** SINCE TIME IMMEMORIAL: TRIBAL SOVEREIGNTY IN WASHINGTON STATE  
OSPI Tribal Sovereignty Curriculum for the social studies**

<table>
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<tr>
<th>TITLE OF UNIT:</th>
<th>The Boldt Decision and Constitutional Justice</th>
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<tr>
<td>GRADE LEVEL(S):</td>
<td>High School</td>
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<td>SOCIAL STUDIES UNIT(S) INTO WHICH THESE LESSONS WILL BE INTEGRATED:</td>
<td>US- Our Foundations (1776-1791)</td>
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<td>GLEs ADDRESSED:</td>
<td>4.1.2; 1.1.1</td>
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<td>CORRESPONDING CBA(s):</td>
<td>Constitutional Issues</td>
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**LESSONS/UNIT OVERVIEW:** This unit “examines how the Boldt decision promotes justice as one of the goals of our nation,” as described in the Grade Level Expectations of the social studies GLEs. Through critical reading, discussion and inquiry, students explore the complexities of a landmark court decision that defines and protects traditional tribal hunting, fishing, and gathering rights that are guaranteed in the NW Indian treaties that granted non-Indian settlement in this region. While students are exploring Constitutional principles they will complete discussion questions in as little as one class period, or they can delve into the issues surrounding the Boldt Decision in creating graphic organizers and writing analyses to complete the “Constitutional Issues” CBA

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<th>GOALS/RATIONALE FOR EACH LEVEL:</th>
<th>CLASSROOM TIME NEEDED:</th>
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| **Level 1** | For NW students to understand tribal sovereignty at a local and Constitutional level, it is imperative that students study the 1974 Boldt Decision. Students will  
- Explain the Boldt Decision and its impact on NW tribes  
- Define tribal sovereignty  
- Understand the importance of salmon to NW tribes and tribal sovereignty  
- Explain the Boldt Decision as an example of promoting justice | 1 hour |
| **Level 2** | In addition to Level 1 goals and rationale, students will  
- understand the immediate and long-term ramifications of the Boldt Decision;  
- explain what the Boldt Decision continues to accomplish for NW tribes | 2 hours |
and tribal sovereignty; and understand how the Boldt Decision continues to promote justice into the 21st century.

| Level 3 | In additional to goals and rationale of Levels 1 and 2, students will  
|         | • Evaluate the Boldt Decision’s impact on non-Indians  
|         | 5 – 7 hours |

**LEVEL 2 LESSON:**

**MATERIALS NEEDED:** All Level 1 materials

**TEACHER PREPARATION:** Level 1 preparation

**STUDENT PREPARATION:** Successful completion of Level 1 activities

**CLASSROOM SET UP:** None

Materials:
1. Copies of the Against the Current article
2. Copies of the Tribal/Non-Tribal Interpretations Graphic Organizer
3. Copies of the Medicine Creek Treaty
4. Copies of the Supremacy and Commerce Clauses
5. Copies of the Bill of Rights

**PROCEDURES:**

Day 1:
1. Instead of wrapping up the Level 1 lesson, proceed to the Writing Assignments contained in the Southern Poverty Law Center’s *Against the Current* article and discussion questions.
   a. Students will read the longer article.
   b. You can discuss as a class the accompanying questions.
      Suggestion:
      i. Have individuals respond to all five questions
      ii. Break students into groups and have them prepare an extended response to one question. They share with the rest of the class while the class takes notes on a Cornell note-taking sheet or the equivalent you use in your classroom.
   c. Distribute copies of the Medicine Creek Treaty, Supremacy & Commerce Clauses handout, tribal/non-tribal interpretations graphic organizer, and Bill of Rights. Students should discuss the interpretations each stakeholder has on the documents.
   d. HOMEWORK: Students complete the matrix that asks them to provide the tribal and non-tribal interpretations of the US Constitution and Bill of Rights and tribal treaties.
IF YOU CHOOSE TO END YOUR STUDY HERE, SOME QUESTIONS TO PRESENT TO CLASSES AS YOUR STUDY CONTINUES:

1. What are the Constitutional provisions for Indian tribes? Are they still valid? (Review Supremacy and Commerce Clauses)
2. Why is/was justice for Indian tribes and tribal people so hard to achieve?