most powerful framework for both listening to and understanding student perspectives on knowledge and learning in the college setting" (Moore 1994, 46).

Patterns of Development in Thought and Values of Students in a Liberal Arts College: A Validation Scheme, or sometimes called the Perry schema, squarely places the emphasis on teaching students to become "relativistic thinkers;" interpreting, valuing, and seeking out information for themselves to decide what knowledge coincides with personal ontology and epistemology (Perry 1968). When students seek out additional information independently, their own knowledge grows and they practice the skills necessary for self-regulated learning (Pintrich 2004; Schunk 2005). As students gain experience analyzing, appreciating, and valuing different points of view and as "they must eventually make choices and commitments, they transfer these understandings of complexities and diverse perspectives from academic pursuits to the creation of a personal world view" (Kloss 1994, 3). Helping students become self-regulated learners who are committed to the relative nature of information is the underlying educational objective of the *Indian Land Workshop*. One hope for this process is for students to emerge as "self-regulated learners" from the workshop on the topic of Indian land (Zimmerman 1998, 73). The hope is these independent knowledge seekers will disseminate the knowledge learned during the ceremony back into the community so more questions can be answered.

The Perry schema is perhaps one of the most widely researched paradigms of student intellectual and ethical development in modern western learning theory. As William Moore presents in “Student and Faculty Epistemology in the College Classroom: The Perry Schema of Intellectual and Ethical Development” describes a learner’s progression “from a world of absolutes and truth to a world of contexts and commitments, in which one must take stands and choose” what knowledge is appropriate for the situation (Moore 1994, 47). As students progress through college, instructors try to move students from concrete, black and white belief systems to the application of abstract ideas and theories through personal observations and learning experiences. As an educator, recognizing and encouraging students’ movement along this continuum is an important first step in developing teaching strategies and learning activities to support further intellectual development. Material makes sense because it is relevant to students’ lives strengthening relationships between old and new knowledge, making change in the original belief (Wilson 2008, 70).

Keeping the lens focused through *Collected Wisdom’s* teacher-as-learner paradigm, let’s continue the examination of the mainstream research on teaching and learning. Learning is a physiological process of acquiring new information and integrating it into the brain. James Zull’s article “Key Aspects of How the Brain Learns,” characterizes the physical changes that occur in the brain as humans encounter and process new information (Zull 2006, 4). In effect, Zull posits that learning physically changes the structure of the brain as new information is processed (Zull 2006, 4).

The next few researchers describe various psychological theories underpinning the teaching and learning relationship. Out of these readings many different teaching-learning archetypes, prototypes, and styles emerged to describe the learning and teaching process from both perspectives. Cameron Fincher's "Learning Theory and Research" clearly identifies the responsibility of students in the learning process (Fincher 1985, 58). "Teaching Styles and Effects on Learning" by Dressel and Marcus (1994), and Grasha's 1994 articles "Discovering Your Best Teaching Styles", and "A Matter of Style: the Teacher as Expert, Formal Authority, Personal Model, Facilitator, and Delegator" described multiple roles along a continuum that a teacher might assume under different circumstance to promote students learning. Dressel and Marcus conceptualized a continuum of "teacher prototypes or orientations of classroom behavior" to help teachers effectively employ teaching strategies by matching course content and class structure with learning objectives (Dressel & Marcus 1993, 495). By focusing more on student-centered outcomes, "teachers and students work together, share information, and the boundaries between teacher and student are not as formal" (Grasha 1994, 143). By teachers and learners working together and sharing information the teacher as learner paradigm described in *Collected Wisdom* takes center stage as a strategy for problem-based ceremony where real-world questions are the center of the study. These differing styles depict varying levels of teacher-student interaction in the classroom; which appears to support the teacher as learner paradigm supported by the qualitative research told of in *Collected Wisdom*.

Other research suggests the importance of critical reflection in the learning process. Both students and teachers should devote equal time to reflect on incoming information and new lessons. The use of reflection as a learning methodology is supported by the physiology of our brains. Zull explains in “Key Aspects of How the Brain Learns” that students require a period of reflection on new information in order to form associations with past knowledge. Zull’s words explain, “with time, our understandings and our associations change and grow” (Zull 2006, 4). Zull encourages learners to take time to relate newly acquired knowledge to their experience. Therefore, formative assessment questions of students encourages self-reflection on what they learned; hopefully, fostering a deeper level of learning.

The act of reflecting helps teachers to make deeper connections as well. Reflecting allows a teacher space to consider learning theories, practice and events that occur during the ceremony. Lisa Eckert of MSU’s English department recently explained to me the importance of constantly reflecting on your teaching practice in and out of the classroom (Eckert 2011, personal communication). A teacher who is a learner reflects on the latest learning activity and personal practice in order to internalize raw information into lessons from theories. Critical reflection is a way to improve the construction of information next time. This sentiment was echoed and expanded upon by researcher Stephen Brookfield in “What it Means to be a Critically Reflective Teacher” stating, “sincerity of [our] intentions does not guarantee the purity of practice” (Brookfield 1995, 527). He explains the two purposes of critical reflection; first, to understand and consider how power influences personal interactions in the classroom; and second, to question our

assumptions and practices with learning activities for students (Brookfield 1995, 530). Critical reflection is important for several reasons. It helps teachers take informed action and provides a rationale for why these actions are pertinent to the class (Brookfield 1995, 537-539). By critically reflecting frequently, teachers think, consider, strategize, and constantly focus on the goal of teaching: student learning. This tool was operationalized during the pilot by writing a nightly teacher's journal after every session.

Robert Barr and John Tagg argue that a major shift in college education has been occurring for the last twenty years or so. This shift is from an instruction-centered paradigm to a learning-centered paradigm: "college is an institution that exists to produce learning" (Barr & Tagg 1995, 1). Duane Champagne also acknowledges this shift in by saying, the modern "purpose [of] teaching is student learning. Learning is an increase in students' capacity to use information, processes and attitudes to solve problems and make decisions" (Champagne 1991, 85). The focus on problem solving is important because it suggests the importance of inquiry- and problem-based learning strategies to help students form relationships to knowledge. Additionally, this notion further supports that students are responsible for their own learning and making knowledge meaningful to self. Champagne continues by suggesting that what we "learn is determined by what information we pay attention to and what we decide that information means to us. The associations we make between the new information" and experiential information we have stored determines how available the new learning is when trying to solve a problem (Champagne 1991, 86).

Reenter Zull as he discloses how parts of the neocortex work together to associate stimuli and physical movement (Zull 2006, 4). The association of both stimuli and physical movement physiologically supports the effectiveness of engaging two learning styles to help students internalize new material. Zull's research further suggests the more areas of the neocortex engaged in an activity, the more likely the person is to remember the activity. Hands-on learning activities facilitate learning because students have a place and time or context to aid recall and use knowledge. Zull's article while brief covers several bases. It confirms that knowledge processing is a uniquely internal process. This process is accomplished by associating stimuli and movement; thus, connecting new knowledge to past experiences is supported. He also discusses the importance of reflection in making connections. The physiology underlying learning is fundamental to applying the teaching and learning techniques best suited to encourage the student directed research in the pilot.

More evidence supports the importance of "involving the learner in the active processing of incoming information" (Svinicki 2011, 190 quoting Cooper, Robinson & Ball, 2003). By focusing the workshop on student acquisition, retention, and use of new knowledge the ceremony was firmly centered on learning and not teaching. There are several reasons why active learning works. First "it helps eliminate the 'illusion of understanding'" (Svinicki 2011, 190). To illustrate the "illusion," think about a time when you watched someone perform a 'simple' construction task; perhaps you thought to yourself that you could do that, only to find out when you got home it was much harder than it looked from the audience. Another benefit of active learning is that it may

actually motivate students to become more involved in thinking for themselves. After all, sorting through a problem, instead of having it explained to you, is more “interesting than taking notes” and engages more of the student’s higher level brain function (Svinicki 2011, 191).

Allow me to illustrate with an example from my past. When I was a student and volunteer teacher of Wing Chun Kung Fu, my friend and instructor constantly reminded the senior students that you never really understand a subject until you teach it. In the context of martial arts, we practiced the application of energy and fighting principles. “Force forward” was the first of four energy principles. While internally we may believe our bodies’ are going forward, the reality is usually very different. That is why being “lead” by an instructor seems so easy, and yet when the student tries to explain the same concept to a peer and elicit a similar reaction, the novice may not be able to replicate the response. Teaching a physical skill in this context really brings home the intuitive understanding necessary to perform at a higher level and support the students’ own learning process.

“Learning Styles and Disciplinary Differences” by David Kolb advances the “experiential learning model” (Kolb 1981, 129). The core of this model describes, “how experience is translated into concepts, which, in turn, are used as guides in the choice of new experiences” for learners (Kolb 1981, 129). In a very real sense, a student’s learning style is a direct outcropping of their education (Kolb 1985, 133). I believe this has direct applications in the workshop because as a group we will be crafting the language and knowledge of Indian land as it pertains to each individual’s research questions. As a

group we will actually create our own discourse. How the students research their questions will depend on their educational training and background. Kolb reaffirms learning is an internal process up to each individual to work with new experiences, reflect on these experiences, create abstract ideas based on their experience and observations, and finally to use newly acquired abstractions to make decisions and solve problems (Kolb 1985, 129). This workshop was designed to tap into student experiences to hopefully see the connections from their context to answer their question.

So far, I described how the scholarly body of knowledge contributed to the identity, philosophy and methodology employed in the classroom by a teacher who is learner. This philosophy continues to motivate the ongoing practical research necessary to implement practical learning theories with students. Several of the scholars whose writing was grouped into the ‘theory’ theme also described practical aspects of teaching. So what about teaching practice?

“What Constitutes Masterful Teaching” by Joseph Lowman advances the discussion of practical methods for teaching-learning. Lowman offers two suggestions for becoming a masterful teacher. First, that teachers promote intellectual excitement by creating positive rapport with students in order to advance learning (Lowman 2006, 507). Basically, that students like and respect you as a teacher. Secondly, teachers can “explain a complex subject simply” by presenting material clearly and organizing the topic as if they know little about it (Lowman 2006, 507). Lacking real world applications of the academic study of Indian land meant approaching student research leading the pilot from the position of a novice. The knowledge that I do possess lacks a practical exposure.

Pretending to know very little about Indian land required deeper thought to connect how the academic transfers to the real world. In some cases, students helped crystalize the relationships.

While the scholarly themes summarized above inform the theoretical construction of what it means to teach and how students acquire new knowledge, the next theme of references presents activities and assessment aimed at improving learning.

The essential reference for the applied theme is *McKeachie's Tips for Teachers* edited by Marilla Svinicki and Wilbert McKeachie. In its 13th edition, *Tips* continues to be an invaluable teacher's reference for the college instructor unsure of how to begin leading a college classroom. "Teaching tips was originally written to answer the questions posed by new college teachers, to place them at ease in their jobs, and to get them started effectively in the classroom" (Svinicki 2011, xix). In order to create hands-on learning opportunities, the following chapters were reviewed to prepare ideas for the pilot workshop: "Facilitating discussions: Posing Problems, Listening, Questioning," "Teaching Culturally Diverse Students," "Active Learning: Group-based learning," and "Experiential Learning: Case-based, Problem-based, and Reality-based."

The first of several chapters from *McKeachie's Tips for Teachers: Strategies, Research, and Theory for College and University Teachers* that is relevant to the teaching paradigm and architecture of the pilot is chapter five: "Facilitating Discussion: Posing Problems, Listening, Questioning." This chapter promotes the idea that "memory is affected by how deeply we process new knowledge" (Svinicki 2011, 37). This continues to advance the previous ideas that learning is the student's responsibility, with teacher's

guidance of course, and requires reflection to internalize new information. The major activity involves talking through your understanding with other students in order to articulate logical relationships or questions so that others can likewise make sense of the argument and connect to the material. Research over the last several decades illustrates that “doing something is generally more motivating and interesting than just taking notes” (Svinicki 2011, 191).

McKeachie's chapter “Teaching Culturally Diverse Students” is biased from a Euro-American/ Western mindset of how students behave in the classroom. For example, Svinicki talks about a Native American student whose elders were hesitant about her leaving the reservation for an education. The reason given was fear of acculturation; however, the depth of that statement does not capture the history of boarding schools in forming this hesitance. The chapter does highlight many areas where cultural differences can be seen to overlap, but much of the information was too general to be useful. The chapter acknowledged that most everyone does in fact want to learn. The best advice though still comes from *Collected Wisdom* in being a teacher who is a learner. If you don't know something about a students' behavior, then ask and don't assume (Cleary & Peacock 1998, 5).

Another highly applicable chapter of *McKeachie's* reference incorporated into the pilot offers strategies for advancing Experiential Learning in the classroom. This chapter discusses an idea also explained in *Research is Ceremony*. That is that the more you try to define something, the more it loses its context; likewise, the more you see the context the less likely it is to be easily defined is a post modern paradigm (Wilson 2008, 8;

paraphrasing Tafoya). The text suggests, through the process of learning something, it becomes closely tied to a context – or more precisely, tied to a place and time.

Experiential learning benefits students because they learn real skills that they can apply to new problems and questions by tapping into their existing knowledge and skill set. This chapter also suggests that teachers should be “mindful” of student learning, specifically: students should not have to guess about the point of an exercise or activity. By the instructor taking the time to point out the skills students are practicing – students can better fulfill their personal learning responsibilities. A key component discussed in the chapter on experiential learning is that students should spend an equal amount of time reflecting on what it is they learned in order to complete the processing of the information; thus, completing the learning cycle (Svinicki 2011, 204; Zull 2006; Brookfield 1994). Through this process, students consider how information is relevant to them and also how it connects to the broader world. Much as the evolution of the workshop completed my learning cycle.

Chapter 15 of *McKeachie's* continues the discussion of reality- and problem-based learning. These suggestions convey several different methods of implementing experiential learning in the classroom. For example, the case method, where students read a case and develop a plan of action; or, problem-based learning, where students' own questions are used in the learning process. Games, simulations, role-playing, and field experience (such as the service learning of the pilot workshop) round out the other examples of experiential learning (Svinicki 2011, 204-210). By design experiential learning includes real-world situations and relationships as much as possible. Usually,

real-world situations are challenging because they involve complex and ill-defined problems – just like the questions that came to the workshop. Some key contributions for reality-based learning to occur: learners get to solve real problems using the real tools of the discipline – check. Next, the instructor is a resource, not a leader for solving the problem – check. Finally, learners spend an equal amount of time reflecting on their outcome as they did crafting the solution – check.

The decisive practical reference, *Classroom Assessment Techniques (CATs)* by Angelo and Cross, can be summed up as “an approach designed to help teachers find out what students are learning in the classroom and how well they are learning it” (Cross & Angelo 1993, 4). By employing CATs after every class session, teachers no longer have to wait until an exam or the course-end evaluation to receive feedback of student learning. CATs work because the instructor follows a simple cycle – not unlike the relational workshop cycle. The three phases of the assessment process are planning, implementing, and responding. Each phase consists of several intermediate steps to ensure the assessment is well thought out and jives with learning objectives. Asking students to complete anonymous, low stakes work such as “one-minute” and “muddiest point” papers, teachers collect real-time information exposing student understanding or misconceptions of a topic, lecture, discussion or activity. “By asking students what they see as the most significant things they are learning, and what their major questions are, faculty can quickly check how well those students are learning what they are teaching” (Cross & Angelo 1993, 148).

The final category of teaching-learning references is a catchall and includes Indian land curriculums, primary documents for students to read, and videos or taped presentations for screening in the workshop. Also included is anything else that does not fit into the theory or practical references in the previous taxonomies. This final category also includes primary documents from my research on Indian Land and housing issues. These references added to my personal relationship and understanding of the topics proposed in the pilot syllabus.

I quoted extensively from a detailed syllabus created at the direction of the Fort Hall Landowners Alliance board (only Sho-Ban allotted landowners belong to the board) to outline the content and lesson plans for the pilot *Indian Land Workshop*. In fact, several of the activities for teaching allotment are copied directly into the lesson plans. The Shoshone-Bannock educational program was designed as a primary course for high school students to introduce and explore important Indian land concepts – the concepts are readily adoptable for use on other reservations too. In addition to identifying topics and some of the content, this curriculum outlined over seven hours worth of procedures for classroom activities related to allotment.

The next course, available for free from the ILTF written by Edward Valandra, outlines a model college-level curriculum. Entitled *Introduction to Indian Land*, Valandra's syllabus is a plastic design intended for modification depending on the specific needs of the community, institution, or nation. The stated intent of the course is for community members to "understand the state of land tenure issues and problems currently facing Native Peoples" in an introductory college level course (Valandra 2004,

2). Some of Valandra's discussion prompts and exercises from this template were included as optional activities in the pilot and likewise matriculated into the evolved *Questioning Indian Land* workshop. A version of this syllabus is in the Spring 2013 MSU Extended University catalog.

In addition to the free use curriculums introduced through personal conversations and emails, the primary documents of my research ceremony with Indian land were evaluated for inclusion as references during the pilot. Some of the more practical references included in this section are Red Feather's *Guide to New Construction on the Northern Cheyenne Reservation* and several editions of Indian Land Tenure Foundation's *Message Runner*, as well as many, many other materials that have been part of my academic ceremony with Indian land. These resources put a practical spin to the theory and context that developed out of the students' first week in the workshop. This workshop has always been about rolling up the sleeves and figuring it out. By keeping the praxis of theory and practice focused on students' questions in the implementation of the workshop wheel, reality-based learning became the method of research.

Materials published from all manner of sources on Indian housing were crucial for establishing the instructor's context. The overwhelming majority of sources approach, evaluate, or try to solve the "Indian problem" of land and housing assuming the neo-colonial paradigm of land tenure is the one best way to address the abysmal conditions across Indian Country. That said many of these sources provide counter-points to the government documents employed in the daily discussions and lectures in the

workshop. If the reference was practical to the students' context and question, then students were assigned to read it.

After critically reading the many books, pamphlets, legislative acts, testimonies, court cases and reports on Indian housing, the references fell into three clear sub-categories: the first, literature prepared by the government or non-governmental organizations (e.g. the Center for Urban Policy Research) for consumption either within the federal government or by those wanting to know how to navigate the process imposed by the government. The government books were written to help either the individual Indian navigate the highly structured process of acquiring a house, help the tribal government decide which sovereign rights to relinquish in order to establish a housing "legal structure," or for facilitators (e.g. architects, bankers, or developers) to keep the tribal culture in mind while doing their work (US Dept. of HUD and ONAP 1996). The second sub-taxonomy is academic literature prepared for or by academics and private researchers theorizing the systemic failures keeping Indian nations from achieving their maximum economic potential. The dominant assumption is that economics trumps all other ways of knowing and being. Some materials in this category paint a different picture of the effectiveness of the government's housing programs. For example, one reason argued for the failure of trust relationship is the bureaucratic rulemaking that takes the sovereign responsibility away from tribes. The third and final sub-taxonomy of housing literature is published by individual tribes, or consortiums of tribes, reporting on, testifying for, studying, surveying, or regulating Indian land within their community or reporting to different government bodies. The reports themselves can be seen as an

adoption of the colonizer's binary of only one best way by examining metrics of the neo-colonial housing and land systems. These final tribal resources confirm that each tribe's unique circumstances defy a one-size fits all approach that does not and cannot work across the diversity of Indian Country. No two reservations' contexts are the same. As the challenges facing Indian country stem from a paternalistic, neo-colonial approach to land ownership, the legitimacy of indigenous ways of land tenure defined culturally by the tribe are not recognized.

Reading is only one way of acquiring information. As a graduate teaching assistant for the department of Native American Studies, I was able to try and apply the theory and skills from the scholarly readings about teaching and learning and reflect on their relative effectiveness working with students before leading the workshop ceremony. I immensely enjoyed my time working with undergraduates in this introductory context. The teaching experiences gained in this teaching situation greatly contributed to the teaching and learning ontology underlying the creation of the workshop.

Much of the teaching psychology and skills necessary to facilitate discussions in the workshop were direct results of my experience from teaching the *Introduction to Native American Studies*. Because of this teaching experience, or perhaps in spite of; I felt confident leading an ad-hoc course focused on forming relationships with knowledge derived from students' questions, methodology for research, and seeking answers as a group.

As a teaching assistant who was also the instructor of record for the *Indian Land Workshop*, I embraced a classroom environment where students do the heavy lifting of

learning: establishing a shared context, growing research methodologies, and performing research. By acting as a guide, instead of the instructor, we moved through the maze of material together making connections. The relationships emerging from the workshop helped students consider the implications of what they were learning. Activities and exercises were designed to maximize group interaction and students teaching one another. My role was to keep students and discussions on track and clear up misunderstandings. This experience confirmed the many different ways that students learn and the variable ways that I teach. The combination of scholarly research on teaching, published references of Indian land and actual classroom experience formed the foundation for the pilot relational workshop and the evolution of the experience into *Questioning Indian Land*.

While the circle is all related, there is an element of time here that didn't consider the learning ceremony until after actually leading the workshop and reflecting back on the experience and memorializing the relational workshop wheel into this thesis.

Shawn Wilson's Influence

The course objectives and essential questions for the pilot grew from questions asked by Crow landowners. The evolved workshop grew from the real world questions of the Northern Cheyenne Students. The theoretical and practical underpinnings of the syllabus took shape from the scholarly body of research studied pursuing the Graduate College Teaching Certificate. The course outline and some content for individual classes were based on the model curriculums cited earlier in this chapter. Practical teaching

experience as a graduate teaching assistant offered an experiential perspective. However, what the project lacked up to that point was a uniquely indigenous element. The missing ingredient that completed the relational workshop cycle was Shawn Wilson's narrative *Research is Ceremony*; that not only explains, but also models indigenous research.

Wilson explains the paradigm as if telling a story that the reader connects to in forming a relationship with the paradigm. The concepts described in *Research is Ceremony* are the quintessential binding agents of the curriculum and the whole relational workshop wheel and supports the central theme of teaching and learning as a ceremony. This section will describe how reality is relationships and the space between relationships is sacred. Next, I will characterize how research and teaching and learning are ceremony. Then, I will tell how fulfilling the teacher-learner role contributed to the ceremony. I will conclude by honoring those that aided my progression on this journey. This section has been difficult to write because trying to boil down a highly contextualized story into something for the reader has been nearly impossible. Also, this section focuses one person's contextualization of an indigenous research paradigm, but this paradigm by its very nature permeates across all the chapters. Personally connecting to this concept is the unifying principle that gave form to the relational workshop wheel.

This synergy of sources draws from several critical readings of the book *Research is Ceremony*; a 2012 presentation at Camosun University in Victoria, British Columbia by Shawn Wilson entitled, "Research is Ceremony, and so is Teaching!;" and my personal experience applying this paradigm across the ceremony of the relational workshop wheel. The paradigm Wilson advances rests on the assumption that "reality is

relationships” (Wilson 2012, Camosun U). Other scholars researching adult teaching and learning concur that students do not learn unless new information makes a connection to something personal. Researchers like Zull, Finch, Perry, Moore, the numerous teachers interviewed for *Collected Wisdom*, and too many more to list share Wilson’s theory of reality. Comparably, Wilson’s observation is far richer than the western modes of presenting research because it allows for much of the understanding to come from the reader’s own relationship to the story.

Indigenous research does not stop at connecting reality to relationships. From an indigenous worldview, where everything in Maheo’s Creation is related, the “space ‘between things’ in relationships is sacred” (Wilson 2012, Camosun U). Now consider that the more you know a topic and its context, the closer you move, relatively, to that element of your cosmos. Conversely, the less you know a topic or context, the further conceptually you are from that idea. It is imperative to bridge the “space” between ideas respectfully in expectation of knowledge revealing itself. If we as students of Indian land expect to bridge the space and get closer to our topic, it must be done respectfully for the knowledge to connect and form relationships to our personal story. In an educational context, the term ceremony explains the respectful process of building stronger relationships with ideas or learning (Wilson 2012, Camosun U).

The central goal of any research is to make sense of learning a particular topic relative to our cosmos. Draw this connection: if research is the process of learning more about a topic and teaching is about helping students learn more about a topic, then Wilson’s words best illustrate, “research and teaching are ceremonies for building closer

relationships with ideas,” and teaching and learning are opposite perspectives of the same knowledge. With these two elements inextricably linked the understanding forms that relationships are knowledge (Wilson 2012, Camosun U). Knowledge comes through teaching-learning and research. The first ceremony to learn hands-on about Indian land was the workshop. Participating in this workshop allows each student an opportunity to answer reality-based questions with skills defined by the indigenous, traditional or community values (Svinicki 2011, 200-209).

Wilson characterizes the importance of relationships in forming reality and personal accountability to the relationships we form. The following explanation from *Research is Ceremony* tries to boil down an infused concept underlying an entire paradigm. The fact that it can be stated so simply is a testament to the paradigm’s completeness:

Relationality seems to sum up the whole indigenous research paradigm to me. Just as the components of the paradigm are related, the components themselves all have to do with relationships. The ontology and epistemology are based upon a process of relationships that form a mutual reality. The axiology and methodology are based upon maintaining accountability to those relationships (Wilson 2008, 70-71).

The ceremony is not just the time together in the classroom or while the workshop is actively running. *Research is Ceremony* and the Camosun University presentation outline the different stages of a ceremony. The Camosun presentation fits the thesis forum best. According to Wilson and his co-researchers, the workshop is only the visible period at the end of a long sentence (Wilson 2008, 122, paraphrasing Stan). The ceremony begins even before knowing what questions to ask. Thank you Crow landowners. Coming to school as a researcher to study the minutiae of academic detail,

my lifestyle has been congruent to the direction of the journey. But to me without a context, a time and place to learn a new skill, all the bookish learning of academia is hollow. Finding a way to contribute means going forward with a “good heart” in the next stage of the ceremony. Listening with at “good heart” to community needs and looking for a way to fulfill them created “the [sacred] space” necessary to take part in the ceremony (Wilson 2008, 11, 60; Wilson 2012, Camosun U).

As a teacher, I practice what I teach and look to learn in every situation. The relational workshop wheel is a culmination of the academic experience in the MSU Native American Studies graduate program that created a sacred forum to “bring together the ingredients” of the ceremony (Wilson 2012, Camosun U). Even though the majority of references in the bibliography are related to housing, an equal number relate to land rights. The simple question that started this workshop – students’ real world situations – brings a different level of complexity that the academic material was missing. Research in the pilot workshop ceremony was “knowingly grounded in the lives of real people as individuals and social beings, not on the world of ideas” (Wilson 2008, 60).

“If it all works right” then a miracle occurs (Wilson 2012, Camosun U).

According to Wilson’s presentation, the miracle we seek as teachers is enlightenment for our students and ourselves. Each student determines what that means in his or her own context. The workshop provided a space for students to learn about and reflect on their situation and practice skills aimed at navigating the land system. Students are free to take as much or as little as they feel relevant to their situation. Hopefully, the students’ knowledge is incorporated into their lives and into their lifestyle (Wilson 2012, Camosun

U). In both the story of *Research is Ceremony* and the slides accompanying the presentation “Research is Ceremony, and so is Teaching”-learning, Wilson and his co-researchers declare that if your research doesn’t change you, then you haven’t done it right (Wilson 2008 & Wilson 2012, Camosun U). Researchers like Zull and Moore would agree, as their research suggests that actual changes occur in the student’s mind; either physically, physiologically or intellectually.

How are we accountable for and to these relationships that form individual perspective? Knowledge from an indigenous perspective “is seen as belonging to the cosmos of which we are a part and where researchers are only the interpreters of this knowledge” (Wilson 2008, 38). Being accountable is contextual and means many things. Aretha Franklin’s song defines mutual accountability simply as “R-E-S-P-E-C-T” (Franklin 1985). It means working diligently to prepare for the ceremony by knowing the resources on land and teaching, knowing how to find additional color, and practice learning that synthesized the pilot *Indian Land Workshop*. It means trying hard to internalize lessons from prior practice teaching students. It means explaining to the students the instructor’s context including the axiology regulating how the workshop addresses the unknown. It means openly sharing what you came to the workshop to know and what you know. “As I was listening I was learning, and as I was learning I was sharing” (Wilson 2008, 131). Accountability was documented in the teaching philosophy and the axiological implementation of the methodology throughout the ceremony. Accountability means honoring the relationships that contributed to the outcome. It means being truthful and speaking with an open heart of the student relationships that

formed the relationship (Two Rivers 2007). And finally, I think it means thanking all the relations that guided me to the path and helped this journey from that uncertain path almost three years ago.

The teaching and learning relationship in research is a foundational concept of this indigenous research program. Through this process everyone involved in the ceremony is learning from the cosmos knowledge they did not possess before coming together. If research is about personal learning and sharing, then given the role of the proto-teacher in the educational literature described earlier in the “Scholarly Teaching and Learning” section, then it is an easy association to relate teaching with research. I think the significance of this relationship is that knowledge isn’t real until you pass it on. In writing the prospectus *Indian Land Workshop: Connecting Knowledge to Student Experience*, I heeded Wilson’s advice from *Research is Ceremony* by considering the,

general strategy of where I wanted to go. This strategy needed to allow for change and adaption along the way. By having an end goal I would like to achieve and perhaps a process or way by which I would like to get there, I hoped to remain open to any change that the situation required. In addition to the process changing in order to achieve the end goal, the end goal also changed to meet the emerging process (Wilson 2008, 40).

My research goal was to learn about being a teacher who is a student of humanity that recognizes the importance of reality-based learning for our reality. Our efforts were never limited to pre-determined topics, methods, or even outcomes – strategy behind the design of the workshop was flexible to allow for the natural progression of the course to achieve the goals of the students. With learning clearly in focus, students directed the course as the instructor participated like a novice (Lowman 1994, 507).

As the workshop formed and coalesced into what it would be those three weeks in June, very different elements of experience synthesized. The following concepts about teaching from Wilson and his co-researchers illustrate concepts incorporated into the pedagogy and applied in this revolution of the relational workshop wheel. “Teaching is a sacred responsibility. [I]f my soul is not in there and I’m not establishing relationships I’m not teaching” (Wilson 2008, 102). “My role, based on the guidelines of relationality and relational accountability is to share information or to make connections with ideas” (Wilson 2008, 133). It is important to form respectful relationships with the people I am participating in the learning ceremony with as “a source of enrichment to their lives and not a source of depletion or denigration” (Wilson 2008, 38). “You have to build a relationship with an idea or with knowledge, just like you have to with anything or anyone else” (Wilson 2008, 118).

In the end, there is no end. The evolved curriculum is a snapshot and not a culmination. At the same time it’s a new beginning and a continuation of the previous ceremony with Indian land. If you are starting to see the circular and interconnected nature of the wheel, then the story continues with the workshop. Near the end of *Research is Ceremony*, Wilson puts it to the reader. I refer you now to that statement as a consideration for my own readers and as a workshop disclaimer.

In receiving the story, you as an active listener are responsible for putting the story into a relational context that makes sense for you and for listening with an open heart and open mind. If you choose to pass along the story or my words, you also take on the responsibilities of the storyteller yourself. The relationships that we all build with an Indigenous research paradigm shape and redefine the concepts in your joint ownership of this concept, you are also accountable for how you use it (Wilson 2008, 126-127).

Honoring Relationships

Telling the story of this work is as much about me as it is about my family, friends, peers, professors, mentors, and students that encouraged and guided me to Montana. To show personal accountability to those relationships, I honor them in the public record of my research ceremony. With little personal experience to draw from, I offer this gratitude to the four directions for the simple explanation told by *The Sacred Pipe: Black Elk's Account of the Seven Rites of the Oglala Sioux*.

Thank you to the South facing relationships, “the source of all life” (Brown 1989, 5). I am thankful to my family; and, especially Tanya and Travis for their patience and support during this journey. I also thank my AISA brothers and sisters: Emerson, Francine, Roberta and Caroline. Those hours driving to AZ were some of the hardest laughs of my life. These same relatives remind me of the importance of keeping it real. In keeping it real, this ceremony is not about me; but about forming a respectful relationship with the people who participate in the workshop to learn about their land. A heartfelt thank you also goes out to my mother, whose encouragement, support, and semi-annual visits kept me going. Thank you dad, for appreciating what I’m doing back in school. And my gratitude for my sister who finally realizes how small humans are after her visit to the Rockies. Thank you to my Grandparents’ for their hard work, sacrifice and foresight that continues to help me live.

Turning to face West where we are always headed towards the “setting sun of our lives,” I say thank you to the faculty and staff at Montana State University (Brown 1989, 5). I thank those people who have been invaluable at making me feel like a part of the

community: Jioanna Carzjuzza, Jim Burns and Rita Sand; Josh Mori for his awesome approach to life and teaching; Veronica and Donna Maday two women who speak their mind; Wayne Stein for his experience in the classroom; Bill Yellowtail for all the work he has done in Montana Indian Country let alone the contributions to this project; thank you to the Red Feather Development Group for helping me contribute to a community- and not ask anything back. Thank you to Hopa Mountain for bringing top-notch scholars to the MSU campus, like Gregory Cajete; to SAIGS for their involvement in the community and showing me more ways to think; thank you to Racheal Two Two whose invite into her First Time Homebuyers class interested a student. Thank you to my college teaching cohorts whose observations and sharp critiques encouraged me to keep trying. Thank you to Michele Curlee for believing in this workshop and shepherding it through the college's channels; thank you to Chief Dull Knife College for hosting the workshop; a gracious, big thank you to the Indian Land Tenure Foundation for funding the expenses of this service learning project and believing enough in the project to consider it for their network of teachers in Indian Country. To the Northern Cheyenne community, especially Robin Spang and her daughter, for renting their parking pad and putting up with a 1970 twenty foot travel trailer. To Joe Limber Hand, Virginia Williams, and their three daughters who made me and the other Red Feather volunteers feel at home on their land.

“Approaching the colder North, where the white hairs are,” I express my wholehearted gratitude to Larry Gross for pointing out the obvious to me; Walter Fleming for his experience and suggestions along the way (Brown 1989, 5). Thank you

Ben Yeoman for your friendship and introducing me to your friends on the Northern Cheyenne Reservation, without your assistance, I would not have been able to offer the workshop. Thank you Shawn Wilson for taking the time to write about indigenous research and all that entails. Thank you Carrie Myers for sharing your knowledge and skill teaching and as a mentor. Also, she helped jump start this thesis by suggesting a model to conceptualize the relational workshop cycle. Thank you Kristin Ruppel for your expertise in Indian land matters and the Fort Hall Landowner's curriculum. Thank you for inviting me to the Indian Land Working Group symposium to present this work. Thank you, Matt Herman for your contemplative style, encouragement, and gentle guidance while forming and following the dream of this project. A heartfelt thank you to my entire committee for their unwavering support, enthusiasm and counseling during this journey. Accountability also requires I thank the writers of the curriculums that guided the structure and activities for the workshop wheel – thank you to Dr. Edward Valandra and the Fort Hall Landowner's Alliance.

“Arriving [in the East], if I'm lucky, at the source of light and understanding,” I thank the students who came to the workshop with open hearts and good intentions to learn (Brown 1989, 5). I also thank the interested people who came by to ask their questions and never returned to the workshop. Your questions were important to understand, even if your words are not included in this narrative. And finally, I say thank you to the experts in Lame Deer who shared their valuable experiences with us. Thank you to all the relations that made this possible.

4. LEARNING IS CEREMONY

Designing the Pilot Workshop

So far, I explained how starting with a simple question, researching the topic of Indian land and internalizing the scholarly literature on adult teaching and learning, as well as following an indigenous paradigm for research, combined to create the circumstances and academic relationships for a pilot *Indian Land Workshop*. This chapter describes the nuts and bolts of applying those different relationships to the course objectives and essential questions of the pilot syllabus. Integrating a problem-based approach to solve student questions aligns the workshop with student outcomes. The focal point of this learner-centered workshop was the simple, yet deep question: what do you want to know about Indian land? The purpose in asking this question of the community is drawn from the Indian Land Tenure Foundation's mission statement, which is to create well informed advocates for the use, protection, and the repatriation of Indian land within the reservation's boundaries. Jumping off from this question was a way to inspire members of the reservation to ask their questions and seek answers in a free reality-based workshop. Once we came together as a group and forged our relationship, the instructional plan was to develop a context of Indian land, then examine various methodologies for gaining new knowledge, and finally, apply those methodologies to form answers based on student conversations with experts. In describing the workshop design, I will discuss support for the project; how the goals were selected and why; the teaching philosophy and style underlying the process; then, I will characterize the modules; and, finally, I will define what is meant by student assessment and how this tool

was planned into the research ceremony. The second half of the chapter, “Learning in the Workshop,” is devoted to the ceremony itself and relating what was learned.

Indian Land Tenure Foundation (ILTF)

The ILTF operationalizes its mission through a four-pronged approach to ensure that tribal lands within the original reservation boundaries and of high significance are owned and managed by Indian people (www.iltf.org). By working in four strategic areas: education, cultural awareness, economic opportunity, and legal reform, the Foundation works hard to retain aboriginal land interests. ILTF encourages educators to apply for one of several grant-funding opportunities available to either create or teach courses on Indian land. ILTF seeks classes that remain viable beyond the initial offering. This workshop ceremony was partially funded with a new course implementation grant that paid for the expenses of offering the course, including travel and personnel expense while leading the workshop. Guiding the drafting of this grant was *The Art of Grantsmanship* created by RJS and Associates for the Stone Child College on the Rocky Boy Reservation. For sustainability, the major deliverable is a useable workshop curriculum that includes a syllabus, detailed lesson plans, and all supporting primary documents and activities. The project funded by the grant is the evolution of *Indian Land Workshop* into *Questioning Indian Land*.

Goals

The stated goals in the pilot syllabus for the ceremony are threefold; first, to address course objectives while leading members of a given community in a problem-

based learning workshop on real world land questions. Second, to carry out Shawn Wilson's imperative regarding the ethics of indigenous research: “in an indigenous research paradigm it is imperative to relational accountability that as a researcher I form a respectful relationship with the ideas I am studying” and the people I am learning with (Wilson 2008, 22). And last, to practice being a teacher-learner, by learning with and from student’s questions, and applying experience to promote student learning. Critical reflection after leading the pilot promoted the evolution of the workshop into a course that ILTF could use as part of their educational strategy. *Questioning Indian Land* workshop is a free use curriculum.

The first goal, *addressing course objectives and leading an inquiry-based workshop*, is pivotal to keeping the focus on learner-centered activities. More than anything, this class is a space to empower students to ask whatever question(s) they have about ownership of Indian Land. For these sessions to reach maximum potential, building a strong group relationship that could learn together was essential. The relationship guided the strategy we followed in all of our daily meetings. The specific course objectives for students to achieve by the end of workshop include: 1) the ability to ask their own questions; 2) evaluate the information they relate to; and, 3) form there own conclusions and know how to proceed. As the leader of the ceremony, it is my role to anticipate when and how students need support, encouragement or guidance, and provide it.

The second goal, *to form a respectful relationship with my fellow students and ideas I am studying*, was an imperative from the design phase and continuing through to

the evolution of the workshop. As the group came together and established rapport, we discussed the mutually agreed upon tenets of the ceremony. Importantly, expressing how relationships shape reality and how we relate to this knowledge forms our reality and our worldview. The class discussion built upon the formation of relationships to create new associations with past knowledge. In coming together for this workshop, we created our the respectful ceremony. Wilson sums up the steps of the ceremony,

Indigenous research is a ceremony and must be respected as such. It is the required process and preparation that happens long before the event. It is the knowing and respectful reinforcement that all things are related and connected. It is the voice of our ancestors that tell us when it is right and when it is not. Indigenous research *is* a life changing ceremony (Wilson 2008, 60-61).

Each of the three workshop goals are inseparable from the others. Being *a teacher who is a learner* is vital practice for an educator, particularly for an educator who wants to learn hands-on about Indian land. New situations will likely always present themselves. This idea of the “teacher” learning alongside the students, instead of in front of them as a professed “expert,” promotes an open exchange of personal views in class. By beginning the learning ceremony this way, each individual’s experiences had equal value and contributed to the ongoing outcome of the course.

Each of these goals was supported by the teaching philosophy simply stated in the pilot syllabus. The statement of teaching philosophy was written into the course description in order to share as much upfront with the students as possible. Explaining the workshop strategy and student directed outcome as a major component of the ideology. Components of the teaching philosophy embodied the various teaching practices suggested by Bill Yellowtail in the *Land Literacy* course outline. Stating the philosophy

illustrates a commitment to good teaching based in theory and practical experience, and promotes a respectful relationship with the topic and each other. To summarize the philosophy, student activities would be hands-on. As a learner, centered environment, student opinions and connections to material contributed significantly to the order of the class. By creating a synergistic and respectful relationship with students, the instructor could focus on being the ‘guide’ and connecting student experience to content. It was important for students to understand from the beginning the context that lead to our ceremony and how it would differ educationally from other more academic courses. How the workshop would be “taught” was, and is, instrumental to student success in answering their questions.

Modules

The workshop was designed around three core modules. Each module was planned to inform and feed into the activities of the next module. In this way the course was even structured as a ceremony – preparing the space by developing the students’ context then bringing together the sources to learn in the ceremony about Indian land. The first module recaps the foundational context of history, policy, federal programs, and analyzes some Congressional solutions enacted to deal with the most salient affects of the General Allotment Act and its subsequent amendments. The second module consists of looking at different research methodologies particularly relevant to each student’s situation. During the final module, the class met with subject matter experts from the community to talk about their experience.

The instructional design of the first module is to build student context. This was planned to occur with the scaffolding of material illustrating the history and effects of US laws and policies related to the current problems encumbering Indian land. References were planned ahead of time for the generic course in the outline; however, the selection of actual references would be flexible in order to maintain relevance for student situations. Once the class met and was bound by actual student questions, unique resources from the list were assigned for each situation and student's learning style. Effectively, each student was assigned individualized readings based upon his or her relationship to Indian land.

In the second module, the instruction was formatted to model different research methods. Each class session would be devoted to one aspect of research. The first session in the module focused on brainstorming search methods for varying types of source material, such as journals, video, or books. The module's second class would be devoted to listing expert sources and assembling a list of questions to ask. On the third day, we would try our questions out at the BIA Realty Department. A goal of this process was to increase learning so students could direct a well-developed and thoughtful line of questioning during the expert interviews the following week.

For the final module, the plan was for students to learn from firsthand experience how the system functions and specifically how their situation fits into laws of Section 25 of the Code of Federal Regulations (25 CFR) dealing with Indian nations and people. It was the hope that each of these experts would impart valuable information and advice that the students could then incorporate into a strategy for strengthening their personal

relationships to land knowledge. As the lead investigator, it would not be my role to question the different experts.

Assessment

In a learner-centered environment like the workshop, the instructor must assess student learning. This is accomplished with simple tools called CATs (Cross & Angelo 1993). As stated earlier, a “central purpose of classroom assessment is to empower both teachers and their students to improve the quality of learning in the classroom” by constantly monitoring the relationships students are forming with the data in an anonymous informal way (Cross & Angelo 1993, 4). Support in the academic community for the use of short formative classroom assessment is widespread. Maryellen Weimer joins Zimmerman, Schunk and Pintrich in stating, “classroom assessment closely correlates with the idea of self-regulated, autonomous, self-monitoring learners” and including daily assessment was part of the plan from the start (Weimer 1996, 9). A CAT in the form of a Basic Knowledge Survey would be given on the first day of class to determine students’ baseline knowledge about key terms. Other assessment was planned to capture student reflective thoughts throughout the workshop. Giving students space to reflect and see connections to what they have been reading and learning is a way to help relationships form and tie everything together. The follow-up nature of CATs helped guide the course. They are part of the feedback loop that kept the students calling the shots for the course. Journals would memorialize the instructor’s critical reflections for consideration in evolving the workshop.

By planning several methods to look for evidence revealing student learning, the ideal is that student comments would confirm and direct learning. The following synopsis of CATs expands upon the perceived usefulness of each assessment and explains why it was selected for the pilot.

Basic Knowledge Survey. A *basic knowledge survey or probe* is designed to generate a starting point for students' prior knowledge, recall and depth of comprehension relative to the current topic (Angelo and Cross 1993, 119). "Basic knowledge [surveys (Angelo and Cross call it a 'probe')] are short, simple questionnaires prepared by instructors for use at the beginning of a course, at the start of a new unit or lesson, or prior to introducing an important new topic" (Angelo and Cross 1993, 121). The knowledge survey is "meant to help teachers determine the most effective starting point for a given lesson and the most appropriate level at which to begin instruction" (Angelo and Cross 1993, 121). This specific basic knowledge survey is designed to collect focused data about students' initial knowledge regarding the terminology of Indian land (Angelo and Cross 1993, 121). By looking back at prior learning, the leader has a window into a students mind to aid students establishing relationships with what they all ready understand.

"For students, the Background Knowledge [Survey] focuses attention on the most important material to be studied, providing both a preview of what is to come and a review of what they already know about that topic" (Angelo and Cross 1993, 121). Additionally, research suggests that surveys can be used as both a pre- and post-assessment of student learning. Specifically, by giving a survey both before and after a

given lesson, the instructor can quantitatively identify improvements in learners. This particular tool was selected because it introduces key terms to students, admits baseline knowledge to the instructor, allows students to chart their own progress, and lastly, the handout can be used as a reference guide for reflecting on concepts later. Please see Appendix C: Learning Resources, for the evolved basic knowledge survey.

Reflections, Minute Papers, and Journals. When students have an opportunity to reflect on what they learned in class, deeper learning occurs. On the second day, the class formulated components to include in the reflections. Once agreed on what a reflection was to each of us personally, reflections became the weekly way to look back on the learning for the week and find deeper connections. Keeping with the idea of the class being student directed, the ceremony participants defined the fluid nature of the reflective paper as “things that stuck in your mind” or “had any outstanding questions about” or “anything else you feel you need to say” (Author’s personal notes 2012). Reflections were not required to be a certain length. Student reflections are quoted in “Learning in the Workshop” to illustrate how the Indian land relationships were established and grew. Another benefit of free form reflective CATs is that they open additional opportunities for a deeper dialogue in the class.

In designing the pilot workshop, the plan was to clear up misunderstandings by posing questions that encourage deeper thought at the end of almost every session. Students would be asked two questions at the end of every class to answer in a minute paper. Minute paper questions are typically opposites. For example, a question might be: what is now more clear to you about the US’ trust responsibility? The second question

might be, what is still confusing to you about the government's assumed trust responsibility? After reading student responses, class time or personal research would be allotted to clear up any confusing issues.

The use of CATs in the classroom is meant to improve learning and teaching. Future instructors have complete autonomy to ask or modify the CAT questions, to fit the unique context and learning objectives of the community.

Finally, I wrote my reflections on the day's lesson in a nightly freeform journal entry very similar to student reflections. Six months later, the daily memos of thoughts conceptualized the relational workshop wheel and contributed to the evolution of the class. Entries were meant to capture raw thoughts of the days' lessons. According to the research, the journal should include critical reflection about power relationships in the classroom and contemplate ways to improve student learning. In the act of reviewing these notes while preparing the new workshop, personal reflections would inspire other thoughts that would hopefully be useful to other instructors and students that choose to ask questions. Journaling would be a new tool for me, but one I felt compelled to require of myself – if for no other reason than having a record and reminder of what went on. These notes would serve as a reminder of the learning that took place during the ceremony.

Teacher Evaluations. It is tough to look at yourself and hear everything going on in the room while you are teaching. A master teacher would also observe a class and provide an opinion and suggestions. Receiving feedback from a master teacher would help me learn from the experience by revealing aspects I cannot personally evaluate.

This information would then allow me to form relationships with sound teaching practices. The college also agreed to administer their “standard” course end evaluation. The implications and personal connections of these evaluations will be discussed in the next section, “Learning in the Workshop.”

In order to keep the class focused on learning, I asked students to answer some questions about how the instruction could improve for them personally. The survey is included as a sample in Appendix C, questions include:

- What is working well in class so far?
- What have you learned so far that seems important to you?
- What do you wish the class would cover that it hasn’t already?
- What specific actions can the instructor take to make this a better learning experience for you?
- What can you do as a student, to improve your learning from this class?

Student responses would be taken to heart and wherever possible, adjustments would be implemented.

IRB As the reality of actually teaching the workshop sank in; it was obvious that the end project would include quoting student work and thoughts to demonstrate establishing relationships with new knowledge. The use of someone else’s words demands their permission and an Institutional Review Board (IRB) approval. Montana State University’s IRB exists to protect human subjects from unscrupulous and insensitive practices with no clear benefit in and for the community. The consent and release form process enumerated by the IRB also protects the University from liability

resulting from a rogue researcher. There was a lot to consider in designing the form. For example, I only wanted to use student words, not own them. I wanted students to have the ability to completely opt out of the research and still stay enrolled in the class. If students wanted to remain anonymous or use a false name, they could do so. The IRB approved the research protocols and the Consent and Release Form on May 14, 2012. Executed student forms are safeguarded by the principle investigator under lock and key.

Chief Dull Knife College approved the thesis project including the consent and release forms in their weekly President's meeting. The approval was contingent upon MSU's approval and the safeguards in place to protect student anonymity should they choose to opt out of the research and/ or final product.

Learning in the Workshop

Learning in the workshop was a synergistic relationship formed when Jennifer, Devon and myself met. (To protect the anonymity of the students both names are pseudonyms.) Each of us learned from the other's experiences and particular situation. Leading the workshop was amazing. Working with students who had a vested interest in the material and outcome of the research made the journey fun, relevant, enlightening, and most of all, human. This experience cemented the idea that I enjoy teaching adults. The students' commitment to their learning was evident by their engagement. The workshop functioned as a small group with very little formal authority, but a pragmatic goal for each student. "Learning materials and tasks are more easily mastered when they are meaningful" (Fincher 1985, 64). In asking students to devise their own question,

collaborating with them to formulate a research strategy, and evaluate their findings, students were engaged in an active, meaningful learning process.

The following section describes the measures taken to ensure this workshop is sustainable. In the context of this research program, sustainability means creating a workshop that can be used again and again to educate landowners about their situations. Students' words will introduce their context and their specific situation; then I will describe the importance of our first meeting and how that prepared the space for our ceremony to come; next, I will discuss selecting sources for each student; then I will demonstrate student learning by incorporating our reflective thoughts. Finally, I will describe our last meeting in October beginning this second revolution of the ceremony with Indian land.

The principle deliverable of the workshop, other than working with students to answer their questions, was to provide a useable curriculum for other instructors yearning to ask questions about Indian land. It is a goal for the workshop to be a starting point and resource for other instructors who want to strengthen their relationship with Indian land. The broader question for Indian country is: will others take up the mantle and continue the evolution of the curriculum in other communities around the country? I believe that the inquiry-based nature of the curriculum, and the fact that the instructor is a learner too makes the workshop replicable almost anywhere. The design of the workshop is such that it is self-contained, in that readings are included as a primer for the instructor prior to offering the course.

The Students - Background and Questions

The students are absolutely the heart of both the pilot and evolved workshops. Without their interest and dedication, there would have been no class to teach and no practical land knowledge to encounter. As explained previously, this class is about forming relationships with new knowledge and with each other. I honor these relationships now by including each student's background and their specific questions. Thank you, Devon and Jennifer, for seeking out knowledge in this ceremony.

Student Background. Jennifer Bailey's personal introduction on the first day of the workshop described her background in customer service and banking for the last 16 years. Her family is from Fort Berthold and she grew up there. She completed high school and successfully completed some college course work at different schools (Bailey 2012, personal communication). Jennifer introduces her question in her written intro: "I would like a basic understanding of the process of native lands ... specifically as to how the process of land leases goes? Who manages it? How has it been managed? As landowner, how can I control it? How do I/ can I have my land make money for me, [my] siblings and family" (Bailey 2012, personal communication)? Jennifer's introduction not only explains where she comes from, but also the questions she has for her situation.

Similarly, the other student, Devon Marshall is "interested in taking this class for personal housing/ land issues and for" his work with the tribe (Marshall 2012, personal communication). Devon's introduction explains his educational background and interest in the land,

[I] graduated from Busby High and MSU in F&TV [Film & Television] Production. [...] I own my own HUD house on a questionable situation. I'd like to clear this up for my peace of mind. I'm single with [no] dependents and have put in my will that my two sisters will get my house and all of my assets. The other land issues would concern my work with topics such as, treatment as a state (TAS), jurisdiction over nonmembers on the reservation and related topics (Marshall 2012, personal communication).

Both of these questions sprang out of issues directly related to the US government's allotment policy and subsequent legal and administrative decisions controlling the dispossession of Indians as "rightful occupants of the soil" (Johnson vs. McIntosh 1823).

As the third student in the course, I never dealt with either of these situations before. Nor could I ever have envisioned such problems associated with Indian land ownership based solely upon the academic study of Indian land policy. My interest in creating this workshop was to gain real world experience with people's challenges related to their land. Therefore, I am very excited to begin the ceremony and look deeper into these questions. This practical application of academic knowledge to real world experience is the reason this workshop was offered.

First Meeting. Our first meeting was a laid back social gathering and less so a traditional class setting. The first class began with a meal that allowed the three of us to talk and get to know one another away from the teacher-student hierarchy. After we ate and moved inside, I explained the paradigm and objectives that would feed into the blueprint of the workshop for the next three weeks. This description included a discussion of how new knowledge is formed – by bridging gaps to create new relationships. In the three of us coming together to speak openly, we laid the groundwork for a respectful relationship with each other and our chosen research agendas – nothing

was hidden. Strengthening our relationship with reality also meant that as researchers, we became accountable for the use of what we learn and the sharing of it with others. At this point in our meeting, I disclosed the problem-based learning nature of the workshop. Humbly, I explained that their words would tell their story best and I would like their consent to quote them...and “I have this form”. Both students agreed to participate in the study and consented to release their words under a pseudonym.

Transitioning from describing the broader context of the class, we took a few minutes to read the roadmap. This dialogue included a description of the inquiry-based teaching methodology embedded in the design. I laid out the guide role the instructor would play explaining the source of my bookish focus on Indian housing and their link to Indian land. This open dialogue teaching approach expanded the meaning of “ceremony.” Specifically, in the workshop context this meant the respectful bridging of the sacred space between the unknown aspects of the topics and relationships we share with each other. A personal learning objective in bringing this ceremony together was to strengthen the connection between academia and the real world.

In this first meeting, I introduced the practice and purposes of class assessment in the form of a *basic knowledge survey*. This instrument serves many purposes in directing teachers to help learners. The survey would quantitatively base-line student knowledge about some of the terminology we would be using. This assessment was consulted daily to ensure that terms showing an inclination for missing knowledge were connected in the day’s discussion roundtables. While this CAT is essentially multiple choices in design, its results are difficult to characterize generically, particularly without a statistically

relevant sample. The surveys were not summarized in this paper because these assessments were not meant to be summative in nature. The results were engaged to guide lesson plans, in-class discussions, and the selection of reading materials to develop student context. The survey would be the first part of a two part assessment – one given before the workshop, and one given at the end. How the tool identified student gaps in knowledge led to an evolution of the workshop. For instance, in the evolved curriculum terms were modified to be more relevant to the contemporary encumbrances on Indian land.

Assigning References. Since both students came to class with unique and very different land situations, readings were tailored to provide a mix of pertinent and interesting material to advance each student's context. Knowing the students' backgrounds and questions guided the search for finding relevant material. Both students were assigned the ILTF *Message Runner* Volume 4 that provides a detailed, yet brief and easy to read historical context of Indian-US relations dating from Columbus' "discovery" to John Marshall's Trilogly to the modern day implementation of AIPRA. Each student was assigned ILTF's *Cutting Through the Red Tape* issue of the *Message Runner*. This undated volume, graphically explains the most common BIA reports for Indian land and related accounts. Both students were also asked to read *No Quick Fixes*, a brief resource on one of the BIA's recent attempts to buy back fractionated interests. Devon's material was selected to be more technical in nature, with authors like Frederick Hoxie, Fred McChesney and Jennifer Roback. While Jennifer's sources were more specific to the intergenerational transfer of trust property with references prepared by the Center for

Indian Law and Policy at the University of Seattle. In fact, both students received the same materials as the other, but were not required to read the material assigned to the other student. The references were provided to both so that all information was shared and there would be no secrets. I re-read everything in order to address student questions.

Assessment. Because the class consisted of two participants and one instructor, the learning environment was intimate; our discussions were fruitful and candid. For this reason I asked students to write reflections at the end of each module, once a week. The students' reflections opened a door to catch sight of how students were making sense of this new knowledge within their own contexts. In both cases, student revelations connected me personally to how the students questioned what they were learning. Students' writings elaborated on thoughts and often created an outlet for emotion. I think the student's own words illustrate their connections best:

Devon states in his June 12th reflection, "This course is educating me in the history of how the federal government has mismanaged Indian lands, either legitimately and/or knowingly illegally, to the detriment of the Native people of the United States. I feel the Tribe should be the stewards of the land within the exterior boundaries of the reservation" (Marshall 2012, personal communication). Devon also puts forth an idea from the community for managing trust land ownership in Indian Country: in order for "an enrolled member of the Tribe to assume control over a given area of the reservation the person or person[s] should be required to take a course in good land practices. Once this is completed then land use and a given set of acreage can be the responsibility of the person" or family (Marshall 2012, personal communication).

Devon contemplates on June 19th; “There are many situations where, I believe, that tribal and/or federal courts need to hear each case on its own ground or circumstances leading up to the status where a current homeowner now sits” (Marshall 2012, personal communication). His words demonstrate deep thinking on topics not easily related to his own circumstance without understanding his perspective. He draws not only on his own situation to make sense of the broader topic, but also begins to explore ways to approach the problems created by the self-imposed, and regulated, Federal Trust of Indian land.

To address fractionalization, Devon suggests that the Tribe buy small, undivided interests up, but allow the principle land user to continue to steward the land until all descendants have no interest in the land (Marshall 2012, personal communication). Personally, I suggest one way the tribe might encourage the sale of highly fractionated interests back to the tribe would be to move people up the waiting list for tribal services such as a land-lease assignment, if they sell their share to the tribe.

Jennifer Bailey had difficulty “grasp[ing] the concept of the land share not necessarily being physical” (Bailey 2012, personal communication). Collectively, we discussed how the federal government values Indian land, solely for its economic contribution and not for its familial or cultural significance, which seemed like something meant to confuse her. We hashed over her muddiest point comment, going back and forth exploring the dominant view of idle land in the neo-colonial land tenure paradigm. The federal government has historically viewed Indian land solely as an economic

resource to be exploited and used up. Hence, the share is only for the income generated off the land – not for undisturbed use by its rightful owners.

The only minute paper assigned came after the fiduciary trust discussion. Students were asked to write down the most confusing details of the fiduciary trust concept in a one-minute paper. Since class time always seemed to slip away, this was the only CAT rendered during class time. (To remedy this perceived limitation, the evolved educational program includes classroom assessment prompts for every lesson.) Devon observed in his minute-paper that Congress passed laws without any appreciation of the consequences or thoroughly thinking through all of the ramifications (Marshall 2012, personal communication). As such, when situations like his arise, there are no rules in the book to help the bureaucrats at all levels of government resolve the unanticipated and unintended side effects. Jennifer recounts more “background understanding of the workings of the Native land department. [...] Even just the terminology is a [little] foreign to me” (Bailey 2012, personal communication).

As the guide, I reflected nightly in a teacher’s journal. I employed this new-to-me tool while leading this workshop for the first time. In these nightly reflections, I wrote whatever my thoughts were for the day’s session. The journal tracked my own thoughts, feelings, observations, revelations, and personal assessment of the day’s outcome in a notation-style format. Journal entries also allowed the instructor space to reflect – although not always in the critical manner described by Brookfield – on teaching practice. Next time, journals will be written in the first person like the students’ critical reflections and focus on the elements of a critical reflection as Brookfield suggests. The

journals included everything from plans for the next day's session in some entries, to strategies for the next several days, or even the next workshop. Other thoughts reflected on how the day's discussion could be continued either in homework or in future class sessions. Particular attention was paid to these comments in evolving the workshop. I have never been one to keep a diary, but after charging myself to write something every evening – then later relying on these notes to evolve the course – I appreciate the ways in which journal entries bring the days into focus months down the road.

By reflecting on my own learning during this process, I was hypercritical of perceived missed opportunities in the classroom. For example, early on, I wrote down that arranging a call with the Indian Law Resource Center in Helena would benefit us all. However, I did not make this phone call until the last week. When I went back and reviewed the journals, I kicked myself for taking “so long to reach out to these legal experts” (Author's personal journal 2012). Other comments in the journals captured thoughts and plans for the next stage of the workshop's evolution. For example, recognizing that one spoke of the relational workshop has to be the leader's preparation. Failure to prepare for the ceremony with the proper protocols could result in a dangerous or useless mix of circumstances. The realization that the “teacher needs a context” as well and resolved to include some important resources (Author's personal journal 2012). Therefore, as the workshop progressed and evolved, both land and teaching resources were evaluated and bookmarked to include in the “Suggested Readings for the First Time Instructor” section in the next chapter.

Time always seemed to slip by and unfortunately, I did not administer the midterm instructor evaluation until the second to last class. However, the comments are relevant to the workshop and its evolution. One student wrote, “Everything was ‘hands-on,’ what we talked about, read, discussed and participated. I do realize that this should be the norm, however, it worked good for me” (Midterm evaluation 2012, personal communication). When asked what was important, this student connected to, “the history was very important, and the terminology” (Midterm evaluation 2012, personal communication). Because of this comment, the first module of the evolved workshop is structured around helping students build historical context and terminology. Evaluations are taken to heart and are viewed as a lesson for the instructor. In the evolved workshop, the middle, or seventh, lesson plan includes time to administer the evaluation and some suggested prompts.

Ongoing Projects. Jennifer Bailey continues her research for the ‘best’ (choice for her family) vehicle to stop, and possibly reverse, the fractionation of her family’s allotments. She expects that open communication with other family members is critical for working towards a viable solution – and that a tenable solution might not present itself for some time. I suggested that she and her family look for an indigenous solution for conserving their land. For example, she could research ownership values from the Mandan, Hidatsa and Arikara cultural values and incorporate the findings into a solution to prevent further fractionation. Jennifer’s short-term and intermediate strategies are for getting together with her family and sharing with them what she learned in the workshop’s ceremony. We reviewed one of the more common possibilities, the

formation of a single legal entity, like a corporation or trust, where shareholders or beneficiaries are the siblings. The gift deeding of allotments was also explored. With gift deeding, parcels of a single property, of roughly equivalent economic value and physical size, are gifted or willed to each sibling.

With the advice of a former attorney at the end of the workshop, Devon decided to take the letter he had been drafting throughout the workshop and split it into two individual notes for the Superintendent of the Northern Cheyenne Agency. Devon wants to resolve two issues. First, that the house is his to leave to whom he wishes. Second, to purchase the allotment his father willed to his half-sister. The first letter would request the BIA's official confirmation of his ownership duly recorded on the home site lease, Title Status Report (TSR), home conveyance, and right of way (R-O-W) from the property to the highway recorded at the BIA Reality Department (Marshall 2012, personal communication). The second letter would be direct in soliciting the purchase of the acreage surrounding his home site from his half-sister at fair market value. The expectation is that the BIA would forward this letter directly to her.

To be continued... Near the end of the June workshop, the students asked if we could meet again to answer any lingering questions, update progress on the thesis, and go over suggestions for the evolved workshop.

The workshop reconvened on the fifth of October and neither student felt much progress was made on resolving their situations. However, an interesting piece of gossip made its way to the follow up meeting. When the tribe distributed per capita payments in the previous month, Devon heard his half-sister came to town to collect hers. While in

town, she expressed to several people an interest in selling the “family land.” Maybe to him if he mails the letter, or should the tribe beat him to the purchase, it will never revert to him. At this point (November 5, 2012), Devon remains apprehensive about sending either letter because of advice he received years ago, “to let sleeping dogs lie;” he remains worried about awakening the BIA to his situation (Marshall 2012, personal communication). For what it was worth, I volunteered to assist in his ceremony in any way possible, including going with him to personally deliver the letters to the superintendent.

Jennifer, shared some of her new knowledge with her siblings, but she feels that none of them really wants to explore the options at this point. In our discussion, she continues to look into other possibilities for conserving the land base of her family as described above. It will be a process.

4. QUESTIONING INDIAN LAND

Evolving a Curriculum

Education is a critical component of any land strategy. This workshop was written as a contribution to empower adults who want to learn about their land and the federal controls imposed on so-called trust lands.

This workshop is intended to develop the context and research methodology well suited to a dynamic and flexible learning ceremony. In this environment, students direct the research ceremony by asking personal questions about Indian land. With guidance, students proceed to look for their own answers. The workshop is further intended to form relationships, experiences, and knowledge from the classroom activities to existing knowledge. Students then analyze these connections and gain a more enlightened understanding of land tenure issues.

In leading the workshop, the instructor's primary goal is to learn during the ceremony along with the student, acting in this way as a Sihing sharing knowledge as it pertains to the student's discussion to keep the learning moving in a direction the class intends. In Kung Fu, a Sihing is an older brother, who is meant to teach the younger ones about respect, how to react, and how to be.

“As people learn about their individual and tribal land tenure in both historical and contemporary terms, the course eventually allows for people to actually compare their respective experience with what they are learning” (Valandra 2004, 4). “The knowledge gained through this Native land tenure course, while immensely practical, will

not only raise insightful questions about the highly troubled state of land tenure throughout Indian Country but encourage meaningful alternatives to addressing Native land tenure's long standing problems such as fractionation and heirship" (Valandra 2004, 3).

This class is intended to be forever evolving as the knowledge and context shifts under the weight of federal plenary power and tribal self-determination. The course is designed to be applicable almost anywhere in Indian Country with minimal training and modification.

This curriculum is laid out to provide minimal teacher training and land background for the instructor first. This includes a modest amount of background readings that an instructor should be familiar with before taking on the responsibility of leading the workshop ceremony. Included in the Instructor primer are only two teaching references, *McKeachie's Tips for Teachers* and *Collected Wisdom*. *Research is Ceremony* lays out in vivid detail the respectful manner for bridging the unknown of our cosmos in this workshop. *Collected Wisdom* tells of being a teacher-learner who is willing to form a relationship with the community discourse. In addition to suggested readings and their context within the workshop, a brief description of the major concepts embedded in the workshop is weighed next. Continuing, detailed goals are suggested for the workshop and various learning tools for students are described. The syllabus follows in Appendix A and with rich detail provides objectives, essential questions and a course calendar, which the instructor should feel free to modify. In Appendix B following the syllabus are day-to-day lesson plans, including agendas, activities and classroom

assessment prompts. All resources, with the exception of videos, for the workshop follow in Appendix C: “Workshop References.” I am currently exploring alternatives to make this video broadly available electronically via the internet or some other means.

The pilot workshop was highly customized for each student’s situation. After critically reflecting on the original syllabus, personal teaching journals, student advice, and the relational workshop medicine wheel, the syllabus was re-tooled to structure information for students’ research ceremony. The ceremony culminates when students formulate a strategy to answer a question drawing on the relationships students connected with during the workshop.

In preparing this ceremony-based approach to learning, activities were selected from three highly evolved curriculums for guidance, ideas, and exercises on how to teach the concepts related to allotment. I sincerely appreciate the groundbreaking coursework of Dr. Edward Valandra and his course, *Introduction to Native Land Tenure*; The Fort Hall Land Owner’s Alliance for, *Indian Land: Core Course Enrichment Units*; and finally, Michael Young’s *1875 – 1899 The Dawes Act: Lesson Plan*. These referenced works were pivotal to the creation of both the pilot and evolved workshop you are reviewing now. Individual and specific contributions are footnoted on each lesson plan for ease of reference. Copyrighted material is labeled accordingly.

Suggested Readings for the First Time Instructor

I once saw a t-shirt of ‘top 10’ Mike (of the cable show *Dirty Jobs* fame) Rowesisms. I felt one in particular would be useful for the instructor meeting their class for the first time and explaining the problem-based learning style, “When I told you ‘hello,’ that

was all I know” which seems to embody a novice’s approach to learning – and how students should view the instructor’s role (Rowe 2011, t-shirt; Lowman 1994). A novice instructor who is willing to put forth the effort to prepare to lead the ceremony can teach this workshop. Teaching research indicates that teaching in this manner may actually strengthen the learning for the instructor. As a self-directed learner, I learn best by hands-on teaching methods and I can recommend this approach from experience.

The following list of references focuses on the various facets of the topic of Indian Land, the ceremony of research in indigenous communities, and assumes that the instructor has at least some experience teaching in adult and higher education. To help orient the instructor, only two educational references are recommended: *McKeachie’s Teaching Tips* and *Collected Wisdom*. The instructor should encourage students to bring in resources that relate to their question or topic. If the material is relevant on a broader basis, then that resource can be shared with all participants. At the very least, these new sources could and should be added to the instructor’s bibliography as a source of additional information in the future.

These resources were selected because they provide a reasonable cross-section of Native and non-Native scholars with varying degrees of indigenous perspective. These references explore various perspectives of Indian land. Some explore the effects of allotment from a constitutional perspective, others from a Supreme Court point of view, while others examine economic questions to the answers of allotment. Each source is unique and adds something to the conversation. Each resource includes a brief synopsis

indicated by a “<>” preceding the text describing the relevance in crafting the leader’s context. My bias for housing related issues should be evident from the sample.

Davis, Virginia. 2002. “A Discovery of Sorts: Reexamining the Origins of the Federal Indian Housing Obligation.” *Harvard Blackletter Law Journal* 18 (April 01, 2002):

<>The source reaffirms how long the U.S. has been dodging the issue of housing in Indian country. Highlights how many (if not most) treaties included language for tribes to give up their old homes in exchange for new ones to be built by the US. Author provides evidence of BIA superintendents tracking housing on the reservation. Why would they do this if it weren’t a federal concern? Also highlighted the *Meriam Report’s* findings of inadequate housing on reservations. This article can be used to illustrate the government’s responsibility prior to HUD assuming “control” of Indian housing in 1961 (as Susan Ferrell argues).

Deloria, Vine and David E Wilkins. 1999. *Tribes, Treaties, and Constitutional Tribulations*. Austin: University of Texas Press.

<>This reference evaluated the treatment of the Constitution and how it has been “applied to American Indians – in both their individual and collective capacities – and to their lands, treaties, and rights; it will concentrate on the ways in which the Indian peoples were often excluded from the just application of constitutional principles, particularly when they were excluded from the protections offered by the Constitution” (p ix). This book also analyzes many examples of Supreme Court dicta language to illustrate the duality exhibited by the Judicial branch towards Indian people. Text cements the historical context was often overlooked when the status quo of manifest destiny was dispossessing Indians of their land. Deloria and Wilkins argue to return tribes to their position in US culture to that of pre-1871, when Congress usurped the treaty making powers of the President.

Ferrell, Susan J. 1995. “Indian Housing: the Fourth Decade. (Tribal Sovereignty: Back to the Future?).” *St. Thomas Law Review* 7, no. 3 (January 01, 1995): 449-461

<>Background on when HUD thinks its responsibility for Indian housing came to be. Unfortunately, located another source (Virginia Davis – see above) that traced through history the federal obligation to provide housing for reservations, since almost the beginning of federal – Indian relations.

Fort Hall Landowners Alliance. 2002. *Indian Land: Core Course Enrichment Units: Shoshone-Bannock Jr./ Sr. High School*. Fort Hall, Idaho: Fort Hall Landowners Alliance.

<>This course manual created for the Fort Hall Shoshone-Bannock reservation was used as a reference for the pilot *Indian Land Workshop* and the revised *Questioning Indian Land* curriculums. Not only was this reference helpful for putting a structure around Indian land in the initial course work, but also provided many engaging lesson activities to teach allotment.

Goldberg, Carole, Kevin K. Washburn, Philip P. Frickey. 2011. *Indian Law Stories*, New York: Foundation Press.

<> This text presents Supreme Court cases in non-technical language describing the circumstances and events leading up to many of the Supreme Court's highest precedents in the Indian law canon. Students are asked to read only two chapters; however, the additional color and depth of the remainder of the cases is likely to prove useful for the instructor during class discussions. In addition to what the students are asked to read, consider reading the Marshall trilogy and *Tee-Hit-Ton v. US*.

Hoxie, Frederick E. 1984. *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920*. Lincoln, Neb.: University of Nebraska Press.

<>Filled in background information for lecture on GAA. See the chapter on "Indian Land Policy Emerges." Also highlights the legislative and judicial plenary powers abrogating Indian treaty rights. Provided excellent historic context for the implementation of allotment up until the 1920's.

Listokin, David, Robin M. Leichenko, Juliet King, Scott Bruton, and Rutgers University. Center for Urban Policy Research. 2006. *Housing and Economic Development in Indian Country: Challenge and Opportunity*. New Brunswick, N.J.: Center for Urban Policy Research--CUPR Press, Edward J. Bloustein School of Planning and Public Policy, Rutgers, the State University of New Jersey.

<>This reference was helpful for the amount of background and recent statistical information on housing metrics available in a single volume. The authors did advance some ideas for coping with the challenges of homeownership in Indian Country, but most dealt directly with government programs and assimilationist ideals. This resource would be good to frame the problem for the more free-market minded students.

Lone Wolf v. Hitchcock, 187 U.S. 553 (1903)

<>The dicta of this decision is clearly racist and should be read to understand the historical context of Indian land in the US court system. This case is widely considered the zenith of Congressional Plenary power.

Miller-Cleary, Linda and Thomas Peacock. 1998. *Collected Wisdom: American Indian Education*. Needham, MA: Allyn & Bacon.

<>This teacher's reference provided a narrative of the considerations and ways to be successful as a teacher in Indian Country. Perhaps the most important takeaway of this source was the concept of being a teacher who is a learner – which closely correlates to the idea of adults as self-regulated learners who seek out and make relative commitments about the applicability to our individual experience.

Montana State University. 2007. *Inheriting Indian Land: Indian Land Tenure in the Wake of the American Indian Probate Reform Act*. Symposium Proceedings Recorded April 12 – 13, 2007 in the Hager Auditorium at the Museum of the Rockies.

<>These taped proceedings allow the student and instructor to hear from actual experts on the some of the more applicable and complicated issues impacting probate and Indian land reform from professionals who deal with these issues on a 'routine' basis.

Ruppel, Kristin T. 2008. *Unearthing Indian Land: Living with the Legacies of Allotment*. Tucson: University of Arizona Press.

<>This text is an excellent primer for understanding the historical and contemporary influences on Indian land through the devices of so-called Indian Title. Ruppel illustrates the laws and precedents in an anecdotal format using real-life experience to illustrate the efforts of Native people to take back control of their land. Discusses the challenges that allotment brought to the reservation, including a new class of Indian landowner; ironically who are now the biggest thorns in the government's side.

Svinicki, Marilla D., and Wilbert James McKeachie. 2011. *McKeachie's Teaching Tips: Strategies, Research, and Theory for College and University Teachers*. 13th ed. Belmont, CA: Wadsworth, Cengage Learning.

<>“Teaching tips was originally written to answer the questions posed by new college teachers, to place them at ease in their jobs, and to get them started effectively in the classroom” (p.xix). The book is organized into short chapters that begin with course design, necessary basic skills, to getting students to participate. This book also focuses on helping teachers design a classroom that promotes learner-centered relationships. Topics include active reading, facilitating discussions, testing, soliciting feedback from students, grading, motivation in the classroom, diverse students and experiential and active learning strategies. I will employ this book to help with my practical teaching application.

Valandra, Edward C. 2004. *Introduction to Native Land Tenure*. Little Canada, Minnesota: Indian Land Tenure Foundation.

<>This course curriculum prepared by Dr. Valandra for use by the Indian Land Tenure Foundation in their educational efforts was invaluable. Activities and discussion prompts from the curriculum were used both in the pilot workshop and the re-designed

workshop. The reference contained not only ample reasoning behind why a course of this nature is necessary, but also included multiple discussion prompts and activities for students learning about allotment. (www.ILTF.org/resources)

Wilson, Shawn. 2008. *Research is Ceremony: Indigenous Research Methods*. Black Point, Nova Scotia: Fernwood Publishing.

<>This book narrated the importance of relationships in forming knowledge and creating reality. Also, the necessity of being accountable to the relationships that shred the knowledge. The description of research – as the way of becoming more familiar with our topic – is the basis for the problem-based learning workshop. This narrative may also connect all the other sources to the goals of the ceremony.

Major Concepts

For students to comprehend the complicated state of Indian land tenure issues and the crippling systemic flaws growing out of the ‘system,’ this course examines students’ personal questions by identifying the historical origins of allotment and the genesis of the Act’s effects. Next, we will examine possible methodologies for bridging the gap between student knowledge and questions. Finally, participant skills for finding new knowledge are put to the test by interviewing elders in the various departments, agencies and associations that the class most wants to learn about (adopted from Valandra 2004).

Goals – What Will Students Learn in this Ceremony?

<><>Goals drawn heavily from the Fort Hall Landowner’s Alliance curriculum.<><>

1. Define, summarize and analyze how the history of land ownership and tenure developed in the United States.
2. Explore from a personal perspective issues and problems stemming from government control of allotted Indian lands.

3. Brainstorm possible solutions to the problems caused from allotment and its “fixes,” with a particular focus for answering individual questions.
4. Evaluate the potential effectiveness of various competing solutions to unique situations and plan for further action on the personal question (adopted from Fort Hall 2002).

Learning Tools for Students

<><> *Tools drawn heavily from the Fort Hall Landowner’s Alliance curriculum.* <><>

Hands-on, reality-based learning activities are a crucial aspect of this class. As such, the following learning tools can be used to help students internalize the histories and concepts involved with learning about Indian land and trying to find answers for student questions.

1. Ask students to reflect weekly on what concepts they learned in class. This helps the instructor assess how students understand material in the workshop. Reflections provide students space to make deeper connections to the material. Misconceptions are brought to the surface to be cleared up in discussion.
2. Permit Internet access during class so that students can benefit from performing real time searches on ‘live’ topics. For example, searching “allotment” might bring up relevant information to further the discussion.
3. Allow students to present information and findings in a variety of formats. Skits, papers, artwork, poetry, pictures or any other method that engages the student’s creativity is acceptable.

4. Have students work in syndicates and small groups so that they can learn from each other's experiences – working cooperatively improves learning.
Additional methods of group work might include: Jig sawing, peer teaching, learning cells, online discussion postings or cases and articles that require independent student research of an ill-defined problem with real world applicability (Svinicki 2011, 190-209). (Adopted from Fort Hall, 2002).
5. Be a teacher who is a learner and learn alongside your students (Cleary & Peacock 1998, 5). “The parallel process of being a student and teacher presented productive discussion, because each role informed the other” (Pryce et al., 467).

The appendix contains all the correlated workshop materials in appendices A, B and C.

Going Forward Looking Back

This work has tried to describe how this graduate education has changed me as a researcher, educator, and person. In coming to Montana, I asked a respectful question of the Cosmos and proceeded to connect personal knowledge in construction, mortgage insurance and training with the topics of Indigenous research, Native American housing, Indian land rights, and critical adult pedagogy. The synergy created by these relationships and the hands-on volunteer work on the Northern Cheyenne Indian Reservation combined to create the space where other students of Indian land could gather to research questions and situations. The resulting learning ceremony changed all of the participants. In remaining personally accountable to the relationships that came

forward and shared this knowledge, the *Indian Land Workshop* evolved into something stronger: *Questioning Indian Land*. This revised curriculum is the result of a single revolution of the relational workshop wheel. In closing out this initial phase of the research, I will briefly assess the original workshop, synthesize the results into something meaningful, and wrap up with some underlying rationalization for evolving the curriculum.

Writing in my journal that first night of class, I wrote, “I am pleased and disappointed with the turnout. I recruited two, maybe three students” (Author’s personal notes 2012). Personally, teaching this class provided the experience to understand the research of real world questions through an indigenous paradigm. Thinking back to teaching the *Indian Land Workshop* a phrase my Kung Fu instructor always used comes to mind. He described his first batch of students –us – as a “burned batch of cookies.” Burnt cookies are what I think about when describing these first students. The workshop was flexible and calculated to give students the information they needed. While learning and personal connections to the knowledge were certainly evident in student reflections; I wonder how much more information could have been discovered if the class was structured as it is now after this first revolution of the wheel? Did the workshop meet the three main objectives outlined in the syllabus? Overall, I think the evidence of the reflections and assignments verifies that students did gain knowledge from this three-week ceremony. Each goal was accomplished to varying degrees. Jennifer Bailey’s comment sums it up well, “Crazy how that living here, I have learned more about this reservation and this tribes plight more than I know about my own” (Bailey 2012, personal

communication). The students, myself included, heard the knowledge we were meant to learn. We engaged the sacred information and each other in a respectful relationship. The success of the pilot can only be determined over the long term. From this workshop, two community members (and several visitors) gained more knowledge to a topic near and dear their heart. This process helped connect the academic context of Indian housing and land to something tangible promoting deeper learning within all the participants. As an educator, I learned more about teaching a reality-based learning environment. The Indian Land Tenure Foundation and the Chief Dull Knife College will benefit from a free curriculum outlining the exploration of the topic of Indian land through an indigenous research program. A curriculum that is both responsive to students and capable of mutation to fit the situation, community or nation.

How do the results provide rationale for changing the curriculum? The relationships formed in the pilot classroom guided the selection of readings and work tailored for each student's situation. While this approach worked for the students and circumstances in the pilot, a more considered concrete structure was forged to scaffold a context in the instructor and students' minds with the instructor just a little ahead in the context of the relationship. The most lasting benefit the students gained from this ceremony is the acquisition of skills to deal with information emerging from the government's control of Indian land. Reflecting on the experience a lot in the time since leading the workshop solidified the importance of relationships, with people and knowledge, and maintaining accountability to those relationships in sharing the information, telling the story, and leading the ceremony again. The major

recommendation for the next instructor is to establish relationships with the experts before the class. Reach out to these professionals and elders early in the planning. Meet them and share your plans for the workshop.

Finally, the results from teaching the workshop offered an opportunity for change because the relationship with the topic and the workshop was no longer the same as it was before; it is stronger and based in the real world. This background illustrated the importance of preparation for the instructor, thus the inclusion of an instructor introduction in the curriculum. Looking back, the evidence has shown the importance of living a congruent lifestyle in preparing for the ceremony. This means taking a scholarly approach to adult education and Native American theory and methodology to see relationships with the topic of Indian land. It also means critically reading materials to decide feasibility as a reference for students' questions. The question that started this ceremony remains the source of life for the wheel and is a reminder of the integration of an indigenous research and teaching paradigm into the learning ceremony. Through practical experience and understanding of relational accountability, I recognize the need to give back to the community; hence the evolved workshop will be free to all educators with an interest and passion for Indian land. Even though they may be "burned", I still have a relationship with the students from the pilot – I am always available as a resource to these friends.

How should the success of this workshop be measured? One method might be to use criteria of other successful workshops. Another means might be to use the metrics Bill Yellowtail laid out in his "inquiry-based course on land literacy." Still another way

might consider if the students were able to resolve their situations within the duration of the ceremony. But what if the most meaningful gauge is not apparent for years to come? Tom Ketron, the teacher and research participant in *Collected Wisdom* who coined the teacher-as-learner ideal says, “the seeds I’m planting may take years to even sprout, then mature, but at least they are planted” (Cleary & Peacock 1998, 12, quoting Tom Ketron). Maybe nothing grows for a long time, but someday you might see a mighty oak out of a tiny seed. Hopefully, this relational workshop wheel is something that makes sense to researchers and more specifically to teachers themselves. Hopefully, students come and want to learn more about their land with unquestioned answers waiting to surface.

Did a miracle occur? Yes, the workshop strengthened relationships with the topic of Indian land by working together. Has this ceremony been integrated into my life? Most definitely, as I write this, new connections become evident and I am excited to try this ceremony again. Going forward looking back is a way of thinking about how this story will continue into the future. What’s next? I plan to build on the relationships forming my concept of Indian land. After writing this thesis, I now have more questions to seek answers to.

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APPENDICES

APPENDIX A:

QUESTIONING INDIAN LAND SYLLABUS

SYLLABUS

Semester Year

QUESTIONING INDIAN LAND (WORKSHOP)

TIME AND PLACE:	Your college, university or organization 2 – 3 Hours per day, as objectives are met.
INSTRUCTOR:	T B A
GTA OFFICE:	By Appointment, before and after class.
OFFICE HRS:	TBA
PHONE:	(999) 222-2222
EMAIL:	email@somewhere.com

Course Description

The overall learning goal is to create well-informed advocates for the use, protection and repatriation of Indian land within the community's boundaries. This class is centered around the question, "what do I want to know about Indian land?" By developing workshop participant's knowledge about the historical context of Indian land, complex probate laws influencing contemporary land issues, and government programs and documents that students are uniquely positioned to understand, the student can become a source of knowledge for the community. By creating informed community members, the community becomes empowered to utilize the current system while promoting change.

This workshop is designed as an indigenous educational ceremony. Goals for the project are threefold; first, to lead and instruct members of the [COMMUNITY] in an inquiry based workshop on personal question(s). Secondly, to carry out Shawn Wilson's imperative regarding the ethics of indigenous research: in "an indigenous research paradigm it is imperative to relational accountability that as a researcher I form a respectful relationship with the ideas I am studying" and the people I am learning with (Wilson 2008, 22). And last, to practice being a teacher-learner, by learning with and from student's questions and employing techniques to promote student learning. Each time the class is taught, student observations and recommendations should be synthesized for the next workshop. It is the instructor's obligation to learn from each instance and strive to improve for the sake of student learning.

Course Objectives

To work with students on their individual questions, both collectively and personally helping them to determine a methodology for making progress. Therefore, if the class is to be successful, building a group that works cooperatively is crucial. The specific instructional plan for the group develops a context of Indian land, then examine

various methodologies for gaining new knowledge, and finally, applying those methodologies to form answers based on student conversations with experts. As the lead investigator, it is the instructor's function to anticipate when and how students will need support, encouragement and guidance, and provide it. This will be accomplished through constant feedback from students in the form of Classroom Assessment Techniques (CATs), where student comments and confusion act as a springboard for creative modifications to the course.

The workshop content focuses on answering students specific and personal questions. Therefore, not all of these topics may be addressed or addressed in the manner that they are described here. The students drive objectives.

- ◆ We will discuss Indian Title as it has developed legally and politically through history. This will include research into the Indian Law Canon by examining cases like: Johnson v. McIntosh, Cherokee Nation v. Georgia, Worcester v. Georgia and Lone Wolf v. Hitchcock.
- ◆ Students will gain experience reading and interpreting government programs devised to promote the development of Indian lands.
- ◆ Students will be able to interpret official and legal forms, documents, letters, statutes and Supreme Court precedents relative to their own situation/ question.
- ◆ We will explore the housing process and housing adequacy on the reservation.
- ◆ In this workshop, students will explore fractionation, learn about undivided interests, and appreciate the importance of a will.
- ◆ These topics are not mutually exclusive. In fact, they are cross-disciplinary in nature. Each one affects the others to varying degrees and under different circumstances. We will explore these connections as they become relevant to the student defined course objectives.

Essential Questions

The instructor's commitment is to help students learn the ground rules of the federal Indian land system. Our analysis will begin with the following questions:

- ◆ What are the consequences of allotment? How does historical litigation and legislation create the reality of Indian land loss? Real or virtual.
- ◆ How do I find out what government programs fit my situation? What legal structures will protect the land? How do I apply? Where can I get help? How are the structures formed? What factors will influence the acceptance of my solution(s)?
- ◆ What documents do I need for my situation? How and where do I obtain them? Are they available at the tribe? The BIA? How do I interpret them once I get them?
- ◆ How is becoming Indian Land literate cross-disciplinary? How does or could this new knowledge impact my nation? How is this relevant to my situation?

Educational Program and Tentative Schedule

Module 1: Building Student Context		Homework (Due NEXT meeting)
Day 1	Forging the group, framing the way forward, and developing historical context. <i>Basic knowledge survey.</i>	Read: MsgRunner: Vol. 4; Robertson, 2011. Johnson v. M'Intosh; Ask your elders to share stories of allotment.
Day 2	Continuing Historical Context; Allotment & Indian Land Loss FILM: <i>Place of the Falling Waters</i>	Read: General Allotment Act (1887); Burke Act (1906); Riley, Lone Wolf v. Hitchcock.
Day 3	Understanding federal trust obligations under the General Allotment Act	Read: ILTF's "No Quick Fixes"; MsgRunner: Vol. 2; Screen: <i>Inheriting Indian Land</i> . Everyone watches John Sledd; Choose ONE speaker of your choice from the list
Day 4	Fractionation Group meetings	Read: Home Loan Packet, incl. RFDG Home Guide Write: 1 st Reflection
Day 5	Overview of HUD184, USDA502, and the land process. Group meetings	*Midterm instr. eval. Read: MsgRunner: Vol. 5 Review family land forms/reports; Minimum one question about forms. Create 30-sec commercial.
Module 2: Discussing Student Problems and Possible Methodologies		
Day 6	How do students connect historical context to their questions? 30-sec. commercial Q&A. Group teaching sessions on video: <i>Inheriting Indian Land</i>	Identify at least three resources (people, publications, etc.) to help you. Develop two conversation starters for 1 st guest.
Day 7	Screening: Selection of expert interviewers. Individually "Red Tape" reviews. Preparing the space.	Write: Mid-point reflective paper.
Day 8	Researching student topics – personal interviews (suggest BIA & OST) The interview write-up.	BIA interview draft. Draft 2 questions for each next guest.
Module 3: Following our Research Methodology		

Day 9	Researching student topics - more personal interviews (suggest Tribal Land Authority)	Land Authority interview write up. 2 questions next interviewee.
Day 10	Researching student topics - more personal interviews (suggest Land owner advocates)	Owner Advocate interview write up. 2 questions next interviewee.
Day 11	A visit with legal counsel/ estate & probate	How has this workshop contributed to your situation/ question? All Interview write-ups. Final reflective paper.
Day 12	Progress on projects RSQC2: How this can be incorporated into your life?	How can you share what you learned?

The guest speakers that have been invited to class are our honored elders, because they speak the language we want to know more about. Therefore, if needs arise, real elders can substitute for the professional elders scheduled for class on any given day. Real elders might include people with personal allotment stories to tell. Suggestions for invited guests might be the tribal housing authority, or BIA lease specialists. Invited guests will be determined by student circumstances.

Recommended

It is highly recommended that before the start of the workshop, as instructor you secure professional elders agreement to come and speak with the students on the scheduled days. Be flexible with scheduling and moving. The order of the conversation is not as important as the quality of those conversations. This workshop is designed to provide structure, yet be flexible to address the needs of students' situations and questions.

Student Readings

Readings are selected to provide a balance of theory, research and practical application. These sources are intended to provide students with a working context of the major influences of Indian land. Additional texts will be utilized as information needs require.

Burke Act of 1906

Desjarlait, Robert and Marcie Rendon. 2004. No Quick Fixes. Indian Land Tenure Foundation. Little Canada, MN.

Available for download: <http://www.iltf.org/resources/publications>

General Allotment Act of 1887

Home Loan Program packet compiled from various sources. Available on course flashdrive.

Indian Land Tenure Foundation. Message Runner. Passing Our Most Treasured Asset to Future Generations. Volume 2. Little Canada, MN.

Available for download: <http://www.iltf.org/resources/publications>

Indian Land Tenure Foundation. Message Runner. Indian Land for Sale. Volume 4. Little Canada, MN.

Available for download: <http://www.iltf.org/resources/publications>

Indian Land Tenure Foundation. Message Runner. Cutting Through the Red Tape. Volume 5. Little Canada, MN.

Available for download: <http://www.iltf.org/resources/publications>

Montana State University. 2007. *Inheriting Indian Land: Indian Land Tenure in the Wake of the American Indian Probate Reform Act*. Symposium Proceedings Recorded April 12 – 13, 2007 in the Hager Auditorium at the Museum of the Rockies.

Red Feather Development Group. “Handbook for New Home Construction on the Northern Cheyenne Reservation.” Undated internal non-profit guide.

Riley, Angela R. “The apex of Congress' plenary power over Indian affairs: the story of Lone Wolf v. Hitchcock,” in *Indian Law Stories*, edited by Carole Goldberg, Kevin K. Washburn, Philip P. Frickey. 189-228, New York: Foundation Press, 2011

Robertson, Lindsay G. “The Judicial Conquest of Native America: the Story of Johnson v. M'Intosh,” in *Indian Law Stories*, edited by Carole Goldberg, Kevin K. Washburn, Philip P. Frickey. 29-59, New York: Foundation Press, 2011

Grading & Expectations

Time to consider grading. You'll have to do something – and the requirements are entirely at the instructor's discretion. I will likely use the following matrix again:

50% Assignments, Assigned readings, videos, reflections, and project related steps
 30% Attendance, CATs and Participation
 20% Final project – talk with each student about their ideas for a final project.
 (Remember this class is for the students' benefit.)

This workshop is graded as **Pass/ Fail**. Students must complete a minimum of 75% of the assignments to pass.

Assignments

Only describe this dimension if it remains a component of the workshop grade.

Reflections. Reflections helps students connect new material to past experience and are a vital way for the instructor to monitor student understanding of the material. As

a group, we will assemble the components of a reflection and use the list as a guide for the duration of the workshop.

30-Second Commercial. Being able to quickly explain the background and situation you are trying to understand is critical when talking to other people. As a group, we will assemble the components of a commercial and use the list as a guide for this assignment.

Teaching Presentation. Teaching others is a good technique to gain a deeper understanding of a topic. By presenting and teaching an overview of the subject matter expert's talk from *Inheriting Indian Land* students will gain experience selecting important details from the presentation.

Interview Questions. Knowing how to start a conversation with an expert is a valuable skill. Crafting questions will help students focus on important aspects of the interview before the actual interview. Having questions at hand will ensure that the conversation does not stall.

Interview Write-up. This is similar to a reflection, but is specific to the interview and how the new information that was shared by the subject matter expert connects and relates to each individual's situation/ question. Our list from the reflection can be used to guide completion of this assignment.

Attendance and Participation

Only describe this dimension if it remains a component of the workshop grade. The following text describes the above grading items: Please arrive to class on time and be prepared for class when you arrive. Tardiness may result in fewer attendance points (e.g. 10 points vs. 5 points). You will be graded on your attendance, and attendance will be taken every day. Should you need to miss class because of illness or other obligation, please contact the instructor as soon as possible before the absence.

During every class meeting, we will hold in-class group discussions on homework topics related to our inquiry into Indian Land. It is expected that all members of the group will contribute to the discussion equally, even if only in the group. It should be noted that members of the group might hold opinions different than others. Issues in Native American Studies are frequently dependent on personal experience and knowledge and therefore a variety of points of view are expected and encouraged. These differences provide learning opportunities.

Final Project

Only describe this dimension if it remains a component of the workshop grade. The following text describes the final project: Over the course of the semester, a final goal for our research should become evident for the student. The group work and

independent research will be constructed to feed into a final project. This will be partially determined by group consensus and reflection.

Final Presentation. Students will provide a synopsis for the class detailing the knowledge they gained specific to their problem. This could include next steps, potential pitfalls, or if a new question has been created.

Our Mutual Responsibilities

We shall all endeavor to:

1. Conduct ourselves as honest, responsible and law-abiding members of the academic community.
2. Respect the rights of other students, members of the faculty and staff and the public. Enjoy and participate in College programs.
3. Respect the personal and property rights of others.
4. Be prompt and regular in class attendance.
5. Come prepared for class. This includes keeping up with weekly readings (including footnotes/ endnotes).
6. Submit/return required assignments in a timely manner.
7. Take/give exams when scheduled.
8. Meet the course and behavior standards as defined by the instructor and the College.
9. Make and keep appointments with students/instructor, advisors and other College staff.

APPENDIX B:

DAY-TO-DAY LESSON PLANS

Questioning Indian Land Workshop

*Topic 1: Forging the group, framing the way forward & developing historical context
Concept: Intro; Doctrine of Discovery to Removal*

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

Build mutual respect between students and instructor. Discuss modeling as an instruction technique. Explain how knowledge forms relationships, we are accountable to these relationships and through ceremony we can strengthen our connection to knowledge. Determine baseline student knowledge with *basic knowledge survey*. Develop historical context from Doctrine of Discovery to Removal.

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

This class is directly pertinent to student experiences and questions.
Ask students "what makes a good introduction? What question brought you to the workshop?"
Students direct and define how the class develops/ scaffolds into future discussions.
How colorful are student contexts relative to Indian Title, allotments and the ensuing problems?

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

Introductions (professionally, personally, instructor's context, and reason for leading the WShop).
As the instructor, why are you curious about Indian Land?

SYLLABUS REVIEW: General goals for the workshop. Explain ceremony, reality forms relationships, relational accountability of all participants. Teacher as learner and not the expert.

Explain and administer the *Basic Knowledge Survey*.
Assemble history from what students know already.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Think-pair-share (TPS) student introduction of each other – use the same prompts the class developed for introducing yourself. Introduction prompts to help students think. The intro should incl. a brief explanation of the student's question (attached). Incl. brief explanation of question. Why you are here? Take notes and ask clarifying questions to understand the student's situation leading up to the quest.
Basic knowledge survey.
Discussion Questions (see "Teaching Strategies/ Materials, next.)
Group activity – (May need to model critical reading skills.)

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Position yourself as another learner in the classroom. Model how to introduce using the inventory of questions that the class wants to know about. Think-pair-share (TPS) student introduction of each other. Ask students to write down what they told their partner. Save this for students until the 12th meeting.

Basic knowledge survey (attached).

Doctrine of Discovery – Discussion Questions:

What is the ‘Doctrine of Discovery’?¹

What vested land rights does a discovering nation possess with respect to another discovering nation?¹

What vested rights does a Native nation possess with respect to a discovering nation?

Why is the discovery doctrine an extreme form of white racism?¹

Group activity (time permitting):

Find evidence in US society that the racist doctrines remain a viable part of its 21st century thinking. (Look at media: TV, movies, books, news articles, scholarly journals, etc.)¹

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

Basic knowledge survey forms the generalized starting point to begin the learning. It familiarizes students with some key terminology. Share with students how this information will be used. As a learning tool for both the instructor and participants. Access and report on the results in the next class session.

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present the findings to them during the next class session.)

The Basic Knowledge Survey is designed to assess students’ relevant knowledge regarding allotment and its debilitating effects on Indian land. The CAT will not be graded or individually identifiable.

Homework due this meeting

None.

Homework due next meeting

Read: Message Runner Volume 4 (all); Robertson, 2011. Johnson v. M’Intosh.

Ask elders to share stories with students about allotment on their reservation.²

Next

Continuing the historical context; Allotment and Indian land loss.

Footnotes:

¹ Valandra, Edward C. 2004. *Introduction to Native Land Tenure*. Indian Land Tenure Foundation; Little Canada, MN. Pg. 21. Document can be found at this URL: <http://www.iltf.org/resources/land-tenure-curriculum>.

² Fort Hall Landowners Alliance. 2002. *Indian Land: Core Course Enrichment Units: Shoshone-Bannock Jr/Jr Sr. High School*. Fort Hall, Idaho: Fort Hall Landowners Alliance. This document is included on the flash drive curriculum.

Questioning Indian Land Workshop

*Topic 2: Continuing the historical context; Allotment and Indian Land Loss
Concept: From Removal to Self-Determination*

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

Students understand the historical attitudes leading up to the passage of the GAA.

Students glimpse implications of a political legislative solution (assimilation v. separation).

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

How does understanding this bifurcation of title (Aboriginal title vs. Absolute title) help students understand their question better?

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

Continue history from removal to GAA.

Explore elders' stories with regard to allotment.

Discuss Learning Activities.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Ask students to share any stories their elders may have shared with them about allotment.²

Name some categories of issues affecting Indian land ownership.

What land restoration programs are currently ongoing on your reservation?

Opt 1: Develop a non-Native "title-chain" that leads back to the Discovery Doctrine.¹

Opt 2: Examine British Proclamation of 1763, Northwest Ordinance of 1787, the US Constitution, the trade and intercourse acts (sources **not** included).¹

Opt 3: Review with students the quotes from the debate at the time the GAA was passed.²

Opt 4: Describe the differences between an aboriginal or Native title versus a recognized title. Explain how a Native land title is substantively inferior to a non-Native land title. What does it mean when land is "held in trust for [individual's name]?"³

Opt 5: Distribute handouts 2A – 2C: Rationalization & Reasons behind GAA; Main GAA Provisions; Immediate effects GAA. TPS, students are asked to guess what the terms in question mean.²

Screening (time permitting, all or part): *Place of the Falling Waters*

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Lecture with student input. Be the guide. Help groups think their way through the assignments.

Based on their ultimate projects/ questions, place students in complimentary groups (related groups such as, wills, leases, R-O-W, etc.)

Lecture and discussion based class, involve students with helping fill in "timeline" of events starting

with material from last class. (Note: the activities last class did not include a timeline.)
Discuss questions from the Learning Activities.

What stories have elders shared with you about allotment of your reservation?¹
Define 'allot', 'allotment', and 'severalty'. What is 'title'? What is 'civilization' and 'democracy'?¹
What is the connection between allotment and ceded land?¹

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

Scaffold from where the class left off in the previous session. Work through to the self-determination.

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

What is the most important thing you learned over the past two days' lecture and discussion?
What is still confusing after the first two lectures and discussions?

Homework due this meeting

Read: Message Runner Volume 4 (all); Robertson, 2011. Johnson v. M'Intosh.
Ask elders to share stories with students about allotment on their reservation.²

Homework due next meeting

Read General Allotment Act of 1887; Burke Act of 1906; Riley, 2011. Lone Wolf v. Hitchcock.

Next

Understanding federal trust obligations under the General Allotment Act.

Footnotes:

¹ Valandra, Edward C. 2004. *Introduction to Native Land Tenure*. Indian Land Tenure Foundation; Little Canada, MN. Pg. 22-23. Document can be found at this URL: <http://www.iltf.org/resources/land-tenure-curriculum>.

² Fort Hall Landowners Alliance. 2002. *Indian Land: Core Course Enrichment Units: Shoshone-Bannock Jr./ Sr. High School*. Fort Hall, Idaho: Fort Hall Landowners Alliance. Pg. 60 – 62

³ Valandra, Edward C. 2004. *Introduction to Native Land Tenure*. Indian Land Tenure Foundation; Little Canada, MN. Pg. 24. Document can be found at this URL: <http://www.iltf.org/resources/land-tenure-curriculum>.

Questioning Indian Land Workshop

*Topic 3: Understanding federal trust obligations under the GAA
Concept: Private vs. public trust obligations*

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

For students to further refine their understanding so-called aboriginal title and recognized title.

Be able to quantify the amount of land that was lost to the GAA.

For students to identify fiduciary trust responsibilities, identify how the federal government does or does not meet those criteria for Indian people regarding Indian Land.

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

What is a 'trust' responsibility? How does the US fill its trustee responsibility to Indian people (What does the BIA do)?

Describe the inequities of the US-tribal sovereign-to-sovereign relationship?

What tools are available to support Indian peoples rights for fair treatment under the Constitution?

How much native acreage is in your home state?

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

Lecture and discussion of private trust responsibilities. Use language of the GAA to illustrate supposed trust responsibility. What does a private trustee do? What does the government do?

After discussion of private trustees, form groups to talk about the government's obligation as trustee. Form groups by tribe/ state and assign discussion questions.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Think-pair-share (TPS). As a matter of federal Indian law and policy, what is meant by trust relationship? Trust responsibility?¹

How did this particular trust relationship evolve between Native Peoples and the US gov't?¹

What are the most significant elements of this trust relationship?¹

What US institutions are mainly involved with the trust relationship?¹ How are they involved?

Are the trust relationship and "self-determination" compatible? Why or why not?

May need to model: RECALL-SUMMARIZE-QUESTION-CONNECT for students.

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Assemble points for future discussion followed by paired-group activities to review roles and legal responsibilities of fiduciary trustee. (Is there a game in here?)

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

What laws have we discussed that form the argument for the federal government's trusteeship over Indian lands and people?

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

Recall-Summarize-Question-Connect (RSQC): Recall: make a list of words and phrases of the most important, useful, or meaningful points from today's discussion. Summarize: as many points as you can into a single sentence. Question: what questions (1-3) remain unanswered? Connect: how do these key points connect to the goals of the workshop?

Homework due this meeting

Read General Allotment Act of 1887; Burke Act of 1906; Riley, 2011. Lone Wolf v. Hitchcock.

Homework due next meeting

Read ILTF: "No Quick Fixes" and ILTF Message Runner Vol. 2.

Select from one of the four speakers of the video: *Inheriting Indian Land* and summarize the key points of their talk. Everyone watches John Sledd.

Students will be grouped into teams to teach what they learned from their chosen speaker.

(Cecilia Burke or Gail Small; Panel – AIPRA 2004: Probate Highlights; Panel – How Tribal Leaders and Landowner Advocates are Addressing Fractionation and AIPRA). Try to have all speakers/panels represented by a group.

Next

Fractionation.

References/ Resources

Table of speakers on VIDEO. See table in "Teacher's Materials."

Footnotes:

¹ Valandra, Edward C. 2004. *Introduction to Native Land Tenure*. Indian Land Tenure Foundation; Little Canada, MN. Pg. 27. Document can be found at this URL: <http://www.iltf.org/resources/land-tenure-curriculum>.

Questioning Indian Land Workshop

*Topic 4: Fractionation
Concept: "Remedies" of Allotment*

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

Who are the actors for Indian land? How complicated are the pitfalls of Fractionation? Why do the overwhelming majority of government solutions seem to fail or be hugely complicated and irrelevant? Be able to identify government motivations behind land consolidation efforts. Begin to think of non-governmental "fixes" to fractionation.

Understand the complex relationships underlying and affected by fractionation.

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

Part of this class is what could be. The system is currently geared to make the tribes (or the individual) pay for failed US policies of assimilation, allotment, and unconstitutional escheat (taking).

What should the goals be for ending fractionation? Do the goals change by actor? Is there an overriding goal that we can all strive for?

How has the federal government tried to end fractionation? How successful have they been?

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

Distribute fractionation graphic – discuss and verify student understanding.¹

Do you know what a will is? Why might Indian people feel uncomfortable making a will?

Ask students to count how many generations have passed since allotment on their Reservation.

Overlapping effects of fractionation.

First **group meeting** to prepare **teaching session** (Due session 6).

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

What is an allotment? Discuss fractionation graphic.¹

Who was the original allottee in their family? How many co-owners on your family land?¹

Divide into three groups and handout 4A – 4B to the ('inheritance of undivided interest') group and so on. Each group presents on their topic, other groups take notes on teams presentation.¹

Discussion Questions: What policies or programs are currently in place to increase or consolidate your nation's land base?²

What programs or organization on your reservation specifically deals with land restoration?²

How much land has been restored to reservation status in the last year? Five years? Ten years?²

What is being done by your nation to stop the fractionation of reservation land?²

How has the federal government tried to deal with fractionation?

What is a reflective paper? Model one for students – power and personal connections to info.

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Group work. Defining the terms of fractionation. (Ft. Hall handouts 7f- 7h.)

Inheriting Indian land 'jigsaw' exercise.

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

This unit relies heavily on students growing knowledge of allotment and fractionation. Students are asked to synthesize what they know into an understanding of the lingering effects of allotment.

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

What is still confusing to you about fractionation?

What is still confusing about allotment?

What should one goal of ending allotment be? Brainstorm how to get there.

Homework due this meeting

Read ILTF: "No Quick Fixes" and ILTF Message Runner Vol. 2.

Select from one of the four speakers of the video: *Inheriting Indian Land* and summarize the key points of their talk. Everyone watches John Sledd.

Students will be grouped into teams to teach what they learned from their chosen speaker.

(Cecilia Burke or Gail Small; Panel – AIPRA 2004: Probate Highlights; Panel – How Tribal Leaders and Landowner Advocates are Addressing Fractionation and AIPRA). Try to have all speakers/ panels represented by a group/ pair.

Homework due next meeting

Home Loan Packet.

Read: RFDG's A guide to new construction on the Northern Cheyenne Reservation. Choose a relevant section, or assign selections to groups.

First reflective paper.

Next

Overview of HUD 184, USDA 502 and the land process

Footnotes:

¹Fort Hall Landowners Alliance. 2002. *Indian Land: Core Course Enrichment Units: Shoshone-Bannock Jr./Sr. High School*. Fort Hall, Idaho: Fort Hall Landowners Alliance. Pg. 64-65.

²Valandra, Edward C. 2004. *Introduction to Native Land Tenure*. Indian Land Tenure Foundation; Little Canada, MN. Pg. 27. Document can be found at this URL: <http://www.iltf.org/resources/land-tenure-curriculum>.

Questioning Indian Land Workshop

Topic 5: Overview of HUD 184, USDA 502 and the land process

Concept: Review of Indian housing programs and paperwork

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

Understand terminology and concepts used in the mortgage and housing process. By comprehending the housing legal framework, the loan process and credit, students may add that perspective to the problem of Indian "Trust" land and apply it to their situations. May inform elder students about previously unknown info (i.e. rate/ term refinancing available, second homes available, etc.). May Prepare younger students for navigating the housing process.

Review Indian land paperwork, processes and programs. Touch on credit (if students ask q's).

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

How does this vocabulary form the context of Indian housing? Which "actor" most cares about these concepts/ terms? What could I mean by the term "actor"?

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

Provide sufficient time for students to think-pair-share (TPS) the most confusing terminology. Each student chooses four terms. Then when paired, the group decides on the meaning for all 8 terms. Teams will ask other students to guess at the definition of the terminology they selected from the readings.

Students present one term for the class, pair teams try to describe the definition of the word/ concept/ term. Each correct response will result in a point. All students will earn extra credit for defining the term(s) "correctly. If no team answers correctly, the asking team earns a point. Scaffold the terms into a dialogue that illustrates the actors and how the Bermuda Triangle swallows applications.

Work with students to map out the Bank – Tribe – BIA/ OST housing triangle.

Second **group meeting** to prepare **teaching** session (Due session 6).

Model a 30-second commercial of a student's question.

Learning Activities/ Procedures

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Students will play "Jeopardy" with their list of hard terms trying to stump their classmates. First team calls out a term (they must have thought through what it means, at least to them). Responding teams try to define the term. If they miss, another team may try and answer. If no teams remain willing to guess on the meaning, then the instructor will start dialogue on the confusing term and the team asking gets a point for stumping the class. When all terms are exhausted, begin to explore how these terms relate to the housing process, paying particular attention to the three primary actors in Indian housing. (Tribe-BIA-Lender)

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

This class is to be taught mostly by the students. As leader, use the confusion on the terms to spark interest and dialogue in the class.

HUD184/ Section 502 G/L Comparison as a handout.

Necessary materials include HUD and USDA primary documents, Excerpts from the NC Housing process handbook. You will also need board space to record terms and team points.

Be prepared to work with students to diagram the housing Bermuda triangle.

Mid-term instructor progress report (see sample questions).

May want to invite a consumer credit specialist or find one to view on YouTube.

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

How are the affects and rules of allotment obvious in the housing process? Is there a better way?

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

What term(s) are you still confused about?

Midterm instructor evaluation.

OPT: RECALL-SUMMARIZE-QUESTION-CONNECT?

Homework due this meeting

Home Loan Packet.

Read: RFDG's A guide to new construction on the Northern Cheyenne Reservation. Choose a relevant section, or assign selections to groups.

First reflective paper.

Homework due next meeting

Read Message Runner Vol. 5 (all). If possible, review any Indian land forms/ reports you or your family may possess. Write down questions about the forms and ask in the next session.

Develop a 30-second commercial explaining your question(s) or situation.

Next

How do students connect historical context to their knowledge?

Can field trips be done from a distance? FIELD TRIP: BIA Realty Office.

Questioning Indian Land Workshop

*Topic 6: How do students connect historical context to their knowledge?
Concept: Identifying resources and preparing questions*

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

Help students to understand what they are asking and begin to think about resources (people, publications, etc.) to aid in the ceremony.

Help students identify additional resources based on specific student questions.

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

Ask questions like you don't know the topic – this will allow the responder to answer and fill in any blanks that you might not be aware of.

Understand the chronology and development of the student's question/ situation from the 30-sec. commercial.

These are students' personal topics – they should have a vested interest.

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

30-second commercial Q&A to construct student topics. What specific and individual resources will students need for their research? Dig deep and define student situations and questions. Help students identify which framework they will work in? (i.e. letter, legal structure, personal communication process.)

Group teaching sessions on *Inheriting Indian Land* Symposium.

T-P-S *Cutting Through the Red Tape*.

Work with students to recap and wrap-up *Cutting Through the Red Tape*.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Today's class focuses on student connections to the material learned over the last sessions.

Students teach from their screening of *Inheriting Indian Land*. What is important to you? To others?

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Instructor is guide to keep ceremony moving forward. Reveal detail about situations beyond the 30-second commercial.

Forms should be more relevant, approachable and clear.

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What

connections are there to prior books, concepts, issues or ideas?)

To understand allotment and its direct correlation to fractionation and reservation land loss.

How do all the topics of allotment fit together?

How do the topics we discussed so far fit into your situation? Why is that important?

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

Muddiest point from their viewing of the two speakers on *Inheriting Indian Land*.

What are you still unsure about answering your question(s)?

Homework due this meeting

Read Message Runner Vol. 5 (all). Review any Indian land forms/ reports you or your family possess. Write down questions and ask in the next session.

Develop a 30-second commercial of your question(s).

Homework due next meeting

Identify at least three resources (people, publications, etc.) in the community who might have knowledge useful to help understand your question(s). Draft at least two conversation starters for something of interest connected to the information you have learned about your situation to ask the BIA Realty Office/ OST.

Next

Interviewing as a methodology to gain knowledge from experts

Questioning Indian Land Workshop

Topic 7: Interviewing as a methodology to gain knowledge from experts

Concept: Collect, interpret and value first hand experience

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

Create a class list of resources (people, publications, etc.) in the community that have expertise and experience in the areas the workshop is researching. Experts provide a storehouse of knowledge so vast it takes a lifetime to learn. Students appreciate importance of a conversation to find new info. Work with students to form conversation starters.

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

Preparing for the interviews is a way for students to be clear about their goals and what they want to accomplish. The context developed in class will help students ask meaningful questions of experts. Ideally, students will come away from the conversation with a clearer idea of what it will take to resolve their issue. All students will draft a BIA interview write-up after the fact. Students will write-up the interview with the BIA Realty Officer and how it will be useful or not useful to their situation.

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

Compile student list of resources on the board.

Screen expert interviewers. Compile what makes good interview on board.

Ask students to pair together and discuss their homework questions. Then together come up with new and other ways to question and start conversation with the expert.

Engage the class in grouping the experts and the questions. Can these questions be used more than once? Try to form clusters that materialize after the class discussion and justification for the questions.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Work with students to identify duplicate resources and to refine questions for the experts.

Help students understand "good practice" in conducting an interview. Hold mock interviews to give students practice in a live conversation. Either the teacher or another student can play the "expert" role.

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Allow students the space to match experts and consolidate questions.

Work in small groups to write as many questions as possible. Work with groups individually to write questions after the mini-lecture on starting a conversation. Plan minimum 30 minutes to discuss students' efforts developing questions.

Should students be stuck, help them prepare to conduct the interview.

Web resources on interviewing experts. Is there an indigenous, respectful way to ask questions?

Identify other experts in the community whom the students may not be aware of.

<>View expert interviewers (maybe *Half of Anything*, Walters, Stewart, Blitzer, etc.)

<http://www.pragmaticmarketing.com/resources/mining-content-gold-how-to-interview-content-experts>

This site is a starting point for modeling and helping students figure out what kind of interview questions to ask.

Also: <http://www.wikihow.com/Interview-Experts>

Also: <http://EzineArticles.com/772731>

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

Students tap into their knowledge and context from the first six sessions to design questions aimed at exposing more information they need to answer their research question. Students will draw on the last six days of context to develop clusters of questions.

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

What question(s) do you think will net the most conversation/ information transfer from the expert to the class? Why?

Homework due this meeting

Identify at least three resources (people, publications, etc.) in the community who might have knowledge useful to help understand your question(s). Draft at least two conversation starters for something of interest connected to the information you have learned about your situation to ask the BIA Realty Office/ OST.

Homework due next meeting

Mid-point reflective paper.

Next

Starting a conversation and a field trip to the BIA/ OST (or...?)

Questioning Indian Land Workshop

*Topic 8: Starting a conversation and a Field Trip to BIA/OST (or...?)
Concept: First hand knowledge through conversation*

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

For students to ask questions they want answers to. Listen for names of other experts you may want to talk to.

To develop in students the ability to alter a line of questioning as the dialogue progresses and to be able to recognize and avoid "stall tactics". What strategies are necessary to avoid "red tape"?

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

This is students' first real opportunity to ask an "expert." Questions should be organized and drafted into clear topics and be directly relevant to the student's situation. Students should have an opportunity to reflect on the speaker's comments before answering questions. Are there other experts that could be referred to?

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

CLASS CAN EITHER MEET AT THE ROOM OR AT THE BIA AGENCY OFFICES.

Organize students and depart to BIA (Make sure you have an appointment to minimize wait time.)

You may also want to provide some upfront idea of what students are interested in so that the Realty Officer can be prepared with the proper material or personnel on hand to address the questions.

Assemble with students what should be included in an interview write-up.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Handouts from the last sessions question drafting session.

Field Trip: Allow BIA to direct the presentation, but be sure that the presenter is aware that your class has questions and would like time for discussion after the presentation.

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Help students to write "quality" probing questions that focus on their situation.

This is the students time to shine by directing the conversation.

"As I was listening I was learning, and as I was learning I was sharing" (Wilson 2008, 131).

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

This is the first time students are able to ask their own question of a bona fide professional in

federal trust land regulations. Students will need to draw on the context they developed over the first seven days of the workshop.

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

What BIA service did you learn more about today than you knew before your visit? What service(s) do you still want to know more about?

OPT: RECALL-SUMMARIZE-QUESTION-CONNECT-COMMENT

Homework due this meeting

Mid-point reflective paper.

Homework due next meeting

Identify at least two other resources (people) that were mentioned today that you want to interview.

Draft a minimum of two conversation starters for each resource (total 4 questions).

Practice draft BIA Interview write-up.

Next

Researching student topics: the personal interviews. Correlate resources for interviews (in class).

Questioning Indian Land Workshop

Topic 9: Researching student topics: more personal interviews (Land Authority?)

Concept: Interrogation for first hand knowledge

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

For students to practice ask questions they want answers to. Listen for names of other experts you may want to talk to.

To develop in students the ability to alter a line of questioning as the dialogue progresses and to be able to recognize and avoid "stall tactics". What strategies are necessary to avoid "red tape"?

The primary goal for today is for students to acquire new knowledge that will help them proceed with answering or resolving their primary question(s).

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

Focus on questions whose answers enable students to take action. Try to keep the questions open ended to encourage conversation with the interviewee. The goal at the end of the conversation is to have a better understanding of the factors that directly or indirectly influence your situation.

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

CLASS CAN EITHER MEET AT THE ROOM OR THE EXPERT'S OFFICES.

Allow sufficient time before the start of the interview(s) for the class to settle down and be prepared to answer their questions and for students to know their roles.

Maximum recommended number of interviews per session is TWO. Try to schedule each speaker for approx. 45 minutes. Leave white space between interviews for the class to reflect on what was said and integrate it into their own situation.

Model for students how to summarize and reflect on an interview.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Interviews with experts. If in person, allow the class to answer questions collectively. If on the phone, designate or vote for 1-2 spokespersons to ask the questions. If other students have a question, they can submit it via paper to the spokesperson.

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Set appointments with experts as much ahead of time as possible.

Review "How to interview experts" on Google and keep these suggestion in mind as the class interacts with the expert.

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

Conversation should draw on the context that each student has developed for themselves relative to their question(s).

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

What was the most important thing you learned today?

What is still confusing after today?

OPT: RECALL-SUMMARIZE-QUESTION-CONNECT-COMMENT

Homework due this meeting

Identify at least two other resources (people) that were mentioned today that you want to interview.

Draft a minimum of two conversation starters for each resource (total 4 questions).

Practice draft BIA Interview write-up.

Homework due next meeting

For students whose topics related to the interviewees today, they must draft an interview summary response. This document will memorialize the conversation as well as how the knowledge related to the student's situation.

Next

Researching student topics: more personal interviews

References/ Resources

TBD.

Questioning Indian Land Workshop

Topic 10: Researching Student Topics: more personal interviews (Advocates?)

Concept: Interrogation for first hand knowledge

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

For students to practice ask questions they want answers to. Listen for names of other experts you may want to talk to.

To develop in students the ability to alter a line of questioning as the dialogue progresses and to be able to recognize and avoid "stall tactics". What strategies are necessary to avoid "red tape"?

The primary goal for today is for students to acquire new knowledge that will help them proceed with answering or resolving their primary question(s).

This lesson plan duplicates the plan from Topic 9.

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

Focus on questions whose answers enable students to take action. Try to keep the questions open ended to encourage conversation with the interviewee. The goal at the end of the conversation is to have a better understanding of the factors that directly or indirectly influence your situation.

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

CLASS CAN EITHER MEET AT THE ROOM OR THE EXPERT'S OFFICES.

Allow sufficient time before the start of the interview(s) for the class to settle down and be prepared to answer their questions and for students to know their roles.

Maximum recommended number of interviews per session is TWO. Try to schedule each speaker for approx. 45 minutes. Leave white space between interviews for the class to reflect on what was said and integrate it into their own situation.

Model for students how to summarize and reflect on an interview.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Interviews with experts. If in person, allow the class to answer questions collectively. If on the phone, designate or vote for 1-2 spokespersons to ask the questions. If other students have a question, they can submit it via paper to the spokesperson to ask the interviewee.

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Set appointments with experts as much ahead of time as possible.

Review "Class' goals for talking with experts" from watching expert interviewers and keep these suggestion in mind as the class interacts with the expert.

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

Conversation should draw on the context that each student has developed for themselves relative to their question(s).

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

What was the most important thing you learned today?

What is still confusing after today?

OPT: RECALL-SUMMARIZE-QUESTION-CONNECT-COMMENT

Homework due this meeting

For students whose topics related to the interviewees today, they must draft an interview summary response. This document will memorialize the conversation as well as how the knowledge related to the student's situation.

Homework due next meeting

For the remaining students whose topics related to the interviewees today, they must draft an interview summary response. This document will memorialize the conversation as well as how the knowledge related to the student's situation.

Next

A visit with legal counsel.

References/ Resources

Other sources if legal counsel is not available are ILTF or Indian Land Working Group.

Questioning Indian Land Workshop

Topic 11: A visit with legal counsel

Concept: Interrogation for first hand knowledge

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

For students to practice ask questions they want answers to. Listen for names of other experts you may want to talk to.

To develop in students the ability to alter a line of questioning as the dialogue progresses and to be able to recognize and avoid "stall tactics". What strategies are necessary to avoid "red tape"? Students should be open to including relevant advice from legal counsel into a strategy for their situation.

This lesson plan draws heavily from the plan of Topic 9.

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

Did you gain the knowledge and confidence from this class to continue actualizing your question?

How will the legal framework help or hinder your search for a resolution to the question?

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

Allow sufficient time before the start of the interview for the class to settle down. Allow each student an even amount of time to present their "commercial" and talk through various scenarios with legal counsel. After the interviews, leave white space for students to discuss their interpretations of what the attorney shared. Clear up any misunderstandings yourself or follow-up with the attorney for questions the instructor cannot answer.

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Interview with legal counsel. Allow white space to de-brief assumptions and concepts presented in the interview.

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

This is about the students. If at some point during the conversation, confusion or a lull persists, ask questions to try and clarify the concept under discussion for the group. Think of being a novice who knows nothing about the topic.

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

This discussion is the culmination of the workshop. All context, interviews and research have been directed at understanding the various levers affecting the students "burning question".

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

Second point of *basic knowledge survey*.

How will you share what you learned with the greater community?

Was this class useful for you?

OPT: RECALL-SUMMARIZE-QUESTION-CONNECT-COMMENT

Homework due this meeting

For the remaining students whose topics related to the interviewees today, they must draft an interview summary response. This document will memorialize the conversation as well as how the knowledge related to the student's situation. All interview write-ups are due today.

Homework due next meeting

Work towards "solving" your question(s).

Next

Two-day follow – Make LESSON PLAN for Day 12.

References/ Resources

Determine which attorneys will be the best reference before scheduling this interview. Some firms may include: Indian Law Resource Center, National Indian Justice Center, National Association of Indian Legal services, Indian Law Clinic (University of Montana), Northern Plains Indian Law Center (University of North Dakota), to name only a few. Follow the link for a more complete list:

<http://www.narf.org/nill/resources/lawyer.htm#directory>

Questioning Indian Land Workshop

Topic 12: Following up on final projects

Concept: Reflection on new knowledge

Learning Outcomes

(What should students know or be able to do after today's class? What knowledge, skills, strategies or attitudes should students gain? What important content and concepts will students learn?)

To continue this ceremony ... and start the next.

Guiding Questions

(Why should students care about this topic? What might interest them? What questions will help students focus on important aspects of this topic?)

What do you still want to know about the land? Do you have new questions?

Have you shared anything you learned in the workshop with others? Do you plan to?

How did this workshop strengthen your relationship to your topic?

Agenda

(Times have been omitted to allow the instructor leeway in managing the session.)

Basic Knowledge Survey – get it out of the way

STUDENT FOCUSED: questions and dialogue

Present direction for students. Connections to situation. Questions?

Learning Activities

(What learning activities will students complete? How will the activities help develop the knowledge, skills, strategies and attitudes identified in step 1?)

Any questions that you did not get answered? Teaching your strategy and problem.

Teaching Strategies/ Materials

(What instructional strategies will I use to help support students? What is my role? What are the student's roles? What materials will I need to facilitate the Learning Activities?)

Ask students questions to see what's going on.

Community questions until we reach a level of understanding.

Learning Connections

(What foundational knowledge will students need? What conceptual difficulties might they experience? What connections are there to prior books, concepts, issues or ideas?)

How does the question look compared to your introduction letter?

Classroom Assessment Technique (CAT)

(CATs should be unanimous and ungraded. To be effective, the instructor should review the results and present them to the class during the next session.)

Second point *Basic Knowledge Survey*

Final questions from the teaching sessions.

Homework due this meeting

Final Interview and Final Reflection.

Homework due next meeting

None.

Next

Next? That's up to the students, including the instructor.

APPENDIX C:

TEACHER'S MATERIALS

BASIC KNOWLEDGE SURVEY

DATE GIVEN

Instructions: Read each term. Next to each term, write the corresponding number that equates to the level of knowledge you feel you have concerning the historical term, event, place, document, person, concept, etc.

1. Have never heard of this/ event/ place/ document/ person/ concept
2. Have heard of this but don't really know what it means
3. Have some idea what this means, but I want to know more
4. Have a clear idea what this means and can explain it
5. Have a clear idea what this means and how it relates to my situation

Doctrine of Discovery		Escheat	
Indian Land		Indigenous Research	
Trust Land		Classroom assessment	
Patent in fee		Inherent rights	
Dawes Act (General Allotment Act)		American Indian Probate Reform Act (AIPRA)	
Allotment		Probate	
Checker-boarding		Last will & testament	
Fractionation		BIA Reality Office	
Commodity		Land Exchange	
Tenure		Consolidation	
Alienate		Civilization	
Inherit		Right of way	
Severalty		Self Government	
Title		Self-determination	
Acquisition		Conveyance	

INTRODUCTORY PROMPT EXAMPLES

Full Name

Tell something about yourself: interests, hobbies, goals, anything.

Educational Background and Goals:

What program of study are you enrolled in? (e.g. Cheyenne Studies, Accounting, etc.)

How long have you been taking college at _____? How many courses have you completed?

Have you attended any other colleges or universities? If so, when, where, and what did you study?

What are your future educational plans?

Career Background and Goals:

Are you currently employed? If so, for whom and doing what?

Have you ever been employed in a field related to land or realty? Please explain.

What work experience do you possess?

What are your future career plans?

Class:

Why are you taking this course?

What do you expect to gain from this course?

Briefly explain the situation/ question that brought you to this class?

How do you best learn? (e.g. what is your learning style? Auditory, Visual, Kinesthetic?)

Do you have any other comments you would like to share with the class?

TOPIC 2 - HANDOUT A: Rationalizations and Reasons Behind The General Allotment (Dawes) Act of 1887

[Adapted from Fey and McNickle 1959: pp. 71-74]

"The difference between a 'rationalization' and a 'reason' is often the difference between a lie and the truth."

The Euro-American rationalizations for the allotting of land to individual Indians were:

- 1) That private land ownership would help to 'civilize' and 'settle' Indian people, making them more like white people (for whom private land ownership and farming were marks of democracy, civilization, and 'progress');
- 2) That the original treaties, executive orders and agreements had given too much land to tribes, land that was now (to the European eye) lying 'idle', 'unused', and therefore wasted.

The reasons behind the rationalizations for 'Allotment' were as follows:

- 1) To increase the amount of arable (farmable) land available to white settlers migrating west after the end of the Civil War, the Homestead Act of 1862, and discoveries of gold on the Pacific coast and in the Rocky Mountains;
- 2) To open up land for construction of the transcontinental railroads;
- 3) To break up the reservation systems and traditional tribal governments;
- 4) To enable the federal government to phase out the 'Indian Bureau' and other (expensive) responsibilities toward Indian people and tribes.

Answer the following questions based on your classmates' presentations:

What were three (3) of the provisions of the Allotment Act?

- 1.
- 2.
- 3.

What were three (3) effects of the Allotment Act?

- 1.
- 2.
- 3.

**TOPIC 2 - HANDOUT B: The Main Provisions of
The General Allotment (Dawes) Act of 1887**

[Adapted from Fey and McNickle 1959: pp. 71-74]

The main provisions of the General Allotment Act were as follows:

- 1)The President was authorized to allot tribal lands to individuals—160 acres to each head of family; 80 acres to each single person over 18 and each orphan under 18; 40 acres to each single person under 18;
- 2)Each Indian individual would make his or her own selection of land, but if he or she failed or refused, a government agent would choose the land to be allotted;
- 3)Land titles were to be held in trust by the federal government for 25 years, or longer, at the discretion of the President;
- 4)All 'allottees' (those who received allotments) and any other Indian people who abandoned their tribes and adopted 'civilized' ways of life received U.S. citizenship;
- 5)Any 'surplus' Indian lands remaining after the allotment process was finished would be sold (ceded) to the United States.

Answer the following questions based on your classmates' presentations:

What was one of the rationalizations for Allotment?

What was one of the reasons behind the rationalizations for Allotment?

What were three (3) effects of Allotment?

- 1.
- 2.
- 3.

TOPIC 2 - HANDOUT C: The Immediate Effects of The General Allotment (Dawes) Act of 1887

One of the most stunning effects of the Allotment Act nationally was that:

“In 1887, approximately 140,000,000 acres of land remained in Indian ownership. The [Allotment] legislation, together with amendments adopted in succeeding years, set up procedures which resulted in the loss of some 90,000,000 acres in the next forty-five years” (Fey and McNickle 1959: p. 74).

Most of the 90 million acres lost were the so-called ‘surplus’ lands ceded after—and before*—individual Indians received their allotments.

At Fort Hall, the results of the Allotment Act were as follows:

The original Fort Hall Reservation totaled about 1.8 million (1,800,000) acres (by Executive Order, July 30, 1869). By 1902, two-thirds of the original Reservation (more than 1.2 million acres) had been ceded to the U.S. government and opened up to white settlement.

Everywhere, after Allotment, a thing called “fractionation” began to rear its ugly head:

As original ‘allottees’ (those that were allotted land) died, land allotments were automatically inherited by the allottees’ children and spouse. One piece of land that originally had one owner, now had 3 or 7 or 12 or more owners...

Answer the following questions based on your classmates’ presentations:

What was one of the rationalizations for Allotment?

What was one of the reasons behind the rationalizations for Allotment?

What were three (3) of the provisions of the Allotment Act?

1.

2.

3.

* At Fort Hall, ceded lands were opened up to white settlement in 1902. Most allotments on the Reservation were not made until 1911-1913.

GENERAL ALLOTMENT ACT OF 1887

Chapter 119

Feb. 8, 1887. | 24 Stat., 388.

An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes.

Special provisions exist in regard to lands in severalty to the following tribes: Stockbridge Munsee, Ottawa and Chippewa of Michigan, Ute, Winnebago, Crow, Omaha, Umatilla, Sac and Fox, Iowa, Sioux, Gros Ventres, Piegan, Blood, Blackfeet, River Crow, Winnebago, Chippewa, Shoshone, Bannock, Sheepeater, Flathead, Ponca, Confederated Wea, Peoria, Kaskaskia, Piankeshaw and Western Miami, Round Valley, Mission, Citizen Band of Pottawatomie, Cheyenne and Arapahoe, Coeur d'Alene, Arickaree, Mandan, Sisseton and Wahpeton bands of Sioux—for reference to which special provisions, see index under title “Allotments;” See also in the index, names of particular tribes.

Be it enacted, &c., [For substitute for section 1, see 1891, Feb. 28, c. 383, s. 1, post, p. 56].

SEC. 2

That all allotments set apart under the provisions of this act shall be selected by the Indians, heads of families selecting for their minor children, and the agents shall select for each orphan child, and in such manner as to embrace the improvements of the Indians making the selection.

Where the improvements of two or more Indians have been made on the same legal subdivision of land, unless they shall otherwise agree, a provisional line may be run dividing said lands between them, and the amount to which each is entitled shall be equalized in the assignment of the remainder of the land to which they are entitled under this act:

Provided, That if any one entitled to an allotment shall fail to make a selection within four years after the President shall direct that allotments may be made on a particular reservation, the Secretary of the Interior may direct the agent of such tribe or band, if such there be, and if there be no agent, then a special agent appointed for that purpose, to make a selection for such Indian, which selection shall be allotted as in cases where selections are made by the Indians, and patents shall issue in like manner.

SEC. 3

That the allotments provided for in this act shall be made by special agents appointed by the President for such purpose, and the agents in charge of the respective reservations on

which the allotments are directed to be made, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, and shall be certified by such agents to the Commissioner of Indian Affairs, in duplicate, one copy to be retained in the Indian Office and the other to be transmitted to the Secretary of the Interior for his action, and to be deposited in the General Land Office.

SEC. 4

That where any Indian not residing upon a reservation, or for whose tribe no reservation has been provided by treaty, act of Congress or executive order, shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land-office for the district in which the lands are located, to have the same allotted to him or her, and to his or her children, in quantities and manner as provided in this act for Indians residing upon reservations; and when such settlement is made upon unsurveyed lands, the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions as herein provided.

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And the fees to which the officers of such local land-office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them, from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior.

SEC. 5

That upon the approval of the allotments provided for in this act by the Secretary of the Interior, he shall cause patents to issue therefor in the name of the allottees, which patents shall be of the legal effect, and declare that the United States does and will hold the land thus allotted for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever: Provided, That the President of the United States may in any case in his discretion extend the period.

And if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void:

Provided, That the law of descent and partition in force in the State or Territory where such lands are situate shall apply thereto after patents therefor have been executed and delivered, except as herein otherwise provided; and the laws of the State of Kansas regulating the descent and partition of real estate shall, so far as practicable, apply to all lands in the Indian Territory which may be allotted in severalty under the provisions of this act:

And provided further, That at any time after lands have been allotted to all the Indians of any tribe as herein provided, or sooner if in the opinion of the President it shall be for the best interests of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such Indian tribe for the purchase and release by said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservation not allotted as such tribe shall, from time to time, consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress, and the form and manner of executing such release shall also be prescribed by Congress:

Provided however, That all lands adapted to agriculture, with or without irrigation so sold or released to the United States by any Indian tribe shall be held by the United States for the sole purpose of securing homes to actual settlers and shall be disposed of by the United States to actual and bona fide settlers only in tracts not exceeding one hundred and sixty acres to any one person, on such terms as Congress shall prescribe, subject to grants which Congress may make in aid of education:

And provided further, That no patents shall issue therefor except to the person so taking the same as and for a homestead, or his heirs, and after the expiration of five years occupancy thereof as such homestead; and any conveyance of said lands so taken as a homestead, or any contract touching the same, or lien thereon, created prior to the date of such patent, shall be null and void.

And the sums agreed to be paid by the United States as purchase money for any portion of any such reservation shall be held in the Treasury of the United States for the sole use of the tribe or tribes

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of Indians to whom such reservations belonged; and the same, with interest thereon at three per cent per annum, shall be at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof.

The patents aforesaid shall be recorded in the General Land Office, and afterward delivered, free of charge, to the allottee entitled thereto.

And if any religious society or other organization is now occupying any of the public lands to which this act is applicable, for religious or educational work among the Indians, the Secretary of the Interior is hereby authorized to confirm such occupation to such society or organization, in quantity not exceeding one hundred and sixty acres in any one tract, so long as the same shall be so occupied, on such terms as he shall deem just; but nothing herein contained shall change or alter any claim of such society for religious or educational purposes heretofore granted by law.

And hereafter in the employment of Indian police, or any other employes in the public service among any of the Indian tribes or bands affected by this act, and where Indians can perform the duties required, those Indians who have availed themselves of the provisions of this act and become citizens of the United States shall be preferred.

SEC. 6

That upon the completion of said allotments and the patenting of the lands to said allottees, each and every member of the respective bands or tribes of Indians to whom allotments have been made shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law.

And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, [and every Indian in Indian Territory,] is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property.

SEC. 7

That in cases where the use of water for irrigation is necessary to render the lands within any Indian reservation available for agricultural purposes, the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations as he may deem necessary to secure a just and equal distribution thereof among the Indians residing upon any such reservations; and no other appropriation or grant of water by any riparian proprietor shall be authorized or permitted to the damage of any other riparian proprietor.

SEC. 8

That the provision of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of

New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south added by executive order.^b
^bThe provisions of this act are extended to the Wea, Peoria, Kaskaskia, Piankeshaw, and Western Miami tribes by act of 1889, March 2, ch. 422 (post, p. 344).

SEC. 9

That for the purpose of making the surveys and resurveys mentioned in section two of this act, there be, and hereby is, appro-

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riated, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be repaid proportionately out of the proceeds of the sales of such land as may be acquired from the Indians under the provisions of this act.

SEC. 10

That nothing in this act contained shall be so construed as to affect the right and power of congress to grant the right of way through any lands granted to an Indian, or a tribe of Indians, for railroads or other highways, or telegraph lines, for the public use, or to condemn such lands to public uses, upon making just compensation.

SEC. 11

That nothing in this act shall be so construed as to prevent the removal of the Southern Ute Indians from their present reservation in Southwestern Colorado to a new reservation by and with the consent of a majority of the adult male members of said tribe. [February 8, 1887.]

BURKE ACT OF 1906

Chapter 2348

May 8, 1906. [H. R. 11946.] | [Public, No. 149.] 34 Stat., 182.

An act to amend section six of an act approved February eighth, eighteen hundred and eight-seven, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of an act approved February eighth, eighteen hundred and eighty-seven, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," be amended to read as follows:

"SEC. 6

That at the expiration of the trust period and when the lands have been conveyed to the Indians by patent in fee, as provided in section five of this act, then each and every allottee shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law. And every Indian born within the territorial limits of the United States to whom allotments shall have been made and who has received a patent in fee simple under the provisions of this act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up within said limits his residence, separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in

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any manner impairing or otherwise affecting the right of any such Indian to tribal or other property: Provided, That the Secretary of the Interior may, in his discretion, and he is hereby authorized, whenever he shall be satisfied that any Indian allottee is competent and capable of managing his or her affairs, at any time to cause to be issued to such allottee a patent in fee simple, and thereafter all restrictions as to sale, incumbrance, or taxation of said land shall be removed and said land shall not be liable to the satisfaction of any debt contracted prior to the issuing of such patent:1 Provided further, That until the issuance of fee-simple patents all allottees to whom trust patents shall hereafter be issued shall be subject to the exclusive jurisdiction of the United States: And provided

further, That the provisions of this act shall not extend to any Indians in the Indian Territory.”

1 Chase v. Doxtater, 132 N. W., 904.

That hereafter, when an allotment of land is made to any Indian and any such Indian dies before the expiration of the trust period, said allotment shall be cancelled and the land shall revert to the United States, and the Secretary of the Interior shall ascertain the legal heirs of such Indian, and shall cause to be issued to said heirs and in their names, a patent in fee simple for said land, or he may cause the land to be sold as provided by law and issue a patent therefor to the purchaser or purchasers, and pay the net proceeds to the heirs, or their legal representatives, of such deceased Indian. The action of the Secretary of the Interior in determining the legal heirs of any deceased Indian, as provided herein, shall in all respects be conclusive and final.²

2 In re Albert Heff, 197 U. S., 488; U. S. v. Garden, 189 Fed., 690; Bond v. U. S., 181 Fed., 613; U. S. v. Sutton, 165 Fed., 253; In re Heirs Grace Cox, 42 Land Office Dec., 493; 38 L. D., 427, 559.

Approved; May 8, 1906.

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SPEAKERS FROM *INHERITING INDIAN LAND* SYMPOSIUM VIDEO RECORDING

Cecilia Burke, Deputy Director, Institute for Indian Estate Planning and Probate, Seattle University School of Law, Seattle, WA. *An Overview of the Act and its Regulations.*

Panel – AIPRA 2004: Probate Highlights

Gail Small (Keynote Speaker), Director, Native Action, Lame Deer, MT. MSU College of Letters & Science Landscapes Speaker Series. *Indian Reservations: Homelands or Real Estate?*

Panel – How Tribal Leaders and Landowner Advocates are Addressing Fractionation and AIPRA

TOPIC 4: HANDOUT A

INHERITANCE OF UNDIVIDED INTEREST

Define these words. What does each one mean on its own?

Inheritance:

Undivided:

Interest:

Now put them all together, and what do you come up with?

-----detach here-----

Inheritance of Undivided Interest

Unless otherwise specified in a will, heirs (those that stand to inherit something) do not receive identifiable 'pieces' of land; they receive 'undivided interests' in an allotment. In other words, if I stand to inherit my father's allotment—say, 1st 4-section or 160 acres—along with my brother, and there are no other heirs besides the two of us, we will not simply receive 80 acres each (1st 2 of 160 acres = 80 acres). Rather, we will each receive a '1st 2 undivided interest' in the entire 160 acres...every square inch of it! This is no big deal when there are only two heirs. But just think of the confusion if there were 10 or 20 or 100! In many cases, there are hundreds of heirs on a single allotment, each with a small interest in the entire allotment!

TOPIC 4: HANDOUT B

CO-OWNERSHIP of INHERITED TRUST LANDS

Define these words. What does each one mean on its own?

Co-Ownership:

Inherited:

Trust Lands:

Now put them all together, and what do you come up with?

-----detach here-----

Co-Ownership of Inherited Trust Lands

As more and more people have inherited 'undivided interests' in trust land, they have been less and less able to make good decisions about how the land would be used since they are now 'co-owners' of that land with so many other people. And, because the land is held 'in trust' by the federal government, there are complex rules about how decisions get made: for example, all co-owners have to agree if the land is to be sold or 'partitioned'—physically divided among co-owners; or, more than half (a 'majority') have to agree if the land is to be leased, or even left to rest...). Depending on the proposed use of the land and the number of co-owners, at least a majority have to agree in order to do much of anything with the land...something that has gotten harder and harder to achieve, especially as co-owners lose track of each other. Some have never known each other in the first place!

TOPIC 4: HANDOUT C

VIRTUAL LAND LOSS

Define these words. What does each one mean on its own?

Virtual:

Land:

Loss:

Now put them all together, and what do you come up with?

-----detach here-----

Virtual Land Loss

Because it is so difficult for co-owners to make decisions about their own land, most trust landowners allow the Bureau of Indian Affairs (the 'Bureau') to manage their land for them. The Bureau sends out 'requests for consent', asking co-owners for their 'ok' to lease the land, usually to non-Indian farmers who are willing to pay. If the co-owners say "ok", then the Bureau is supposed to collect the money from the farmer for the use of the land, and then disperse the money among the co-owners. Sometimes this has been done out of a real desire to help trust landowners, to make sure they have money. Other times, it has been done to help those that end up using the land—usually the non-Indian farmers. (But that's another story!). The upshot for trust landowners is that they may own land, but they can't do much with it. They haven't actually lost it. But they have very little to do with it other than to receive a check for someone else's use of it. So, in effect, they have lost it. That is 'virtual land loss'.

EXAMPLE MIDTERM INSTRUCTOR EVALUATION

Midterm Instructor Evaluation
Questioning Indian Land Workshop

Instructor Name

1. What is working well in the class so far?
2. What have you learned so far that feels important to you?
3. What do you wish the class would cover, that it hasn't already?
4. Are there any specific actions the instructor can take to make this a better learning experience for you?
5. What can you do as a student to improve your learning from this class?
6. How might you be able to share this knowledge with your family, neighbors and/or friends?