

PUEBLO OF ACOMA LAWS 2003 (2017 Replacement)

TITLE 13 CULTURAL RESOURCES

This Replacement includes laws enacted since the Pueblo of Acoma Laws 2003 pursuant to Tribal Council Resolutions dated January 1, 2016 through December 31, 2016.

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**TITLE 13
CULTURAL RESOURCES**

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PUEBLO OF ACOMA LAWS 2003 (2017 REPLACEMENT)

**TITLE 13
CULTURAL RESOURCES**

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PUEBLO OF ACOMA LAWS 2003 (2017 REPLACEMENT)

**TITLE 13
CULTURAL RESOURCES**

Chapter1. PUEBLO OF ACOMA LANGUAGE POLICY

13-1-1 Background. Since our time of emergence from Ship'apu, our Mother latiku gifted us, as Aak'um'e Hanu, with *Aak'um'e Dzeeni* (Acoma Language) along with core values of family, culture and tradition. Our existence, and those of future generations, depends on the continuation of our Acoma Language.

Aak'um'e Dzeeni is the historical and native language of the Pueblo of Acoma which is essential for sustaining the culture and values of the people. The language is valued in conducting present day activities and business of the Acoma tribal government. It must permeate all aspects of family and cultural life so that language retention will be sustained.

Origins: Enacted by Tribal Council Resolution No. TC-OCT-09-14-VIb.

13-1-2 Heritage of Acoma Language. Community surveys (1997, 2010, 2012) show significant language loss in the Acoma community, especially among children and young adults. The data suggest that unless comprehensive steps are taken to develop and sustain long-term efforts to stabilize our language, future generations might not enjoy the benefits of understanding and participating in the culture and traditions of our Pueblo.

This policy prioritizes *Aak'um'e Dzeeni* maintenance and regeneration as major goals that shall be encouraged and supported in all areas of the community. Local schools and programs of early childhood education will be required to work in partnership with the Pueblo of Acoma Department of Education ("ADoE") to ensure that there is appropriate, consistent, and long-term planning for inclusion of Acoma language instruction for Acoma children.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotations: Formerly codified at §13-1-3, Pueblo of Acoma Laws 2003. Former codification stated: "Status of the Acoma Language. Results of The Test of the Acoma Language Proficiency administered to the students in Kindergarten through third grade between 1986 through 1989 show an overall loss of the Acoma language by young Acoma people because of the lack of application at home and at school as a result of the tremendous influence by the English Language through assimilation and

acculturation."

13-1-3 Policy Statement. The Pueblo of Acoma is committed commitment to the survival of *Aak'um'e Dzeeni* so that future generations of Acoma people will understand, participate, benefit and flourish from our culture and traditions.

Language is the conduit by which culture is transmitted. This policy is meant to enable a strong foundation for language used in day-to-day conversations. Language applications to further understanding of transition and culture will evolve from this foundation of language.

Acoma's commitment is to learn and sustain the language of our culture. The people of the Pueblo of Acoma shall have opportunities to become fluent speakers of *Aak'um'e Dzeeni*. Acoma Language curricula, standards and instructional materials shall be developed for use by families and community members, educational institutions and tribal programs. *Aak'um'e Dzeeni* as a medium of instruction shall be encouraged. Accordingly, the Acoma Tribal Council sets this policy on Aak'um'e Dzeeni that shall be implemented by all institutions and organizations that serve the Acoma people, the Acoma Tribal government and all of its programs.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotations: Formerly codified at §13-1-1, Pueblo of Acoma Laws 2003. Former codification stated: "It shall be the policy of the Pueblo of Acoma to reaffirm our people's commitment to the preservation of our Acoma Language and Culture so that future generations of Acoma people will maintain and benefit from our traditions and culture. These language policies shall pertain to all tribal members and to all educational contract or grant programs serving the people of the Pueblo of Acoma including the Bureau of Indian Affairs School."

13-1-4 Authority. The Pueblo of Acoma recognizes three levels of Authority for Acoma Language Learning: (A) Family and Community responsibility, (B) Tribal responsibility, and (C) School-based Programs.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotations: Formerly codified at §13-1-2, Pueblo of Acoma Laws (2003). Former codification read: "The authority to implement these policies is derived from Federal Indian Law and the inherent sovereign power of the Pueblo of Acoma Tribal Council as reinforced by the Treaty of Guadalupe Hidalgo of 1848, the Indian

Reorganization Act of June 18, 1934 (48 Stat. 984), and the Indian Self-Determination and Education Assistance Act Amendments of 1987, (P.L. 100-492). It shall be the duty and responsibility of all administrators of education to implement these policies."

- A. Family and Community Responsibility. It is acknowledged that families and extended families have the primary responsibility for teaching their household members *Aak'um'e Dzeeni*. The process of language learning begins with the family or household. The Acoma Department of Education will encourage family-based programs in the community to support families in their efforts to teach and maintain the language and culture to members of their families.

The ADoE will support families and the community through the following functions:

1. Plan, develop, and secure funding to implement Acoma Language programs from infancy to adulthood;
2. Create language curricula that reflect stages of language development. Curricula will reflect culturally relevant strategies of teaching *Aak'um'e Dzeeni*;
3. Recruit and train individuals to serve as qualified and experienced Acoma speakers who will teach *Aak'um'e Dzeeni* to Acoma community members;
4. Achieve language outcomes of conversational proficiency reflected by understanding and speaking *Aak'um'e Dzeeni*;
5. Collaborate and support other tribal programs in development and implementation of Acoma Language learning efforts.

The Acoma Department of Education will use its Language resources for Acoma language instruction. Qualified and experienced staff will be trained to lead efforts on the use of *Aak'um'e Dzeeni* as a valued home language of Acoma families. *Aak'um'e Dzeeni* - The Acoma Language Program ("AD-ALP") of the Acoma Department of Education will be a primary resource for assisting the community in planning Acoma language teaching efforts.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotations: Formerly codified at §13-1-4 and §13-1-5, Pueblo of Acoma Laws (2003).

Former §13-1-4 read: "Parental Responsibilities. Parents shall be encouraged to use both the Acoma and English language so that their children may become proficient in both. Whenever possible, parents shall become involved in the teaching of the language and culture at various education levels of the tribal education system."

Former §13-1-5 read: "Resource People. Community elders shall to the greatest extent possible be relied on to participate in providing assistance, as well as instruction, in developing language curricula and materials for all schools and education programs serving the Pueblo of Acoma tribal members."

- B. Tribal Government Responsibility. *Aak'um'e Dzeeni* has sustained the indigenous form of leadership and the tribal government. The Tribal leadership will encourage all programs to identify and establish strategies on Acoma language use in daily activities.

Origins: Enacted by Tribal Council Resolution No. TC-OCT-09-14-VIb.

1. Acoma Department of Education ("ADoE"). The Acoma Language Policy guides the ADoE vision, mission and goals. This policy will also guide the development of curriculum and instruction.

The Department will support the leadership of the Pueblo of Acoma to ensure that the Acoma Language policy reflects and is sensitive to the cultural aspects of Acoma Language. The Department will seek their support of the policy as they too, strive to increase the Acoma Language usage for traditional and cultural purposes.

In the spirit of this language policy, the Acoma Board of Education shall establish regulations, guidelines and programs for Acoma Language instruction. Any future programs that become part of the Acoma Department of Education will be expected to incorporate Acoma language and/or cultural activities that support program purposes.

Origins: Enacted by Tribal Council Resolution No. TC-OCT-09-14-VIb.

- a. Training for Acoma Language Instructors. All Acoma instructors will be required to complete a native language training class on appropriate methodologies to be used in teaching a second language. Upon completion, instructors will receive a certificate of completion from the Acoma Tribe.

Instructors teaching in the public, private and Bureau of Indian Education schools will be required to complete the Acoma Language Certification process in order to obtain the state required Native Language Certificate (520). Acoma Department of Education will submit to the state of New Mexico names of individuals who have met the requirements for Acoma Language Certification. The state will be informed that certification will be accomplished by the AD-ALP through the Acoma Department of Education

The Acoma Department of Education will guide and oversee AD-ALP's work with training Acoma language instructors and coordinating with public, private and community schools to ensure that Acoma language instruction is appropriately planned and implemented. This is meant to support *Aak'um'e Dzeeni* as a medium of instruction in grades K-12.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb

Annotations: Formerly codified at §13-1-9, Pueblo of Acoma Laws (2003). Former codification read: "Training and Instruction; Native & Non-native Speakers. The Tribal Council shall encourage all Tribal Education Programs, BIA School or otherwise to provide in-service training for teachers and teacher aides to prepare them to teach Acoma Children. These in-service programs shall include such aspects as teaching strategies, learning characteristics, protocol, values, ethics and world view as well as other linguistic and pertinent cultural matters that will prepare the teacher with insights to teach."

2. Funding for Language Policy Implementation. The Acoma Tribal Council and Acoma Department of Education recognize that implementation of language policies outlined in this document will require multiple sources of funding support in order to develop and sustain a community-wide effort to strengthen the Acoma language. The Acoma Tribal Council and Acoma Department of Education shall establish funding priorities for language in its requests for state and federal appropriations, Congressional funding such as the Esther Martinez Language Preservation Act, private foundations and other resources from the public and private sector. Acoma Tribal Program administrators are encouraged to seek program funds to carry out the implementation of these policies.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotations: Formerly codified at §13-1-11, Pueblo of Acoma Laws (2003). Former codification read: "Funding for Language Policy Implementation. The Acoma Tribal Council recognizes that the Department of the Interior has the responsibility under the Snyder Act, Public Law 100-492 and Public Law 95-561 to provide funds for such priority tribal education programs as the Acoma Language Policy and to request sufficient appropriations from the Congress of the United States. Furthermore, all administrators of education operating on the Pueblo of Acoma jurisdiction are encouraged to continue to seek program funds to carry out the implementation of this policy."

3. Copyright of Publications and Reproductions. In 1985, the Acoma Tribal Council authorized that all Acoma language publications and language media produced by local schools and bilingual programs operating under the auspices of the Pueblo would reside with the Pueblo of Acoma as copyright owner. The Acoma Tribal Council reiterates this policy, establishing the Pueblo of Acoma as copyright-owner under the following conditions:
 - a. Unless otherwise provided by specific terms of a grant or contract which the Tribal Council has directly assumed, materials developed through a Federal or state grant or contract, the Pueblo of Acoma is free to copyright the material;
 - b. When publications and productions have been financed in whole or in part, or where the Tribe has directly assumed a Federal grant or contract in which materials have been produced, all materials shall bear the copyright symbol and shall be identified as "© Pueblo of Acoma, [Year]."

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotations: Formerly codified at §13-1-7(A) and (B), Pueblo of Acoma Laws (2003). Former codification read: "Copyright of Publications and Reproductions. (A). All language publications and language media shall reside with the Pueblo of Acoma as copyright owner under the following conditions. Unless otherwise provided by the terms of a grant or contract which the Tribal Council has directly assumed, when copyrightable material is developed

under the course of a federal grant or contract, the Pueblo of Acoma is free to copyright the material, however, the funding agencies may have royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use, the work for Federal Government purposes or as implied under Federal Regulations of the funding agency. (B). Be it known that all publications and productions which the Tribal Council has financed in whole or in part, or has directly assumed a federal grant or contract shall bear the copyright symbol and identified as "© the Acoma Tribal Council, [year]".

4. Writing and Recording the Acoma Language. Adoption of an official writing system for *Aak'um'e Dzeeni* will be determined by the Acoma Tribal Council in consultation with the Acoma Department of Education and other entities as appropriate. This may include the sanctioning of recording the Acoma Language for purposes of instruction.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotations: Formerly codified at §13-1-8, Pueblo of Acoma Laws (2003). Former codification read: "Sanction of the Acoma Orthography. No system of orthography shall be presented as an official writing system until such time that the Tribal Council has adopted a system.

5. Royalties and Other Income Earned from Copyrighted Material. Disposition of royalties or equivalent income earned on publications, media and other forms of printed material developed by the Pueblo of Acoma shall be governed according to the requirements of specific circumstances such as the following:
 - a. Where a Federal grant or contract between the Pueblo of Acoma or Acoma Department of Education and a funding agency has provided the funds for development of materials, media, or publications, the terms of that grant or contract shall govern the disposition of royalties or earned income.
 - b. In the absence of such Federal requirements, disposition of the income shall be governed by the Pueblo of Acoma who shall designate *Aak'um'e Dzeeni* - The Acoma Language Program as the recipient of the royalties. The Acoma Language Program will use the income to support language programs and related activities.

All such rights, as dictated in the first paragraph of Section c, are reserved under the international and Pan-American copyright conventions for materials developed by the Acoma tribe or its legal representatives. The following categories are included in this section:

- c. Publications and documents relating to the Acoma Language: orthographies, language and grammar books, language teaching guides, curriculum materials and language lessons, and assessments.
- d. Recordings: audiotapes, oral history collections
- e. Media: photographs, photo collections, films, video.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotations: Formerly codified at §13-1-7(C), (D), and (E), Pueblo of Acoma Laws (2003). Former codification read: " (C). Royalties and other income earned from a copyrighted work. Disposition of royalties equivalent income earned on publications shall be governed by the terms of the federal grant or contract between the Pueblo of Acoma and the funding agency. In the absence of such Federal requirements disposition of the income shall be governed by the following: The Acoma Tribal Council shall be the recipient of the royalties which will be subject to the utilization of such income for the continued maintenance of Language Curriculum. (D). All such rights as dictated in the first paragraph of this section [§13-1-7(A)] are reserved under international and Pan-American copyright conventions. (E).The following categories are included in this section: (1). Publications and Documents Relating to the Acoma Language. Books, photographs, photo collections, oral history collections, orthographies, languages and grammar guides, other teacher guides, curriculum materials and texts. (2). Language Media. Films, video, audio, photography, reproductions, and computer generated language lessons.

- C. School-Based Programs. By and through this policy, all education programs serving Pueblo of Acoma youth, including infants, toddlers, and school-age students, shall establish a plan for supporting the development of the Acoma Language among Acoma children. Beginning with early childhood, programs such as the language immersion nest for infants and toddlers, and Haak'u Learning Center, Sky City Community School, St. Joseph Mission School, and local public elementary, mid and high schools, shall work in partnership with Acoma Department of Education to provide Acoma

Language instruction.

The Acoma Department of Education and Acoma tribal administration will engage Grants Cibola County School District and local schools in identifying sources of funding (e.g. Title I, Bilingual Education, Impact Aid, or other grants) that will support Acoma language programs in schools. Teaching of the Acoma Language will be guided by agreements between the Tribe and the school district or organization. Instructors of the Acoma language in schools must be speakers of the language and should meet the training requirements established by the Pueblo's Language Certification process.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-90-1, supplemented by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotation 1: Formerly codified at §13-1-6, Pueblo of Acoma Laws (2003). Former codification read: "School Curricula. The Pueblo of Acoma Tribal Council strongly encourages bilingual programs which foster proficiency in both the English and Acoma languages. It shall be the policy of all education operations serving the Pueblo of Acoma residents to implement a bilingual curriculum, including the English and Acoma languages, for all students. This policy shall apply to all tribal education programs and Bureau of Indian Affairs school or schools which are currently, and in the future will be, serving the Pueblo of Acoma."

Annotation 2: Tribal Council Resolution No. TC-FEB-02-00 approved the teaching of Acoma language in the Grants Cibola County School District, and St. Joseph School.

13-1-5 Language Committee. The Acoma Board of Education shall appoint a 5-member Ad Hoc Committee for specified timeframes and defined tasks to support the Department's efforts in the area of Acoma Language:

Tasks for an Ad Hoc Language Committee may include, but are not limited to:

- A. Reviewing publications and media for relevance and appropriateness of Acoma Language.
- B. Recommending updates and changes to the Acoma Language Policy at two-year intervals or as requested by Acoma Department of Education.

The Acoma Department of Education together with Acoma Tribal Council

and Tribal Administration will ensure that language program efforts are aligned with the Tribal Language policy.

Origins: Enacted by Tribal Council Resolution No. TC-FEB-16-99-3, and amended by Tribal Council Resolution No. TC-OCT-09-14-VIb.

Annotation 1: In 1999, The Pueblo of Acoma appointed the Acoma Language Committee composed of Acoma tribal members. The resolution also delegated oversight responsibility to the Committee.

Annotation 2: Formerly codified at §13-1-10, Pueblo of Acoma Laws (2003). Former codification read: "Language Committees/commission". (A). The Acoma Tribal Council shall from time to time appoint a Language Committee as needed which will work in coordination with the Education Programs and operations to review publications and media pertinent to the Acoma Language. (B). The language Committee shall be responsible for overseeing the implementation of the community's long-range goals to retain and strengthen the native Acoma language.

Chapter 2. SKY CITY SCHOOL BOARD

13-2-1 Sky City Community School Board. The Acoma Tribal Council delegates to the Sky City Community School Board its authority to act for the Pueblo of Acoma in carrying out school board responsibilities under Public Law 95-561.

Origins: Enacted by Tribal Council Resolution No. TC-DEC-11-91-2. Tribal Council Resolution No. TC-MAY-9-01-6B delegated authority to Sky City Community Board in carrying out the Pueblo's responsibilities under P.L. 95-561.

13-2-2 Appointment of Board Members. The Acoma Tribal Council shall appoint individuals to fill vacancies on the Sky City Community School Board.

Origin: Enacted by Tribal Council Resolution No. TC-DEC-11-91-2.

Annotations: Tribal Council Resolution No. TC-MAY-9-01-6B appointed new school board members.

Chapter 3. TRIBAL HISTORICAL PRESERVATION OFFICE

13-3-1 Tribal Historical Protection Office. The Acoma Tribal Council recognizes the need to keep, protect and preserve the knowledge of our history, archeological and historical sites to develop and establish a tribal historic preservation ordinance.

Origins: Enacted by Tribal Council Resolution No. TC-JAN-27-99-2.

13-3-2 Establishment. The Governor is authorized to develop and establish a Tribal Historical Preservation Office.

Origin: Enacted by Tribal Council Resolution No. TC-JAN-27-99-2 authorizing the Tribal Administration to develop and establish a Tribal Historical Preservation office.

13-3-3 Establishment of the Acoma Historic Preservation Office Advisory Board. The Acoma Historic Preservation Office mandates the appointment and establishment of an active Advisory Board consisting of tribal members with both knowledge and expertise on traditional tribal history, culture, environment, federal and state preservation laws.

Annotations: Tribal Council Resolution No. TC-MAR-29-00-3 established an official Advisory Board for the Acoma Historic Preservation Office; Tribal Council Resolution No. TC-DEC-11-15-VIa amends Resolution TC-MAR-29-00-3.

13-3-4 Membership on Advisory Board. Members shall be appointed by the Tribal Council pursuant to the customary law of the Pueblo as set forth in Tribal Council Resolution No. TC-DEC-11-15-VIa. Members shall serve for an indefinite period to be terminated by voluntary resignation.

Annotations: Tribal Council Resolution No. TC-DEC-11-15-VIa amends Resolution TC-MAR-29-00-3 which established an official Advisory Board for the Acoma Historic Preservation Office, by setting forth the membership of the Board and their terms of office.

13-3-5 Purposes of Advisory Board. The purposes served by establishing the Acoma Historic Preservation Office Advisory Board are to:

- A. Serve as the advisory board to the Historic Preservation Office staff and tribal government on issues relative to the preservation of Acoma history; and
- B. Develop and implement policy that will govern an official tribal archives, to see to the protection and preservation of Acoma's cultural and archaeological resources and to develop policies to implement the protection of such; and
- C. Develop and implement a comprehensive historic preservation law that encompasses all aspects of cultural maintenance and longevity; and
- D. Institute fundraising initiatives that will support the Pueblo's vision to Preserve the rich history, culture and traditions of the Acoma people for future generations.

Annotations: Tribal Council Resolution No. TC-DEC-11-15-VIa amends Resolution TC-MAR-29-00-3 which established an official Advisory Board for the Acoma Historic Preservation Office, by setting forth the purposes for the establishment of the Advisory Board of the Acoma Historic Preservation Office.

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