



Opportunity Through Education

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Memo

TO: Select Committee on Tribal Relations

FROM: Chad Auer, Deputy Superintendent of Public Instruction

DATE: August 29, 2022

SUBJECT: A Brief History and Current Interactions with St. Stephens Indian School

Background and History

St. Stephens Indian School (SSIS), located four miles southwest of Riverton on the Wind River Indian Reservation, was started in 1888 by Missouri Jesuits who oversaw the St. Stephens Mission. The school operated as a boarding school until 1939, when it converted to its present status as a day school.

The mission eventually struggled with financial support, and in 1975 relinquished control of the school to a local community group. With support from the Northern Arapaho and Eastern Shoshone Business Councils, the St. Stephen's Indian School Educational Association was formed and began managing the school through a contract with the U.S. Bureau of Indian Affairs (BIA) under the 1975 Indian Self-Determination and Educational Assistance Act, P.L. 93-638. The Office of Indian Education Programs within the BIA was renamed the Bureau of Indian Education (BIE) in 2006 to manage schools under its jurisdiction.

In May 2022, the Wind River Inter-Tribal Council requested that the BIE to take control of the school, a process known as retrocession.

State Statutory Funding Formula

In the 2000s, the financial structure of the school changed, with the recognition by the Wyoming Legislature, that neighboring public school districts were experiencing a rapid increase in per-pupil funding. As the decade progressed, lawmakers occasionally appropriated money to support SSIS. In 2007, a statute was crafted to assist school officials in budget planning and ensure equitable educational opportunities for St. Stephens students by equalizing funding across Wind River Country.

Wyoming Statute 21-4-601(b) requires contractual arrangements between the Wyoming Department of Education (WDE) and one or both tribal business councils and “shall include a requirement that the expenditure of contractual amounts, as verified annually in writing, is for programs tied to improvement of student performance on the statewide assessment.” The statute includes a formula authorizing state funds to make up any shortfall in BIE per-pupil funding as compared to three “proxy” school districts: Fremont #14 (Ethete), Fremont #21 (Fort Washakie) and Fremont #38 (Arapahoe). State funding comprises about 20 percent of St. Stephens’ annual revenue.

State Funding Amounts to St. Stephen’s Indian School, by School Year:

2003-04	\$320,091	2013-14	\$1,187,097
2005-06	\$384,110	2014-15	\$1,068,724
2007-08	\$1,049,946	2015-16	\$918,450
2008-09	\$1,049,946	2016-17	\$1,450,541
2009-10	\$1,049,946	2017-18	\$1,450,541
2010-11	\$1,106,622	2018-19	\$1,340,144
2011-12	\$1,106,622	2019-20	\$1,375,168
2012-13	\$1,187,097	2020-21	\$1,297,445

The contract annually contains deliverables that require the school to provide student attendance and demographic data, course inventory, school improvement plans, yearly budgets, reports of previous spending of state funds, federal revenue, and findings of yearly financial audits. The school is also required to administer state assessments to all students.

Constitutionality

An opinion from the Wyoming Attorney General, dated March 22, 2011, concluded that the agreement is constitutionally sound because the WDE does not send money directly to St. Stephens, but to the tribes. Further, “the intent of these agreements is to address the needs of Indian students and reduce conditions of unemployment, poverty and lack of adequate job skills[.] Thus, the agreement between the WDE and the Joint Tribes serves a public purpose and likely does not violate the Wyoming Constitution.”

Bureau of Indian Education Retrocession

Lora Braucher, Education Program Administrator, Bureau Operated Schools, offered this update to WDE on August 18, 2022 in regards to the retrocession:

- Staff Orientation is September 12, 2022.
- Student First Day is September 19, 2022.
- Currently there are 153 K-12 students enrolled.
- Fall athletics have begun.
- The Wind River Inter-Tribal Council and BIE are working together collaboratively to transition the school.

- Currently processing new hires, however; many vacancies remain due to lengthy processes and later vacancy postings. The BIE is continuing to work diligently to fill all positions, and working to detail staff from other locations to fill vacant positions at St Stephens to ensure it starts as expected.