

# An Act Prohibiting the Use of Native American Mascots by Public Schools in the Commonwealth

## S.245 and H.477

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### Overview

This bill would prohibit the use of Native American mascots in Massachusetts public schools. About 25 schools in the Commonwealth currently use such mascots. As currently written, the legislation includes the following mandate: “The board of elementary and secondary education shall promulgate regulations to ensure that no public school uses an athletic team name, logo, or mascot which names, refers to, represents, or is associated with Native Americans, including aspects of Native American cultures and specific Native American tribes, or which denigrates any racial, ethnic, gender, or religious group. The board shall establish a date by which any school in violation of said regulations shall choose a new team name, logo, or mascot.” Senator Joanne Comerford, Democrat for Hampshire, Franklin and Worcester, is Senate sponsor. Representative Brandy Fluker Oakley, Democrat for 12th Suffolk, is House sponsor.

### Harm to Native Students

Decades of social science research have shown that Native American mascots (i.e., nicknames & logos) have serious psychological and social consequences for Native Americans (see this article: <https://gonetowar.com/wp-content/uploads/2021/11/LRDD-JPG-SAF-NA-Mascot-Effects-updated.pdf>). As stereotypes, these mascots do not accurately represent Native Americans, nor do they honor them. They reinforce one-dimensional stereotypes that overshadow the contributions, perspectives and struggles of contemporary Native American people. For many Native Americans, these racial stereotypes are painful reminders of historical trauma and of the limited ways that others see them. Native American youth are particularly vulnerable to the dehumanizing effects of these mascots. Exposure to Native American mascots has been shown to cause stress, other negative feelings, lowered self-esteem, and less future aspiration among Native American students.

### Harm to Non-Native Students

Studies have shown that when non-Native people are exposed to Native American mascots, this triggers negative and stereotypical views of Native Americans. Further, research shows exposure to Native mascots generates more support for these mascots, and that those who support Native mascots are less supportive of Native Americans. These mascots normalize culturally insensitive behaviors and convey an inaccurate understanding of Native American people. These problems are compounded by limited media coverage, and insufficient curricula at all grade levels, on the histories and contemporary lives of Native peoples (including colonial U.S. policies of removal and extermination, and facts about contemporary Native tribal nations), that would give students a more accurate frame of reference with which to understand problems with these mascots and other Native American stereotypes.

### Statewide Issue

According to 2020 data from the Census Bureau, there are more than 90,000 Native American people living in Massachusetts, many of whom attend Massachusetts public schools. Native American mascots are likely a violation of state and federal anti-discrimination laws, including the Massachusetts Anti-Bullying Law. Often school districts fear community backlash and so fail to fulfill their legal responsibility to protect all students from this discrimination. Civil rights issues should never be decided in the court of public opinion. Municipalities must not be allowed to violate civil rights laws because of community resistance to change.

## **Civil Rights**

It is likely that Native American mascots violate anti-discrimination laws because they “establish an unwelcome and often hostile learning environment for American Indian students” (American Psychological Association Resolution, 2005). The presence of Native American mascots is a civil rights issue.

## **Inclusive Process for Drafting Final Language of Bill**

Many tribal representatives, Native individuals residing in the Commonwealth, and organizations that include, work with and advocate for Native Americans have provided feedback on the language in the proposed bill. The language in this bill should not be modified without consultation with these tribal representatives and organizations.

## **Advocacy**

The National Congress of American Indians (NCAI), the country’s largest and most representative Native American advocacy organization, has been fighting to end Native mascots since the 1960s. Currently over 145 entities, including tribal nations, as well as government, education, professional, civil rights, and religious organizations, have recognized the negative health impacts of Native American mascots and called for elimination of these mascots. In Massachusetts, this includes the Chappaquiddick Tribe of the Wampanoag Nation, Herring Pond Wampanoag Tribe, Mashpee Wampanoag Tribe, the Massachusetts Tribe at Ponkapoag, Nipmuc Nation, and the Pocasset Wampanoag Tribe. Organizations in Massachusetts include Cultural Survival, Massachusetts Center for Native American Awareness, Massachusetts Commission on Indian Affairs, Massachusetts Teachers Association, National Association of Social Workers-Massachusetts Chapter, New England Area Conference of the NAACP, North American Indian Center of Boston, Progressive Mass, United American Indians of New England, the Upstander Project, and UU Mass Action. In addition to NCAI, national organizations include the National Education Association, U.S. Commission on Civil Rights, American Psychological Association, American Anthropological Association, American Sociological Association, and the National Collegiate Athletic Association.

## **State Measures to Ban Mascots**

- There are laws that prohibit (in various ways and to varying degrees) Native American mascots in the public schools in the states of California, Connecticut, Colorado, Maine, Nevada, Oregon, Washington, and Wisconsin.
- State Boards of Education with resolutions against Native American mascots are: Minnesota, 1988; New York, 2001; New Hampshire, 2002; Michigan, 2003 (reaffirmed in 2010).

## **FOR FURTHER INFORMATION:**

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<http://mainindigenousagenda.org/>

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<https://malegislature.gov/Bills/193/S245> and <https://malegislature.gov/Bills/193/H477>