

Comments of Jennifer Walter
on
Native American Mascot Rules
(581-021-0047)
May 21, 2015

Problem: Unacceptable names: the proposed rule would permit the use of Redskins and Savages as mascot names.

(3)(a) The prohibition under this section subsection (2) of this section includes a prohibition on the use of team names such as “Redskins,” “Savages,” “Indians,” “Indianettes,” “Chiefs,” “Chieftains,” and “Braves.”

Solution:

Delete Reskins and Savages from this sentence.

Before the last period of subsection 4 (a) add the following:
“ ; provided, however, no school may use the nickname Redskins or Savages under any circumstances.”

Problem: Oregonians who belong to non-Oregon tribes have no voice in the process.

Problem: Oregon tribes have no right to give permission for the use of something they don't own.



Home of the Warriors



Photo by Democrat-Herald

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Solutions:

A. Adopt the requirement that the tribal name be included in the mascot name AND require that any images be consistent with historical attire of the tribe, or

B. Adopt the requirement that the tribal name be included in the mascot name AND require that the tribal name be attached to all images.

Problem: The United States Constitution

14th Amendment: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; ***nor deny to any person within its jurisdiction the equal protection of the laws.***

Solution: ?

Ask your staff to tell you if the proposed rule or the proposed rule with my changes is more likely to withstand a constitutional review.

What will you do?