

Teton County School District 401
School Board and Superintendent

CIVIL RIGHTS GRIEVANCE

Complaint:

Note; Teton High School does NOT have a mascot. THS has a name and a symbol; The Teton Redskins

Upon learning the Teton High School Redskin name was up for discussion of removal, many students felt confusion, discontent and even displacement. Of their own volition, students staged two walk-outs during school hours to peacefully protest the decision of removing the Redskin name. Students and parents have commented publicly about the displacement felt within homes, families, and the community with the removal of the Redskin name. Multiple generations have graduated as Teton Redskins in this valley, and after multiple generations of proud Redskins, students are now being stripped of their family heritage, as they will be the first of many generations to no longer hold the prided Teton Redskin name as graduates. Multiple students have said to parents and community members that they felt as if actively stating their opinion of wanting to keep the Redskin name, or participating in walk-outs or community meetings where their voices would be heard would cause them to lose credit in school with certain educators, who were very vocally against keeping the Redskin name. Moreover, the schoolboard and/or superintendent has slowly removed the word Redskins from school jerseys, and school property. This overt and reckless act, done in tandem with their accepting of political activists (Sho-Ban) entering the school to attack the Redskins name, have done significant damage to the students and community and add even greater concern to the civil rights of our students and taxpayers. Since the ruling many students have claimed they will enroll in schools located a minimum of 30 miles away and have sought consolation and understanding from parents, friends, and peers. With the high suicide rate in Teton County Idaho, there is concern that the high anxiety of this decision may lead to adverse consequences.

On July 8, 2019 the Teton County Idaho School District 401 School Board held a public meeting after which they voted 4:1 to retire the name Teton Redskins, which has been part of the school and community for at least 90 years. It is our goal as the majority of Teton County students and residents to have this action reversed. The United States Code, 42 U.S.C. 1983 prohibits a state/tribal government from unlawfully discriminating against a discrete minority group. The decision to single out Native Americans as a class of people that cannot be represented in public school imagery (while other ethnic or historic groups such as Patriots, Fighting Irish, Vikings, Crusaders, etc. are allowed to be represented), is per se discriminatory, under both the 14th Amendment and Section 1983.

Socrates argued a word needed to be connected in “likeness and image” to the reality of that word such that it became literally an icon of what it represented. Orwell stated, “Poor language choice has a social warping effect, not on reality but on our relationship to it.” Thus, a Redskin is a North American Indian-a Redskin Warrior is a North American Indian wearing a war bonnet or

with war paint on. Anything subjective added to these long-held definitions- to warp reality as Orwell argued, is being done purposefully and for a reason.

Prior to the July 8th school board meeting, there were two separate meetings held for the public to gain information concerning the Redskin name. The first was a group called NAGA (Native American Guardian's Association), which included Native Americans from across the United States. They spoke of their concern about the eradication of the Redskin name, claiming that by retiring the Redskin name we are participating in the eradication of Native American history. At the end of the NAGA presentation, a small group from the Shoshone-Bannock tribe stood and caused discontent amongst the attendees. The true representative from the Sho-Ban tribe, Ladd Edmo, read a letter the tribe intended to deliver to the school board prior to their decision-making. It stated the Sho-Ban was against the Redskin name and favored having it removed. However, he went on to state that he personally was not offended by the name Redskin and would be honored to play football for the Washington Redskins. He also informed the attendees that in the Sho-Ban language there was no word for "Redskin".

Approximately one week later, there was an event held called, "Native Perspectives on the Mascot; A panel discussion with local and regional Native Americans." Those in favor of keeping the Redskin name asked for a spot on this panel and were denied. Upon arrival at the meeting, the attendees were handed papers and told to write any questions on the paper, and hand them in to a moderator. The moderator would then choose which questions to ask the panel. There was no option for audience involvement other than writing the questions down on paper. At this discussion, a prominent anti-Redskin activist, Amanda Blackhorse, was on the panel. Amanda is a Navajo from Arizona. On her reservation in Mesa, the school of predominantly Native American students is named "The Red Mesa Redskins". She failed to gain any traction at Red Mesa High School in her attempt to change the name of that High School. If the name Redskin was as offensive as she claims, why would it be used on her own reservation, by Native American people, to represent themselves?

Per the Sho-Ban treaty with the United States Government, their own bi-laws profess that they will promote Native culture, etc. and they are beholden to support and coordinate their activities within the spirit and letter of the US Constitution as a nation. Thus, it is arguable that they have violated the first and fourteenth amendment of the Constitution of the United States of America. We are making the case that certain members of the State employment system and the Sho-Ban tribe have encroached on our children's civil rights without due process or considerations of the majority of the student's and communities' 90 year IDENTIFICATION, INDOCTRINATION, and ASSIMILATION as part of the Idaho school system into Native culture, traditions, and lifestyles such that the unwarranted and unsupported attack on the individual students identity and their group identity, is a violation of the US and Idaho Civil Rights guarantees, along the lines of race (where more than 50% of all American's maintain measurable levels of DNA [religion] Redskinism is more than just red paint warriorship, but that adding the spiritually significant red paint-as is the original basis of the term Redskin- acts as an overt connection to the Great Spirit and larger spiritual belief system for the wearer.) AND national origin where any student who manifestly identifies with the Redskin Warrior tradition is de facto identifying- on

behalf of the State and County that had proffered the name Redskin for 90 years in good faith upon these agreed students- such that a large number of them came to identify themselves as part of the larger Native American Nation identity. The treaty speaks of intellectual property being protected. The Redskin symbol and word (NOT mascot) is part of that intellectual property. Further, in their preamble it states they will “promote our general welfare, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of self-government not inconsistent with Federal laws.” The phrase “not inconsistent with Federal laws” is a powerful statement. Again, it arguably violates the first and fourteenth amendment to our Constitution and their US Treaty. **In June 2017 the Supreme Court ruled that the provision of the trademark law barring disparaging names was an unconstitutional infringement on freedom of speech, violating the first amendment.** It should also be noted that the Teton County School Board Code of Ethics states: “3.) Make all decisions based on the available facts and my independent judgment, and refuse to surrender that judgement to individuals or special interest groups.”

In an article written by Andre Billeaudeau and sources schoolprofiles.fsps.edu and goo.gl/dixnxm, “group identity may be described as those social comparisons, norms, and communication that forge common bonds and self-identification; it helps define how people feel about themselves to include increasing ones pride, confidence, and one’s sense of well-being.” In a student body survey, the majority (67%) of students answering the survey did NOT want the name changed. Two petitions circulated Teton Valley, with the majority of signatures in favor of keeping the Teton Redskins name. Over 1,000 signatures both online and on paper were collected in favor of keeping the name, while just over 200 signatures were collected to remove the Redskin name. Likewise, a survey conducted by the Sho-Ban on their social media account, showed a 72% majority in favor of keeping the name, while the Sho-Ban showed 28% in favor of changing the name. Also note, the membership of the Sho-Ban social media page is just over 7,000 members, of which just over 600 voted against, leaving 6,400 plus not voting, or not interested. Also, during the Washington Redskin legal battle, a survey was conducted across the United States with Native Americans, showing 90% in favor of keeping the name, with 10% not caring or in favor of changing the name. Anxiety symptoms, as discussed above, and in the publication savetheredskins.publishpath.com/highanxiety have been shown in conversations amongst students across the Teton Valley.

A recent Harvard test of 160,000 samples of DNA showed more than 50% of all Americans have Native DNA, according to geneticliteracyproject.org/2018/10/16/claims-that-us-is-a-genetic-melting-pot-appear-overblown-if-youre-white. The DNA survey provides then, that an estimated 50% of Teton County residents have Native DNA. In Native American practice, they promote the role of Whiteskin Chief and Redskin Chief; roles that need to be achieved. It is the red paint used to cover the face and body, thus the tradition of the Redskin.

Our complaint is against the school board members: Chris Issacson, Nan Pugh, Mary Mellow, Jake Kunz and Ben Kearsley, with Superintendent Monte Woolstenhulme, the Sho-Ban Tribal Government and reps, including Randy Teton, who came to the school. Also, Amanda

Blackhorse (activist), and certain teachers who have used derogatory or racist claims in either the public or school realm, including comments that may have been made in their survey.

Resolutions

Based upon all of the above, it is clear that removing the Teton Redskin name is against our first and fourteenth amendment civil rights, as well as causing a negative impact on our local students, and community as a whole. Therefore, we request:

#1.) You reinstate the name with new standardized Native cultural education to recognize the objective and positive nature of Redskins.

#2.) We request a temporary hold on the motion to retire the Redskin name so as to not allow the school board to move ahead with changes until this is resolved.

Respectfully,