

SENATE BILL NO. 182

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING EDUCATION LAWS TO STRENGTHEN THE STATE'S COMMITMENT TO PRESERVING AMERICAN INDIAN CULTURAL INTEGRITY UNDER ARTICLE X, SECTION 1(2), OF THE MONTANA CONSTITUTION; PROVIDING GREATER FLEXIBILITY FOR THE EDUCATIONAL PARTNERSHIPS ENTERED INTO BY TRIBES IN THE MONTANA INDIAN LANGUAGE PRESERVATION PROGRAM; ENCOURAGING THE INTEGRATION OF EFFORTS BETWEEN THE MONTANA INDIAN LANGUAGE PRESERVATION PROGRAM AND THE INDIAN LANGUAGE IMMERSION PROGRAMS OF SCHOOL DISTRICTS; EMPHASIZING THE VALUE OF COLLABORATIVE PROFESSIONAL DEVELOPMENT AND THE USE OF MATERIALS PREVIOUSLY PRODUCED BY THE TRIBES UNDER THE PROGRAM THAT ARE HOUSED AT THE MONTANA HISTORICAL SOCIETY; AMENDING SECTION 20-9-537, MCA; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, Article X, section 1(2), of the Montana Constitution states: "The state recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity"; and

WHEREAS, the Montana Legislature has honored this commitment in several ways, including through the creation of the Montana Indian language preservation program; and

WHEREAS, the Montana Legislature recognizes the fundamental principle and integrity of the government-to-government relationship between the State of Montana and the Indian Nations of Montana; and

WHEREAS, increasing tribal sovereignty in administering the Montana Indian language preservation program and allowing Montana tribes greater flexibility in how they implement the program with a greater variety of educational partners will only strengthen the impact of the program.

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

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3 **Section 1.** Section 20-9-537, MCA, is amended to read:

4 **"20-9-537. Montana Indian language preservation program.** (1) There is a Montana Indian
5 language preservation program. The program is established to support efforts of Montana tribes ~~and partnering~~
6 ~~school districts~~ to preserve and perpetuate Indian languages in the form of spoken, written, sung, or signed
7 language and to help meet the state's educational goal of preserving the cultural integrity of American Indians
8 under Article X, section 1(2), of the Montana constitution.

9 (2) (a) The office of public instruction shall administer the program and, in collaboration with each
10 tribal government of a federally recognized Indian tribe in Montana, shall create program guidelines.

11 (b) The program guidelines must:

12 (i) describe the roles of tribal governments, of tribal education, culture, or language departments
13 or other recognized Indian education resource specialists, and of ~~partnering school districts~~ educational entities
14 with which the tribe will partner, including but not limited to public school districts, community choice schools,
15 nonpublic schools, tribal schools, postsecondary institutions, and early learning providers;

16 (ii) include definitions of language fluency in sufficient detail to allow measurement of progress
17 toward Indian language preservation; and

18 (iii) address performance and output standards, distribution of funds, accounting of funds, and use
19 of funds.

20 (3) (a) The office of public instruction shall equally distribute funds to tribal governments in a
21 manner described in the program guidelines. A tribal government wishing to participate in the program shall
22 submit an application to the office of public instruction that includes at a minimum:

23 (i) if applicable, statements of commitment from ~~school districts~~ educational entities with which the
24 tribal government will partner through the program, including, if applicable, descriptions of how the efforts of the
25 Montana Indian language preservation program will be integrated into Indian language immersion programs of
26 school districts pursuant to Title 20, chapter 7, part 14;

27 (ii) a designation of a tribal entity to administer the program. The designation must be to the tribal
28 education department or equivalent or, if the tribe does not have an education department, to another entity

1 such as a tribal culture or language department or equivalent.

2 (iii) a description of the role of American Indian language and culture specialists in the program,
3 including the number of specialists currently employed by partnering districts;

4 (iv) a detailed description of proposed curriculum development, instruction, and professional
5 development activities, including:

6 (A) the role of American Indian language and culture specialists; and

7 (B) the utilization of curriculum and other materials developed by the tribe under the program
8 during the years 2013 through 2021 that are securely housed in perpetuity at the Montana historical society;

9 (v) a description of how proposed activities support the tribal government's long-term strategy for
10 Indian language preservation, including:

11 (A) an estimate of the current number of fluent speakers; and

12 (B) plans to build multigenerational fluency through:

13 (I) partnerships with early learning providers; and

14 (II) adult education offerings; and

15 (vi) a proposed budget for the expenditure of funds received under the program and any other
16 anticipated funding sources. The budget may include professional development opportunities. The tribal entities
17 administering the program are encouraged to partner with one another and utilize national and international
18 organizations with expertise in language preservation and perpetuation in designing professional development
19 opportunities.

20 (b) ~~Tribal governments and partnering school districts~~ shall report annually to the office of public
21 instruction in a format prescribed in the program guidelines. A tribal government failing to meet the reporting
22 requirements may not receive program funds until reporting requirements have been met.

23 (c) The office of public instruction shall report to the legislature, to the education interim committee,
24 and to the state-tribal relations committee in accordance with 5-11-210. The report must include:

25 (i) current program guidelines as required in subsection (2);

26 (ii) a summary of each participating tribal government's activities under the program; and

27 (iii) metrics that indicate how well activities funded under this program are promoting language
28 fluency.

1 (4) Any cultural and intellectual property rights from program efforts belong to the tribe. Use of the
2 cultural and intellectual property may be negotiated between the tribe and other partnering entities.

3 (5) A tribe may use payments received pursuant to this section as matching funds for federal or
4 private fund sources to accomplish the purposes of this section."

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6 NEW SECTION. **Section 2. Notification to tribal governments.** The secretary of state shall send a
7 copy of [this act] to each federally recognized tribal government in Montana.

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9 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2025.

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