

4 Kivalina Teenagers Suing State Schools

KIVALINA—Four teenage girls have brought suit against the state school system for failing to provide high school classes in their village. The action was filed by Christopher Cooke, Alaska Legal Services Corp., in Anchorage, for ninth graders, Lucille and Stella Sage and Myra and Dolly Hawley.

Named as defendants are the state school board; the board of directors of state-operated schools; Cliff Hartman, commissioner of education; Merle Armstrong, state operated school director; G. Lee Hayes, assistant director; and George White, Northwest regional administrator for state operated schools.

Kivalina has a population of 175 with day school grades one through eight. High school students must participate in the boarding program if they are to continue their education.

In September, 1969, Lucille

Sage was assigned to Mt. Edgecumbe in Sitka, although her choice had been Beltz High School which is much nearer home. She was so unhappy at Edgecumbe she did not eat pro-

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perly and her parents allowed her to return home that same month.

The three other girls were equally unhappy when placed in the Fairbanks Boarding School program last fall.

"They complained that they were moved from home to home and did not get proper meals, although they finally ended up in a good home from all we can tell," reports Linn Asper, attorney in the Fairbanks Legal Services office who did legwork on the case. "Basically they were homesick."

Parents of the girls paid their \$81 return fare from Fairbanks and correspondence courses were arranged for them under the tutorage of Tom Troxell, principal grade school teacher in the village.

When Troxell was suddenly transferred the students were notified the courses would stop and the suit was filed. Parents involved are Mrs. Mildred Sage, Amos and Louise Hawley and Bob T. Hawley.

They were informed the state does not provide village courses

for out-of-school children as part of the regular education program. These are given only as a spare time activity at the discretion of the teacher.

At first attorney Cooke sought a court order for tutoring to be resumed but this was not necessary because the state agreed to reopen classes immediately.

"We want to stress that it hasn't been a dog eat dog suit," Asper said. "The state has been cooperating with us. They say, 'We think you have some good ideas but we're short of money.'"

According to Cooke's argument, under state law education must be provided for students who wish to live at home where there are more than three primary students or five secondary students at one grade level.

At this point no one is sure what the alternative to boarding school might be but if state cooperation continues it is likely some village oriented program can be worked out, Asper said.