

Submit original with signatures + 1 copy + electronic copy to Faculty Senate (Box 7500).
See <http://www.uaf.edu/uafgov/faculty-senate/curriculum/course-degree-procedures-/> for a complete description of the rules governing curriculum & course changes.

TRIAL COURSE OR NEW COURSE PROPOSAL
(Attach copy of syllabus)

NOTE: PLEASE SEE REVISION TO #s 10 & 18 MADE 3/1/17

SUBMITTED BY:

Department	ALASKA NATIVE STUDIES & RURAL DEVELOPMENT	College/School	CRCO
Prepared by	JENNY BELL-JONES	Phone	907 474 6842
Email Contact	jbjones@alaska.edu	Faculty Contact	jbjones@alaska.edu

1. ACTION DESIRED (CHECK ONE):	Trial Course	<input type="checkbox"/>	New Course	<input checked="" type="checkbox"/>
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2. COURSE IDENTIFICATION:	Dept	RD	Course #	675	No. of Credits	3
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Justify upper/lower division status & number of credits:

This graduate level course will provide Rural Development graduate students (and students in other graduate programs) with an opportunity to undertake in depth study in an area very important to the discipline that is currently unavailable above the 400 level. The course will consist of a total of 3 hours of lectures per week for a total of at least 2400 minutes.

3. PROPOSED COURSE TITLE:	Federal Indian Law in Alaska: Land, Water and Subsistence
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4. To be CROSS LISTED? YES/NO	NO	If yes, Dept:	<input type="text"/>	Course #	<input type="text"/>
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NOTE: Cross-listing requires approval of both departments and deans involved. Add lines at end of form for additional required signatures.

5. To be STACKED? * YES/NO	NO	If yes, Dept.	<input type="text"/>	Course #	<input type="text"/>
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How will the two course levels differ from each other? How will each be taught at the appropriate level?:

* Use only one Format 1 form for the stacked course (not one for each level of the course!) and attach syllabi. Stacked course applications are reviewed by the (Undergraduate) Curricular Review Committee and by the Graduate Academic and Advising Committee. Creating two different syllabi (undergraduate and graduate versions) will help emphasize the different qualities of what are supposed to be two different courses. The committees will determine: 1) whether the two versions are sufficiently different (i.e. is there undergraduate and graduate level content being offered); 2) are undergraduates being overtaxed?; 3) are graduate students being undertaxed? In this context, the committees are looking out for the interests of the students taking the course. Typically, if either committee has qualms, they both do. More info online - see URL at top of this page.

6. FREQUENCY OF OFFERING:	As Demand Warrants
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Fall, Spring, Summer (Every, or Even-numbered Years, or Odd-numbered Years) - or As Demand Warrants

7. SEMESTER & YEAR OF FIRST OFFERING (Effective AY2015-16 if approved by 3/31/2015; otherwise AY2016-17)	SPRING 2017
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8. COURSE FORMAT:

NOTE: Course hours may not be compressed into fewer than three days per credit. Any course compressed into fewer than six weeks must be approved by the college or school's curriculum council. Furthermore, any core course compressed to less than six weeks must be approved by the Core Review Committee.

COURSE FORMAT: (check all that apply)	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 6 weeks to full semester
OTHER FORMAT (specify)	N/A					
Mode of delivery (specify lecture, field trips, labs, etc)	Lecture via audio conference supported by Blackboard site.					

9. CONTACT HOURS PER WEEK:

<input checked="" type="text" value="3"/> LECTURE hours/weeks	<input type="text"/> LAB hours /week	<input type="text"/> PRACTICUM hours /week
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Note: # of credits are based on contact hours. 800 minutes of lecture=1 credit. 2400 minutes of lab in a science course=1 credit. 1600 minutes in non-science lab=1 credit. 2400-4800 minutes of practicum=1 credit. 2400-8000 minutes of internship=1 credit. This must match with the syllabus. See <http://www.uaf.edu/uafgov/faculty-senate/curriculum/course-degree-procedures-/guidelines-for-computing-/> for more information on number of credits.

OTHER HOURS (specify type)	N/A
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10. COMPLETE CATALOG DESCRIPTION including dept., number, title, credits, credit distribution, cross-listings and/or stacking (50 words or less if possible):

Example of a complete description:

FISH F487 W, O Fisheries Management
3 Credits Offered Spring
Theory and practice of fisheries management, with an emphasis on strategies utilized for the management of freshwater and marine fisheries. Prerequisites: COMM F131X or COMM F141X; ENGL F111X; ENGL F211X or ENGL F213X; ENGL F414; FISH F425; or permission of instructor. Cross-listed with NRM F487. (3+0)

RD F675 Federal Indian Law in Alaska: Land, Water and Subsistence
3 Credits offered as demand warrants

Examination of the history of federal Indian law and its implementation in Alaska. Key laws including the Indian Reorganization Act (IRA), Alaska Native Claims Settlement Act (ANCSA) and the Alaska National Interest Lands Conservation Act (ANILCA) are examined in terms of how they have altered the political landscape in Alaska. Indian legislation is explored with special consideration for how different laws have affected the subsistence rights of Alaska Natives, and how they affect management of waters in the state. Students consider the future of subsistence, water rights and how these laws affect natural resource access. Prerequisites: graduate standing or instructor permission. (3+0)

11. COURSE CLASSIFICATIONS: Undergraduate courses only. Consult with CLA Curriculum Council to apply S or H classification appropriately; otherwise leave fields blank.

H = Humanities	<input type="text"/>	S = Social Sciences	<input type="text"/>
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Will this course be used to fulfill a requirement for the baccalaureate core? If YES, attach form.	YES:	<input type="text"/>	NO:	<input type="text"/>
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IF YES, check which core requirements it could be used to fulfill:

O = Oral Intensive,	<input type="text"/>	W = Writing Intensive,	<input type="text"/>	X = Baccalaureate	<input type="text"/>
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Format 6 ☐Format 7 ☐Core ☐

11.A Is course content related to northern, arctic or circumpolar studies? If yes, a "snowflake" symbol will be added in the printed Catalog, and flagged in Banner.

YES

☒

NO

☐

12. COURSE REPEATABILITY:

Is this course repeatable for credit?

YES

☐

NO

☒

Justification: Indicate why the course can be repeated (for example, the course follows a different theme each time).

How many times may the course be repeated for credit?

TIMES

If the course can be repeated for credit, what is the maximum number of credit hours that may be earned for this course?

CREDITS

If the course can be repeated with variable credit, what is the maximum number of credit hours that may be earned for this course?

CREDITS

13. GRADING SYSTEM: Specify only one. Note: Changing the grading system for a course later on constitutes a Major Course Change - Format 2 form.

LETTER:

☒

PASS/FAIL:

☐

RESTRICTIONS ON ENROLLMENT (if any)

14. PREREQUISITES

Graduate standing or instructor permission

These will be required before the student is allowed to enroll in the course.

15. SPECIAL RESTRICTIONS, CONDITIONS

N/A

16. PROPOSED COURSE FEES

\$N/A

Has a memo been submitted through your dean to the Provost for fee approval?

Yes/No

17. PREVIOUS HISTORY

Has the course been offered as special topics or trial course previously?

Yes/No

YES

If yes, give semester, year, course #, etc.:

A similar course was offered as an RD 693 Federal Indian Law course in fall of 2014 and fall of 2015. After trying this method it was decided two courses were needed. This course is one of those two.

18. ESTIMATED IMPACT

WHAT IMPACT, IF ANY, WILL THIS HAVE ON BUDGET, FACILITIES/SPACE, FACULTY, ETC.

There will be minimal impact on any of the above.

This course is delivered using audio-conference supported by Blackboard. There will be no requirement for a special VCON classroom assignment.

19. LIBRARY COLLECTIONS

Have you contacted the library collection development officer (kljensen@alaska.edu, 474-6695) with regard to the adequacy of library/media collections, equipment, and services available for the proposed course? If so, give date of contact and resolution. If not, explain why not.

No

☒

Yes

☐

The library collection is already sufficient and most of the materials needed for the course will be provided on

Blackboard. The library notifies us each time they add materials pertinent to Native studies so further contact is not needed.

20. IMPACTS ON PROGRAMS/DEPTS

*What programs/departments will be affected by this proposed action?
Include information on the Programs/Departments contacted (e.g., email, memo)*

We do not anticipate any measurable impact on other programs or departments.

21. POSITIVE AND NEGATIVE IMPACTS

*Please specify **positive and negative** impacts on other courses, programs and departments resulting from the proposed action.*

We do not anticipate any negative impacts on any of the above. There may be a positive impact for students in other graduate programs who will be able to take this course as an elective. The last time we offered the course on trial three enrolled students were from other graduate programs.

JUSTIFICATION FOR ACTION REQUESTED

The purpose of the department and campus-wide curriculum committees is to scrutinize course change and new course applications to make sure that the quality of UAF education is not lowered as a result of the proposed change. Please address this in your response. This section needs to be self-explanatory. Use as much space as needed to fully justify the proposed course.

Federal Indian law is an extremely important subject for Rural Development (RD) students because it governs so much of what happens in Alaska Native communities. Working with both tribes and ANCSA corporations requires at the very least a basic understanding of this field of law and how it is applied. Lack of competency in this area can result in serious misunderstandings when working with Native communities. As tribes in Alaska work to expand their self-governance capacity the need for RD majors to have better knowledge of the law is also increasing; RD majors need this coursework to support the work that many of them will do throughout the State.

There are no graduate level courses at UAF that cover this subject and we have had numerous requests from students for coursework. While graduate students can of course take our "Alaska Native Studies F425 Federal Indian Law and Alaska Natives", that course does not provide for the level of study we expect to offer graduate students. When graduate students have enrolled into that course it has been difficult to simultaneously meet both their needs and those of undergraduates especially those who have junior standing. By offering coursework at the graduate level we can better serve graduate students both in our own program and across campus.

There is currently very little graduate level coursework that focuses on Federal Indian law in Alaska at other universities, and none that we know of offered by distance. By including this distance course (and the companion RD 676 which is being submitted under separate cover) we hope to expand our enrollment opportunities and will market the course with this goal in mind.

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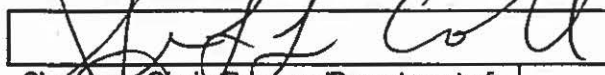
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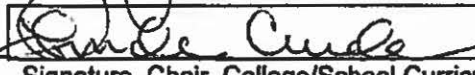
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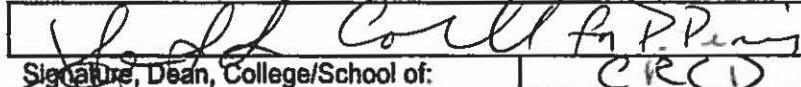
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RD 675 format 1



APPROVALS: Add additional signature lines as needed.

 Date 10/17/16
Signature, Chair, Program/Department of: DAN SIRD

 Date 10/14/16
Signature, Chair, College/School Curriculum Council for: Rural Community Development

 Date 10/17/16
Signature, Dean, College/School of: CRCI

Offerings above the level of approved programs must be approved in advance by the Provost.

 Date 
Signature of Provost (if above level of approved programs)

ATTACH COMPLETE SYLLABUS (as part of this application). This list is online at:
<http://www.uaf.edu/uafgov/faculty-senate/curriculum/course-degree-procedures-/uaf-syllabus-requirements/>

The Faculty Senate curriculum committees will review the syllabus to ensure that each of the items listed below are included. If items are missing or unclear, the proposed course (or changes to it) may be denied.

SYLLABUS CHECKLIST FOR ALL UAF COURSES

During the first week of class, instructors will distribute a course syllabus. Although modifications may be made throughout the semester, this document will contain the following information (as applicable to the discipline):

1. Course information:

☐ Title, ☐ number, ☐ credits, ☐ prerequisites, ☐ location, ☐ meeting time
(make sure that contact hours are in line with credits).

2. Instructor (and if applicable, Teaching Assistant) information:

☐ Name, ☐ office location, ☐ office hours, ☐ telephone, ☐ email address.

3. Course readings/materials:

☐ Course textbook title, ☐ author, ☐ edition/publisher.
☐ Supplementary readings (indicate whether ☐ required or ☐ recommended) and
☐ any supplies required.

4. Course description:

☐ Content of the course and how it fits into the broader curriculum;
☐ Expected proficiencies required to undertake the course, if applicable.
☐ Inclusion of catalog description is *strongly* recommended, and
☐ Description in syllabus must be consistent with catalog course description.

5. ☐ Course Goals (general), and (see #6)

6. ☐ Student Learning Outcomes (more specific)

7. Instructional methods:

☐ Describe the teaching techniques (eg: lecture, case study, small group discussion, private instruction, studio instruction, values clarification, games, journal writing, use of Blackboard, audio/video conferencing, etc.).

8. Course calendar:

☐ A schedule of class topics and assignments must be included. Be specific so that it is clear that the instructor has thought this through and will not be making it up on the fly (e.g. it is not adequate to say "lab". Instead, give each lab a title that describes its content). You may call the outline Tentative or Work in Progress to allow for modifications during the semester.

9. Course policies:

☐ Specify course rules, including your policies on attendance, tardiness, class participation, make-up exams, and plagiarism/academic integrity.

10. Evaluation:

☐ Specify how students will be evaluated, ☐ what factors will be included, ☐ their relative value, and ☐ how they will be tabulated into grades (on a curve, absolute scores, etc.) ☐ Publicize UAF regulations with regard to the grades of "C" and below as applicable to this course. (Not required in the syllabus, but is a convenient way to publicize this.) Link to PDF summary of grading policy for "C":

http://www.uaf.edu/files/uafgov/Info-to-Publicize-C_Grading-Policy-UPDATED-May-2013.pdf

11. Support Services:

☐ Describe the student support services such as tutoring (local and/or regional) appropriate for the course.

12. Disabilities Services: Note that the phone# and location have been **updated**. <http://www.uaf.edu/disability/> The Office of Disability Services implements the Americans with Disabilities Act (ADA), and ensures that UAF students have equal access to the campus and course materials.

☐ State that you will work with the Office of Disabilities Services (208 WHITAKER BLDG, 474-5655) to provide reasonable accommodation to students with disabilities.

5/21/2013

RD F675 Federal Indian Law in Alaska: Land, Water and Subsistence

Fall 201X Course Outline

Course meets TBA 5.10 to 8.10pm

Note: Students must have graduate standing or instructor permission to enroll in RD F675

Instructor: Jenny Bell-Jones

E-mail: jbjones@alaska.edu

325 Brooks Bldg., UAF Campus

Audio Conference # 1-800-832-7806

PO Box 756500 Fairbanks, AK 99775

Audio Conference PIN# xxxxxxxx

Office: (907)474-6842 Fax: (907)474-6325

Office Hours: By appointment

Course Description: Examination of the history of federal Indian law and its implementation in Alaska. Key laws including the Indian Reorganization Act (IRA), Alaska Native Claims Settlement Act (ANCSA) and the Alaska National Interest Lands Conservation Act (ANILCA) are examined in terms of how they have altered the political landscape in Alaska. Indian legislation is explored with special consideration for how different laws have affected the subsistence rights of Alaska Natives, and how they affect management of waters in the state. Students consider the future of subsistence, water rights and how these laws affect natural resource access. Prerequisites: graduate standing or instructor permission.

Course Goals & Objectives: Students will complete the course with a working knowledge of key Indian legislation and how it applies to lands and waters in Alaska. They will be able to interpret the relevant content of the laws and explain to others the connections between the mandates of each and the ways in which these mandates govern the lives of Alaska Natives and their communities today. They will discuss ways in which existing laws and policies could be changed to better meet Native community needs in Alaska.

Student Learning Outcomes:

Students will be able to connect, both in writing and through oral presentation, key pieces of federal Indian legislation with the rights of Alaska Natives to self-govern and control subsistence resources.

Students will be able to discuss outcomes of important water-rights cases and describe both in writing and through oral presentation how rights to use waters throughout the state affect subsistence now and will continue to do so in the future.

Students will be able to critique the land tenure system created by ANCSA, using applicable case law and legal decisions to support their opinions as to its effectiveness. Writing and oral presentation will be used to show how tribal jurisdiction works within this land tenure system.

Students will be able to evaluate and critique case law and key legal decisions that are relevant to their individual projects and will demonstrate this in their writing. They will present their findings in writing and also in an oral presentation using “layman’s terms” as might be required when working with village residents.

Required Readings: Students must purchase the two text books shown below.

Alaska Natives and American Laws, third edition. David S. Case & David A Voluck. University of Alaska Press

Native Land Law 2015 Lawyers edition. General Principles of Law Relating to Native Lands and Natural Resources. Written and edited by Indian Law Resource Center. Thomson Reuters. 1-800-328-4880

Indian Reorganization Act https://www.iltf.org/sites/default/files/IRA_2-all_amendatory_changes.pdf

43 USC Chapter 33 – Alaska Native Claims Settlement Act online at <http://www.law.cornell.edu/uscode/text/43/chapter-33>

USC Chapter 51 – Alaska National Interest Lands Conservation Act online at <http://www.law.cornell.edu/uscode/text/16/chapter-51>

http://www.nps.gov/legal/parklaws/Supp_V/laws1-volume1-anilca.pdf

Alaska State Constitution <http://ltgov.alaska.gov/treadwell/services/alaska-constitution.html>

Additional required readings will be provided on the Blackboard site for the course (see the attached reading list)

Suggested Texts for Supplemental Reading:

Dunbar-Ortiz, Roxanne. Indigenous Peoples History of the United States. Beacon Press, 2014.

Fletcher, Matthew. Fletcher’s Hornbook on Federal Indian Law. West Academic Publishing, 2016

Course Guide: This course uses audio conference participation and the Blackboard learning system.

Course Methodology: Course methodology includes reading, participation in lectures, discussion, written and oral presentation involving problem solving and interpretation of the targeted legislation.

Grading/Evaluation Policy will be based upon the following:

Attendance and participation at weekly three hour audio conferences (15%): Students will be expected to attend these audio conferences having prepared all assigned readings in advance. Each

student will be asked to lead a discussion of case law and legislation, and failing to be prepared to do so will result in a reduced grade for participation. A discussion schedule will be provided on Blackboard.

Quizzes 20%: There will be four open book timed online Blackboard quizzes.

Journal Entry 20%: Students must submit a journal entry into the Blackboard journal forum providing their thoughts and ideas on assigned topics at four due dates throughout the semester. Assigned topics will be designed to help students with their final written assignment and oral presentation. Journal entries each require a minimum of 1000 words. Citations are additional to the 1000 word minimum.

Written Exam (1) 30%: Comprehensive online exam covering interpretation of legislation and specific case law examined in class. Students will use the texts of the different laws and the assigned cases during this open book exam. The three hour exam will include some short essay questions.

Problem Solving Assignment (1) 7.5%: Each student will be given a legal problem involving a possible real life scenario in a village or villages. Students may choose which law they work with but no two students will be given the same problem. A minimum of twelve pages is required. These twelve pages will be divided 70/30 between a formal legal paper for professionals and a paper for village residents. Both papers will explain how the student solved the problem. Students will be required to use accepted legal writing style using footnotes for the “70%” but may choose a style they think will best suit their village audience for the “30%” paper.

Final Oral Presentation (1) 7.5%: Students will give a fifteen minute oral presentation explaining how they solved their problem during the final class meeting. The remainder of the class will participate with questions for the presenter.

	Number given	Points per unit	Points value	% of grade
Attendance & participation at weekly audio conferences	15	10	150	15%
Online quizzes	4	50	200	20%
Journal entries	4	50	200	20%
Exam	1	300	300	30%
Written Assignment	1	75	75	7.5%
Oral Presentation	1	75	75	7.5%

Total Values			1000	100%
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Grading: Grading is based on guidelines in the 2015/16 UAF catalog. The catalog can be accessed online at: <http://www.uaf.edu/catalog/>

A plus (+) and minus (-) grading system will be utilized for this class.

Letter grades for the course will be determined as follows and will reflect the Grading System and Grade Point Average Computation policy stated in the current UAF Catalog.

A+100–97% A.....96–93% A-.....92–90%
 B+.....89–87% B.....86–83% B-.....82–80%
 C+.....79–77% C.....76–73% C-.....72–70%
 D+69–67% D.....66–63% D-.....62–60%
 F.....less than 60%

Criteria for grading: (UAF Catalog)

A (90-100%) =Excellent work that exhibits insight into the issues. Demonstrates critical thought. Written work is exempt of errors in grammar, spelling and content. Above minimum requirements. Indicates originality and independent work, a thorough mastery of the subject and the satisfactory completion of more than is regularly required.

B (80-89%) =Above average. Speaks and writes well. Above minimum requirements. Demonstrates good understanding of topics.

C (70-79%) =Speaks and writes in an acceptable manner. Works is satisfactory, average. Meets minimum requirements.

D (60-69%) =Below average work. Minimally acceptable. Lowest possible passing grade.

F (59% or lower) =Unacceptable work. Does not meet minimum requirements. Indicates failure. Included in GPA calculations

Student Expectations: All submitted assignments must show reflection and scholarship. Students are expected to use legal writing style with footnotes incorporating proper legal citations.

Students should contact the instructor(s) if they have questions about the course overview, objectives, and organization, grading or student expectations. The contact information is included with this syllabus.

Instructor Policy on Late Submissions, Incomplete Grades and No Basis Grades: There will be no “NB” grades awarded in this course. Students must obtain instructor permission in advance if an unexpected event will result in late submission of the written assignment. Late assignments will not

be accepted without prior arrangement. Incomplete grades will only be awarded in extreme circumstances and students should contact the instructor immediately if life events lead them to believe they might need to request an “I” grade.

Plagiarism: Plagiarism is quoting from, paraphrasing, or using specific material contained in any published work, e.g., books, periodicals, public documents, internet, or another person’s ideas without providing appropriate citations or recognitions. Self-plagiarism is using all or part of a paper that was written previously for a different class or assignment and failing to indicate that it is earlier work. NOTE: Material copied from a course lecture or web link but not appropriately cited is considered to be plagiarism. Plagiarism can result in an “F” grade in this course. Students should contact the instructor if they have questions on this topic.

Students with Disabilities: Students with a documented disability requiring accommodation should notify the instructor at the beginning of the semester. The Office of Disability Services implements the Americans with Disabilities Act (ADA) and ensures that UAF students have equal access to the campus and course materials. The instructor will work with the Office of Disabilities Services to provide reasonable accommodations to students with disabilities. (907-474-5655).

uaf-disabilityservices@alaska.edu

Other UAF Student Support Services include:

- Office of Information Technology 907-450 8300 (1-800-478-8226) www.alaska.edu/oit/index.xml or email helpdesk@alaska.edu
- Off-campus library 907-474-7482 (1-800-478-5348) <http://library.uaf.edu/offcampus>
- UAF Writing Center 907 474 5314 or email for an appointment at fywrc@uaf.edu Their website can be found at <http://www.uaf.edu/english/writing-center/>
- CRCD Bookstore 907 474 7711 (1-877-651-4002) or email at CRCD-gotbooks@alaska.edu Their website can be found at

Title IX : University of Alaska Board of Regents have clearly stated in BOR Policy that discrimination, harassment and violence will not be tolerated on any campus of the University of Alaska. If you believe you are experiencing discrimination or any form of harassment including sexual harassment/misconduct/assault, you are encouraged to report that behavior. If you report to a faculty member or any university employee, they must notify the UAF Title IX Coordinator about the basic facts of the incident. Your choices for reporting include:

- 1) You may access confidential counseling by contacting the UAF Health & Counseling Center at 474-7043;
- 2) You may access support and file a Title IX report by contacting the UAF Title IX Coordinator at 474-6600;
- 3) You may file a criminal complaint by contacting the University Police Department at 474-7721.

RD 675 COURSE FALL SCHEDULE

WEEK ONE: Introductions and review of materials. Use of legal vocabulary and writing format. Reading and briefing court cases. Locating and citing law and regulations. Canons of Indian law construction.

***** Practice Brief of Talton v Mayes in class *****

WEEK TWO SEPTEMBER: The different eras of Federal Indian policy. Aboriginal Title, the Doctrine of Discovery, and the Plenary Power of Congress. The landmark historical Indian law cases.

WEEK THREE SEPTEMBER: The Marshall Trilogy and *In re Sah Quah*. Why did Alaska Natives move down a different legal path than tribes in the Lower 48?

WEEK FOUR SEPTEMBER: Highlights of the Alaska Native Claims Settlement Act. Why does Alaska have ANCSA rather than a system of reservations similar to the Lower 48?

Hypothetical for problem solving paper will be distributed! (Students must meet individually with instructor during week three to decide on topic for this paper)

QUIZ ONE ON BLACKBOARD

JOURNAL ENTRY DUE ON BLACKBOARD BY MIDNIGHT ON SATURDAY

WEEK FIVE OCTOBER: Explanation of “Indian Country.” Indian Country and reservations in Alaska. Legal status of Indian land ownership. Land owned in fee simple status versus land held in trust by the US government. How does the land ownership model provided by ANCSA affect the ability of Alaska Tribes to govern and exercise jurisdiction over land and members? How has ANCSA diminished tribal powers?

WEEK SIX OCTOBER: Indian trust lands. What are trust lands and where are they? How do trust lands contribute to or detract from tribal sovereignty? What is the process for placing Indian owned fee lands into trust? What is a mandatory trust land acquisition and would this be appropriate for Alaska tribes?

WEEK SEVEN OCTOBER: Alaska National Interest Lands Conservation Act (ANILCA). What does ANILCA provide for subsistence and for other important Alaska Native rights?

QUIZ TWO ON BLACKBOARD

JOURNAL ENTRY DUE ON BLACKBOARD BY MIDNIGHT ON SATURDAY

WEEK EIGHT OCTOBER: Subsistence laws in Alaska; the legislation

WEEK NINE OCTOBER: The subsistence court cases: State and Federal

WEEK TEN NOVEMBER: Tribal Courts and tribal jurisdiction over fish and game

QUIZ THREE ON BLACKBOARD

JOURNAL ENTRY DUE ON BLACKBOARD BY MIDNIGHT ON SATURDAY

WEEK ELEVEN NOVEMBER: Water law in Alaska. The Winters Doctrine. How is water allocated in Alaska? Navigable waters, federal versus state

WEEK TWELVE NOVEMBER: Navigable waters and the Katie John cases.

WEEK THIRTEEN: NO MEETING THIS WEEK, ENJOY THE THANKSGIVING HOLIDAY

QUIZ FOUR ON BLACKBOARD

JOURNAL ENTRY DUE ON BLACKBOARD BY MIDNIGHT ON SATURDAY

WEEK FOURTEEN DECEMBER: Cultural preservation and religious freedom.

WEEK FIFTEEN DECEMBER: Final presentations

ORAL PRESENTATION OF FINAL PAPER

WRITTEN PROBLEM SOLVING ASSIGNMENT DUE BY MIDNIGHT ON DECEMBER 10TH

WEEK SIXTEEN

FINAL EXAM DECEMBER FINALS WEEK TBA

Department of Alaska Native Studies & Rural Development Mission Statement

“Our mission is to strengthen leadership capacity for rural and indigenous communities in Alaska and the circumpolar North through degree programs that promote academic excellence, personal development, professional skills, global awareness, respect for indigenous cultures and commitment to community. We seek to include a keen awareness of the scope, richness, and variety of Alaska Native cultural heritages, and a series of critical perspectives on the historical and the contemporary indigenous experience for all our students.”

RD 675 WEEK BY WEEK READING LIST

There is a lot of reading in this class and it is incumbent on the student to stay current with all required readings. Weekly readings from the texts are found in the lecture notes for that week, but students are expected to have read both the entire texts by the completion of the course. The texts are intended to provide background for our weekly subjects but we will not be “going over” the text in class; as graduate students you are expected to bring any questions you have about content in the text to the instructor for guidance. You should also be referring to the texts in your writing.

The lecture notes may include links to legislations or other readings which are required. In addition, the following required materials will be provided in the Blackboard “Course Documents” for each week. The instructor may add other materials for cases in progress, newly published law review, or legislation that has changed. Students will have regular assignments to present readings in class but should always read the other readings additional to those assignments. Most of the assigned cases have been highlighted to assist you in focusing on the parts most pertinent to your study. You should not however ignore the remainder of the decision. Do not spend time on dissents and concurring opinions unless these have been assigned.

WEEK ONE

Lecture notes and assigned reading from texts

Case Brief Format and Example

Deciphering Citations: Congressional Administrative Court Handout

How to Brief a Case

Reading, Understanding & Briefing Court Cases

Blurton law review article on Canons of Construction

Federal Indian Law Canons of Construction

Talton v Mayes

NARF Annual Report

WEEK TWO

Lecture notes and assigned reading from texts.

Cherokee Nation v Georgia

Johnson v McIntosh

Worcester v Georgia

In re Sah Quah

Tlingit and Haida Jurisdictional Act

WEEK THREE

Lecture Notes and assigned reading from texts.

Alaska Pacific Fisheries Co. v United States

Ex Parte Crow Dog

United States v Winans

United States v Kagama

United States v Sandoval

Tee Hit Ton Indians v United States

WEEK FOUR

Lecture notes and assigned reading from texts.

“ANCSA Highlights” (provided with lecture notes)

Alaska Native Allotment Act

District Organic Act 1884

Treaty of Cession 15 Stat. 539

United States v Berrigan

United States v Cadzow

ANCSA text

WEEK FIVE

Lecture notes and assigned reading from texts.

Indian Reorganization Act 1934

Indian Reorganization Act Alaska amendment 1936

USC Title 18 Indian Country

25 CFR 151 New Final Rule

1993 Solicitors Opinion on Tribal Jurisdiction in Alaska

Definition of Indian Country

Indian Country and the Nature of Tribal Self Government in Alaska (Strommer and Osborne)
Optional for extra credit: Interpreting Indian Country in State of Alaska v. Native Village of Venetie (Carpenter)

Venetie v State of Alaska

Senate Hearing 112 on IRA 2011 (optional)

WEEK SIX

Lecture notes and assigned reading from texts.

Akiachak v Interior decision

Traditional Cultural Districts: An Opportunity for Alaska Tribes (Ristroph, Elizaveta B.)

Whatever Happened to the Seveloff Fix? (Harrington, Andrew)

25 USC 2801

Testimony of David Case 3/23/2004

Senate Hearing 112 on IRA 2011

WEEK SEVEN

Lecture notes and assigned reading from texts.

ANILCA text

Subsistence, Inholdings, and ANILCA (Tanner, Randy J)

WEEK EIGHT

Lecture notes and assigned reading from texts.

When Values Conflict: Accommodating Alaska Native Subsistence (Morehouse and Holleman)

Toward a Group Rights Theory for Remedying Harm to the Subsistence Culture of Alaska Natives (Bryner)

Uncooperative Federalism: The Struggle over Subsistence and Sovereignty in Alaska Continues (Bridges)

McDowell v State of Alaska

Madison v State of Alaska

WEEK NINE

Lecture notes and assigned reading from texts.

Native Village of Quinhagak v United States

Bobby v State of Alaska

Kwethluk IRA Council v State of Alaska

State of Alaska v Kenaitze Indian Tribe

Chitina Dipnetters v State of Alaska

AK Fish and Wildlife Conservation Fund v State of Alaska and Ahtna Tene Nene'. AK Supreme Court ruling

WEEK TEN

Lecture notes and assigned reading from texts.

Subsistence and Self-Determination: The Reasons for a Native Preference (Case)

Muckleshoot Tribe v Moses
Bowen v Upper Skagit Tribe
Stillaquamish Tribal Hunting and Fishing Ordinance
Stockbridge-Munsee Community Fish and Wildlife Ordinance

WEEK ELEVEN

Lecture notes and assigned reading from texts
Winters v United States
Federal Reserved Water Rights
State of Alaska Water Rights
State of Alaska Submerged Lands information
Water Appropriation Systems
Chugach Natives v Doyon
Tulkisarmute Native Community Council v Heinze & Davidge
Tyonek v Cook Inlet Regional Incorporated
State of Alaska v Nondalton Tribal Council et al. AK Supreme Court decision
Optional for extra credits: Reserved Indian Water Rights in Riparian Jurisdictions: Water, Water Everywhere, Perhaps some Drops for Us. (Babcock)

WEEK TWELVE

Lecture notes and assigned reading from texts.
State of Alaska v Jewell (the final Katie John case)
Native Village of Eyak v Blank
State of Alaska petition for cert in *Alaska v Jewell*
State of Alaska Amicus Briefs for petition for Cert.
Sturgeon v Frost

WEEK THIRTEEN use Thanksgiving week to catch up on readings and review!

WEEK FOURTEEN

Lecture notes and assigned reading from texts.
Indian Religious Freedom Act
Native American Graves Repatriation Act
Frank v State of Alaska
State of Alaska v Brian Ivan et al
People v Woody
AVCP and AFN Amicus Brief for SOA v Ivan appeal
Native Americans in Prison: The Struggle for Religious Freedom (Beran)

WEEK FIFTEEN: NO MORE READINGS.

