

Office of Indian Education

# Tribal Regalia Graduation Toolkit

Research, Recommendations, and Resources for Wearing Tribal Regalia  
at Your Commencement Ceremony

**For School/District Administrators  
& Governing Boards**



ARIZONA DEPARTMENT OF  
**EDUCATION**





## Office of Indian Education

Arizona Department of Education

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The Office of Indian Education (OIE) administers federal and state programs to meet the educational and cultural needs of Native American students. OIE implements A.R.S. 15-244, Indian Education Act, providing outreach to all of Arizona's local educational agencies (LEAs) in tribal, rural, and urban areas serving Native American students. OIE provides technical assistance in collaboration with all units at the Arizona Department of Education (ADE) that interface with these LEAs.

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### **ADE Mission**

*The Arizona Department of Education is a service organization committed to raising academic outcomes and empowering parents.*

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To all Local Education Agencies of Arizona:

Graduation is the culmination of hard work, dedication, and perseverance. During your students' years of schooling, they have been challenged academically, and whether they are preparing for higher education or taking a position in the workforce, we celebrate their achievements.

Those achievements are not just personal, they are a source of pride and inspiration for families, friends and communities.

To honor your Native American Students' accomplishments and promote the compliance of Arizona Revised Statute 15-348, the Office of Indian Education has created the Tribal Regalia Graduation Toolkit. This toolkit is a symbol of deep respect for both students and schools. It is designed to help honor Native American Students' accomplishments and ensure a safe and successful event.

You have worked diligently to support these students in their educational careers and ensure they make meaningful contributions to the Indigenous community and the community at large.

Congratulations on another graduation season!

Sincerely,

A handwritten signature in blue ink that reads "Tom Horne".

Tom Horne, State Superintendent of Public Instruction

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# Introduction



The Tribal Regalia Graduation Toolkit is created to educate and inform Local Education Agencies (LEA) and School Boards of Native American Student's legal rights as tribal members to wear tribal regalia and items of cultural significance to school promotions and graduations under Arizona Revised Statute A.R.S 15-348. This document outlines laws, basics of tribal regalia, and recommendations to support the wearing of tribal regalia at a graduation or promotion Pre-Kindergarten to High School. While every community will have a tailored approach to tribal regalia at graduation, this document offers strategies, ideas, and concrete examples of regalia and cultural items in order to empower education communities with tools for a culturally responsive and memorable ceremony.

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# A Note on Terminology

Throughout this toolkit, various terms are used to refer to Native American peoples and their cultures. Below is a glossary to help clarify these terms:

**Indigenous** - describes the original inhabitants of regions worldwide.

**American Indian** - used in federal government policy and research to specifically refer to Indigenous peoples of the United States. It is often combined with the term **Alaska Native** and abbreviated as **AI/AN**. Sometimes, the word “American” is omitted, and the single word “Indian” is used, as seen in the Bureau of Indian Affairs and the Office of Indian Education.

**Native** - used, both officially and unofficially, to describe Indigenous peoples from the United States, including **Native Americans**, Native Hawaiians, and Alaska Natives. It can also serve as a specific descriptor, such as in “native people,” “native lands,” or “native traditions.”

**Tribe** - used as a general descriptor for Indigenous communities and groups. In various regions of the United States, other terms like **nation**, **band**, **community**, **rancheria**, **pueblo**, or **village** may be used instead, as seen with the Navajo Nation and Pueblo of Zuni.

**Federally recognized** - American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the United States.

**State-recognized** - tribes recognized by their respective state governments.

**Tribal Enrollment** - official, legal membership in a federally or state-recognized tribe. Tribes establish membership criteria through blood quantum, descendency, residency, and other means. This criterion is defined by each tribal nation.



# Indigenous Peoples of the United States and Beyond

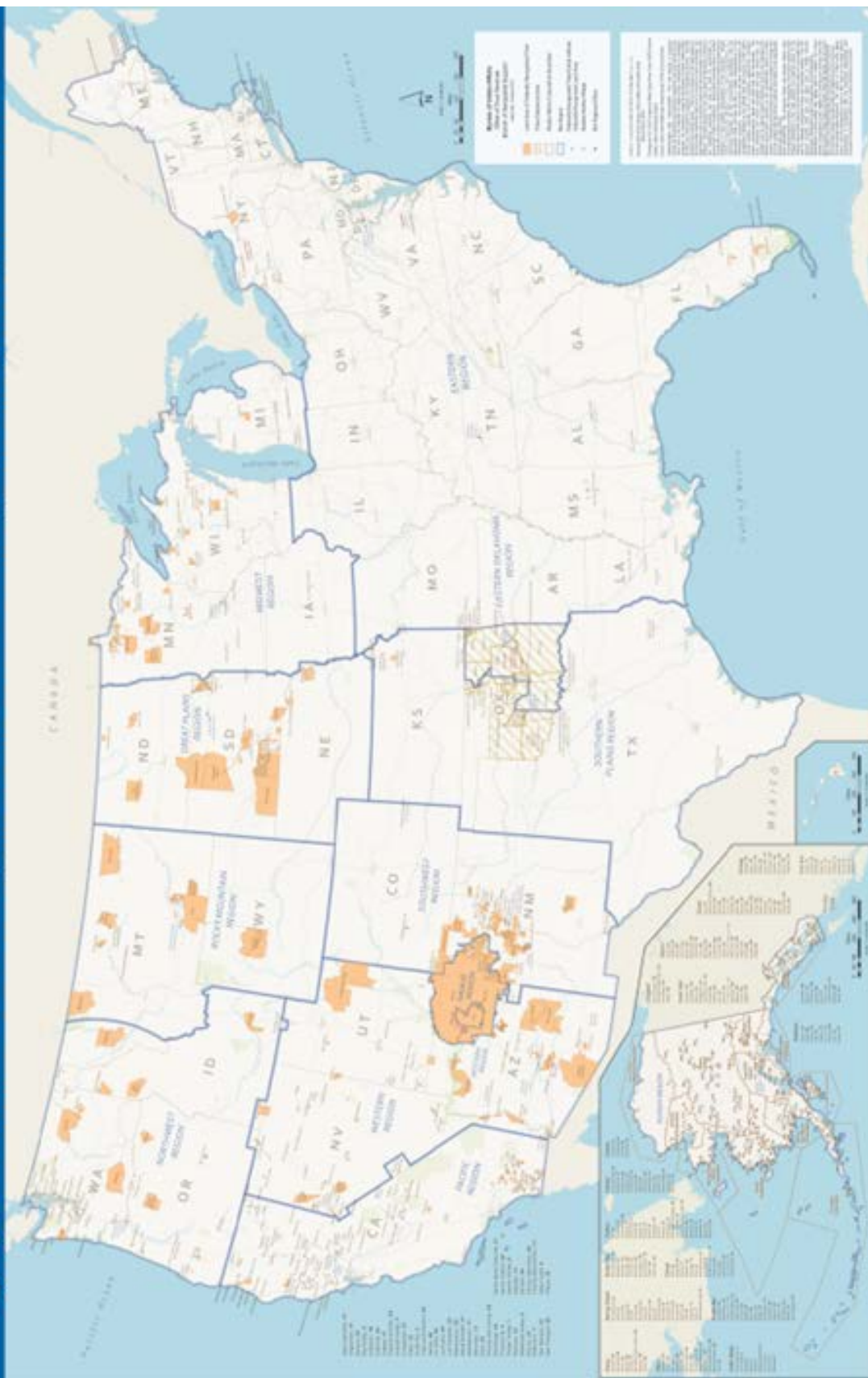
In the United States, there are 574 federally recognized tribes, 22 of which exist in Arizona. These tribes are acknowledged by the United States Bureau of Indian Affairs as sovereign entities with inherent rights of self-governance <sup>4</sup>. Additionally, there are approximately 400 non-federally recognized tribes across the U.S. <sup>5</sup>. Some of these, like the Lumbee Tribe, are currently pursuing federal recognition. There are also state-recognized tribes, which are recognized by individual states rather than the federal government. While they receive some benefits and protections, they do not possess the same level of sovereignty as federally recognized tribes.

Beyond the U.S. borders, there are indigenous tribes in Mexico and Canada that share cultural and familial ties with tribes in the United States. For example, the Tohono O’odham people reside in both the U.S. and Mexico, while the Akwesasne Mohawks have communities in both the U.S. and Canada <sup>6,7</sup>. These tribes often face unique challenges due to the international borders that divide their traditional lands.

Regardless of recognition status, there are over a thousand tribal communities in the United States, each with its own unique culture, traditions, and protocols. Despite their diversity, all indigenous groups in the Americas share a common theme of relationality, kinship, and land stewardship regardless of borders.

*This toolkit utilizes a number system for in-text citations. See Reference section for sources.*





Bureau of Indian Affairs. (2024). *U.S. Domestic Sovereign Nations: Land Areas of Federally Recognized Tribes*. Bureau of Indian Affairs. <https://opendata-1-bia-geospatial.hub.arcgis.com/documents/01ef53c5a99454abca926f6b5a0584c/about>

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# 22 Federally Recognized Tribes of Arizona

Arizona is home to twenty-two federally recognized tribes, each with its own rich culture, language and history. Below is a brief overview of the tribes and their locations within the state:

**Ak-Chin Indian Community** - Located in the Santa Cruz Valley south of Phoenix

**Cocopah Tribe** - Near the Colorado River, close to Yuma

**Colorado River Indian Tribes** - Along the Colorado River, bordering California

**Fort McDowell Yavapai Nation** - Northeast of Phoenix

**Fort Mojave Indian Tribe** - Along the Colorado River, near the Arizona-California-Nevada border

**Gila River Indian Community** - South of Chandler and Phoenix

**Havasupai Tribe** - In the Grand Canyon

**Hopi Tribe** - In northeastern Arizona

**Hualapai Tribe** - Along the Grand Canyon's western rim

**Kaibab Band of Paiute Indians** - In northern Arizona, near the Utah border

**Navajo Nation** - Spanning northeastern Arizona, New Mexico, and Utah

**Pascua Yaqui Tribe** - In the town of Guadalupe and Near Tucson

**Pueblo of Zuni** - Primarily in New Mexico, but with land in Arizona

**Quechan Tribe** - Along the Colorado River, near Yuma

**Salt River Pima-Maricopa Indian Community** - East of Scottsdale

**San Carlos Apache Tribe** - In central eastern Arizona, near Globe

**San Juan Southern Paiute Tribe** - In north central Arizona

**Tohono O'odham Nation** - In southern Arizona, near the border of Mexico

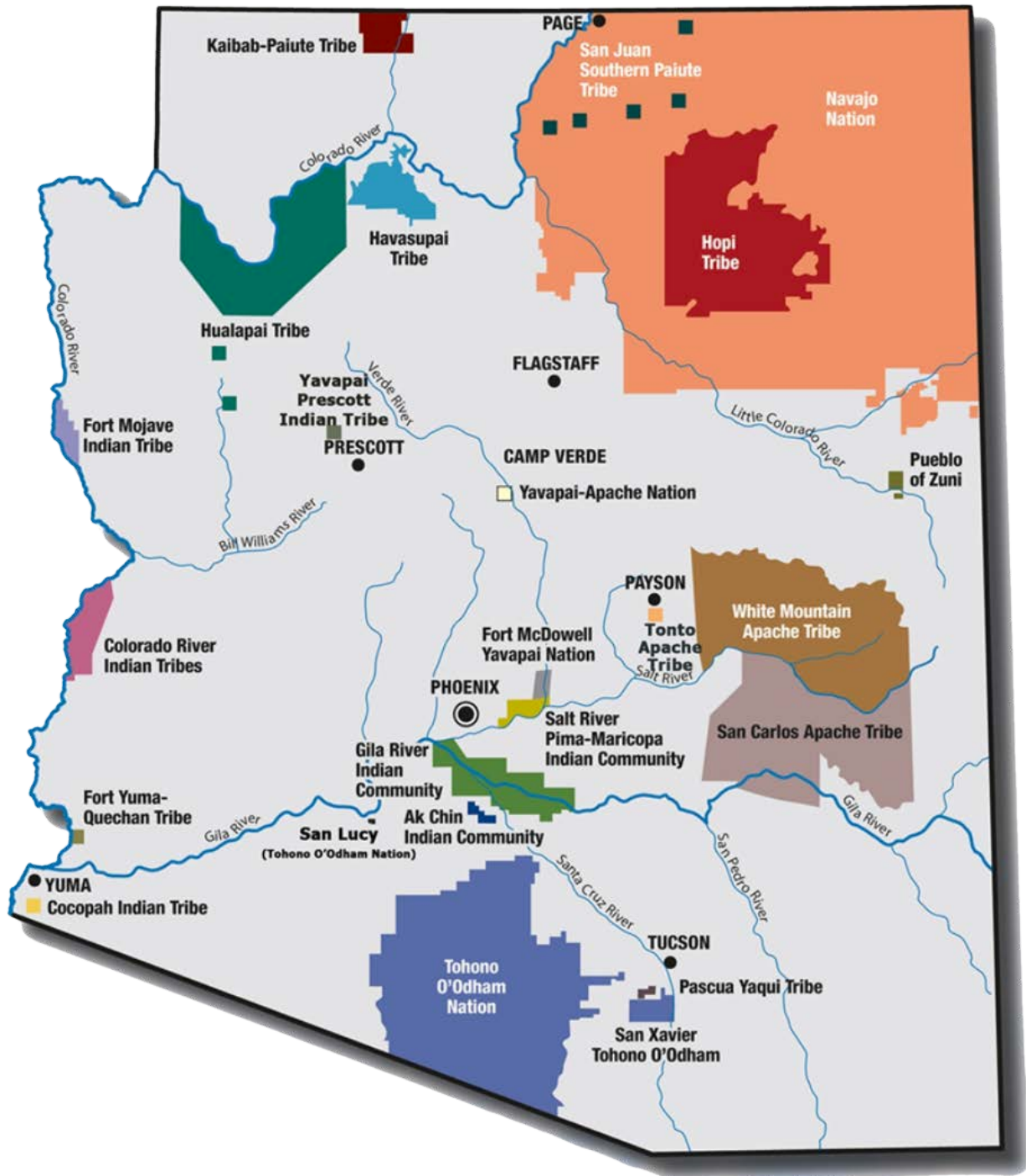
**Tonto Apache Tribe** - Near Payson

**White Mountain Apache Tribe** - In central eastern Arizona, near Whiteriver

**Yavapai-Apache Nation** - In central Arizona, near Camp Verde

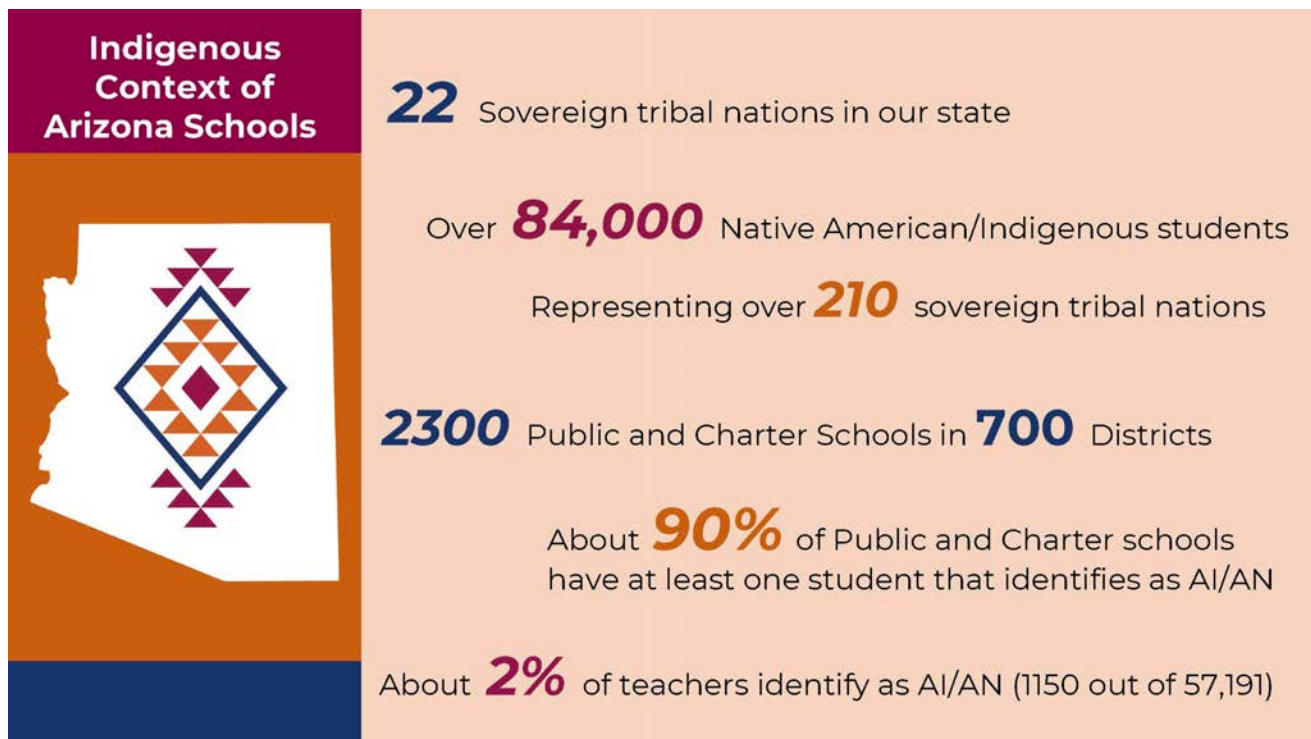
**Yavapai-Prescott Indian Tribe** - Near Prescott

# 22 Federally Recognized Tribes of Arizona Map



Map of 22 Federally Recognized Tribes in Arizona. Arizona Department of Education.  
<https://www.azed.gov/oie/22-federally-recognized-tribes-arizona>

# Native American Student Context of Arizona Schools



According to Arizona Department of Education data, more than **84,000** Native American students represent over **210** federally recognized tribes. These students attend one of the **2,300** public and charter schools spread across 700 districts. Remarkably, about **90%** of these schools have at least one student who identifies as American Indian/Alaska Native but only **2%** of public and charter school teachers identify as Native American themselves. This is important to note because a growing body of evidence shows that students perform better academically when they have teachers from the same racial background<sup>12 13</sup>. This data does not include Bureau of Indian Education schools, tribally controlled schools, or tribal grant schools. With this consideration, there are likely upwards of 100,000 Native American students in Arizona.

# Importance of Cultural Identity in Education

Research indicates that fostering positive identity development can significantly enhance a student's sense of belonging and academic success. In many Indigenous communities, one's identity is deeply connected to family, community, and the land. Research on instructional practices for American Indian English learners found that using culturally based teaching methods, in math, significantly helps American Indian and Alaska Native students perform better. For example, a special math curriculum that includes cultural elements improved students' math scores. Other studies showed that culturally responsive teaching and learning environments help students remember math concepts better. Overall, these findings highlight the importance of incorporating cultural traditions into education to boost academic success for these students<sup>1</sup>.

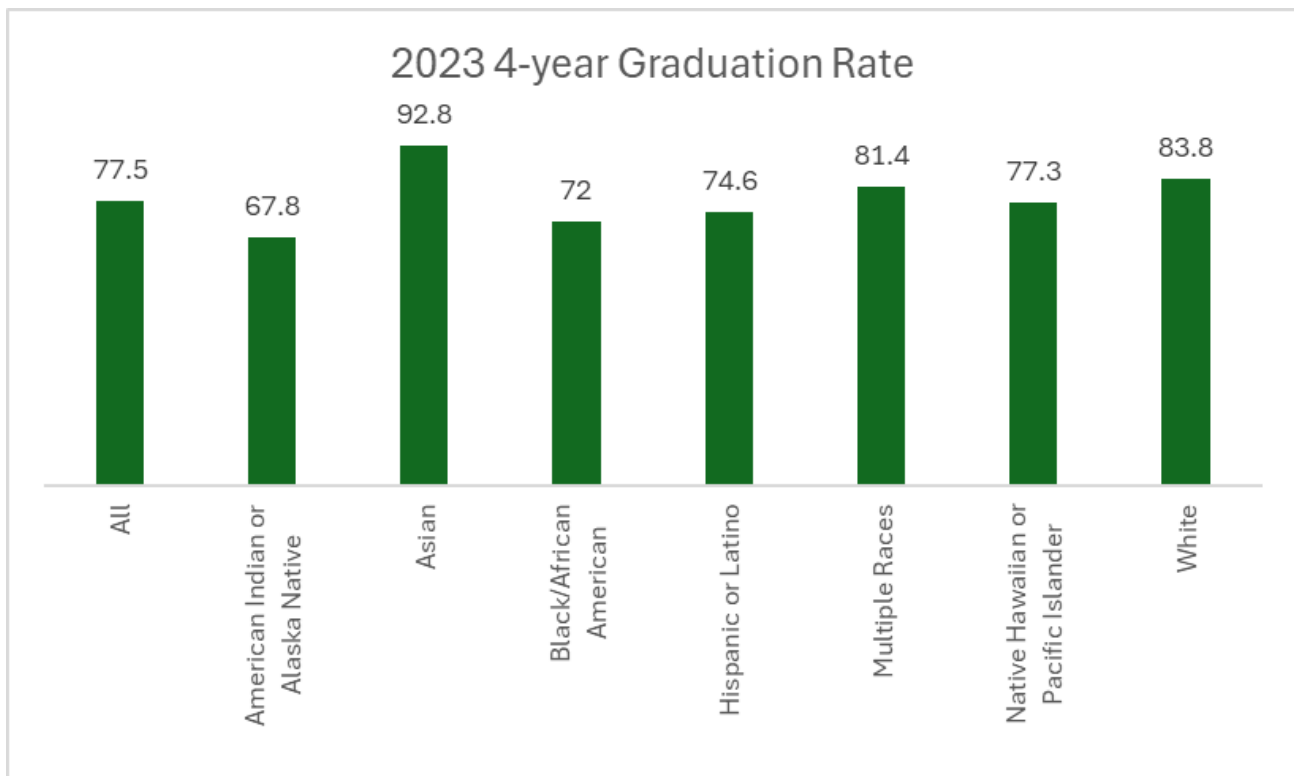


The Casa Blanca Community School vato (shade house) is used as an outdoor learning space. *Gila River Indian Community, Bapchule, AZ*

# Importance of Cultural Identity in Graduation Ceremonies

Many Native American high school students seek to express their cultural beliefs and celebrate their academic achievements by wearing tribal regalia at their graduation ceremonies. Graduation from high school is an especially significant occasion for Native students and families, considering that the American Indian and Alaska Native high school graduation rate is the lowest of any racial or ethnic demographic both nationally and in Arizona <sup>2 3</sup>. From time immemorial, Tribal Nations have viewed eagle feathers, shells, stones and other items from the natural world as sacred elements of their religious and cultural traditions. In many tribal communities, receiving these items on graduation is as significant as earning a diploma or an honor society stole, which typically are permitted at graduation.

Arizona Four-year Graduation Rates by Race/Ethnicity 2023



Arizona Department of Education. (2025). *Accountability & Research Data*. Retrieved from <https://www.azed.gov/accountability-research/data>.

# Legal Rights and Protections



# Legal Rights and Protections

## Arizona Education Law

On April 20, 2021, Governor Doug Ducey signed a law that allows students who are part of a recognized Native American tribe to wear their traditional clothing and important cultural items at graduation ceremonies<sup>8</sup>. This law, known as ARS 15-348, applies to all public schools and charter schools in Arizona. It means that schools cannot stop these students from wearing culturally significant items like eagle feathers that are important to their culture when they graduate. This helps honor and respect their traditions during such an important event.

### **A.R.S. 15-348. Dress code policies; traditional tribal regalia; objects of cultural significance; graduation ceremonies; definitions**

**A. A school district governing board, a charter school governing body or any public school may not prohibit a student who is a member of a federally recognized Indian tribe or who is eligible to be enrolled as a member of a federally recognized Indian tribe from wearing traditional tribal regalia or objects of cultural significance at a graduation ceremony.**

**B. For the purposes of this section, "objects of cultural significance" and "traditional tribal regalia" include an eagle feather or eagle plume.**



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# Legal Rights and Protections

## Additional Arizona Laws

If students wish to wear tribal regalia at graduation as part of their religious or spiritual practice, please be aware that Arizona has additional laws protecting religious freedom. These laws ensure that individuals can practice their faith without undue interference from the government:

### **Constitutional Provisions**

Religious Freedom: Article 20, Section 1 of the Arizona Constitution guarantees the right to religious freedom and prohibits any interference with religious practices <sup>9</sup>.

### **Statutory Provisions**

Religious Freedom Restoration Act (RFRA): This act protects the free exercise of religion from government interference unless there is a compelling reason, and the government uses the least restrictive means <sup>9</sup>.

## Federal Protections

There isn't a specific federal law that explicitly protects the rights of students to wear tribal regalia at graduation ceremonies. However, there are some federal protections that can be applied in these situations:

### **First Amendment**

This provides protections for freedom of speech and expression, which can include the right to wear culturally significant items like tribal regalia, especially if schools allow other types of adornments <sup>10</sup>.

### **Title VI of the Civil Rights Act of 1964**

This prohibits discrimination based on race, color, or national origin in programs and activities receiving federal financial assistance. If a school's policy disproportionately affects Indigenous students, it could be considered discriminatory under this law <sup>10</sup>.

# Examples of Tribal Regalia



# Understanding Tribal Regalia

## Regalia is Not a Costume

Tribal regalia holds deep cultural and spiritual significance for Native American communities. Unlike costumes and celebratory decorations which are worn for entertainment, regalia is a representation of identity, heritage, and tradition. Tribal regalia varies significantly among tribal communities. Each piece of regalia is often handcrafted and can include intricate beadwork, feathers, shells, and other elements that tell stories and honor ancestors <sup>11</sup>.

Wearing regalia is a way for Native people to connect with their culture and express their identity. It is used in ceremonies, dances, and other important events.

Misrepresenting regalia as a costume can lead to misunderstandings and perpetuate stereotypes, diminishing the rich cultural significance it holds <sup>11</sup>.

Understanding and respecting the difference between regalia and costumes is crucial in honoring Native American traditions and identities <sup>11</sup>.



Examples of beadwork

*“It is NOT a costume because we don’t pretend to be American Indian”*



*Several years ago, I took my students to attend a local cultural event. During the event, there was a young man who performed a Native exhibition dance for the group.*

*Before he began, he made a statement that has since been embedded in my mind. Dressed out in his beautiful, traditional attire, and before he danced, he said, “What I am wearing is my regalia. It is NOT a costume. I have heard many refer to our traditional attire as such. But I want you to know that it is NOT a costume because we don’t pretend to be American Indian.” I felt that in my soul. As Native peoples, we do not pretend to be Native at certain times. It is instilled within us – our values, our customs, our traditions. We live and breathe of who we are and where we come from. We are Native people every day, at all times. I am Kiowa, Caddo, Pawnee every day, at all times. Háundéóñ:dé ém bòn. À ó:tá:dàu. Tsó:hàu! À:hô. Hówwih. Tûrahê. (It’s wonderful to see you! My heart is happy. Thankful for this opportunity to share.)*

**Kimberly Daingkau-Begay** (Kiowa/Caddo/Pawnee)  
District Coordinator/Advisor for the Amphitheater Unified  
School District Native American Education Program  
President of the Arizona Indian Education Association  
Co-Chair for the OIE Indian Education Advisory Council

# Examples of Tribal Regalia

*Please note that these images were provided by tribal members and are intended solely as examples. **This is not a comprehensive list and should not restrict the items students plan to wear on graduation day.***

## Beadwork

Native American beadwork is a traditional art form that uses colorful beads to create jewelry and adorn clothing, headwear, footwear, and other significant items. The styles, colors, patterns, and motifs vary based on region, tribe, and occasion. Some beadwork includes animal imagery, as animals are considered sacred and highly respected in many tribal nations based on traditional beliefs. Others may include floral patterns, and other sacred imagery. The beadwork may have been created or commissioned especially for the graduate by a relative or their community.



## Body Art

Face painting and tattoos have long been a sacred tradition within Native American communities, connecting them to ancestral heritage, social standing, and a connection to the spiritual world. Markings on the skin tell a story and hold deep symbolic meanings, representing a unique aspect of the wearer's spiritual and cultural heritage.



# Clothing

Tribal cultures are vastly diverse and have a wide range of traditions that determine the clothing individuals wear. Attire might include dresses, skirts, shirts, leggings, breechcloths, and aprons, made from materials like leather, cotton, or wool. The style, cut, and decoration vary significantly among tribes.

Like many other parts of Native American culture, clothing within tribal communities has evolved over the decades. While traditional materials and styles remain cherished, many tribal members now blend these with contemporary elements. This fusion results in a vibrant mix of old and new. Some individuals choose to wear older styles of clothing, and others opt for modern interpretations of traditional regalia. This dynamic approach to attire reflects both a respect for ancestral customs and an adaptation to present-day influences.



# Clothing



# Clothing



# Clothing



Nate Lemuel Darklisted Photography



# Clothing



# Eagle Feathers & Plumes

Many tribal communities hold eagles and their feathers sacred. Highly revered, eagle feathers represent truth, strength, wisdom, and freedom and are given in times of great honor. Many Tribes present eagle feathers upon graduation to recognize the important educational milestone and reflect the honor the graduate brings to their family, community, and tribal nation. During commencement ceremonies, graduates may wear eagle feathers in various ways, such as attached to their graduation cap or gown.

Federal law and policy have long recognized the importance of eagle feathers to Native American people and culture. The Bald and Golden Eagle Protection Act of 1940 makes it illegal to possess eagle parts without a permit. However, Native Americans are granted specific rights under this law. Native students with eagle feathers have a non-transferable federal permit, allowing them to possess and use these feathers for cultural and religious purposes. Confiscating a feather from a student could lead to criminal penalties for school officials or districts.

*To learn more about the legal protection of eagles and the regulations around possessing eagle feathers, please refer to page 37 of this toolkit.*



Photo [www.aclu.org](http://www.aclu.org)

# Jewelry

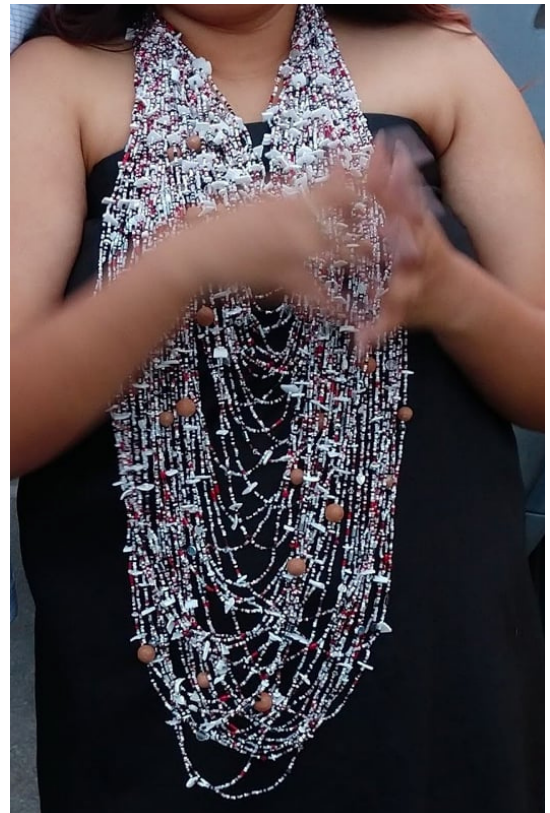
Native American jewelry is diverse and varies by region, reflecting the natural elements, landscapes, flora, and wildlife of each place. The materials and motifs used in these pieces are deeply influenced by the environment and the resources available to the tribal communities of the area. Some tribe's jewelry features materials like shells and wampum, bone, and wood. Feathers and animal teeth might also be used as well as river pearls, clay beads, seeds, and grasses woven into significant components like baskets or figures. Some tribes are skilled in silverwork and the use of turquoise and stone. These elements symbolize the sky and water, which are precious in desert landscapes.



The amount of jewelry worn can also have significance. For example, in some cultures, the number of pieces worn can indicate social status, achievements, or participation in certain ceremonies. Native American jewelry is not just about adornment; it is a profound expression of identity, culture, and connection to the natural world. Each piece tells a story, carrying the legacy of its people and their relationship with the land.



# Jewelry



# Jewelry



# Footwear

Like clothing, jewelry, and other tribal regalia, footwear is diverse reflecting the cultural heritage and practical needs of tribes. Moccasins are a significant and widely recognized element, often decorated with beads or quillwork. However, you will also see boots and sandals incorporated into regalia, depending on region and preferences. In modern times, some individuals have opted for more contemporary choices like Birkenstocks or flip-flops instead of traditional sandals or going barefoot.

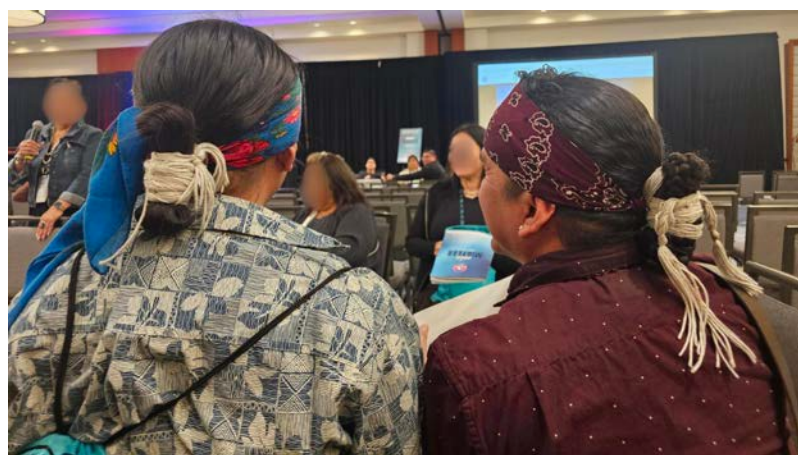
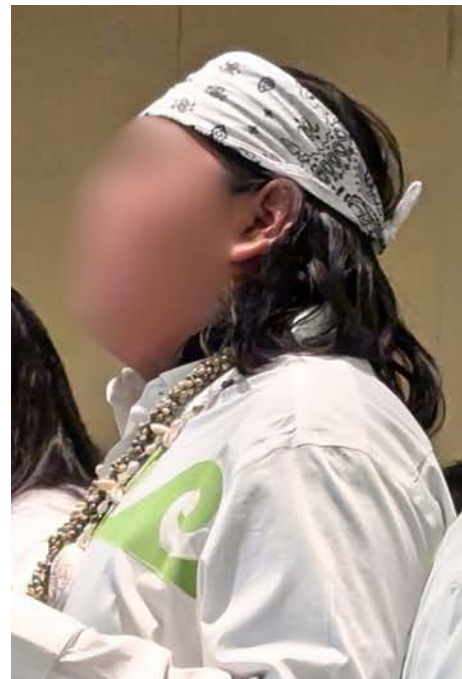


# Footwear



# Hairstyles & Headwear

Hair is considered sacred and significant within Native American cultures. Hair signifies a life-giving energy that is a physical extension of all thoughts, prayers, dreams, aspirations experiences and history. With hair embodying so much of who a Native American person is, boundaries are important. Touching someone's hair without permission is disrespectful especially when worn in a traditional style. When there is a family death, for most, it is customary to cut the hair and may be kept long otherwise.



# Belts, Bags, Ribbons, Scarves, and Fans

In tribal regalia, you may notice various other important elements such as medicine bags, leather bags and belts, scarves, ribbons, woven belts or sashes, blankets, and prayer fans. Many of these items serve protective purposes and might contain significant objects. They may also be cherished heirlooms and meant to be with the wearer during significant milestones in their life.



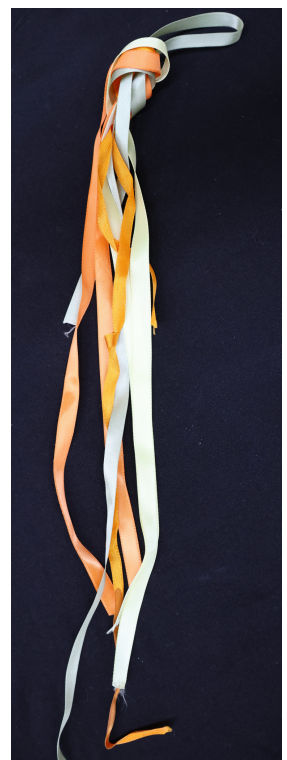
Photo [www.aclu.org](http://www.aclu.org)



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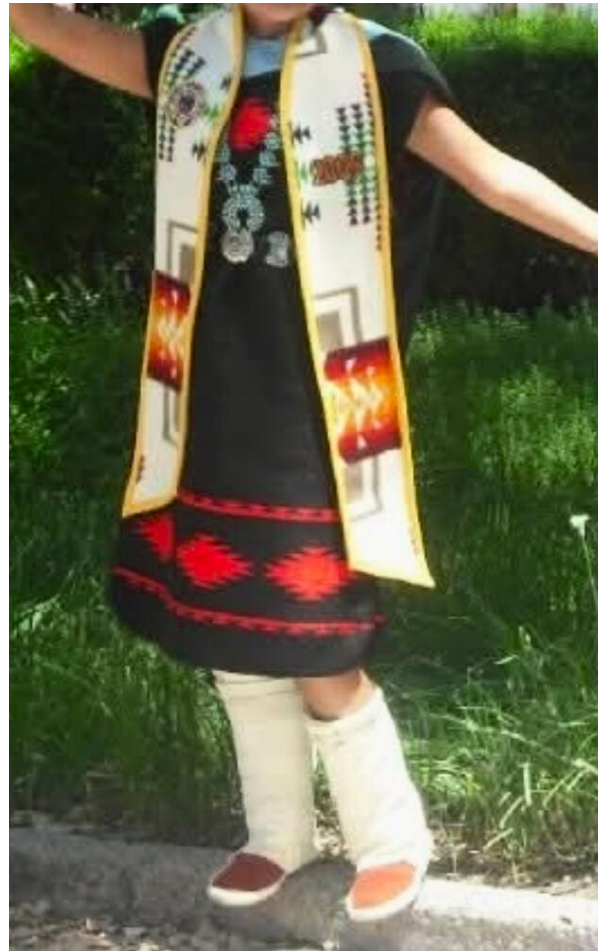


# Belts, Bags, Ribbons, Scarves, and Fans



# Stoles

Words from a Tribal Education Coordinator regarding graduation stoles: “For many of our students, school is a struggle, and they are unsure if they will graduate until days before. This makes ordering an item from an artist and paying for it a hardship... We noticed that some families lack a direct connection to their traditional wear. We have graduates in Phoenix, Texas, and Florida who have contacted our department asking for a Tribal symbol to wear for their graduation. They do not have direct contact with a seamstress or someone comfortable making a traditional garment. So, although a “graduate stole” may not be a traditional object... it is something we are offering to our students at no cost. The item can be mailed to our non-local students to show that the Tribe is proud of their accomplishments.”



# Resources for LEAs & School Boards



# School Board Preparation



## Do you know Arizona Revised Statute A.R.S. 15-348?

**15-348. Dress code policies; traditional tribal regalia; objects of cultural significance; graduation ceremonies; definitions**

**A.** A school district governing board, a charter school governing body or any public school may not prohibit a student who is a member of a federally recognized Indian tribe or who is eligible to be enrolled as a member of a federally recognized Indian tribe from wearing traditional tribal regalia or objects of cultural significance at a graduation ceremony.

**B.** For the purposes of this section, "objects of cultural significance" and "traditional tribal regalia" include an eagle feather or eagle plume.



## Have you checked your dress code policy. Does it include *traditional tribal regalia; objects of cultural significance; graduation ceremonies*?



If so, does your dress code policy regarding tribal regalia in graduation include the language: "a student who is a member of a federally recognized Indian tribe or **who is eligible to be enrolled as a member of a federally recognized Indian tribe...**"



If so, does your dress code policy regarding tribal regalia in graduation include the language: "objects of cultural significance" and "traditional tribal regalia" include an **eagle feather or eagle plume.**"



## Are you aware of the penalties for removing an eagle feather or plume from a Native American individual?

Native American students have the legal right to possess eagle feathers for cultural and religious purposes. However, this right is not transferable to anyone who removes the feather, as doing so violates federal law. Individuals who unlawfully take eagle feathers can face fines up to **\$100,000**, while organizations may be fined up to **\$200,000**.



## If changes need to be made to your district's dress code policy, what steps will you take to support a revision?



## Have you communicated your dress code policy to all district personnel prior to graduation ceremonies?

# School Preparation



## Arizona Revised Statute A.R.S 15-348

Do you know the details of A.R.S 15-348 regarding tribal regalia at graduation ceremonies?

### **15-348. Dress code policies; traditional tribal regalia; objects of cultural significance; graduation ceremonies; definitions**

**A.** A school district governing board, a charter school governing body or any public school may not prohibit a student who is a member of a federally recognized Indian tribe or who is eligible to be enrolled as a member of a federally recognized Indian tribe from wearing traditional tribal regalia or objects of cultural significance at a graduation ceremony.

**B.** For the purposes of this section, "objects of cultural significance" and "traditional tribal regalia" include an eagle feather or eagle plume.



## Dress Code Policy



Does your dress code policy include **traditional tribal regalia; objects of cultural significance; graduation ceremonies**?



How are the dress code policies around Native American Students wearing tribal regalia at graduation communicated to all staff and volunteers?



## Written Procedures

Are the procedures for allowing tribal regalia at graduation documented?



## Training

How are staff and volunteers trained in the procedures for tribal regalia at graduation?



Have staff and volunteers been informed and trained in the procedures for Native American students wearing tribal regalia at graduation this year?



Are all staff and volunteers aware of the penalty for removing eagle feathers or eagle parts from a Native American Student?

Native American students have the legal right to possess eagle feathers for cultural and religious purposes. However, this right is not transferable to anyone who removes the feather, as doing so violates federal law. Individuals who unlawfully take eagle feathers can face fines up to **\$100,000**, while organizations may be fined up to **\$200,000**.



## Enforcement and Monitoring

Are the procedures enforced and monitored on the day of graduation?

# Self-Advocacy Letter Template

Please be aware that you may receive a version of the following letter completed by a student and their family. This letter template was obtained from the American Civil Liberties Union (ACLU) Know Your Rights - Tribal Regalia webpage

## NOTE TO STUDENTS/FAMILIES:

Arizona law protects public-school students' right to wear tribal regalia at graduation. The law does not explicitly require that students provide any notice of their plan to do so or otherwise seek approval.

However, if school officials have suggested that students may not be allowed to wear tribal regalia, or if you are concerned that they will try to prevent a student from doing so on graduation day, this letter may assist you in addressing any concerns and ensuring, in advance, that there will not be any problems during graduation.

(To ensure that you see all instructional comments in the margin of this document, turn on "show comments" in Microsoft Word.)

[Date]

Superintendent [First and Last Name]  
Principal [First and Last Name]  
[School District Address]

## Re: Arizona law protecting the right to wear tribal regalia at graduation

Dear Superintendent [Last Name] and Principal [Last Name]:

Arizona law protects the right of students to wear tribal regalia at graduation. While the law does not require students to notify schools of their intent to do so, because some school officials have indicated that they are not aware of these legal protections, I am writing to let you know that my student, [Name], plans to wear [item(s) of tribal regalia] during this year's graduation ceremony. I respectfully ask that the school district follow the law regarding this matter.

[Student's Name] is an enrolled member [or eligible to become an enrolled member] of the federally recognized [fill in Tribe/Nation/Band/Etc]. Our Native American heritage and traditions are an important part of our family's history and identity. Arizona law requires that public schools allow Native American students to wear tribal regalia during commencement ceremonies, stating: "A school district governing board, a charter school governing body or any public school may not prohibit a student who is a member of a federally recognized Indian tribe or who is eligible to be enrolled as a member of a federally recognized Indian tribe from wearing traditional tribal regalia or objects of cultural significance at a graduation ceremony."<sup>1</sup> [The law explicitly notes that eagle feathers and plumes are among the protected items.<sup>2</sup>] Thus, the school district must allow [Student's Name] to wear [item(s) of tribal regalia].

Tribal regalia, such as eagle feathers and beadwork on graduation caps, plays an important role in graduation ceremonies for many Native American students. These items are typically gifted

<sup>1</sup> Ariz. Rev. Stat. Ann. § 15-348(A).

<sup>2</sup> *Id.* § 15-348(B).

# Self-Advocacy Letter Template

## cont.

to graduating students by their families or tribal elders to recognize the student's success and academic achievements. Graduation ceremonies are especially meaningful for Native American students because they have long faced structural barriers and discrimination in the educational context and, as a result, may be less likely to graduate from high school than their peers.<sup>3</sup> Indeed, Indigenous students have suffered horrific persecution by the government and education system:

Beginning with the Indian Civilization Act of 1819 and running through the 1960s, the United States enacted laws and implemented policies establishing and supporting Indian boarding schools across the nation. During that time, the purpose of Indian boarding schools was to culturally assimilate Indigenous children by forcibly relocating them from their families and communities to distant residential facilities where their American Indian, Alaska Native, and Native Hawaiian identities, languages, and beliefs were to be forcibly suppressed.<sup>4</sup>

As U.S. Supreme Court Justice Neil Gorsuch recently explained, “[u]pon the children’s arrival, the boarding schools would often . . . cut their hair . . . and confiscate their traditional clothes.”<sup>5</sup> The schools also “frequently prohibited children from speaking their native language or engaging in customary cultural or religious practice.”<sup>6</sup>

The appalling legacy of Indian boarding schools remains today, “manifesting itself in Indigenous communities through intergenerational trauma, cycles of violence and abuse, disappearance, premature deaths, and other undocumented bodily and mental impacts.”<sup>7</sup> Denying students like [Student’s Name] the right to wear tribal regalia during graduation further deprives them of their heritage and identity, perpetuating the destructive assimilation policies of the past and promoting harmful stereotypes and misunderstandings of Indigenous Peoples.<sup>8</sup> *It also violates Arizona law.*

<sup>3</sup> See, e.g., Jinghong Cai, *The Condition of Native American Students*, Nat’l Sch. Bds. Ass’n. (Dec. 1, 2020), <https://www.nsba.org/ASBJ/2020/December/condition-native-american-students>.

<sup>4</sup> Memo from Sec. of the Interior Deb Haaland Regarding Fed. Indian Boarding Sch. Initiative (June 22, 2021) 1, <https://www.doi.gov/sites/doi.gov/files/secint-memo-esb46-01914-federal-indian-boarding-school-truth-initiative-2021-06-22-final508-1.pdf>.

<sup>5</sup> *Haaland v. Brackeen*, 599 U.S. 255, 300 (2023) (Gorsuch, J., concurring) (internal citations omitted).

<sup>6</sup> *Id.*

<sup>7</sup> Memo from Sec. of the Interior, *supra* n.4, at 1, 3 (“Over the course of the Program, thousands of Indigenous children were removed from their homes and placed in Federal boarding schools across the country. Many who survived the ordeal returned home changed in unimaginable ways, and their experiences still resonate across the generations.”).

<sup>8</sup> See *Becoming Visible: A Landscape Analysis of State Efforts to Provide Native American Education for All*, Nat’l Congress of Am. Indians (Sept. 2019) 8-9, [https://archive.ncai.org/policy-research-center/research-data/publications/NCAL-Becoming\\_Visible\\_Report-Digital\\_FINAL\\_10\\_2019.pdf](https://archive.ncai.org/policy-research-center/research-data/publications/NCAL-Becoming_Visible_Report-Digital_FINAL_10_2019.pdf) (“A startling 72 percent of Americans rarely encounter or receive information about Native Americans . . . Invisibility, myths, and stereotypes about Native peoples perpetuated through K-12 education are reinforced across society, resulting in an enduring and damaging narrative regarding tribal nations and their citizens. The impact is profound. Native Americans live in a culture where they are often misunderstood, stereotyped, and experience racism on a daily basis. The lack of accurate knowledge

# Self-Advocacy Letter Template cont.

This letter is my [first/second/third] communication with the school district regarding this matter. [In response to my previous communications, district officials have (fill in).] Because Arizona law is clear, and because Native American students deserve to have their culture and heritage recognized in a manner that is meaningful to them and their families, I hope that there will be no need to pursue this matter further.

Please contact me as soon as possible at [cell phone / email address] to confirm that [Student's Name] will be allowed to wear [item(s) of tribal regalia] at the upcoming graduation ceremony.

Sincerely,

[Signature of Parent/Guardian]

[Parent/Guardian Name]

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about Native Americans contributes to these experiences and hinders the ability of all Americans to experience and celebrate the unique cultural identities, histories, and contributions of Native peoples.”).

# Key Legal Cases

## **Titman v. Clovis Unified School District (June 2, 2015)**

Location: California

Christian Titman (Pit River Tribe) was permitted by Clovis High School to adorn his graduation cap with an eagle feather and participate in the tassel turn with the feather connected to his tassel. The Clovis Unified School District emphasized its commitment to decorum at graduation ceremonies while accommodating sincerely held religious beliefs. Titman and the District agreed to improve communication regarding graduation dress code accommodations.

## **Goodall v. Midway Independent School District (November 16, 2018)**

Location: Texas

Charity Goodall-Smith arranged for her son, Tacoda Goodall, a Cherokee Nation citizen, to wear an eagle feather and beaded cap at his Midway High School graduation. Despite initial approval, a school official prohibited Tacoda from wearing the feather and decorated cap during the ceremony. NARF and co-counsel notified the Texas Education Agency and Midway ISD of the violation of religious freedom laws, requesting cultural awareness training and policy amendments.



Photo of Larissa Waln's graduation cap with beading and feather obtained from Native American Rights Fund

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# Key Legal Cases

## **Waln v. Dysart School District (April 24, 2020)**

Location: Arizona

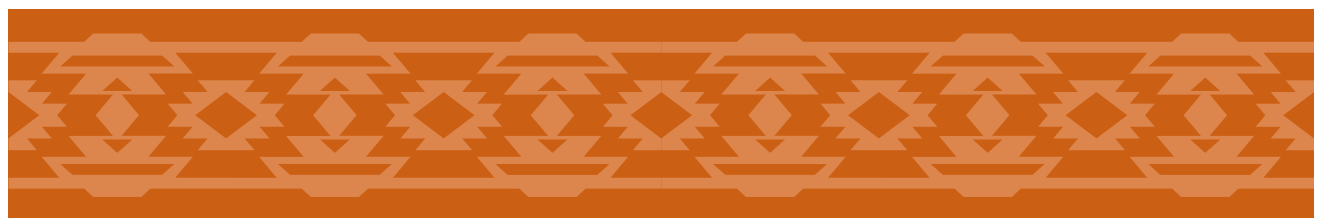
In 2019, Larissa Waln (Sisseton Wahpeton Oyate) was barred from her high school graduation for wearing a beaded cap with a sacred medicine wheel and eagle plume. The school district selectively enforced its policy, allowing other students to wear adorned caps.

The Waln family filed a lawsuit in April 2020, alleging violations of religious freedom, free speech, and equal protection. Although the Arizona district court initially dismissed the case, new legislation in 2022 [HB2706] allowed Native American students to wear regalia at graduations. The Ninth Circuit Court of Appeals later reversed the dismissal, recognizing the selective enforcement of the policy. Larissa and Bryan Waln settled their lawsuit with Dysart School District on April 18, 2023. The case highlighted the need for schools to respect Native traditions and comply with state and federal laws.

## **Lena' Black v. Broken Arrow School District (August 31, 2024)**

Location: Oklahoma

Lena' Black, a high school graduate and enrolled member of the Otoe-Missouria Tribe, filed a lawsuit against the Broken Arrow School District for violations of her rights to free exercise of religion and freedom of speech. School officials attempted to forcibly remove and damaged her sacred eagle plume during graduation. NARF and Pipestem Law, P.C. are representing Black, emphasizing the need for accountability and systemic change.



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# Additional Resources

## Websites

### American Civil Liberties Union (ACLU) - Know Your Rights | Tribal Regalia

<https://www.aclu.org/know-your-rights/tribal-regalia>



### Bald and Golden Eagle Protection Act

<https://www.fws.gov/law/bald-and-golden-eagle-protection-act>



### Native American Rights Fund - Wearing Eagle Feathers at Graduation

<https://narf.org/resources/graduation/>



## Video

Watch and share this powerful video highlighting the importance of Tribal Regalia at Graduation **Indigenous Students Share the Importance of Tribal Regalia at Graduation | ACLU** <https://www.youtube.com/watch?v=ak3pDEsmnLA>

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# Additional Resources

## Flyers

### **Native American Rights Fund Graduation Flyer**

A guide from the Native American Rights Fund (NARF) for students and families on how to ensure they can wear eagle feathers at graduation ceremonies. It provides steps to request permission, appeal decisions, and educate school administrators about the cultural and religious significance of eagle feathers.

<https://narf.org/wordpress/wp-content/uploads/2024/04/graduation-flyer.pdf>

### **U.S. Fish & Wildlife Service: Possession of Eagle Feathers and Parts by Native Americans PDF**

This PDF outlines the legal possession of eagle feathers and parts by Native Americans. It details the process Native American individuals must follow to obtain permits, the legal methods for possessing eagle feathers, and the restrictions on their use and transfer.

<https://www.fws.gov/sites/default/files/documents/PossessionOfEagleFeathersFactSheet.pdf>

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