

25¢

Spilyay Tymoo

Coyote News



VOL. 10 NO. 4

WARM SPRINGS, OREGON 97761

FEBRUARY 15, 1985



Three sisters...

Spilyay Tymoo photo by Leno Baker

Lila Suppah, Geraldine Suppah and Lucille Suppah Miller, (pictured left to right) daughters of Hazel Suppah, joined in a warmup dance on Sunday, February 10 during the Lincoln's Birthday Powwow at the Simnasho Longhouse. See page 3 for more photos and dance results.

Sixth graders to move

Overcrowding at Warm Springs Elementary and the need for better transition for all district students to the junior high has prompted the acceptance by the 509-J school board February 11, 1985 of a proposal to house all sixth grade students at Buff Elementary in the 1985-86 school year.

School superintendent for the 509-J district, Darrell Wright, has been working with Buff Elementary principal Suzanne Harrison and Warm Springs Elementary principal Jane Westergaard-Nimocks in the proposal.

Of particular concern as pointed out during the January 28, 1985 school board meeting are the transition problems at the junior high level, emphasized by moving from childhood to adolescence, from a self-contained classroom to departmental classrooms, and the increase of extra-curricular activities.

Westergaard-Nimocks presented the advantages from the

Warm Springs standpoint, pointing out, first, that housing sixth graders at Buff Elementary would ease the transition to Madras Jr. High. The students would learn to develop relationships with Madras students under the direct guidance of the classroom teacher.

The transfer would also provide greater ease of intervention from junior high staff in dealing with orientation to junior high, preventive counseling, coordination of upper elementary/junior high curriculum.

Secondly, moving students to Madras would provide more adequate space for educational programs at Warm Springs. Westergaard-Nimocks added, One classroom could be expanded to a standard sized classroom. The incoming third graders could be split into three classes rather than two. Concern of Warm Springs students' academic progress has lead to keeping class sizes small at the primary grade level.

More space would be provided for the Chapter I reading program. The office area could be expanded to include: time-out area for students; work area for instructional aides; area to sell lunch tickets; reduction of activities would allow privacy for the principal for conferences.

The ERC program could be relocated to allow for improved supervision and coordination of the program. The space would become available for storage in each building.

Principal Westergaard-Nimocks further stated that the staff feels something must be done to relieve the crowding at the school and there are concerns that integration needs to occur prior to Junior High.

Buff Elementary principal Suzanne Harrison presented information regarding the effect the change would have on that school. The necessary space to house three additional sixth grade classes was available. Next year, Harrison says, another classroom will be available as there will only be students occupying four fifth grade classrooms instead of five. The current teacher's room could be converted back into a classroom. With rearranging, the staff would still have a room.

Wills are important

Many people strive diligently to accumulate and preserve property during their lifetime. A surprisingly large number of people, however, die without making wills and therefore, without making provision for future security of their families or the conservation and protection of their property. Consequently, they forfeit the many important advantages that a will can provide.

In the absence of a will, which provides specific instruction for its distribution, the property of a deceased person will go by law to those designated in the statutes of descent and distribution, which vary from state to state. If the law is going to distribute the property to the landowner's satisfaction that is all that is necessary. However, it is an inflexible method and merely provides a basic pattern for the distribution of property where the owner has neglected to make

a valid will. In many instances, the owner desires a different distribution, and that can only be accomplished by a properly drawn will.

Many of us are familiar with the problems which are created when an Indian owner of trust or restricted land or inherited interests dies intestate (without a will). As many as fifteen or twenty or more new owners may be added to the ownership cards where the decedent died without a wife or children and the estate descended to his collateral heirs. In this way, title is further fractionated, control is drastically weakened, and frequently, the property becomes less desirable.

The making of a will does not will not, of itself, eliminate the heirship dilemma. However, it is an effective tool for controlling the problem and at the same time, it offers a way to carry out the true wishes of the landowner.

Land claims settlement paid

After nearly 12 years of delays and appeals decisions, the land claims settlement of 1973 was finally paid last week. By noon, February 8, the checks were in the mail.

The total disbursement \$3,304,785.08 was distributed to 2,305 members of the Confederated Tribes who were determined eligible for the payment by the Bureau of Indian Affairs. The Bureau's final roll was compiled by the tribal vital statistics department. Adult tribal members each received their checks; minors' payments were paid into IIM accounts.

On October 17, 1973, the Indian Claims Commission in

Docket 198, approved a proposed compromise and entered a final award in the sum of \$1,225 million in favor of the Confederated Tribes. The award represented additional compensation for the cession of land under the Treaty of June 25, 1855, ratified March 8, 1859.

Those not eligible for the payment were those who participated in the Malheur payment, the Alaska Native Claims Settlement or any other judgement under the Indian Claims Settlement Act. Those who were eligible were those whose names appeared on the January 25, 1983 approved membership rolls or those who were living on

January 18, 1975 but are now deceased but their names appeared on the March 25 and/or February 25, 1975 membership rolls.

The approved enrollment list was posted January 16, 1984. The rolls listed approximately 2,227 eligible members. If a members name didn't appear on the final roll, members had approximately 30 days in which to file an appeal. Once the appeals were received by the Superintendent's office, they were sent to the Portland Area Director for review. The final roll was approved by the Secretary of the Interior.

Land consolidation act changes heirship

Because Section 207, as amended, constitutes a change in Indian heirship succession, Area Offices and Agencies are urged to provide all Indian landowners under their jurisdiction with notice of its effects.

For any Indian dying after October 30, 1984, possessed of an undivided trust and/or restricted interest in a given tract of land, such interest may escheat to the Tribe if: (1) the tract is within the Indian reservation or within an area subject to the civil jurisdiction of an Indian tribe; (2) the decedent's undivided interest amounted to two percent or 1/50th or less; (3) such interest is incapable of earning \$100 in

any one of the five one-year periods after the date of the decedent's death; (4) the decedent had failed to devise such specific interest to any other tract; and (5) there was no tribal code of law, approved by the Secretary of the Interior, in effect at the time of the decedent's death which would preclude the escheat provisions of Section 207 (a).

To assure the effectiveness of a will or heirship succession under state law, any Indian owner within the above category (if he or she is concerned that the tribe rather than his or her heirs or devisees will take these interests) may purchase additional

interests from co-owners, pursuant to 25 CFR 151.7, and thereby increase his/her ownership interest to more than two percent. Another alternative is for such an owner to convey his/her interest to co-owners, pursuant to 25 CFR 152.25 and 151.7, and reserve a life estate, thus retaining the benefits of the interest while assuring its continued individual, rather than tribal, ownership. A third alternative, if feasible, is to partition the tract in such a way as to enlarge the owner's interest in a portion of said tract.

If any landowner has questions regarding the above Act, please contact the Branch of Realty, Warm Springs Agency.

Body recovered from Deschutes

The body of a long-time Central Oregon resident was recovered from the Deschutes River south of Warm Springs near highway #26, milepost 105.5 on Tuesday, February 12 at 11:57 a.m. The body was identified as Lorraine Lessert, 62, according to Jefferson County District Attorney Mike Sullivan.

Two Warm Springs residents, David Belgard and Henry Kalama, were traveling east on highway # 26 when they saw what appeared to be a red life jacket. The two men stopped and realized it was a body. They waded into the river and pulled the body ashore. Belgard stayed with the body while Kalama went to a nearby store to contact police.

Lessert lived near the river, approximately one mile up river

from where she was found. Jefferson County Sheriff's deputies went up the river to check and found her husband, Waldron Lessert, looking for his wife. She had last been seen by a neighbor at 11 a.m. that morning.

An autopsy was performed and there was no evidence of trauma as is associated with

foul play. She appeared to have died from drowning, according to Sullivan. The death is still under investigation by the sheriff's department and the Oregon State Police.

Mrs. Lessert had worked at the Warm Springs Elementary School for 16 years as a secretary. She retired from the school district in 1981.

Video scheduled for showing

There will be a special presentation of a sexual abuse workshop video tape Saturday, February 16 at the Community Center social hall from 10 a.m. to 2 p.m.

This video was taped at the sexual abuse workshop pre-

sented at Kah-Nee-Ta last fall by Jan Hindman and is an overview of the problem of sexual abuse of children.

It is being shown by the Head Start office and is offered free of charge to anyone who is interested.

Deadlines for financial aid nearing for students

Don't put off tomorrow what needs to be done today is advice for high school seniors and persons interested in enrolling in college for the 1985-86 year. It is important that prospective students complete a Financial Aid Form (FAF) and submit it to the College Scholarship Service in Berkeley, California. This needs to be completed as soon as possible so students can meet college deadlines.

The sooner a student submits a FAF, the sooner the student will receive the Student Aid Report (SAR) from Berkeley. It can take six weeks for the SAR to be mailed to the student but in one case the student received their SAR just two

weeks after filing the FAF. The sooner the FAF is sent the better the chances are of receiving word of financial aid.

SAR forms need to be submitted to colleges four weeks prior to the deadline established by each college institutions for the 1985-86 year. A schedule for those deadline dates can be obtained at the Tribal Education department.

The Office of Training Services formerly known as the Tribal Education office will require students to attach a copy of their FAF to the 85-86 Tribal application for Tribal scholarships and a copy of the students SAR. Priority will be given to those applicants who have shown evidence of meeting the dead-

line for their FAF's.

The Training Services office affirms that it is to the student's advantage to have completed the FAF's and mailed prior to March 1, 1985 as all awards will be subject to the availability of funds. With the rising costs of education and the reduction of program budget reduction the forms are becoming increasingly important.

Deadlines for submitting a tribal scholarship/vocational application for Fall term 85 is May 15, 1985. Students will be required to carry 12 credit hours with a grade point average (GPA) 2.00 if student is applying for continued funding through the Tribes.

The Tribal scholarship/voca-

tional program can provide up to 100 percent of tuition and books. Eligible students can be funded up to 60 percent of their cost of living with the remaining 40 percent balance provided by the student.

The Training Services office has attempted to send a letter with an application for FAF and tribal funding to all high school seniors or students who will be qualified for entering college. If there is someone who has not received the information please contact their office at 553-1161, ext. 262. Each year the Training Services office tries to locate all graduates but their search is not always successful.