



U.S. DEPARTMENT OF EDUCATION
National Advisory Council on Indian Education
(NACIE)
Fall 2011 Public Meeting

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Holladay Room
1000 NE Multnomah Street
Portland, Oregon

Morning Session Taken by: Leyla Jones
Afternoon Session Taken by: Kimberly McLain

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(NACIE) Fall 2011 Public Meeting, DAY I

ADMINISTRATIVE BUSINESS - (FACA, ETHICS PRIMER, TRAVEL REIMBURSEMENT, FINANCIAL DISCLOSURE ETC.,

MR. ACEVEDO: I'm going to open the meeting for the next half-hour for our open session on items that you had all elected to discuss. I think the very first thing we should probably do is those of you who wish to say something about current educational activities that you've been involved with so that we can sort of get a little background on where we are with some of your activities. Sam had something he wanted to say, first off.

MR. MCCRACKEN: Thank you guys for coming to Portland, Oregon, hometown of where I get to work every -- I get to work in Beaverton, close. At least I was able to drive here.

I would love to share with you some information that I've been working on with my current role in my day-to-day work. And this weekend we were able to host the first annual Nike N7 Sports Summit. And we had about 460 recreation directors –

(Whereupon the court reporter is interrupted.)

THE REPORTER: I can't talk right now.

MS. LEONARD: I know. But do you need me to ask them to state their names?

THE REPORTER: No.

MR. MCCracken: -- coordinators, educators, all varieties and fields, convene at the Nike headquarters center to take information back on technical assistance and grant writing and a variety of activities that we provided them and to get a deeper list of the conference speakers that's on our Web site.

But I'll give you some of the -- on Saturday, we had Sam Kass from the White House come and open us up with a great presentation on how nutrition plays a role in our next generation of leaders' lives and how to support and play a role in that as well.

And then to really close the session with a variety of different folks. And we had -- we actually had a panel of former professional athletes and leaders in sport, from Notah Begay, III -- who is a Stanford grad, economics major, there speaking -- to Craig Robinson, who is one of the N7 ambassadors.

And if you're not familiar with Craig, he's the head coach, basketball coach, at Oregon State. But more importantly, he's the brother of Michelle Obama. So Craig was there and spoke, as well as a few others, Lorenzo Neal, who works on kind of a leadership-first campaign, grooming future leaders. And so they met.

And I would love to share with you this booklet. And I'll pass down these booklets to -- to all of you to take a look at. There's more down there. And this is the tool kit that we gave out to everybody who came. And we call it a tool kit because there's -- it's basically a challenge to them what they want to do in their community.

But I think the biggest column is on page 27 how it relates to folks here in this room. You hit the page right on the head, Robin. Right there, page 27, right on the right side. We highlighted the role that sport can play in education. And, you know, we wanted to let our participants know what are -- we call -- we address them as challenges. And one of those challenges that our kids face on a day-to-day basis is -- and for this particular audience here, you know, the education piece is a prominent piece. How kids' sport play a role in advancing education.

And so I just wanted to share that information with you. I don't expect anybody to read through the whole thing but -- at this point in time. But have if you have questions about it, I'll make sure everybody gets my e-mail address and you can chat with me. But a tremendous amount of energy around this tool kit.

The other piece that's in there are just stories that -- of motivation and success that are happening in our communities. And they're really relevant to sport and wellness. Because, as you know, with a healthy mind and healthy body, you have probably a healthy person in the classroom as well.

So our whole message was around grooming those -- that next generation. Because "N7" really stands for -- there's seven generations and that equals the belief that we have in those people. And we know that our future leaders are coming from generations that are going to be -- that are going to be following us, right behind us.

So I just wanted to share that with this committee to show that work, and I would love to be able to get any feedback from you guys in regards to that. Successful summit. Tremendous amount of energy exiting the center. Momentum, obviously, over to the National Congress meeting here. As I

walked around over there on Monday and Tuesday, the energy of people who are at -- came a couple days prior was very evident and the buzz of people coming up to me and congratulating me. But it wasn't just me. It was a whole group of people that put this on.

But I just wanted to share with my colleagues on this board and the advisory committee to sort of get a better understanding of work that we are doing in our communities across the U.S.

So you'll see some character comparisons in here with Canada because my initiative is North America. And so there's some references. So you see our friends and family north of the border are dealing with some of the similar challenges in education. Thank you. That's what I had.

MR. ACEVEDO: Any questions to Sam or anything anyone else would like to contribute in terms of their involvement in Indian education?

Theresa?

MS. JOHN: Thank you.

MR. ACEVEDO: Oh, would you please state -- once I call on you --
Do you have the names?

THE REPORTER: I can see all of your names. Thank you.

MR. ACEVEDO: All right. Thank you.

MS. JOHN: Thank you. I appreciate it. In Alaska, we just attended the Alaska Federation of Natives. It's a smaller version of NCAI (National Congress of American Indian), where all the Alaskan Native tribes get together.

And for the first time, a lot of Canadian faculties statewide formed a committee where they're thinking about forming a charter to strengthen our Native faculty standards in Alaska. And one of the meetings that we attended was indig- -- indigenizing academy at higher education.

And so what we did was we shared the curriculum development that we have both at University of Alaska Fairbanks, University of Alaska Anchorage, University of Alaska Southeast. It's a big state. So we're trying to sort of like strengthen our unity and share curriculum and say, "This is what we're doing. What are you doing? Can we work together?" And so that's very, very exciting.

And then the Alaska Federation of Natives, the theme this year was "Strengthening Our Unity." It started with an elders-and-youth conference for two days. And then the last three days are general. And so it is really combines intergenerations and also intercultural. And so that was very exciting.

And right now I'm also involved in the Indigenous Creek Home Development, K-12, using our first language. Southwest Alaska just adopted two language programs, so K-12 development for classroom teachers to use it as a medium of introduction. And hopefully, that will -- it's an ongoing thing and it's very exciting. So I just wanted to report on a couple of -- few things.

MR. ACEVEDO: Thank you, Theresa.
Anyone else?

DR. JACKSON-DENISON: Good morning, everyone. I have so many things going on in my area, both personally and professionally. I want to start by Sam's booklet here that he just gave us.

Personally, I'm working on a project myself that is sort of a -- similar to what has been spoken about but bringing -- I'm doing this project with Mr. Ernie Stevens who's the chairman of -- of NIGA

(National Indian Gaming Association) and we are wanting to connect the framework, the paradigm of success of John Wooden, which really is Native philosophy and trying to bring that Native wisdom, "Native thought," I'm calling it, back to our younger people.

So I'm just looking at your book and getting ideas and saying, wow, this is really it. As you know, John wrote that paradigm of success and he bases it on principles, or values, which many of our Native people have. That's one project I've been working on, and I'm interested to hear what everyone has to say.

But on the professional level, I've been doing this in my district. And it's really a school reform model based on our Navajo wisdom, I guess, that back at the home level, the home front, trying to rebuild a school reform system based on that, on instilling those principles and values back in the school system.

One of the projects we've been working on,

(inaudible) --

(Reporter signaling that she can't hear the speakers.)

DR. JACKSON-DENNISON: -- The district I work for just received an A+ credit rating from Standards & Poor for an Impact Aid bond to build a big \$40 million sports arena, which would connect back again to physical activity and everything that our children love to do and excel in doing and still making certain that academia has always been first.

Speaking of academia and immersion, one of the things that I'm always proud of in our school and I'm very excited because we just saw our first benchmarks in October of our now immersion school, which is a true Navajo language immersion k-8 school which teaches the Navajo language truly immerses the students from the kindergarten to second grade into total Navajo language. So most of our children are coming in not speaking English fluently, as well as Navajo fluently. Because they don't have a strong language background in either language, if you test them in kindergarten, they don't have either. So we're using the Navajo language to promote the English language while also maintaining and rebuilding the Navajo language, which is how we presented it to the State. And we just had our first round of benchmark testing. And even at the kindergarten level, they're starting to outscore. So by -- I think in another year, we'll start to see that trend. Because I've been working on revitalizing that from the time we designed that as a school, and there's a gap when I left.

So that sustainability is really important to me, and that's what I'm really excited about. And I just wanted to share that with the rest of the council, that it is doable. It's something that we've proven in the past, but it's something that we have to stay strong for in our different areas of leadership. So thank you.

MR. ACEVEDO: Any other members of the council?

MS. OATMAN-WAK WAK: (Inaudible.)

THE REPORTER: I can't hear you.

MR. ACEVEDO: Microphone, please. Thank you.

MS. OATMAN-WAK WAK: There's been an abundance of activities going on. gain, sharing both personally and professionally, I relocated this summer back to Washington, D.C., to work for the

National Education Association. And as of Sunday, I am no longer president of the National Indian Education Association. We have our new president Quinton Roman Nose, who's not here in attendance.

We have had a tremendous amount of activities and events going on. It was hard to leave the State Department of Education. As being the first appointed director of Indian education in Idaho, it wasn't something that I -- it weighed heavily on my heart to make that decision to leave. But I think that where we are in advance of education reform for Indian culture, I think that was a really strategic move.

So the activities with NIEA, we had actually utilized a lot of the tribal consultations that were hosted by the United States Department of Education, as well as our own specialists, that have impacted the tribal communities over the past eight years, to partner with the National Congress of American Indians the United South and Eastern Tribes to draft some language that is currently known as the Native Class Act.

We have been working on getting Indian countries' support on that and rallying our tribal leaders behind education reform priorities (inaudible) instead of having education being one of the spokes.

We -- we are working on the National Education Association side. And an invitation will be coming to all of you to attend a reception that we will be cohosting with the National Indian Education Association to gather tribal leaders on November 12th in Washington, D.C., the week that President Obama will be hosting his nation on -- Nation to Nation's gathering.

We also will extend an invitation to the Congressional Native American Caucus so that we will have the opportunity to gather our tribal leadership with those members of the Congress that compose the Congressional Native American Caucus.

We have a lot of work to be done. You know, we look at the advance in the priorities that we want with the reauthorization of ESEA (Elementary and Secondary Education Act) and the version that's been submitted by Harkin and Enzi. And so as I said, we've been rolling up our sleeves and trying to get as much as we can done.

But I think what we feel is really critical at this moment is that our tribal leadership is also advancing this message. And our other groups have been doing a good job of keeping our ear to the ground on other things, things we need to be cautious about, getting our communities to weigh in and the super budget deficit committee and sharing their voice, sharing their stories on deficitreduction.org.

Gosh, I could go on and on. My boys are healthy and happy. It's hard being away from them, but a lot of work to be done. And like my grandfather keeps saying, you know, you got to -- he's a World War II veteran and he's always brought us up, you know, the way that we need to fight now is with our words. And so he said, With that being said, you know, you go on your mission as a word warrior.

And so a lot of sacrifices have to be made for us to be able to complete our mission in Indian country and protect our children's rights. So I look forward to sharing some of the other concerns during our budget session and during the course of our meeting.

MR. ACEVEDO: Alyce.

MS. SPOTTED BEAR: At the Fort Berthold Community College, the Native American studies program this summer offered our usual summer science culture camp for the 9 through 12th graders, and it was a major success. The students love coming there.

They have to have a good GPA (Grade Point Average) to get into the camp, and we get a real good response from the students around the reservation. We have six segments on the reservation, so we do have a lot of students who like to attend the camp. They live in earth lodges for the week, and everything they do is science and culture.

And we as -- at the college, we received final approval from the higher learning commission to offer Bachelor degree programs. We were a community college and now we're a college. We're going to be changing the name. We haven't done that yet.

The Native American studies program is working with the science department to offer the -- what we call the "Sunday Science Academy." That's for high school students who, of their own volition, sign up to become a part of the academy. And they come and take science courses on Sundays.

We're developing our Native American studies curriculum further. We're adding three new emphases. One is on culture and another is Native American entrepreneurship. And the third one -- oh, what is it? I don't know. I don't remember what the third one is.

We're -- we're focusing on research with our -- we have this program called the Cultural Honors Program that we e-mail out the resume of the Native American studies program and our students have to apply for admission to be in the Cultural Honors Program. We have very strict criteria. They have to have a very high GPA, and they have to write a research paper.

And we have a number of students that have been involved in that, and they have gone on -- they entered a competition to present at the National Congress of American Indians last -- I think it was June or something. And they were invited to participate. And they went to Wisconsin and, from there, were invited to D.C., to present, but they couldn't make it there.

A couple of our students just presented their research last week, the week before, at the American Indian College Fund Summit in Denver. And they're doing very well with the research there. And it's all cultural related.

We're developing our language program. We're planning a grand opening for our new Native American studies cultural center. It's the building that houses our department. We have new classrooms and a new fitness center and new language and culture laboratory, which is so improved, and will be bringing elders in to record them to get their biographical information and whatever stories or information they want to pass on for their grandchildren and great-grandchildren, great-great-great-grandchildren, whoever would be interested. And so we'll be getting a lot of the history of the tribe through those recordings.

We just worked with the tribe on developing the display cases for his -- for the tribal history and for tribal healers and medicine. And this was for the grand opening of our new elder memorial health clinic. It's a very large facility that -- it's a \$20 million facility that we're all very pleased with, you know, being opened. And that just happened this last week.

And we're just doing all the other things that a new Native American Studies Department would do, and that's a lot of collaboration with a lot of different people. So thank you.

MR. ACEVEDO: Thank you.

Anyone else?

MS. BUTTERFIELD: Yeah. I thought I'd just mention a couple of things to follow-up with what Mary Jane was talking about in terms of NIEA's activity. In Albuquerque last week, we had 21 resolutions and there are a number of them that have direct implications for either legislation or, specifically, Title VII. And so maybe a little bit later we'll have a chance to talk about some of those.

The other thing is I just started working with the Native American Public Telecommunications Board and was actually kind of feeling like where was I, you know, when I attended a board meeting. Because they have thousands of film that have been developed by Native producers and film makers, and they have this incredible archive of resources that I was not even aware existed.

And there's, at least right now, about 20 films that are in production, you know, around various topics. So that was like a whole ah-ha for me, so I just thought I would share that. It's a great resource.

The other thing is at NIEA, I don't know how much other people are paying attention, but, you know, teachers are in crisis right now. All across the country they're losing jobs. In California, I think last year over 90,000 teachers were in jeopardy of losing their jobs. And I think the top grant saved about half of those. I think about 50,000 teachers still lost their jobs.

In Oregon, you know, where much of my family lives and works, you know, my – the education support professionals in one of the school districts, they fired all of them and then hired, you know, those back that they could. You know, teachers and principals are working four-day weeks around the country because of budget cuts.

So, you know, education is really suffering across the country. And I know the jobs bill is supposed to have some support for that, but it also had implications for those individuals who have gone through Indian teacher training programs. They can't find jobs and are now in jeopardy of not being able to do their service payback.

And so one of the resolutions that NIEA passed was to remove the payback requirement out of Title VII. And so that's a conversation I'm hoping that maybe we'll have over the next couple of days. And, you know, because one of my thoughts is rather than punish students who have actually been through teacher training programs and can't get jobs or can't get them in certain communities, maybe there should be incentives that we award those that go to heart to staff areas.

But anyway, so I'm really interested both from the NEA (National Education Association), you know, teacher support perspective and the fundings trade that we've created through -- to work on that particular issue.

The other thing is I'm working in a different office at NEA now, and I'm focusing on training for teachers around English language learner strategies as well as school reform. And so NEA has launched something called "priority schools" and as another entity trying to bring resources into schools that are struggling and many of them are Indian schools. So I just wanted to share that resource as well.

MR. ACEVEDO: Thank you.

I'd like to say a couple things. You know, I sat on the board for Salish Kootenai College. One of the things is the college is renewed and working with is Colville and with Spokane as the accrediting institution for those two colleges that both Colville and Spokane are trying to develop. And that's a nice outreach program that the college does to try to strengthen those new institutions that are trying establishing themselves and get accredited.

I don't know how many of you had a chance to see Diane Sawyer's piece on ABC 20/20 a couple of weeks ago. Absolutely a tear-jerker, but also one of those things that shows the promises in our young people and education. I think that the program really focused well on the young people at Pine Ridge and their willingness and spirit to try to get educated.

I was not aware that there's a private high school on Pine Ridge that those students that are admitted to that school, 90 percent of them belong to higher education. So that is certainly the future for that challenging area in Indian country. I recommend you see that if you have a chance.

I just have a comment too about funding for education. The college lobbied heavy at the Montana legislature in terms of direct funding dollars that come to SKC (Salish Kootenai College). One of the legislatures was looking to cut budget cut. And education said, well, why should we provide money; there are no jobs anyway. The lobbyists I was working with were totally shocked. How do you respond to that? So it was a challenge for all of us, and we worked great on that.

With that, I think it's time -- go ahead.

MS. WHITEFOOT: Yes. First of all, welcome to my homeland here in the Portland area. As a young child, I grew up in this area fishing and food gathering with my grandparents. We traveled over here annually.

And so the Yakamas still carry on that tradition of hunting and fishing in our usual and accustomed gathering grounds.

Just -- I just want to share real quickly about, you know, further about NIEA but about what the tribe's been doing regionally and work that I'm doing daily with students.

At the national level, I just want to acknowledge the Department of Education for coming to NIEA and participating in our Technical Assistance Day. This is the second year that we've had Department of Ed come in and give a wonderful presentations at the National Indian Education Association. So thank you to the Department of Education for your engagement with our membership.

Secondly, at the Affiliated Tribes of Northwest Indians, I have been serving as the chair for about 20 years now for the Education Committee for the Navajo tribes. Of the 56 tribes, we have a very active tribal leadership. And this year we had a summit on Indian Education where we put together our vision and some goals that we're going to be working on this next year. We want to continue moving that forward.

And we had wonderful representation from not only the Northwest Tribes Council, but also the National Education Association. And our Northwest tribes will continue to do that. But we'd certainly like to invite especially those folks from the Department of Education to our next gathering.

And then finally, I just want -- I've been looking at the reports real quickly here. I've have had opportun- -- wonderful joy of working with students every day in the school system on behalf of the reservation.

And having overseen those programs as deputy director for education for a tribe, I've had the opportunity to work with almost 30 school districts that serve our Yakima children in central Washington, along the Columbia River as well.

And today what we're doing at the -- at the -- the urging of our parent committees is really highlighting some of the work that needs to go on in our school districts to be able to address the achievement gap. And one way that we're doing that is really looking at revitalization and recovery.

And so when we're talking about recovery, we're talking about recovery of everything. It's not just alcohol and substance abuse. It's also carrying out the classroom agenda that we have for the revitalization of Native language culture in our history. Also increasing teacher education, as Robin mentioned, and counseling administrators in our school systems and also building collaboration.

And through the coalition that we have, we recognize that parents, grandparents, and tribal people cannot do it alone. And so coalition-building is important in building coalitions, and so that's what we've been doing.

And I just want to highlight some of the things that our students have said, because we just looked at the recent survey. And I think it's something that we need to remind ourselves is -- you know, we take a serious look at these responses that students are giving back to us.

At the middle school level, our students are saying, you know, almost 55 percent, that at the school level, the opportunities for pro-social engagement is critical. And so that's something that we recognize in terms of protective factors.

And the recognition from families is equally important for our middle school students. At the high school level, opportunities for pro-social engagement are important. But also at the -- in addition of recognition, pro-social engagement is important. So that's the protective factors.

On the other side, I notice the Department of Education talks about risk factors. And I think we need to take a look at bringing those risk factors to the other -- really grounding that. And we all know what those risk factors are. You know, low perceived risk of drug use, interaction with antisocial peers and academic failure. We all know that, but I think because we're in schools, we have to be using the data.

So this is parents and community members coming together, working with the University of Washington, University of Oregon, San Diego State University, to be able to do our own research. And what it requires us to do is build capacity within our only communities.

And so anything that we begin doing with the Department of Education taxability is going to be important at the local level, sustainability and cultural competence. So I just wanted to highlight that. And as I look at these three reports, that's what I'm going to be looking for. Thank you.

MR. ACEVEDO: With that, we're a few minutes past the hour.

Mike, are you available to do your overall budget?

MR. ZAWADA: Yeah. Yeah, I'm here.

MR. ACEVEDO: We're ready for you.

FY 2012 BUDGET UPDATE

MR. ZAWADA: Okay. My name is Mike Zawada. I'm -- I spoke with you back in April right around the time that the 2011 budget passed. And I'm in the main budget office at the U.S. Department of Education. And I work with the Title VII programs, among others, at the Department. So I'm a budget analyst for them. I've been working with Jenelle and Joyce, Bernard, those folks you know.

And so I'm going to talk about the President's 2012 budget and also the -- for Title VII, including the pieces that go into the budget requests and then also talk about the congressional action for fiscal year 2012. And then I'll take questions. But I'm not sure if Jenelle mentioned this, but I do have to leave at 1:20 sharp. So I will be brief.

So you should have there -- I believe Jenelle brought for you these booklets. These are the budget summary booklet, and it covers all the programs, if only briefly. So these are the programs that the Department of Education had at the President's request for fiscal year 2012. This came out in February, along with the rest of the budget justifications, which is a two-volume set that probably total about 4 inches or so.

So I'm not going to talk about the budget summary book. But you can see in the back, it has a table that has the -- that has the -- we call it the all-purpose table, but it's the appropriation levels. So just note that in the back, you can see the appropriation levels for all department programs. It has the 2010 actuals. The 2011 are a little outdated because it was before we had the April appropriations.

And then also on pages 28 and 29, if you want to make a note, that's where you can see the ESEA Title VII summaries. So they are just very, very short things. So this is something that we also called a press release because it gives kind of the press, you know, a quick summary of what's going on with the budget, something that comes out with the budget every year.

So I'll talk about the congressional budget justifications, which I believe Jenelle has provided. I'm sure you can't see this. But -- but it starts with something that says "Department of Education, Indian Student Education." And it's the -- it starts with the table of contents.

So I'll just go quickly through and kind of give you an overview of what's all included in the congressional budget justifications. This is the president's request to Congress. They -- these are primarily by the appropriators by the appropriations committees in both the House and the Senate.

The first few pages are summary tables. They talk about obligations, what type of -- what type of activities we have, and some of the authorities we have for the programs within the account.

So the chapter for which Jenelle has copies for you, that's -- this is just the Title VII, Part A, programs. So Indian ed, formal ed, competitive, national activities. Alaska Native and Native Hawaii are actually in the school improvement or education improvement account. And we can either get you copies or provide you a link to find those as well.

But basically, I just want to walk you through the formula program in order to give you an overview of how these are laid out. So if you get to page E8, you can see that the first thing that we have there is -- so it has the account name. And these are the accounts that Congress uses to appropriate the funds. And the appropriations language will say, you know, that Indian education account.

And then it has the program name. Below that is the authority. So the where the -- where the authorizing language is. Then it just has a brief summary table.

This budget request is for the fiscal year 2012. At the time, again, we didn't have the 2011 final congressional action. So this is what the level was at back in January and February when we were finishing up these.

And at the time, these were the 2010 levels. In actuality, there was a 0.2 percent reduction from 2011 to 2012, so the actual amount is 104 million. I believe it's 122, 338, something like that. So that's just the summary piece there. Over here, information.

Then we get into the program description. And then it talks about how there are set-asides in the case of a formula program like this. It talks about how -- how that formula operates, where the formula comes from and the statute, and what types of considerations there are, who's eligible, how the grants go out. That's generally -- and it has then the funding levels for the previous five years that you can see towards the middle of page E9.

The budget request section is really the core, the meat, of the matter, where we're saying that the administration -- so this is, again, President's budget is requesting of Congress in this case \$104.3 million and it's for the formula program, which grants the local educational agencies.

And then it goes on to justify why, what the rationale for this request is. So in any case, it's always going to be, in terms of the Department of Education, something related to student achievement, student opportunity, equal access. So mostly what we have in the formula grants justification relates to the academic achievement results that we see in things like the national assessment of educational progress made, some information we have on high school graduation and dropouts, also on attendance in college and universities. So those -- those go on for a few pages to describe why we believe that -- that this request is justified. So that's really what, you know, our -- we're putting forward.

Then it gets into more descriptive statistics. So on page E13, you see the program outlet measures. And the take-away here is we have about 13,000 grantees. The awards arrange from about \$4,000 to about \$2.7 million. So that's another big thing there.

But this will -- in each of the budget justifications and in all we have over a hundred programs at the Department of Education, so there's a different entry for each program that has program output measures. And it will talk about essentially this: Number of grants, range of awards, sometimes how many participants there are. And here you have number of eligible students and how many of those are coming from LEAs (Local Education Agencies) versus tribes versus grant and contract and outreach schools. So that's also a good summary of information.

Then finally, there's program performance information section. And this is generally focused around the program performance measures that are required of us from the Government Performance and Results Act.

So here we include the program performance measures that we've developed so -- the budget office, office of management budget, and the program office have collaborated to come up with.

And this section might also include things like government accountability, office study, or other evaluations that we've funded to look at the -- at the effectiveness of the program. But largely, it is -- and for this particular entry -- a lot with the get-real data.

And there are challenges in both developing good measures and then also in the collecting, cleaning, check, and aggregating of the measures. So that is a ongoing challenge and something that we try to work through. So that essentially -- so that takes us through the end of the formula grants entry.

If you move on to page E18, the competitive grants program is called the "Appropriations Report Table, Special Programs for Indian Children." So that's what it's called here in the budget. Page E20 has the program output measures for -- for this program, for the competitive grants. And you can see from there that the breakdown between the demonstration grants and the professional development grants are pretty much even, demonstration grants being for preschool projects and high school transition and post-secondary projects and professional development at the teacher, perspective teacher, and administrator training.

So finally, starting on page E22, there are the national activities. And for that, we've -- this is where the National Indian Education Study is funded, as well as the Electronic Application System for Indian Education, also known as EASIE, through which the formula grant applicants apply. And it helps with the efficiency and completeness of that process.

And then we also have been, at the end of fiscal year 2011, awarded a research contract. And we're hoping to get more to supplement the National Indian Ed -- or National Indian Education Study, trying to get more research from that, and also looking currently at -- at doing more in terms of technical assistance.

So when you look at page E25 and you see how the other research analysis, technical assistance, and the logistics activities row increases dramatically from 2010 to 2011, it's because we're trying to move more toward more technical assistance, more research, beyond the National Indian Education Study.

So that is my very quick summary of what's included in the President's budget, at least for Title VII, Part A. Do you have any questions?

MR. ACEVEDO: Mike, thank you very much. We would -- if you could fax to us E22 through -- E21, I guess, through E25. We have through E20.

MR. ZAWADA: Oh, okay.

MR. ACEVEDO: If you would, please. Thank you. Questions?
Mary Jane.

MS. OATMAN-WAK WAK: Good afternoon, Mike. I guess good afternoon for you over there. You had referenced the national Indian education study and some of the appropriations for -- or budgets for the -- for the study requesting additional money for additional research. Is that above and beyond the National Indian Education Study? Because that is, you know, our primary access for any longitudinal data. And so is -- we're keeping the NIS; is this correct?

MR. ZAWADA: Yes. Yes, keeping the National Indian Education Study. I believe there was a conference call a couple months ago about modifying the frequency of the collection. But I think -- but the -- the additional research is in terms of language immersion, and I think Jenelle can speak more to that.

MS. OATMAN-WAK WAK: Okay. Thank you.

MR. ACEVEDO: Other questions for Mike?

MS. WHITEFOOT: I have a question about E22. You referenced the EASIE application. I'm not quite sure what it says. So I would just like to know, as the EASIE application moves forward, how would you generate input from Indian country for that process? Because it is a challenge and can be somewhat challenging sometimes.

MR. ZAWADA: I have not been intimately involved in the -- in the development of EASIE. I think that's something that the program office could talk better, you know, more accurately about.

Mostly what I -- my interaction is once the data are in and the applications are in, then I verify the calculations that the system does for the formula grants to make sure that, you know -- also put it in Excel and check to make sure that those figures work out. But as far as the actual interface and the input from Indian country, I believe that's something the program office would know more.

MR. ACEVEDO: Thanks, Mike.
Jenelle?

MS. LEONARD: The -- Mr. Chair, to the council, Mary Jane's question and Patsy's question, would you table those. And I definitely, with EASIE, when Bernard Garcia speaks to you, that would be a question that he could answer. And Joyce is going to do a presentation at 1:00 or 2:00, times mixed up. But when Joyce does hers, that's another question that she can answer that goes to your research question.

MS. WHITEFOOT: I would also just appreciate the input regarding the gift (inaudible.) I've been asking that question. What are the specific gifts? Because that isn't in the EASIE application.

MS. LEONARD: Yes.

MR. ACEVEDO: Robin.

MS. BUTTERFIELD: Yeah. Maybe these are table items as well, but I'm just curious as to how the focus of the demonstration grants are determined each year and also that -- how the dollar amounts are determined between what goes into demonstration grants and the professional development grants.

MS. LEONARD: Mr. Chair -- Mike, I know that you have -- I know that you have an appointment that you have to go to right now, right?

MR. ZAWADA: Yes.

MS. LEONARD: So -- so it would be there -- there are other budget questions that I'm sure the council has, and it would give them an opportunity to just look at the documentation they have and formulate some questions.

And perhaps, Mr. Chairperson, we can ask Mike to come back tomorrow during maybe one of your business meetings so that you can ask any other budget questions or have budget discussions as well.

One of the things that I would like for Mike to share with you is the timeline for preparing FY 2013's budget, the timeline that the budget office works on, so that you will be aware of the budget

process of the department's submitting its budget to OMB (Office of Management and Budget), right, Mike, to -- for it to become the president's budget?

MR. ZAWADA: Well --

MS. LEONARD: So I would like to get -- and I know that he doesn't have time to share that with you right now.

MR. ZAWADA: Is that something that I can talk to tomorrow?

MR. ACEVEDO: If you would, please, Mike, yes. And Jenelle and I will get -- give you a time later for tomorrow.

MR. ZAWADA: Okay.

MR. ACEVEDO: Thank you very much. Appreciate it.

MR. ZAWADA: All right. Thank you. Sorry it's brief.

MR. ACEVEDO: Thank you. Bill, are you -- good morning. Good to see you.

WHITE HOUSE INITIATIVE ON TRIBAL COLLEGES AND UNIVERSITIES (WHITCU); ACTIVITIES AND UPDATE

MR. MENDOZA: Good morning, everyone. Of course, I'm real pleased to be here with you guys today. (Inaudible.)

THE REPORTER: I need you to speak up please.

MR. MENDOZA: I've been apologizing all week for -- I recognize right now that I'm in the stage of a bad habit where my wife usually chews me out about saying "guys" to everyone. And so I'll put that forward right away. And correct me whenever I say that, please.

For WHITCU (White House Initiative on Tribal Colleges and Universities), we are particularly excited about my appointment. And that's not being biased either. I was appointed as director in September. And the exciting part about that is that it, you know, addresses, in many respects, the really delicate time that we're in in terms of the initiative.

As you know, we have yet to reauthorize an executive order for the White House initiative on Tribal Colleges and Universities and Executive Order 13270. And in terms of that, of course that process is proceeding forward with the utmost urgency. And we are, of course, closer than ever before on that issue.

As these matters go, they're not final until the President signs the Executive Order. And so I assure you that that issue is moving forward promptly and we hope to meet.

Many of you know that Secretary Duncan went to South Dakota, and we did an event at the Oglala Lakota College and then also at Sinte Gleska University. And we conducted a roundtable and was also the (inaudible.) I'll speak more to that later on.

But at Oglala, the president's short rule, being the leader and speaking on behalf of his colleges in general, you know, expressed that he would like us to have that Executive Order in place before the end of the calendar year.

And so, you know, we're really working hard to meet that deadline, if you will. And we think that is a, you know, high percentage possibility. And so we're proceeding forward with that. The details of that are certainly forthcoming, and I look forward to the next session when we can discuss that in detail when the executive order is signed. And I will be planning for that as soon as we have the executive order finalized.

In terms of our work there, we have secured the support in terms of collaboration with National Congress of American Indians, American Indian Higher Education Consortium and also the National Indian Education Association. So those three entities, being critical to this, taking into context the consultations and the impact that that has had on all of our work with the Department of Education agency wide. We think that the principles set forth in the executive order, you know, relate to all those issues.

One of the things that our office is involved in right now is certainly the planning and reporting that is mandated by 13270. And so we have been working hard to clear a reporting backlog for 2007 to 2009, and we are -- have been simultaneously working to make sure that we are on task with FY 2010 reporting.

Agency reports expire on -- our planning expired on September 30th and so, you know, we are working to set up a framework for how we're going to be proceeding with that planning.

One of the pitfalls of WHITCU and the planning and reporting processes that have been in place have been extreme lack of participation. We have not yet, through the initiative, because of a whole host of issues which I certainly can't go into today, but largely dealing with continuity issues in terms of the initiatives activities around the agencies, have not had the participation in their planning and reporting that we would like to connect those pieces together in a meaningful way that expresses the needs and resources as they play off the tribal colleges and universities in particular.

Why that is important is that, you know, we don't yet have a mechanism to connect even those - what we do from the planning reporting to the continuum of learning for our students. How does that relate to the things of substance in the planning reporting? How does that relate to early learning for K through 12? How does that relate to mainstream institutions, to just use that term that is commonly thrown around, but other colleges and universities and career technical institutions?

And the consultations really validated for me and what I was able to participate in the early listening/learning sessions, you know, how complex that is. We did two listening/learning sessions with tribal colleges. I think I spoke about those in our last meeting.

And those listening and learning sessions really talked to the issues that TCUs are dealing within terms of remediation in terms of how students are coming to them and particularly the relationships that are in place and where they're sending their students with TCUs being primarily two-year institutions.

And so the strength of articulation reviews, the quality of experiences for those students, and the outcomes is how we really see the initiative moving forward and how we can make a better connection between those to, of course, improve the outcomes for our students but also to focus on those substantive things like language history and culture, some of the things that you all spoke to in your existing efforts. And that is the breadth of how all of our efforts are focusing on now.

And so what I hope to really look at from the initiative standpoint is what are the mechanisms that we have in place now? What are the resources that we've identified to help facilitate that within tribal colleges? How are we reciprocating that back to institutions and, you know, above and below on the continuum of learning.

I was able to speak with a NATA (phonetic) this past week prior to NIEA to share these activities and others. We also talked about, you know, the consultations that are going to be coming up. And I'll let Joyce talk more about those and, you know, making sure that TCUs are involved in that process.

From the initiative standpoint, given that we're kind of in the -- certainly within the Department of Education but an interagency role, we're going to be taking a more active role in consultation processes and policies as it relates to interagency education efforts. And so how are TCUs, how are extensions of tribes being involved in that process more explicitly is something that I'm particularly concerned with.

I always share that we are in this 90/20 dilemma, if you will, just cutting it with a knife and saying we deal with 90 percent of our students attending institutions that tribes themselves -- and this is validated by the consultations -- feel that they don't have a meaningful role in the education of their students.

And arguably, that 10 percent is doing worse in many respects because of underserved/underrepresented resources and how they're related to our institutions, speaking of Bureau of Education, tribal grant schools, tribal colleges, and there's a small percentage of private schools as well.

And so, you know, that is a huge problem for us. And so, you know, particularly in the consultations, we want to make sure that, you know, that work is getting to educators. And this is why it is critical for our work moving forward and why it is important to strengthen the capacity of tribal education agencies.

So we have also engaged with the Tribal Education Department's national assembly to make sure that we're understanding their concerns, understanding their needs, and making sure that we are looking to the agency for identifying resources and the kinds of things that we need to have in place to not only increase their capacity, but help them share the practices that their initiating.

We see great things going on there in terms of workforce development, in terms of how they're preparing their students for higher education. And so, you know, those are important to TCUs to begin reciprocating those kinds of sharing and best practices and so the communities of practice that Joyce will be talking about, you know, are critical to kind of what we're looking at as well as we get that continuum.

The -- the other things that we talked about is, of course, the -- the planning and reporting with the TCUs. And, you know, I've asked them to think about what are the critical things. If we could do this -- these agency plans, three-year plans at the moment and annual performance report, if we could do these plans differently, how would -- how would we do them?

Right now we have 11 criteria that reports on different things, as you know, programs/grants that are designated to specific tribal colleges, as well as technical assistance, internships, you know, things of this nature. 11 broad categories that --

And it's what -- what we're finding out from the agency perspective is that it is really a heavy lift for them to -- the outputs don't match that criteria. So, you know, the juncture at that -- where that analysis is happening is hindering participation because, one, sure, we're getting the reports, FY '10 being a great example.

We have a high percentage of agencies reporting back to us, but the quality of that data is questionable. And so what we hope to put forth is a mechanism that not only puts into place the policy team, but also, from the budget services standpoint, within each agency and on down to the different program offices within each agency, how those numbers are being validated.

Because we're not seeing, as we look with closer scrutiny as we reach out to, you know, people that we have relationships, either through AIHEC either through WHITCU itself, we don't see a match of

information there. And so that's problematic when we release reports that are essentially an assessment of agent federal efforts in respect to these criteria.

So the continuity issue, go back to that, is critical for us. I speak about this in terms of a community member, but I also speak about this in terms of a federal agency member that the three-legged stool of Indian education, if you will, rests in the positions of myself, Joyce, and Director Moore.

And these positions have been plagued with severe leadership turnover. And that has certainly inhibited, in many respects, our ability to support interagency-wide and arguably within our own agencies as well.

And so the support mechanisms that we've put into place -- and I think -- of course, probably biased in this respect. You know, we have a tremendous amount of support within education. And so it's up to Joyce and I. And I won't sign Joyce on to any longer than she commits. But, you know, that we are consistent in addressing these issues, and the community has to push us in that respect and support us in that respect so that we can be effective to identify these critical areas and act on improving them.

And the same is the case with Director Moore. We make sure to involve one another where we can certainly have a lot on our plate, but we're going to increasingly be working toward education.

Make sure that we stay in communication with BIE. There has been numerous avenues already that we've worked on. We're looking to formalize that relationship through various mechanisms, and WHITCU is certainly in support of that and how it relates to the work of the interior. But we're also talking about USDA (U.S. Department of Agriculture), labor, HHS (Health and Human Services), you know, just to name the critical few, and how that relates to our agency, whereas, in particular is that what I'm experiencing is that we have designated federal liaisons at the agency level. And they are doing some important work for us in terms of planning and reporting, if you will, the operations' side with what 132—13270 mandated.

But we also have a simultaneous effort going on in terms of either our own personal relationships, our relationships developing. So you have almost two different separate efforts going on within each agency or particular programs. And so how do I bring those two together?

And so I'm working closely with Director Bill to make sure that our activities are going to be -- we're in alignment with one another. We've already had great areas, particularly in terms of memorandums of understandings that they're seeking from other agencies to strengthen the relationships.

And so what we're looking at from an operational standpoint is what is our designated federal liaison team and how they relate to the interagency working group for WHITCU and then what are our implementation teams within the agency and how can we formalize that relationship, and by and large, how can we -- how quick those continuity issues.

So we hope to have process and procedures, organizational charts, in place for each agency. We're working to set a timeline on that in terms of what our temperature is for being realistic with the agencies, but I hope to do it within a half a year's time where we have that in place so when we have as high a turnover with our federal liaisons -- you know, we may have a federal liaison who's only there for six months, the Office of Civil Rights or some respective agency, and then they're gone. Or we may have one for one year. And the exception, rather than the norm, is that we have someone in place there for a year or more.

And so those liaisons are critical and what we know about that agency at the point that they leave is increasingly critical to how we're going to be effective in making sure that we get quality information from that agency and that we have quality time to be able to pursue some of the kinds of things that we want to do for TCUs.

So I guess given that -- I know I have a little bit -- ten minutes more on time, so I want to leave some time for questions and answers. I just want to close in saying that we had an excellent visit to Rosebud. Gracious hosts, one of my two tribes, two of the best tribes in the nation.

And, you know, Rosebud opened up the door to Secretary Duncan and he was very moved by the visit. He was able to have some quality time with the tribal president Rodney Bordeaux. He was able to, you know, spend time with students. You know, I know some of you here were in attendance there. And, you know, we really look forward to following them on some of those conversations as it relates to Joyce's work and mine.

And Secretary Duncan is committed to being in Indian country, in particular TCUs, you know, at least once a year. We hope to provide opportunities to attend even more. And so it's our job to really push hard on that. And I'm making that commitment to NACIE to make sure that we're leveraging as much as we can in relationships at the senior level to participate not only in our consultations but also in terms of being in our community and being present so that they can understand these issues.

There's no better replacement for understanding our communities than actually being there and having to go through it. You guys have all experienced the power of anybody, whether they agree with us or disagree with us, and how their experiences in our communities can change that. So I recognize how important that is, so those are things I constantly pursue. So I guess I can take questions now.

MR. ACEVEDO: Thank you, Bill.

MR. MENDOZA: And that was a joke about the two best tribes.

MR. ACEVEDO: I did have a Rosebud joke, but I won't tell it. Questions?

MS. JOHN: Mr. Chair, thank you for your report. In Alaska, we now have one tribal college. And I remember sitting on the conservatorship of national higher education, planning how to develop tribal colleges in Alaska about 15 years ago. So I'm glad that there's one process.

As we all know, that -- challenges in Alaska are very unique. We don't have roads. Students are in rural Alaska. Thankfully, we have business program in the department that I'm working on. I work in Alaska Native studies in road development where we deliver undergraduate and graduate programs where students can acquire credentials from home while working at home.

And my question is: What would be the ideal relationship now that -- between the tribal college and the University of Alaska system? We work with the same students. Sometimes we have hard time transferring their credits because some of them are special classes, specialized in their local area, their language and their tradition. And what would be the best relationship as the new tribal college is established in Alaska?

MR. MENDOZA: I think critical to that, you know, is -- is looking at -- you know, as we move forward, the executive order is going to be inclusive of Alaska Native needs. And so it will be important for -- I'm trying to remember the president's name there. Ken. It starts with a G.

Okay. And so, you know, I think especially for us, we need to -- it's difficult for them to attend AIHEC meetings. And so how are we having conversations? I reached out a few times to the president there to have these kinds of conversations.

And so I know that we will be moving forward with our consultation policy. And whether or not that is determined to have, you know, involvement consistently from Alaska, I would be really surprised if it didn't. But I think certainly that formal consultation policy is -- or the process is the one that I would rely upon the most.

And in my interactions, I try to make contact with presidents at least twice, you know, since I've been on here for the past nine months. And I've been successful to that about 21 out of the 36 tribal college presidents. And so there's still, you know, a gap there that I need to make contact within terms of meaningful conversations.

And so, you know, I think I can move forward with not only making contact with the president, but also the academic deans, as it relates to student support services, in particular to the villages and corporations, you know, that that tribal college has representation through, and then the interest from other villages in terms of tribal colleges as well.

You know, those -- there's a process for that in the interior, and we're increasingly looking at how we can take a more meaningful role in their understanding of limited funding for a study to explore a tribal college. And so, you know, how can we be involved into that process and support that to look at the private and nonprofit areas to help them engage in that planning and moving forward.

Certainly, AIHEC (American Indian Higher Education Consortium) is a critical partner for that. They have some limited funding as well. But they provide the predominant technical assistance, I guess, for emerging TCUs out there. So we also communicate through that mechanism as well. We look forward to further involvement from Slavic college and those efforts.

MS. JOHN: Thank you. I know in our program, one major problem is always technology. Some students can't even afford to buy a computer or they don't have a store to go buy a computer or Internet access. So I hope that you will find someone from there that can better define the real problems that they may encounter. Thank you very much.

MR. MENDOZA: Thank you.

MS. BUTTERFIELD: I'm -- I'm a little fuzzy on the relationship of WHITCU with the tribal colleges. Because I think you also have an advisory board, correct?

MR. MENDOZA: Uh-huh.

MS. BUTTERFIELD: And how does that advisory board -- I guess maybe it's more of a -- what is the charter of WHITCU as a presidential appointment? Presidential --

MR. MENDOZA: Board of advisors.

MS. BUTTERFIELD: Yeah, board of advisors. And so what is the relationship of what you're doing support or is different from what AIHEC does?

MR. MENDOZA: So the difference between the two is that we -- we interact with the -- we interact with Congress through the mechanisms, you know, that the agencies do. And so that's one big difference.

They're an advocacy organization, essentially. You know, they have, certainly, ties to tribal governments by an extension of the TCUs. But they have that capability. They do twice-a-year Capitol Hill visits. And all year long they're interacting with, you know, Congress to make their recommendations in terms of budget, in terms of policy, as they see them. And so -- and they do the same kinds of efforts with the agencies.

Where we have a different relationship is at the agency level and particularly to the administration, the tie to the White House through the domestic policy council and the Office of

Intergovernmental Affairs in particular in terms of how are we facilitating that relationship on behalf of the executive order.

And critical to that, of course, is an advisory board guidance. And so with -- with the assessment of the executive order and the direction of how we can utilize the executive order to begin to address some of these next-generation issues with tribal colleges and universities, you know, that has been a critical part of that. And the focus of the administration has been -- been on how tribal leaders are involved in that process and so, therefore, the consultations with tribal leaders. And so, you know, we're trying to bring together, as I mentioned, the 90/10 dilemma in terms of the education of our students.

And so our work, how we can be better utilized by AIHEC and how we're moving forward to be more effective to complement AIHEC's work is at the interagency level and at the agency level.

You know, we have direct access to the Office of Postsecondary Education. We have direct office and close relationships with the Office of Elementary and Secondary Education. Whether or not we have the capacity at the moment to be engaged in all of that simultaneously is yet to be determined. But that's the responsibility that I'm talking on as to how we can create the critical partnerships within program offices within agencies and cross-agencies to make sure that that work is being tended to.

And we see how AIHEC, you know, they, you know, may be scheduling one meeting that they can't get, you know, for months on end where we can schedule a meeting and have that meeting instantaneously just by the nature of being involved with the agency work group, by being involved with the various tribal liaisons at the agencies, and then particularly with the White House as well to begin looking at domestic policy issues pushed respective to, you know, agencies -- how that relates to the agencies.

Does that answer your question? Is that -- the difference --

MS. BUTTERFIELD: To some degree, yeah.

MR. MENDOZA: To some degree. Can I clarify anything on there? I don't want to not answer your question. I hate it when I can't answer your questions.

MS. BUTTERFIELD: Well, it's a little tough to follow when you're talking kind of in generalities.

MR. MENDOZA: Yeah, yeah.

MS. BUTTERFIELD: Like if you gave a specific thing that the tribe is working on, then how are you going to value that to -- I mean, the tribal colleges are working, then how do you value that? You talked specifically about --

THE REPORTER: I need you to speak into the microphone, please.

MR. MENDOZA: Let's take, you know, an aggressive plan for full planning for tribal colleges and universities. They have been pursuing that issue ever since the Tribal College, you know, Assistance Act was in place. And we all know full well the disparity that exists there and that that is not fully funded.

We can pick up that conversation and move forward with it when it is neglected. We can push, you know, in terms of being in unison with them at the Department of Interior. We can, if you will, take the issue and escalate that to the Domestic Policy Council in many respects. But we can't go to the Congress and lobby for that. We can certainly make recommendations within the budget. And that's the kind of work that doesn't get done if WHITCU is not active in that process.

And so the funding issue is critical in terms of the policy and appropriations, you know, as it emanates from the administration and as – as Congress, you know, reacts to that or is even proactive. And so there's difference – differences there in terms of specifics as it relates to different issues.

But that's a perfect example of where we're not active in unison with AIHEC, where we're not involved in the conversations that they are on the Hill. And so we can't, you know, anticipate, you know, what we need to be doing to hold agencies accountable for their own formula determinations in terms of how those decisions are being made and how they're being prioritized within the Bureau of Education and the Interior as to that issue in those complex funding streams and the policy priorities that go into place there. So that's just one example.

MR. ACEVEDO: We have another question. Virginia.

MS. THOMAS: Good morning. I don't have any questions. I did have one. It was actually about the accountability, and you -- you've answered all this. I was real concerned about the follow-through on, you know, the different organizations that you were networking with, and you've answered that.

So now all I can say is that, you know, the College of the Muscogee Nation there in Okmulgee, Oklahoma has just been blossoming. And I hope that you come down and visit us and see what we've got done. Our dorms are going up, and we're just proud of what we have. And we are also (inaudible) would like to reserve because of where we're located and where our tribal members are and happening. So I appreciate your work, Bill.

MR. MENDOZA: Thank you, Ms. Thomas. And I certainly appreciate the College of Muscogee Nation. I had the privilege of visiting there when I attended the Society of American Indian Government Employees. And I agree they're doing some wonderful things down there. It's a perfect example of a tribe prioritizing education and leaving that important work to the hands of those who know it best as the educators.

So one of the things that I was most impressed about is just the dedication of the staff down there. You know, I'm, of course, an advocate of the portions of American Indian Alaska Native professors being there, and they have a tremendously large ratio. I think it's almost like close to 100 percent, if not 100 percent, of their professors are American Indian and Alaskan Natives. And that's really important, and it's really important to kind of sharing their stories.

And one of the things that we're putting in place for WHITCU is how can we begin to highlight what is going available to the agencies. Because a lot of our work deals with informing the agencies as to the capacity, as to the shovel-ready projects, if you will, to put, you know, into action terms. And so that's been important for us.

We've been working with the TCUs to consolidate the planning and reporting their annual reports to begin to connect those and make those available to agencies. And, you know, within that is a narrative that I think can be conveyed in WHITCU's reports but also in other means too.

So we hope to really engage through public engagement, if you will, internally, as well as externally, to make sure we're doing our part to help support and validate the efforts as they play off the states.

We know full well that it's difficulty for TCUs in the states they're in, particularly the non-beneficiary students and particularly to validating the kinds of degrees that they're producing and how that relates to gainful employment for TCUs.

And so we really want to help tell that story, and we're ideally situated to kind of communicating that message and how we see agencies in their interactions with the field. So we're trying to do better in that area.

MS. THOMAS: Thank you for your work, Bill.

MR. MENDOZA: Thank you.

MR. ACEVEDO: Deborah.

DR. JACKSON-DENNISON: Thank you. I also want to say thank you to you, Bill.

First of all, I just want to say that I'm a product of a TCU, being the first TC -- the first college -- the first tribal control college which was then, now a community college. At the time my father was president there, and he worked very hard on tribal control colleges and the legislation and everything back in this time.

I really recognize and I understand fully what you're talking about when you say that the three prongs of Indian education -- in fact that's one thing coming from a public school superintendency, looking at whenever we go to Washington and -- and to address our Impact Aid issues and all that, I find that at the federal level -- we talk to Congress. We talk to people.

They recognize that when we talk about Indian education, they're only thinking about the BIEs. So there's a lot of work to be done at that level in understanding what I think you're referring to is 90/10 -- 90 percent attend public and state institutions and 10 percent attend BIE. And I think there's that big misrepresentation there that we still need to work strongly and understanding because -- making that relationship understood as to where really -- where the controls need to be as far as what we really want, what we envisioned to be as far as education is defined. I really see that as an issue.

And then at the local level -- and I've said this before and I'll just reiterate again -- Arizona is the largest recipient of Impact Aid funds. But where the distrust is in our tribal leaders when we talk about the teacher education programs. And I'm talking from -- I'm not saying it about myself, because I'm sure my father would roll over in his grave if he heard me say that we're not ready for it.

But I'm talking in a sense of hearing what people are saying in the public school sector of it and saying that, you know, what's going to happen if we ever give that to our tribal leaders and to be able to develop that type of a system where teacher education programs exist in, for example, Navajo? There's that fear from the public sector. And I know I've mentioned this to some of our tribal leaders. And it really does need to be an area that we -- it goes back to education and educating and building capacity.

So I guess I'm just sharing this with you because these are the thoughts that I have coming from the public sector but also being a product of a tribal control and a graduate and alumni of the college and moving forward and going back to the state universities and obtaining a higher level of education.

These are just my -- my thoughts, sharing with you about how -- what the dynamics are at the local level and how -- what it is that we can do as a consortium and as working with you and others to make sure that we address these issues. And only then will we really be able to get somewhere, I feel like, in education.

Because right now, you mentioned that there's yourself, there's Joyce, and then there's Keith. I think there needs to be -- I go back to what we talked about earlier that we really need that position that's equivalent to an assistant secretary of edu- -- Indian education, someone that can really pull that together and understand the issues at all local levels as well as at the federal level and working to build it stronger. I just see that as something that really needs to happen.

And I'm just sharing with you my thoughts about what you talked about and that there is a lot of fear from the public school sectors in our area. I know we heard presentations in the past about how they're ready for it and everything. But being that Arizona is the largest recipient of Impact Aid, I think that's -- and we're the largest public Indian land schools across the country, that it just really needs to be

known at your level that that does have a direct impact on higher education of Indian students. I share that with you as thoughts from my perspective.

MR. MENDOZA: I appreciate that. Yeah. And I don't know if I mentioned this to the advisory council, but I'm also a TCU -- I say product because one of the testaments of the TCUs is that they are a safety net for students who are stop-out students. And I was the epitome of a stop-out student.

This is a longer story than I'm doing justice here, nor do I want to tell it fully. But I attended Idaho State University my first year, inadequately prepared for my institution, not having the respect for education that I needed to have, trying to engage with that caliber of education at the state school level, and dropped out and worked career in Denver, kind of tucked tail, didn't go back to the Pine Ridge Indian reservation because I didn't meet the expectations that my peers and grandmother set forth for me. So I worked for a little bit.

And even before that, I was taking classes at Sinte Gleska University as a dual credit program. So that TCU reached out to me first. And so, you know, I went to Haskell Indian Nations University when I hit that other glass ceiling of being brown without a degree.

So I went to Haskell Indian Nations University. I went there. I found a new career direction and went back to Sinte Gleska University. From Sinte Gleska University, I went to Fort Lewis College. And then when I graduated from Fort Lewis College, I needed to take some Indian specific classes, as well as, you know, classes that were only offered in South Dakota. So I went back to Oglala Lakota College.

So I know full well of the contributions of TCUs and I feel very proud of that fact and how the best practices of TCUs need to inform higher education in particular. And we know that we have concerns within TCUs as well. And so how are we having those honest conversations about our own effectiveness and how does that relate to those outcomes and experiences, as I said before.

Thank you for those comments.

DR. JACKSON-DENNISON: Thank you.

MR. ACEVEDO: Thank you, Bill. Thank you very much. Appreciate you being here and for that discussion.

Alyce, do you have a quick --

MS. SPOTTED BEAR: Yeah, I just wanted to say that, you know, thank you for your input. And one of the things that I would like to mention is that Russell Mason is the chairman of our community college, and he's also the chairman of the Five Community Colleges organization in North Dakota. It's like a mini AIHEC.

And I think if you would outline your concerns, Rusty and probably the other college presidents, one of whom is David Gibb, who is, you know, is quite renowned in higher ed, would probably take your concerns to AIHEC. And, you know, he'd elaborate on them for you and promote them.

But the other thing I wondered -- you said how tribal leaders are involved in that process. I think it would be different for every tribal college, depending on how they're set up. Because I know the tribal leaders don't get actively involved in our tribal college, except by appointing a director.

Each -- each of the tribal business council -- yeah, each of the tribal business council members on our reservation gets to appoint a representative to the board. So that's where our board is made up. And that -- to me, that's how, you know, the leadership is involved. They report back. So I think it would probably differ for everybody.

MR. MENDOZA: I agree. I agree. And I think -- but I -- I think that's a problem. I mean, when you put that to a state context, when we put that to a national context, it would be akin to us saying that the governor of South Dakota doesn't participate much in education issues in the state of South Dakota, which 40 percent of his budget goes towards education; that our president doesn't participate in education much, but that education goes back to the president.

I think any time we can strengthen that relationship with tribal leaders, then the health and well-being of the nation as it plays across the country is better situated to address these issues in a way that they need to.

And this is where I am biased. Education is upstream to many of the issues that we're plagued with until our tribes begin to prioritize this issue budgetary and policy wise. And we've get -- we've received this feedback from TCUs. But certainly not micromanage, but (inaudible) kind of the importance but that does play out to varying degrees.

MS. SPOTTED BEAR: Okay. I would like to clarify what I said too. Because also, as the tribal relations person, I do go into the tribal business council and I report to them on what we're doing, especially when I go ask for money and tell them what we're doing or what we're going to do with the money, you know, so we get funds. So they do get the information and they know what's going on.

MR. MENDOZA: Yeah. Those are important stories, tremendously important, about how you guys are accomplishing that and the mechanisms you need. Because there are tribes where we visit with them and they want to start a tribal college and their tribe has a relationship with this said state college or this said community college and they want them to begin focusing on the resources and developing within the issue itself.

MR. ACEVEDO: Thank you. We'll have to cut this off now. We have -- we have Michael coming up next. Bill, thank you very, very much.

MR. MENDOZA: Thank you, Council.

MR. ACEVEDO: Thank you very much.
Michael, good morning -- or afternoon to you.

UPDATE FROM THE OESE ACTING ASSISTANT SECRETARY

MR. YUDIN: Good morning -- good afternoon, Mr. Chairman. How are you?

MR. ACEVEDO: Very good. Welcome. We're ready for you.

MR. YUDIN: Great. Thank you. And I'm so sorry I can't be with you all. I wish I were, but I'm stuck here in D.C.

So what I'd like to do for the next, you know, 40-50 minutes or hour or so is kind of just walk you through a couple of the major priorities that we're dealing with right now, kind of talk about some of the things we're going through, and then really just provide an opportunity to answer any questions that you may have.

So feel free, as always, of course, to interrupt me. I certainly would not be offended. I really want to just be able to provide you with any kind of information that will be helpful to you. So again, I'm sorry I can't be with you. I really wish that I could.

So let me -- let me just start, you know, again with some of the -- the framework for the secretary's priorities. As you all know quite well, too many of our kids are not entering school ready to learn. Too many of our kids are not graduating from high school. Too many of our kids who are graduating from high school are not doing so with the skills necessary to succeed in college and a career. So we have established a set of priorities to address these concerns.

A generation ago, the United States led the world in college completion. And today -- today, we rank 16th. A year ago I might have said today we rank 9th, but the data has changed. So today we rank 16th in the world in college completion.

We all know too well that our kids that do not graduate from high school or that do not graduate from high school with the skills ready to succeed in college and careers are not going to be able to compete for jobs. It is a moral imperative. It is an economic imperative. The president has made it perfectly clear that the countries that out-educate us today out-compete us tomorrow.

So as you all know well, we have a cradle to career strategy. It started with early learning, making sure that low income kids have access to a high-quality, early-learning program, setting high expectations for kids, making sure that they have access to college and career-ready standards, making sure that there are highly effective, great teachers in every classroom, great principals in every building, and that we're really focusing our efforts at turning around our lowest performing schools and closing -- closing large achieving gaps.

Those are our priorities in OESE (Office of Elementary and Secondary Education). Those are the secretary's priorities as we move forward. I want to kind of talk about a couple of things and how they relate to those priorities.

As you all know, we've been trying to reauthorize ESEA, the Elementary and Secondary Education Act, for quite some time now. We are, I believe, four years overdue for reauthorization. No Child Left Behind (NCLB) is important. There are certain provisions. There are certain components or ideas of No Child Left Behind that we think are very important.

And, for example, the No Child Left Behind required assistance to focus on some groups of kids, of student populations, that were not performing at the same -- at the same rate as peers. NCLB requires systems to focus and shine a spotlight on those kids and make educators and school systems think about how do we educate these kids, how do we do it differently.

Obviously, that's -- that's an admirable goal, and we think that's really important. But there are a lot of things that don't work. And the requirement that 100 percent of kids reach proficiency on state assessments by 2013/'14, is probably mathematically impossible and certainly unrealistic and not achievable in most cases.

And the failure to meet those targets in that proficiency -- that hundred percent proficiency has very real implications on the ground. There are consequences in No Child Left Behind for not meeting those targets, whether it's the requirement that school districts set aside 20 percent of their funds for supplemental services of school choice and the various consequences that happen as a result.

And we know that -- so this one size fits all, this punitive -- the punitive nature of No Child Left Behind really needs to be addressed. We have put forward the blueprint for reauthorization well over a year ago. I know that the council submitted its recommendations to Congress. It's critical that we reauthorize this law.

This past summer the President directed the secretary to say, You know what, Congress is not getting the job done. He had asked for a bill on his desk by the beginning of this school year and that did not happen. So he directed the secretary of education to move forward with flexibility for states and

districts that would give them breathing room, would give them space to take on some of the -- the -- the innovations and reforms that they want to do.

I can tell you from where I sit I've heard from states and districts over the last year or so that want to take these bold reforms. We know 46 states have adopted college-and-career-ready standards, but they're tied to an accountability system under No Child Left Behind that's aligned with different standards and punishes them for not meeting those other standards. And they want to move it in a completely different direction.

So what the President asked the secretary to do is come up with flexibility for states and districts to -- to give them the space, remove some of the barriers of current law that stands in the way of innovation and reform, that stand in the way of efforts to increase the quality of instruction and increase academic achievement. So we've done that at the President's direction, at the President's charge, and at the secretary's direction.

And I believe it was on September 23rd, the President released ESEA flexibility. And I want to talk you all through that a little bit to make sure that you are clear. I can answer any questions that you have about it.

There's some confusion -- I know at least last week when I was at NIEA, there was some confusion about ESEA flexibility. Now in context of ESEA flexibility, that is a part of Chairman Kline's bill and the House of Representatives. And I want to make sure that those -- that the council's aware that those are two very, very different things.

So I'm going to talk about what our flexibility package does so you all are clear. And I will want to answer any questions that you have to make sure that it's perfectly clear what it is that the secretary is moving forward with.

So as I said, you know -- you know, we wanted to provide states and districts with the space to innovate, with the space to increase academic achievement and improve the quality of instruction. And what we did is we identified a series of provisions in the law that do in fact stand in the way of innovation and reform and really raising the bar.

We will provide states with this flexibility, but it is not a pass. It is not a pass on accountability. It is not a blanket waiver. I'm going to walk through what those -- what those provisions that we will waive are, but I need you guys to understand up-front that we have taken every effort -- we have -- the objective in this was to provide flexibility and space for the states and districts.

But priority Number 1 was protecting the states. Priority Number 1 was making sure that subgroups of kids, whether they be Native American kids or English learners or students with disabilities or other educationally disadvantaged student populations are protected. So that was our floor. We were not going to move from there. But then we wanted to make sure that we were providing opportunities to advance and move forward. So those are kind of the parameters that we've kind of laid out.

We've identified a few key provisions that I'll talk about briefly for you that we will allow a state to waive. These are state-level provisions under the law, so they apply to the state. This flexibility package is based on the current law, which are SEA provisions. So these are state-level provisions or, in some instances, district level provisions. But primarily, this is a state level. It's not a governor. It's actually the SEA that is required to take on some of the these actions under the current law that we're waiving.

The first provision is the provision that requires 100 percent proficiency by 2013/'14. We will waive that provision and allow states to set ambitious but achievable targets that actually and accurately but ambitiously measure and track the progress of kids towards state standards of college and career readiness.

We will waive the provisions of law -- excuse me -- under Section 1116. And folks may know that's the provision of law that identifies schools as not -- as failing if they have not met the AYP (Adequate Yearly Progress). So if the school doesn't meet those targets that we said that they have to reach 100 percent proficiency by 2013/'14, under current law there are very real consequences.

And districts know you have to set aside 20 percent of your funds to provide supplemental services or other kinds of services. You have to set aside the money to provide choice. I've heard over the years that this is incredibly burdensome on districts. It doesn't -- the research shows that -- you know, that it is ineffective at best at improving academic achievement, but it really ties up the funds at the local level. So we would -- we would provide flexibility from that provision as well.

And one other provision that I want to talk about that I think is pretty important for you to know is we will provide flexibility to -- related to the use of federal education funds. But I need to make it perfectly clear that that is not Title VII. There is no way that we are allowing any different flexibility, transferring of funds, between Title VII and anything else.

So perfectly clear, again, because there was some confusion when I was up in the NIEA that that may be happening, and it's not. So Title VII is not going to be waived. There's nothing about Title VII that's going to be changed in this package.

What it does allow is programs that already under the law are allowed to have some flexibility like Title II, which is the teacher quality state grants or the ed-tech grants. Those programs have restrictions on how much of their funds can be transferred among those program. What we do is remove those -- that cap, that restriction, the amount.

So under the flexibility package, Title II funds that a state gets can be -- can be flexible. They can transfer it to the state ed-tech grant programs. They can transfer it to Title I programs. But there are no other programs that are -- that are involved.

So those are the -- those are the key pieces of flexibility that we've heard states and districts are most interested in. Again, this is not a free pass. This is not -- you don't get this for nothing. The secretary's made it perfectly clear that there's going to be a high bar. So we've identified a set of principles that we believe we can provide flexibility waivers from provisions of law because they will increase academic achievement and improve the quality of instruction. And briefly, I'll walk through those for you.

The first principle is college and career- ready standards and expectations for all students. So in exchange for the flexibility, states would have to adopt college and career-ready standards. As I mentioned earlier, I think 46 states have already done so, or 44 states have already done so. What we would want to see is the adoption of college.

And it's not necessarily the common core. That's one way you can do it. But there are other ways to do it. The state can demonstrate that it has standards that show that kids can graduate from high school without the need for remediation in the first year of college.

So if you can get your network of state institutions of higher ed to certify that these standards show that these kids can take a -- you know, can enter the community college and take math without the need for remediation, that's what we're talking about here.

Yes. Okay. You bet.

Excuse me one second. I have a -- okay. I've been tested and I can't read what it says. So I'm going to give this back.

MS. THOMAS: You love us more.

MR. YUDIN: What was that?

MS. THOMAS: I said we knew that you loved us more.

MR. YUDIN: I do. You know I do, Virginia. So okay. If you can excuse me one sec.

(Brief recess.)

MR. YUDIN: So anyway, so college and career-ready standards and expectations. We expect states to develop plans that, you know what, they have adopted these standards. We want to make sure that they have transition plans, that all kids are going to have access to college and career-ready standards, particularly low-achieving kids. So we're going to want to see the state's plans that are doing that.

The accountability system that's in place now, just -- you know, under federal law, isn't where -- where folks want to go. It's just not working. What we want to see is a differentiated accountability system that does a couple of things, that targets its interventions and supports to where they're needed the most. Current law doesn't do it.

You know, you look at -- New Mexico is a great example and I like to use it sometimes. Like 80-something percent of the schools in New Mexico did not meet AYP under the current law. So that means 85 percent of these schools have to go through this series of interventions, and there is no way they have the capacity or the resources to target interventions to kids where they're needed the most.

So what we're proposing is states develop a different chain of accountability system that does that, that targets its interventions and supports to where they're needed the most. We want them to identify the 5 percent of the lowest performing schools in the state. And we're going to ask them to do some pretty rigorous things.

And as you all may know, we have our school improvement grants program, our SIG (School Improvement Grant) program. And if a school is receiving a SIG -- a SIG grant or a SIG money, they should continue to do that. They can count towards that bottom 5 percent.

But if there are other schools that do fall into the bottom 5 percent of Title I schools that are the lowest performing, we're going to ask them to look at SIG-wide principles. We're going to ask them to look at their leadership. You don't have to replace the leadership, but we want you to take a serious look at the leadership in your school and are they the right leadership for this school. Is this the right principal?

Look at your staffing. Do you have the right teachers? They be good teacher, but maybe they're not the best teachers for schools that need significant turnaround efforts. So take a look at your staffing.

Take a look at your school schedule and redesign it. I'm not asking you to extend the day because we know that's expensive, but we're going to ask you to redesign it and look at it. We're going to ask you to look at your professional development and your instructional -- instructional improvements and your community supports and what kind of community and family engagement you have in place. So that's what we're going to be asking for these bottom 5 percent of schools.

The next group of schools we're going to ask you to look at is those schools, those 10 percent of schools, with the largest achievement gaps. So you've got the bottom 5 percent of those performing, and then we want you to take a look at 10 percent of schools with the largest achievement gaps and really develop a set of interventions that target resources and supports to help close those achievement gaps.

And then on the top end, we want you to look at top 5 percent of your Title I schools that are doing the best, that are making the most progress, the best gains. And we want to be able to recognize and reward those schools so we can actually learn from them and replicate them.

But anything else that the state really wants to do as for as it's differentiated account accountability system, we want to give them the space to do that. But those are kind of the key principles that we want them to do.

The third is key principle is teacher and leader effectiveness. And we want to make sure that states are developing frameworks and guidelines to evaluate teacher effectiveness and then work with their districts over the next few years to implement teacher and leader evaluation systems to support teachers, to provide professional development to teachers, so that they can make decisions about advancement or recruitment or retention so we know who the most effective teachers are and where they're teaching so we can get them to teach in the highest needed schools or where they're needed the most. So those are kind of the three principles that we're going to ask for in exchange for the flexibility.

One other thing that I want to talk about a little bit is our process, and that is we are establishing a peer-review process. We are looking for experts, you know, in a number of areas that will provide us with a very rigorous peer-review process. The secretary has said this is a high bar and we need it. This is not an easy thing for the states and districts to do.

One of the things that is going to be reviewed that is critically important is before states submit their request, they have to seek input from the community. They are going to be required to show us how they have engaged diverse members of the community, including student organizations and business organizations, but importantly Indian tribes as well. They're going to have to show us. And they will be reviewed how they have sought input and counsel from that group of stakeholders.

So that is essentially the process. We have 42 states, including D.C. and Puerto Rico, that have submitted intents to submit requests for flexibility. So there's great, great interest in this from states and districts.

We have set up a mailbox for any kinds of inquiries that states or districts or your constituents or your folks may have. We're incredibly responsive to it. It's eseaflexibility@ed.gov, eseaflexibility@ed.gov. So feel free to use that. But of course, you know, as council members, you can always get to me as well. So again –

MR. ACEVEDO: Texting now.

MR. YUDIN: Right. So the -- I want to make clear of one thing. So there was some confusion when I was at NIEA about our flexibility and then the bills that are moving through Congress. And they're very different. And I'm not going to get into what the chairman's bill does because I don't know enough about it in the House, but it does involve, you know, some comprehensive programs. But that is not us. That is not what we're doing. We do not support that effort.

And because there was some confusion, I'm going to speak with -- I'm going to try to get a meeting with the NIEA -- NIEA board and the NCAI board as well to walk through it with them to make sure that we're all clear on -- on what this flexibility is about. So that is flexibility in a nutshell.

There are a few other issues that I wanted to make sure to cover. I'm not sure about time. How much time do I got?

Okay. So I'm happy to open it up to questions at this point. But I do have a few other things that I want to make sure I get to as well.

So, Mr. Chairman, I defer to you in how you'd like me to proceed.

MR. ACEVEDO: Thank you, Michael.

Any questions at this stage of Michael from members of council?

(No response.)

MR. ACEVEDO: Michael, I think you're free to proceed.

MR. YUDIN: All right. So --

MR. ACEVEDO: Deborah has a question. Sorry.

DR. JACKSON-DENNISON: Just a quick question, Michael. Thank you.

MR. YUDIN: Sure.

DR. JACKSON-DENNISON: I was just curious. You mentioned New Mexico. I'm also curious whether New Mexico and Arizona submitted the intent to be a part of --

MR. YUDIN: So the list of states -- I unfortunately do not have the list of states with me. I know New Mexico has submitted an intent to request flexibility. I'm not sure about Arizona. But I can get that to you, and it is on our Website. So I'll make sure that I can e-mail it to Jenelle and we can get that information to you. I just don't know off the top of my head if Arizona -- I know New Mexico has. And they're not binding requests, so we'll see what happens. But I will make sure to get that information.

DR. JACKSON-DENNISON: Just a follow-up question then. If a state does not submit a request for an intent or a request if they're -- the intents are not binding, what happens to those states with large numbers of disadvantaged children, such as Native American children? What happens to them? You know, do they just not get their Title I funds or what becomes -- or other federal funds? Or what's the consequence?

MR. YUDIN: That's an important question. That's an important question. So this is a voluntary waiver of law. So a state can come to us. This is kind of the package of waivers of provisions of law that we've said, you know, we'll provide flexibility; we'll waive these provisions of law in exchange for these commitments to increase academic achievement and improve the quality of instruction.

States have the choice to do it or not. If they choose to do it and they can demonstrate in a meaningful way that they really are serious about taking that next step to improve outcomes for kids, then we want to work with them. And we're going to provide every opportunity, technical assistance throughout.

This isn't a competition for resources. New Mexico is not going to be competing with Massachusetts for a pot of money. It is just literally they will apply for this flexibility. And they're only competing really against a set of criteria. There won't be any deadlines. They can continue to submit.

If they're missing an element and say, you know what, we need to provide interventions in a meaningful way that's really going to target low-achieving kids as the peer-review process determines, we'll give them a chance to go back and fix that. And then they can come back in and have that peer reviewed again.

So if they don't do it, to answer your question, then they just stick with current law. So this isn't about access to new resources or pots of money. It just -- it just provides states and districts with flexibility from some of the provisions of law that are particularly onerous. So if they didn't come in and apply for it, they would continue to have to apply No Child Left Behind as it's written.

Does that answer your question, Deborah?

DR. JACKSON-DENNISON: Yes, it does.

MS. BUTTERFIELD: This is Robin. We were curious also. Is the BIE still considered the 51st state and have they requested a waiver?

MR. YUDIN: I'm sorry. I didn't hear you.

MS. BUTTERFIELD: The BIE, have they requested a waiver?

MR. YUDIN: No. So the BIE is not a state under -- under ESEA. We have to follow the provisions. We're waiving provisions that go to SEAs. So we've been having conversations with BIE, and we're working with them and we want to work with them to make sure that there's a meaningful opportunity for them to play an important role here. So we're absolutely working with them. But no, they're not considered a state under ESEA. And those are the provisions that we're waiving.

Okay. Feel free to come back to it. It's a lot of stuff. It really is. It's complicated. It's very thick substantively and process-wise. So we -- you know, we have today. Any time you have any questions, please, please do not hesitate to let me know and I'm happy to walk you through anything.

A few other things I wanted to make sure that we talked about. And as you all know, we have an incredible addition to our office who I believe is sitting -- sitting there with you, and that's Joyce Silverthorne. And Joyce is our new director of Indian Ed, as you know.

And a couple of things I want to say. First I want to say that I and the department are thrilled that she is here. She is incredible. She brings such an important wealth of experience and knowledge and skills and understanding to the work that we're trying to do here. So we are honored and privileged to have Joyce a part of this team.

So, Joyce, to you over there in the room.

But the second point I wanted to make is that I don't think we could have got Joyce if it wasn't for you, the to make sure that we looked for the right person, that we were looking for the right qualifications and set of skills. And my goodness gracious, we got it.

So thank you for your -- for your council, for your advice and your input. We could not have been as successful as we are in getting our new director if it wasn't for your diligence and your concern and your commitment to helping us find the best person for this job. So thank you sincerely for that.

And then there are just a few other things I want to make sure to get on your radar screen. You know, we've been conducting the consultations. We did a series of tribal consultations. We did some urban listening and learning sessions as well, which were incredibly informative and provided us with some real insights.

But there are three things that I kind of want to highlight that are take-aways for us here in OESE. And one is language immersion. And -- and I believe folks are going to talk about it later or Joyce may talk about it in greater detail, but we are looking at how do we use our resources to -- not do a study on whether language immersion works because we know that it is -- it does. We know that there's research out there that shows that language immersion is important and meaningful and helps improve outcomes for kids.

But what we're trying to do is find out how it works. How these successful language immersion programs work. We want to be able to break them down so we can replicate them and learn from them and share and disseminate them. So that is, you know, one thing that we heard loud and clear that we need to do a much better job of, and so we are. And I know Joyce -- I believe Joyce will be talking about that shortly.

The other thing I -- there are two other issues that I want to highlight. One is -- a take-away for me and I know others that were there is that we are -- we are challenged here in the department in identifying how our Title VII dollars and how our programs are working, how they are actually improving outcomes for kids.

We don't really have the right information to determine what are the best practices, the best uses of Title VII dollars out there. There are great examples. You hear them anecdotally, but we don't collect that information. We haven't studied that information. We need that information. So we are moving forward to find that information so we can identify what are the best and most effective uses of Title VII dollars so we can replicate -- learn from and replicate those -- those -- the programs.

And the third -- the third issue is technical assistance and that we need to do a significantly better job of providing technical assistance to our grantees as well as the community.

As you all may know, just last week we held our technical assistance workshop. I don't know if you had a chance to be briefed on it yet or if you will, but it was great. We convened some of the leadership here in the Department of Education. We've got, you know, some really high ranking officials to participate in this.

And what the objective was, was to identify federal resources, federal programs, that we can leverage, that the community -- how do you -- let me back up.

Title VII is such a critically important program. It is unique in that it is designed to address unique cultural educational needs of Native American and Native Alaskan kids. It is a unique and critically important program, but it only gets \$120 million. And we know how districts are strapped for money. And we know that many districts, the amount of money so small there's not enough scale to really, really do what needs to be done.

But in Title I -- and you guys have heard me talk about this. In Title I, there's \$14 and a half billion dollars that goes out to the states based on the numbers of poor kids to serve at-risk kids. So how do we leverage those dollars? That's really money. \$14 and a half billion dollars. How do we leverage those dollars to improve the outcomes to the Native American kids?

So we held sessions on that. We brought in our Title I experts to talk with folks. We brought in our early learning experts to hold workshops. We brought in our higher ed our post-secondary ed. Bill Mendoza was there representing tribal colleges, providing workshops. We had safe and healthy students there. We had special ed there. How do you leverage all of these different federal resources and programs to improve outcomes for Native American kids?

And I think we were pretty successful. We had over 400 participants the day before the convention, the NIEA convention. 407 I think is the actual number participated in our workshops. And again, we had senior leadership out there. So we were really thrilled. We think that's a really important opportunity for us at the Department to make a -- to make a difference and really find ways to improve outcomes for Native American kids. So that's one thing.

The other thing I want to talk about is -- and we had a closed meeting with NACIE (National Advisory Council on Indian Education) a number of months back where Peggy Carr from National -- from NCE (National Center for Education Statistics) talked about the NIES (National Indian Education Study) study and we talked about some opportunities to provide additional technical assistance.

So one of the things that I want to, you know, make sure I talk with you about is we are looking for opportunities to provide additional technical assistance through our comp centers. We had decided not to have a national center, as we talked about on that call, a national center on Indian education, primarily because of the costs of setting up and standing up and running a center solely dedicated to that would eat up so much of the money, because there's so little money, that it wouldn't have enough resources to actually do the work that it needed to do. We'd rather spend the money on the technical assistance itself.

So the comp centers are going to be complete in the spring of 2012, and I believe Liz Grant who's on our staff is going to be briefing you a bit on that either later today or tomorrow. But I just wanted to put that on your radar screens to think about that that's coming for conversation and discussing -- and discussion with you. What is the best opportunities for us to provide technical assistance through our comp centers.

So give some thought, you know, what are the types of services that we need to be providing, maybe some of the regions and that maybe -- we need to focus and really try to triage and prioritize our monies on.

I'm going to wrap up. I just have a couple of other things that I want to make sure to cover. I've been talking incessantly now for quite some time, and I'm sure you're tired of my voice. I certainly am.

We have the tribal summit coming up soon. I believe it's going to be in December -- the end of November or beginning of December. This is the third tribal summit that the President is hosting. It's a great opportunity. I hope you'll learn more about it over the next day or two.

I also wanted to highlight that the Office of Safe and Drug Free Schools has been restructured and is now a part of the Office of Elementary and Secondary Education. We think that's a great, great opportunity.

If we're all about how do we improve outcomes for kids, we need to be looking at learning environments. We need to be making sure that our kids are safe and healthy and they're learning in the best conditions that they can.

So the secretary made the decision to organize this set of programs into OESE. So we are thrilled about it. We think it's the right thing to do from a policy perspective so that the experts on safe and healthy students are talking to the experts that are looking at how do we improve academic achievement. So we're all part of the same conversation really and making sure that our silos are breaking down and that we're really doing the best we can in maximizing our opportunities to improve -- improve outcomes for kids all the way around.

But the reason why I raise it is because we've issued a notice of proposed priorities that would give tribes preference, competitive preference, for some of those programs. We're still working through what that final rule will look like, and I'm happy to share that with you when we do. But I wanted to make sure that you're aware that that's on your radar screen.

Couple of other quick things, not that they're not important because they are. So I don't mean to give them short shirts here. SIG, our school improvement grants, I just want to make sure -- and I don't know if you're going to be briefed on that. I think you may be as well.

But now we are -- we have awarded \$4 billion to turn around the lowest performance schools in this country, and it's well over a thousand schools have received grants to do that. It's not without controversy. It's very controversial. But we're really beginning to see some progress. We're really beginning to see some change.

I've had the opportunity myself to meet with some teachers and principals and leaders that are taking on this effort. And I've got to tell you just from a personal perspective that the commitment and the vision that I've witnessed is very, very exciting. Because these challenges are great.

But the reason why I bring it up is because 90-- over -- I think it's 91 -- 90 schools that are currently receiving SIG money have significant Native American student populations in them.

So where we talk about how do -- we what kind of resources do we leverage, there's \$4 billion out there now that is targeted to the lowest performing schools. And we know that there's a good significant chunk of schools that have significant Native American populations. So we want to also be thinking about how to do a better job of leveraging that as well.

I know you guys submitted the – your report to Congress. That's great. I think you need to start working on the next one. You know, I leave it up to Jenelle and others and of course the chairman to work through that process.

You know, and I just wanted to kind of give you my own personal experience as a former staffer in the United States Senate when we received reports. They are valuable to members that want them to be valuable. They are valuable to members that are writing legislation that are relevant to the programs. They are valuable to members of the Indian Affairs Committee, certainly. So there's real significant value to your reports.

You know -- you know, if I had a certain agenda as a staffer for a particular member, I'm going to look in that report and see what I can take from it, what I can glean from it, and really turn it into a piece of legislation to move. So it's important work and thank you for your efforts. I know that was a lot of work that you guys had to do.

I want to make sure, though, that it's, at least from my personal -- you know, my professional and personal perspective, that those are recommendations to Congress. You know, you are statutorily authorized for making recommendations to the Senate. So you don't have to wait for that annual report to Congress to make your recommendations to the secretary.

So, you know, I -- I so value your input. I respect you so much. I think you provide us with great opportunities. This is incredible learning opportunity for me to be able to work with you, you know, this past year or so. And I want more. I would love to -- we would need to benefit from your -- from your council.

So you don't have to wait for that annual report to Congress to make recommendations to the secretary. You can make recommendations to the secretary, and they're really valued here. So I just want to make sure that I express that.

So with that, I'm going to stop. Thank you for hearing me, listening to me, to the extent you did. Again, if there are any questions, I'm happy to take them.

MR. ACEVEDO: Michael, thank you. We do have some questions. Sam.

MR. MCCRACKEN: Hi, Michael. Sam McCracken.

MR. YUDIN: Hi, Sam. How are you?

MR. MCCRACKEN: Good. I was wondering if you had any updates for us in regards to the partnership between the Department of Education and "Let's Move" in Indian country, any work that you guys might be doing in collaboration.

MR. YUDIN: So I do not have enough information. I don't want to send -- tell you anything that's misleading, Sam. So I don't know, folks that are there, or if it's on any of the agenda. If it's not, I'm going to find out and get it to you. It's just not something that I personally have worked on. But I will find out for you.

I know that it's a priority for the administration. I know there has been activity and partnership. I just don't know enough to answer your questions. So let me -- let me find out and get back to you on that.

MR. MCCRACKEN: Thank you.

MR. ACEVEDO: Robin.

MS. BUTTERFIELD: Michael, I have just kind of some connect-the-dots comments, I guess. First of all, I appreciate the three areas in terms of the take-aways, especially the technical assistance centers. I'm sorry to hear that it's not going to work out to do a separate one. Because my experience has been that that's the way the business has been done, which means it hasn't been done, in that the technical assistant – comprehensive centers have paid minimal attention, if at all, to the needs of the Indian countries. So if there's a way to make it very high profile and part of the RFP (Request For Proposal) or something, I think that might make a difference.

But I was also struck by the 90 schools that you said have been identified as SIG schools. And that would be a huge resource if we could unearth the strategies that are successful strategies that those 90 schools are using to turn them around. And that could be a resource center task, you know, that could be shared broadly with Indian country.

MR. YUDIN: Absolutely.

Could I see the agenda. Yeah.

I just want to look at the agenda to see what your -- if -- yeah. So tomorrow on the agenda actually, David Yi, who is one of our staffers here, is going to actually present on school turnaround learning communities.

So he's going to be -- he's actually on our school and his staff on our office of school turnaround. So he can talk more about it. That's why I didn't want it -- I just wanted to make sure it's on the agenda and it is.

But I think that's a great point, Robin. It is an incredible opportunity to learn from, and we should exploit that, seriously exploit that. That's a great suggestion.

MR. ACEVEDO: Mary Jane.

MS. OATMAN-WAK WAK: Thank you. Good morning -- good afternoon, Michael. My question is kind of a follow-up to Robin's question regarding the comprehensive centers and the content centers. When we look at that development, will that be funded under the currently appropriated conference center by 56.3 million to support the direct technical assistance in Indian country?

MR. YUDIN: So tomorrow at 11:00, Liz Grant, who is our special assistant who is running the competition for us from the political side, will present to you. So I want to make -- she's got the more accurate information, Mary Jane. And I want to -- I want to make sure that have you the most accurate information.

So she is spending a half-hour with you all tomorrow to talk about the competition for the comp centers and how that -- how the TA fits into that. So I'll make sure to speak with her today to make sure she has that for you.

MS. OATMAN-WAK WAK: Okay. Thank you

MR. ACEVEDO: Jenelle.

MS. LEONARD: Oh, Mr. Chair, Michael, this is Jenelle. And to --

MR. YUDIN: Hi, Jenelle.

MS. LEONARD: Hi. And to follow-up on Robin's question about the existing comp centers and the services that they are providing, at the TA day, we actually had six comprehensive centers to come and do two presentations to speak to all of the services that they were providing under the existing comp structure. We had more who could have come, but we just kind of limited it to the six that did come. And what we can do is we can get that information for you.

But to -- but to follow up, certainly, Theresa, for you as well, there's a comp center in Alaska. And if you want to know specifically what the services are that are being provided as a matter of record, you could request the department to provide that information to the NACIE board.

As well, Robin, if you want to know more activities that the existing comp centers are providing for Native American students, the board -- I mean the council can request that and we can prepare that and submit it. I'll send it to the board. Just a suggestion.

MR. ACEVEDO: Other questions of Michael?

MS. WHITEFOOT: I have -- Michael, hi. This is Patsy Whitefoot. I want to say thank you for participating in our NIEA technical assistance day. I was really pleased at the turnout that we had in Albuquerque.

I did have the opportunity to attend some of the sessions, and I want to go back to Title VII. I know that you're going to be looking for input from our -- what you want to identify how the Title VII programs are working and some of the best practices.

I would hope that the Department of Education will be, you know, talking with the programs that are out in the field because I also have questions about Title VII as well. And some of them will be answered here.

You know, we're expected to respond to the GPRA (Government Performance and Results Act) measures, but we've not really seen the GPRA measures. And when you complete the EASIE form, you know, you don't -- we don't know how those various categories had been developed in there that we're responding to.

So I just hope -- I strongly recommend that the Office of Indian Education speak to the Title VII programs both on Indian reservations but also in our urban communities where we have a significant number of students attending public schools and our tribal schools or bureau funded schools as well.

And then secondly, I'm pleased to learn that while there have been cuts I know that have gone on with the Office of Safe and Drug-Free Schools, when I attended the session with the individual in Albuquerque, he was not aware of the need for tribal preference. And I think participants were a little frustrated that that individual wasn't able to respond to that -- that need. So I'm pleased to hear what the Safe and Drug-Free Schools will be looking at title preferences for these programs.

One of the recommendations that I made is that office really needs to be working with SAMHSA (Substance Abuse and Mental Health Services Administration) where we have a number of grants that are in place and tribes have a history of working with SAMHSA on substance abuse and mental health issues. So of course, that's -- a part of that is under the law and order act that was just passed recently.

And then thirdly, some of us -- several of us attended the Office of Civil Rights workshop as well. And there were a number of comments made. And I don't know what kind of report is going to come out from the technical assistance day, but I think it will be helpful to have some type of summary on each one of those workshops, because there were some strong recommendations that were made.

And one of the recommendations I made around, you know, civil rights related issues, while we take a look at the report that we have here and Office of Indian Education has cited -- cited risk factors for Native students. And we know what those are. However, we're not really looking at what are some

of the protective factors for our Native students. And I'm glad to hear, you know, language immersion is one of the -- so taking a look at language.

But around civil rights issues, here in the Northwest, we're just aggregating data on school suspensions/expulsions. And of course we know that Native students have probably the highest rate of those -- those expulsions.

I'm always very careful of not singling out schools. Because then what happens is our Native educators become targeted. Their positions become jeopardized in the Indian education programs around civil rights issues. And I'm always worried about that. So any time we start segregating data, in many of our programs we have a pair of professionals that are working in those positions. And so I'm always very guarded about them.

And as we move forward on civil rights issues, I would hope that we would take a look at them in a more proactive team approach, rather than jeopardizing individuals in their role as Indian educators for choosing our public school systems.

MR. YUDIN: Thank you. Thank you for that. I'll make sure to follow-up personally, as well with the Office of Civil Rights, to see, you know, what -- what the conversations are and if there's anything that they intend to do with your recommendations in particular. So thank you for alerting me to that.

And just to respond to your first question about best practices, absolutely we intend to go out to the Title VII programs to glean the information.

MS. WHITEFOOT: Great. Looking forward to that.

MR. ACEVEDO: Any other questions for Mike, members of the council?

There are none. Michael, thank you very much for a very comprehensive analysis and a great deal of information you gave to us, as always. Much appreciated. Thank you.

MR. YUDIN: Thank you, Mr. Chairman. My pleasure. Thank you all.

MR. ACEVEDO: With the indulgence of council, we will break for lunch and be back here at one o'clock.

(Afternoon recess.)

(Afternoon session beginning at 1:15 pm, taken by Court Reporter, Kimberly McLain.)

OFFICE OF INDIAN EDUCATION PROGRAM OFFICE UPDATE AND FY 2012 ACTIVITIES

MR. ACEVEDO: Please take your seats. We're going to start the afternoon session. Joyce, our new Director Office of Education will give her first presentation. Joyce, you have the floor.

MS. SILVERTHORNE: And we have the crew from D.C. and the office in the audience out there. Hi. Nice to see you guys. Jenelle was talking but nobody could hear you at the time.

MR. ACEVEDO: Joyce, move the microphone closer, please. Thank you.

MR. MCCracken: We want to hear every word you say.

MS. SILVERTHORNE: I don't think I've ever been accused of being a soft-voice person.

What I have prepared for you is not a complete description of what we are doing at the Office Indian Education, but it is an overview of some of the important highlights. And so in the PowerPoint I have some places for discussion starters. Pardon me.

MR. MCCRACKEN: Is that your staff up there?

MS. SILVERTHORNE: Yes. Bernard Garcia, Alfred Lott from Impact Aid and our staff members in back. Lennie Picker, Gerald Cair, and Andrea -- sorry, Annabelle. They're from Impact Aid and from the Formula and from the Discretionary. So they're a little bit of each of those departments.

We have two major programs that we work within the Office of Indian Education. The first is the Formula Grants and the Formula Grants are established through the EASIE process and I know that Bernard is going to talk to you more about those programs in more detail. And the application is a two-part application. There will be some information going out to all of the grantees and all of the people on the email list about the current years next opening for grants. And that information should be coming out fairly soon.

The other two major programs that we operate are the Discretionary Programs and the first is demonstration. Demonstration works with the innovative ideas, those programs that are not necessarily defined under the Title VII Formula programs. They are written by either schools, by higher education and/or by tribal organizations.

The next one is the Professional Development Program and the Professional Development Program is one for teachers and administrators. And that is a Discretionary Grant as well and with both of those programs are going to have more detail for you in a moment and so instead of spending time on those -- believe me, the staff can give you far better detail than I can and at six weeks on the job, I'm still going over the 75 pages of acronyms that we have to memorize. Some of those acronyms are multiple, different interpretations and whole sentences can arrive an acronym alone.

This morning you heard from Bill Mendoza and he talked about a three-legged stool. And your next page is exactly that, talking about the three different parts of Indian education in Washington D.C., and that is the White House initiative on tribal colleges; the Bureau of Indian Education with Keith Moore, and our office, Office of Indian Education. All three of us are recent hires for those departments and so I would like to extend -- Michael Yudin this morning talked about his appreciation for NACIE and the ability to recruit and bring in people to the offices. I would like to emphasize that again. Interviewing for this position was an experience unlike anything I have seen happen in these offices in the past and I truly appreciate the hard work that NACIE did and what Jenelle has done in being the Acting Director for the past two and a half years. And without that kind of devotion and --

(Round of applause.)

I know from the materials that I saw when I came into this job, that there were things that have changed. That there was attention being paid to some important issues that have been important to Indian country for a long time and I appreciate that and I value the fact that is a possibility.

Also as a new person in D.C. -- and the thing I am told is that it is appreciation for the field and that is the fact that the department, the programs are talking to each other. There is interagency communication. I've only been able to make it to one of those meetings so far but there is cross departmental meetings that are taking place. And they are taking place as consequences and outcome of the consultation process. And so even though you may not see a lot of things on paper yet, it is a changing environment.

We are also having a number of things that are taking place in the office. Opportunities to meet with other programs, and conversations about how we interact and how we serve some of the same places. I feel confident that as we start looking at the best practices process in Title VII, we will be talking to other entities within our Office of Elementary Secondary Education and looking at how we cross over and serve some of those same schools. The opportunity for looking at the turn-around process, the SIG schools – over 90 schools are being served by SIG funding, are serving students or schools in high population Native American schools. In Montana I know that all of our SIG schools were high population Native American schools. And so that overlap can't help but begin to focus our attention and our conversations. First of all, in how we all serve the same schools and are we even talking the same language. Are we looking for similar criteria? Are we looking at complementing each other's programs? And that's a conversation in process at this time.

We have a new hire. Lennie is coming on to our staff. He came to the office the day I was leaving and so we got to say hello in the hall and hug and that was about it, but he has been there. He's going through the new hire workshops and we are glad to have him with us. Also, we have another position that is open. It is a retirement and we've been able to fill another position which is a GS-9 position and you'll see that there is a sheet for that and you can call that up and that is going to be open until, I believe, it's November 23rd.

Our Technical Assistance Day this year had different rooms, two of which were devoted to video technology. And we had four sessions in each of those rooms and they were all full. So 44 different workshops; we had over 400 people in attendance. We had senior staff from many of the programs and departments out in D.C. either in person or videotaped in. Quite honestly, I wish I could have attended more of the workshops myself. Just the very opportunity to hear how these different programs are both working with Indian education would have been important training for me as well as for the folks who were able to attend. We had good attendance. This is the second area that we have done the Technical Assistance Day. It is planned for next year as well. Each year, hopefully, getting better and more skilled at how we deliver the information and how we collect the questions and concerns the people have and bring them back for discussion.

Tribal Consultation has made a tremendous impact in Washington D.C. The whole process of collecting this information and hopefully getting it back out in report form is not a smooth process. There are many steps to getting anything vetted and processed out once the information has been collected. We have a document that is a quarter of an inch thick with comments from the field and that is being compiled into a report. We are working on that and we had hoped, as Bill said this morning, we will have that out before the end of the year.

There are several things that are being accounted as part of the outcomes of that Tribal Consultation. The tribes want to collaborate with states on how Indian students are educated. Working with states is not something that we have done in the field as a matter of business on a daily basis for many of our states. And so that change is one that is not always a smooth process and it's one that I think we need to share with each other and figure out how to make it work better for us. I know that it's been a long process in Montana. I'm sure it's a long process in the other states as well and it's dependent on each state, the criteria and things are different.

The support for further efforts to restore and preserve tribal language and culture; it wasn't so long ago that I don't think that was a priority of Washington D.C. I think that we are seeing some opportunity for some very positive change. In a few minutes, we'll talk about some research that is going to go on beginning this year.

A belief that tribes are currently lacking capacity to compete with states for discretionary funding, capacity building is a major concern for many places. Whether it's rural and how they are able to build the capacity to make those applications. Whether it's urban and working with the many

different tribes that they work with and different needs from different communities. The efforts to try and be competitive when in some of the larger states, larger areas, in comparison Montana has statewide what New York City operates on a daily basis. And being the fourth largest state we need to try to look at how do we bring that information together, bring consensus, application. It's a very different animal for that state compared to New York City. So some of those comparisons -- and we're hearing more about the block granting. You heard this morning from Michael Yudin that this is -- they are assuring us that they are not looking at block granting Title VII. And that has been a question that we've received was we've gone out.

Seeking to modernize dilapidated schools. When you tour the tribal schools around the country, frequently they are schools that have been -- we visited one in Albuquerque the other day and they were in modular units, 12 modular units, and that is their school. And so certainly the facilities is a major issue, a major part of how we have children value and feel a part of their school atmosphere. Desire to have high quality student data -- and we have heard for a long time the concerns for sharing data with tribes, sharing data about the students that the tribes serve and the barriers that happen in getting that information back to tribes. That is also a concern between our different agencies and entities. How do we make sure that our K-12 system is educating our students and at our tribal colleges? Our universities are receiving students who are able to compete. Cradle to college, certainly not an issue that is unfamiliar to us in Indian country. We have been looking at making that better for a long time.

What do we do with the difference between bureau schools and tribal schools? As a tribal education director, we didn't always know when our students were coming back. We knew when we sent them. We didn't always know when they were coming back.

And closing achievement gaps; certainly the work that is being done in the turnaround schools is important. How we coordinate, how we collaborate and how we make sure that our goals complement each other. Recognizing the challenges faced by many reservations has an impact on student educational outcomes. It's never just a school. It's all of our communities and how well our children's lives are on a 24-hour basis, not just the 6 hours that we have them in school. And so those issues do have an impact on how well those kids do. They do have an impact on the health and ability and safety of children.

And wanting to follow up on consultations with the department and that is, at this time, the best open door I think I have ever seen in the 40 years I have been in Indian education. It really is a positive atmosphere coming in -- not only is Jenelle a proponent of Indian education and making sure that research and issues of concern were incorporated in our contracts but the other agencies within office of elementary agency programs within Office of Elementary Secondary Education really want to have conversations about how we can work together. We have a window of opportunity that is unlike anything that I've seen in this history of education and I think we need to really look at how we can best utilize that time and make sure that things continue and move forward.

I feel like I'm talking really fast but you can't -- we have what's on the paper and then we have the notes that Jenelle's been writing me all through the morning so she's coaching me.

National Activities: National activities has not been something that has been, in my mind, something I understood prior to getting the office. And I think that we are looking at an open door or an open atmosphere that is refreshing. We have a number of activities that both support the consultation process. We are looking at a no-cost carry over with Kauffman and Associates and that will be continuing on to March 30th, and they've grown. They have become very successful working with

Indian issues and entities across the country and they are no longer considered a small business. Is that how that -- and so they've grown and that's a success story. They will be taking care of this meeting with NACIE. We have two Urban Listening sessions. One for Rapid City and there is a tentative

December 14, unless somebody has some knowledge, we are not aware of whether that conflicts with something. We're looking for the facilities. We're looking for the opportunity to try and incorporate that with December 14th.

No questions, comments?

We're hoping to not compete but match the time so that people are able to be there and still go on to the next important issue.

MR. MENDOZA: Bill Mendoza. Part of our understanding, too, is that they are having a language conference there. So I think that would be a good opportunity to hear about language history and culture as it relates to the Great Plains Region. I know they attract a lot of representation there from not just from the Greater Plains, but from across the country. Again, we're looking for advice and any aspect to not disrupt any of the activities that go on there, but we're flushing that out a little more, too.

MR. MCCRACKEN: So as you know, that's one of the biggest events in the Mid-West. So I think the timing would be ideal, the fact that a lot of people will be there. Whether we can attract them to the session, that's yet to be known but planning-wise, that was brilliant because all the people will be there. Right? I mean, there's 8 to 10,000 people that are going to Rapid City just for the basketball tournament. It's called the Lakota Nation Invitational.

MS. SILVERTHORNE: 8 to 10,000 people? Okay. I wasn't exactly expecting 8 to 10,000 people. Interesting. If we could get a portion of that, we'd be happy. We are also looking at Seattle, Washington, and we're looking for potential dates and times, where again, where we can look at the people coming together so that there are additional folks that we might be able to reach that way and looking for opportunities to bring this into the Seattle school area. Trying to find more input from urban school settings and this is another one of the areas that was requested after the listening sessions.

MS. WHITEFOOT: Patricia Whitefoot. You just might consider sometime in April for our University of Washington Pow Wow that we have and there will be about 30,000 people there. I don't know about the rain. Then we also have meetings with our tribal leaders, too, so that's one thought.

MS. SILVERTHORNE: That would be after our contract ends and so I don't know if we can.

MS. WHITEFOOT: Possibly something with the Affiliated Tribes of the Northwest Indians would be meeting in that area, but it's something we could work on collaboratively, as well, in mid-February.

MS. SILVERTHORNE: Mid-February? Okay.

Also we are looking at new and continuing directors' meetings that will be held in November and December. And so the meeting for the Demonstration Program will be 16th and 17th of November in Washington D.C., and the Professional Development will be November 30th and December 1st.

Would you like to talk about the tribal leaders forum in December, Bill?

MR. MENDOZA: No.

MS. SILVERTHORNE: We are looking at trying to be involved in, as well, in the President's Tribal Leader's Forum.

MR. MENDOZA: Is this the one you were asking about?

MS. SILVERTHORNE: Yes.

MR. MENDOZA: Okay. I guess I did have something on that. I apologize. So as you all know, or may or may not know, it was announced October 28th, invitations were sent out to tribal leaders for the year's White House Tribal Nation Summit, to be held on December 2nd. The conference will be held at Interior. Interior has graciously extended an invitation to the Sidney R. Yates auditorium. This Summit will be held from 8:30 a.m. to 3:00 p.m. There will be somewhere in the vicinity of five or six break-out sessions for that particular event. But in conjunction with kind of how the White House has been approaching this in previous years and kind of learning and building upon the previous summits, they have proposed two sessions to occur on November 30th and December 1st. You should have in your packets for this afternoon a breakout of what that looks like. But on Wednesday, November 30th, there will be two regional break-outs that will be attending meetings at the Eisenhower Executive Office Building and then another grouping on December 1st and you'll see the tribal breakdown there.

Part of the rationale behind this was that tribes really felt that they had to make difficult decisions about which sessions to go to during the tribal nation summit and the activities surrounding that. So they really wanted to try to focus on regional issues in terms of how they are interacting with the senior agency officials. So that was part of the reason for structuring it this way. So what the White House is doing, not only are they going to be focusing senior leadership on these break-out sessions, but they are also going to be doing that in these listening and briefing sessions that are going to be held at the Executive Office building. And so there's other details there about the tribal leaders, listening, concerns and ideas about what needs to be included in terms of the development of the agenda for the summit itself, and of course, the development of the briefing and listening sessions.

And so what we've been advising educators is to escalate those issues through your representative organizations but particularly within your tribal governments because this isn't a tribal leader forum and so there will be one representative from each tribe attending. So hopefully they can prioritize education issues to carry those messages forward. I just want to point your attention to the deadline for comments regarding the agenda and I think that is Wednesday, November 16th. So if you want specific concerns to be addressed, albeit broad or specific, you know, make sure that those get to your tribal representatives. If you have any questions about who your tribal representative is that will be attending, please contact the White House Office of Intergovernmental Affairs and that contact information should be there. And if you have any problems, please let Joyce or I know and we can help facilitate those conversations as well. We will be engaged in -- the Department of Education -- the White House Initiative will be engaged in these we will be focusing our attention on these events to make them as meaningful for the tribes that will be involved and so those are kind of our activities up to this point. And we will try to provide more information through the appropriate channels as we receive more so the development of this agenda is moving forward. Is there any questions regarding that? Okay.

MS. SILVERTHORNE: Thank you, Bill.

And then the next section is a part that is a wonderful opportunity. We have a new contract for national activities with Windwalker. And Windwalker Corporation is an Indian-owned, woman-owned small business, 20 year history, and they will be looking at language immersion. And the first meeting, that was five days after the contract was let, we had to meet with them for an initial meeting and they brought -- outlined a proposal. They are willing to work with us to make some refinements. It was kept recently broad so that there could be some work to focus it and make sure that it's going to do what we

need it to do. This will be the Department of Education -- it's like a doctor's appointment. You have a blood test at one, the next doctor wants to draw their own blood.

Research is a lot like that and Department of Education wants to have their own research. And their own research to validate some of the things that we are seeing that are already out here in Indian education and to look at how that affects best practices and what we're doing. To look at what K-12 has done with it with language -- language revitalization efforts is going to be slightly different than looking at the pre-school or looking at the adult training and so what we're hoping is that we are going to be able to focus what we can do in the best way for those school-age students and in a way that education can support and be an active partner with this.

The folks who met with us on that first day of introduction have experience in research, have experience in many of the aspects of K-12 education from other programs. And they have the Center for Applied Linguistics which has experience in language education. And so they are looking at a working group and we are seeking people to be in that working group who have experience in research and who have experience in the kind of content that we hope to bring out in this process.

Certainly the work that William Demmert was working on is an important lead up to what we will be working with. We don't want these things to get entirely lost in the difficulty of double-blind research process. We don't want to have research that is not able to look at the complexity of the issues for the communities that they are going to be going into and I think that there are some cautions and I think there are some opportunities. The working group will be that formation to help guide this, and so when they first initially came in, I was pleased to see the names I was jotting down already on their list of people that they believed to be qualified and that they were recommending. That selection has not happened and will be soon.

There will be two groups at least, if not three. One that will be focused on language immersion. One that will be focused on best practices in K-12 education for Indian education and the possibility of the third one will be a cross over between the two and looking at recommendations. So we are looking for names; we are looking for suggestions. Language immersion K-12 best practice and for policy formation recommendations. I didn't bring that piece of paper with me that has the names already on it and so rather than say a couple of them, I would like to -- any of those that get recommended more than once, that's fine. That only means that they are probably the strongest candidates for those working groups. I was pleased to see over a third of the names I was expecting or hoping to put forward were already on their list. So I think we're looking at some common ground, some common concerns.

Do you have questions about the research?

MR. ACEVEDO: Joyce, how long is this contract to run?

MS. SILVERTHORNE: One year intensively and three years overall.

DR. JACKSON-DENNISON: When you say, "names," can you give us a bit more idea -- are you talking about program names or individual names?

MS. SILVERTHORNE: Individuals.

Individuals for the work groups and there are distinctly two different work groups. One that will be working with language immersion and the other that will be working on best practices, and best practices will include the Title VII programs.

MS. WHITEFOOT: How many specific tasks are there in this contract?

MS. SILVERTHORNE: Jenelle?

MS. LEONARD: Let me just say when Joyce came in September the 12th, most of this work had been done in terms of the statement of work, in terms of the competitive bidding, in terms of the review of the actual RFPs that came in and so Joyce has done a really magnanimous job here in just trying to absorb all the work that has been done. We actually worked on this contract for a year. It wasn't -- let me put it this way; the statement of work. The way that the statement of work was developed, it was not just the Office of Indian Ed, in fact, it was much broader than the Office of Indian Ed, it was the Assistant Secretary's Office for Policy and Development, Carmel Martin, Budget Services was -- actually it was Budget Service. I keep putting that "s" on their office, but they were involved as well as Thelma Melendez was certainly involved in a lot of this.

The General Counsel, Charlie Rose was there as well as Kevin Jennings, so there was a technical assistance work group that really came together to comment and provide direction on what this statement of work would look like. And just to connect the dots for you, the statement of work addresses the national activities budget that's in your budget packet. If you look, you'll see, certainly in the additional pages that were provided by Michael, you'll see that \$2.514, I think, \$2.5 million dollars that is set aside for national activities. That's the contract that Joyce was speaking to. So part of that statement of work, really, took also into consideration the comments and the feedback that we got from the tribal consultation meetings as well.

Language immersion was a big part of that. Technical assistance was a big part and so the statement of work addressed those certain areas. So as Joyce was saying, and to answer your question, Patsy, you asked how many tasks were included. Let me back up and just say that the National Activities Contract was broken out into two -- no. The National Activities Statement of Work was broken out into two contracts. One was logistic and other was research. And beyond I don't have the figures, but we can get the figures in terms of how much went to research and how much went to the logistics contract.

In fact, Bernard, you're there. Can you -- would you see if Mike is back or even Kenneth or one of the two and just ask if they can break out the figures so that we can report to the NACIE Council what each contract -- what's the cost of each contract.

MR. GARCIA: All right. I'll follow up with that.

MS. LEONARD: Thanks.

So in the research contract, there were five tasks and in every contract in the department, the first task is how the contractor is going to communicate with Ed in terms of weekly meetings, summary reports, how often they write up the minutes and that. So that's the first one; communication with Ed.

The second task under the research was research. And that's the study that Joyce just talked about. So there was the research one and I think the -- as she said it's conducting the language immersion study. There's going to be a literature review and there's going to be a technical working group. So that was the second task.

Then the third task is identifying best practices for the Title VII program. And in that task they are going to look at both the Formula Program and the Discretionary Program. And as Joyce said, to find, identify best practices for funded programs. Because right now in the department as we heard in the Urban Listening session, is that we can't speak to what the funds are being used for under either one of those programs. We can't point to best practices as to share and disseminate information about the programs so in terms of either the secretary or even the assistant secretary going out to promote those programs, we need to have some data. We need to be able to point to models that are working. And certainly when we hear from the Title Center directors, they're asking for information about what's

working in the field so they won't have to recreate the wheel -- invent the wheel, however you say that. So that task three is speaking to that.

The task four is technical assistance. And so technical assistance that -- we certainly heard largely from the listening sessions that the Title VII directors needed to come together, that the Department of Ed needed to provide technical assistance for them. Needed to provide technical assistance to superintendents. Needed to provide technical assistance to the parent advisory committees. Needed to provide technical assistance just, period, around those programs. So that's task four.

And then task five is the community of practices. So establish community of practices for the school districts, for the stakeholders, for people who are working in the program so they will have an opportunity to communicate and learn from each other. The thing was, and this was pre-Joyce, was that in writing up the statement of work, there's always this tendency to be very prescriptive. And one of the things that we held to was that we knew that we would be getting a director for Indian Ed, we didn't want to kind of prescribe what the work would be. We wanted to leave it open and broad so that when Joyce came in that she would be able to have -- input her thoughts, provide the direction and guidance for the work that would be -- that she would have responsibility for doing. And so we were able to really hold on to that and get it through. So it's kind of broadly written. So when you look at the community of practice, it wasn't to decide for Joyce what the community of practice would be. It was to leave it open to see explore what would work and what would be an effective way to implement a community of practice. So that's the way it was and so the community of practice was not defined.

So that was, Patsy, all of the tasks under the research. And then logistically, I think there were three tasks under logistics. And Manhattan Strategies got that contract but one of the things that we have to know is that Kauffman is a subcontractor to Manhattan Strategies, so we will still have an opportunity to work with Kauffman, but that contract is just logistics. We think, because we are going from memory here, but it is certainly the Technical Assistance Day that we just completed and the one that will be sponsored in Oklahoma City in October. And the tribal consultation meetings so the logistics contractor will do those, and also NACIE; that's where the coordination for the NACIE meetings will be handled now is through that logistics contract. So we are thinking right now that there are only three or four tasks. Yeah.

MS. SILVERTHORNE: And she's just read the notes that she's been giving me all through the morning. I don't know that I can answer any of your questions at this time, but I will certainly write them down and get back to you afterward if I can't.

MR. ACEVEDO: Questions from the council?

MS. OATMAN-WAK WAK: I have a question, but I'm not sure if it would be more appropriate for you or for the Impact Aid point of contact that was in there.

MR. ACEVEDO: Would you like them to go ahead and move to Bernard's presentation?

MS. SILVERTHORNE: Let's do that and I'll be here for the next two days if you find questions you would like to have me look for more information for you, I'm available to do that.

MS. OATMAN-WAK WAK: If it will be a follow up, then can we get an update on the Early Timing papers legislation around Federal Impact Aid? I know I've been receiving calls like crazy from 100 percent LOT (Learning Opportunity Threshold) school districts that are looking at anywhere between one and three

million dollars in their school budget cuts and Early Timing legislation would create timing; instead of paying out six years to three years. I think that's something that we need to be updated on with as well.

MS. SILVERTHORNE: Bernard, is Alfred still there?

MR. GARCIA: Alfred had to leave for the day, I guess, yeah. It's 5:00 here so he was meeting with his wife so he had to leave. I'm sorry.

MS. LEONARD: We can ask him to come back tomorrow to answer questions.

MS. SILVERTHORNE: That sounds like a good idea and we should get these folks on so they can get home.

MR. ACEVEDO: Please. Bernard, go ahead.

OFFICE OF INDIAN EDUCATION FORMULA GRANTS PROGRAM UPDATE AND FY 2012 ACTIVITIES

MR. GARCIA: Joyce, we will follow up with contacting Alfred to see if he can come back tomorrow.

Good afternoon everyone. I have a PowerPoint presentation and I'm hoping that it's on your screen there.

MR. ACEVEDO: Yes, it's on the screen, Bernard.

MR. GARCIA: All right. Can you see the PowerPoint slides?

MR. ACEVEDO: Yes.

MR. GARCIA: I'll be giving formal program updates and I'd like to go ahead and move on to slide two why we have Title VII. I put this in there mainly to keep in mind the Federal Government's trust responsibility. We are continuously being challenged with regard to why we have a Title VII program and why other ethnic groups don't have a specific Title program for themselves. So it is a federal responsibility and we just want to make sure that we keep that as our constant reminder to folks who are not aware about what the Federal Government has as far as their legal responsibility to provide educational services to Indian children and adults. Also, the Title VII is authorized by ESEA. And again, that's just to make sure that we are with the Office of Elementary and Second Education.

Next slide. The types of funded grantees that we have are primarily the public schools, the LEAs. We also have the BIE operated and grant and contract schools, as well as we have some tribes that are applying in lieu of school districts. And I will have some additional slides to kind of break the information up as I go on.

Next slide is, "Where do Title VII activities take place?" A majority of our Title VII activities are going to take place in classrooms or by being a Title VII office. In some cases we have activities that are taking place in the dorms, in the local community centers, as well as tribal education facilities, which are also provided for the after school tutoring. During school, tutoring is usually happening in the classrooms, or even before school starts, we have some tutoring activities that take place.

In the next slide, it shows the overall picture of where our grants are throughout the states, and you can see the information that's provided there on the screen. And you can probably take a look at your particular states; Oklahoma is one of the grantees where we have over 390 grantees within the state. And so they all range in various sizes, but Oklahoma is the one that has the biggest number of grantee applicants funded under our program.

Next slide. What are the project services and activities? A majority of the applications come in with project objectives that are designed to address the economic needs of the American Indian, Alaska Native children and the services and activities that are provided are primarily tutoring and counseling as well as integrating the Native language and culture. I think this is an area that we continuously heard in our tribal consultation and Urban Listening sessions that to put more emphasis in that particular area. So we are providing some additional assistance for grantees and working with grantees who are providing the activities, Native language and cultural. This will be a challenge for -- a continuing challenge and I think this is probably an area where we will continue to work with schools who are already implementing Native language and culture. Earlier I heard Deborah Dennison from Window Rock mention about the program that they have integrated the Native language, the Native Navajo language that's integrated into the school. And we also have Joyce coming from Montana. I was always felt that Montana was kind of taking the lead on Indian education for a while. So I think we do have some further discussions and conversations around how we can continue to build our Title VII program, especially emphasizing the Native language and culture.

The next slide provides you with the grant timelines and we are getting ready to do the EASIE application. These dates are tentative because we still -- we need to make it official in the Federal Register Notice. So these are tentative dates that we are working with right now.

The next slide gives you the allocations per state as to the count of Indian children as well as the number of grantees and then total amounts that are going to each of these grantees. And our grants, if you remember, go directly to the LEAs and so you have to keep that in mind. But let's say in Alaska, they're receiving \$11 million, overall, where we have the total number of grantees from Alaska which is 50 grantees applying under the Title VII program. So this slide kind of gives you more information with regard to, again, by the states and it's reflected on that map as well that they showed earlier.

The next slide provides you with information with regard to how some of our applications or applicants come in that format. California is one of the states where we have some small school districts who are coming together to form a consortium so that way project services and activities are provided for those school districts that they have few number of Indian children enrolled in their school districts. So the best way they can do it is to come together and apply through the consortiums. And again, I mentioned that we have tribes that are in lieu of LEA and you can see the breakdown by states, how many tribes or how many states, where we have tribes that are applying in lieu of LEAs.

The next slide provides information, the breakdown about the BIE schools. It kind of gives you a little comparison with regard to the number of BIE schools that have applied and potentially how many more could apply. We have 180 BIE schools, but not all of them apply. But just recently, in the last application cycle, we did work more with BIE to get more of the schools under the BIE, whether they are operated or granted a contract, to submit their applications. And so we are continuously working with BIE and we do continue to have further conversation with BIE as the new application starts again.

The next slide has the overall totals with regard to the Indian education applications. We did have a total of 1,276 applications that came in and that's a continuous rise in our number of LEA participating as well as a tribe applying in lieu of LEAs and then these LEAs that coming in as consortium applications.

The next slide provides you with student count increases over time. Like I said, this would be just for two years; 2010 and 2011. And we see continuous increases in some states with regard to

student applicant increases as well. As it was mentioned earlier, these are Formula dollars and sometimes our dollars -- well, a lot of times, our dollars don't match up with Title I. But our grantees are really do hold true dearly to our Title VII program because it is one of the programs that is specifically for American Indian/Alaska Native children. So our parent committee, as well as the project coordinators, really do take to heart, even though these are small supplemental amounts, but we see that some of the activities that take place in the school districts, if they could get better support with other program like Title I as Michael Yudin mentioned, with other larger programs, those are some of the mechanics that could potentially be covered as we continue our meetings with the superintendents.

We tried this year at the Technical Assistance Day to involve superintendents and have a special meeting with our superintendents and hopefully that we will continue to build our communication with the superintendents of the schools because we feel that when they implement the program for Title VII, that the superintendent really take the leadership in some of the schools where the superintendent is really involved with the Title VII program that they will provide leadership in many ways.

The next slide is also just a continuation of the states who are identified with regard to the county and amounts. Let me move on to the highlights. Before I talk about the highlights, is there any questions that anybody has? I want to move on to the EASIE application. I know earlier, I think Patricia had asked about how the EASIE application system was built. This is the sixth year of our EASIE application and prior to EASIE application, we had a paper application and our former director, Cathie Carothers had gone out and conducted a series of regional meetings with LEAs to introduce the EASIE application system. And I believe at that time, Cathie was able to generate some agreement with the project coordinators as far as what could be included in the EASIE application system.

So after all that information was collected, then in 2007, the first year we had launched the EASIE application system. So this is the sixth year that we are going through to use the electronic application system.

Patricia, did you have any more questions with regard to the EASIE? I can answer some of your questions.

MS. WHITEFOOT: Yes. To the Department of Education -- Patricia Whitefoot.

If we're, you know, seriously interested in getting input from a Native community, I think we should really take a look at the makeup of the NACIE board to have that kind of input. But in addition to that, I've been working with these programs for a number of years, and I don't recall that regional meetings with the LEAs to generate that process because when you're completing the application, it asks for specific activities and if you want to make changes to those activities, it's rather a little tedious. But nevertheless, I would say it would be important to make certain that we are having conversations with the NACIE board as well.

And I think the opportunity exists -- when we're talking about best practices and developing those practices, for us to be involved in that process simply because I think it's important for us to know that data and what kind of data currently exists in what we need to take a look at for the future.

MR. GARCIA: Okay. I am taking notes and Joyce is there, listening, with regard to your comments, Patricia. We probably are at a point where we could take a look at the EASIE system and do some tweaking on the application. We do have a contractor that's handling our EASIE application system and maybe that's an area where, like I said, maybe we do need to come to that point and start looking at our EASIE application system to tweak it again.

MS. WHITEFOOT: Another issue that's a puzzle to me is, you know, having worked with the discretion grants, I understand we have the GPRA (Government Performance and Results Act) measures under

Title VII. I understand you have GPRA measures but I've never seen those GPRA measures. What are those exact GPRA measures because it's not in the application process? It's in the discretion process, but not in the Title VII process. So what are the specific GPRA measures because we know we have to be responding to those measures as well. Finally, as a last comment, is the EASIE folks need to pay attention to our school calendars as well. Maybe it was two years ago, got stuck during Thanksgiving or Christmas break, and the deadline was like a week later and we got behind because it happened during the break, our Thanksgiving or Christmas, I can't recall which one. So I had to call Department of Ed immediately because I missed that deadline, it came out late, didn't have it. So just pay attention to our school calendars too.

MR. GARCIA: Right. Yeah. Patricia, I appreciate your comments. One of the things that our contractor is pretty diligent about sending out reminders to our applicants who are registered. As a matter of fact, like for the registration for the next EASIE system it's going to be launched next week, notifying our -- the current list of our grantees that registration is going to be available within about a week. It's going to be an open period to do your registration from. And so once you register, from there, on a list of applicants will be receiving notifications with regard to our two-part application. Part one has to do with the student count and part two is actually doing the project objectives and budgets. And we are, like I said, trying to make sure that notification is sent out to all of our grantees on continuous basis as our grant cycle is getting started right now.

MR. ACEVEDO: Thank you. Robin has a question for you.

MS. BUTTERFIELD: My question is about sort of the issue of supplement versus supplant. I was just in last week. I was in a workshop with a Title VII parent. And they often feel that their Title VII funds are used for tutoring when Title I should be used first. And back when I was coordinating the program, we worked really well with the Title I office, you know, because most of our kids should have been covered under Title I. And our Indian Ed dollars were so small that we wanted to reserve those for kind of over and above activities that weren't met by Title I. How do you ensure that supplanting doesn't happen because I've heard this over and over and over again that the Title VII funds get taken sometimes before the Title I.

MR. GARCIA: Right. And I think that would be in an area that we would need to make sure some assurance is either provided by the district to let us know that these funds are specifically to be used for what the application has been approved for. So going back to the application and the identification of the target students and project services and activities that are to be implemented, that LEAs are mindful that they are implemented what they have stated in their application. And I imagine the district will need to make sure that the funds are identified for those services that are identified in the application to address the American Indian and Alaska Native children in particular target areas.

MS. BUTTERFIELD: I'm wondering if it's something that could be added to the language of Title I because it seems like that's where there's more influence, there's more money and there should be more awareness around the issues of supplanting.

MR. ACEVEDO: We'll try to keep this moving along. We've got several questions. Virginia and then Deborah.

MS. THOMAS: Bernard, this is Virginia. I just want to tag-a-long with what Robin had to say. I don't think the problem is that they're not doing what's in the application. My impression is it shouldn't even be in the application because what happens is if it's in their application that looks like they've met their goals and objectives, when they really should be tapping into Title I and that's not part of it. So I have to agree with Robin that it's not clarified even in the application. The application would say that it's going to be tutoring program and that's what they're using it on, so you don't catch this when you do your monitoring. But what happens is then in the application it says that, but what we should be looking at is that it shouldn't even say that in the application because that should be directed over to the Title I automatically.

So when you're out doing the monitoring, it should be caught then that they're writing the application to use funds that should be used someplace else, like, should be taken from someplace else. Is that correct, Robin? Is that what you were talking --

MS. BUTTERFIELD: Yes.

MS. THOMAS: Yeah, that's it. Because I have the same concern now it's Title VII of JOM (Johnson O'Malley) because that's what happens to us.

MR. ACEVEDO: Bernard, we'll follow with Deborah.

DR. JACKSON-DENNISON: Yes, this is just a comment coming from a superintendent. A lot that rests in education, as you have pointed out already, of the leadership, the superintendent, the business manager, Federal projects director, the people at the district level, I know. And then, the practices of the state where I know in our state, sometimes it's not even until early spring that we get our Title I dollars, so there's always that journal entry that entering that goes on fund to fund. It happens and so as long as you have an account of knowing where the money -- we don't try -- we don't like to use our Title VII monies for Title I, but when you have new staff, it's very difficult to educate them and making certain that they understand the usage and what the plans do state, and Title I also feels the same way. Don't be using our Title I dollars for something that they are not supposed to be used for. So it really goes back to the leadership at the school level.

MR. GARCIA: Thank you.

So let me move on to the rest of the slides. Again, just to highlight the fact that we have the Federal Technical Assistant Workshop Day. I think this is certainly a venue that we used to have direct conversation with our LEAs and I think we heard a lot more from our grantees with regard to using this opportunity to have one-on-one conversation. And I think it was even evident with the other programs. Yesterday we were in our OESE program director's meeting and a couple of the program directors, Sylvia Lyles, Alfred Lott, who you just saw earlier from Impact Aid, and they verified the fact that they was some one-on-one conversations with the folks. Even up to senior aid officials having one-on-one conversations, so I truly believe that the Federal Technical Assistance Workshop Day is one that does provide one-on-one conversation with our grantees. And I've asked the grantees to make their recommendations as far as how we can improve the TA Day because it has a lot to do with working with the implementation of the different programs from the different Ed offices.

So on the Federal Technical Assistance Workshop Day, OIE will continue to facilitate workshops with other Ed officials or other Ed programs because we do -- we do work it across the board, across programs, Ed programs as well as among key stakeholders that we have, you know, like yourselves as

NACIE members. BIE as well as – our goal is to try to get to work with the chief state school officers and so any way we can communicate with these state chiefs certainly would help, I think, promote the whole. When we talk about Indian Education, it's just not talking about the Formula programs or Discretionary programs. Indian education is a broader topic and we like to elevate that conversation as well so that we are gaining more leverage from the state as well as district leaderships as well.

The next one is the Tribal Consultation and the Urban Learning and Listening sessions. That is also another valuable tool that the Department has really allocated with this administration and I believe that in order to hear right directly from the tribal officials, you know, does provide us with certainly the type of information that the Department is going to be working towards included in those Urban Learning and Listening sessions. The Department realizes that we have Indian people that are residing in the urban areas and they are still existing urban Indian centers, like in Denver, where there is an urban Indian center there and that's where a lot of our Indian people that live in Denver have regular activities for them. So that way -- that's an area that I think very useful and valuable tool for us to use.

So let me move on to the proposed Title VII enhancements. These are ideas that maybe we want to work with everyone including NACIE with regard to continue to seek leverage and support from the state chief school officers. And especially for those states where we have the highest population. I know Jenelle and Joyce did one that last meeting in Montana and so hopefully that type of forum continues to have that conversation with the chief state school officers. We do need to continue to develop collaborative strategies so that way we can continue to build partnerships across our Ed programs as well as programs within the state as well as our grants that go directly to the LEAs and this is where I think we really need to build on to help our title VII grantees. And again, continue to create things to enhance the collaboration so that way we are addressing the comprehensive approach of the Federal, state, tribal, and local schools as well as develop forums that focus on discussions in a related area such as teacher quality, instructional practices, and the parent-family committee involvement, as well as early childhood. So I think those are key areas where I think we need to continue to have conversations.

And then the last piece is with regard to our research and I believe these are exciting times for us, again, to continue to build on what we have as far as our conversation with research. It is really a needed area and so the question always is there sufficient research information for Indian educators to rely on for educational planning, and at this point in time, I believe there is some limitation, limited information or research so the more we promote our conversation about how research can be used certainly will help support our activities here in the department.

These are for you to continue to -- I know you're having conversation around all these pieces but for the Formula program, even though they are supplement programs, but we certainly any leverage to continue to build our Formula grant program for grantees. And the last page is our contact information and Joyce, you know, with her leadership, I think we are looking forward to move in the direction that we want to move so that way we continue to strengthen our Title VII Formula grant program. I have John Cheek, Paulette Davis and Annabelle Toledo who was here earlier and then Lennie just got here. Lennie is really not new to Indian education. He's been involved with Indian education programs. He also, by the way, served on the NACIE -- the same time him and Joyce were on the NACIE board and so they have a good background with regard to their knowledge about NACIE activities, as well as, how we can use their expertise and their knowledge base to help promote our program. Any questions?

MR. ACEVEDO: Thank you, Bernard. I think knowing that this system is going to, you know, shut off shortly after Lana's presentation, so, Lana, welcome. We'll start with you next.

MR. GARCIA: Thank you everyone.

OFFICE OF INDIAN EDUCATION DISCRETIONARY GRANTS PROGRAM UPDATE AND FY 2012 ACTIVITIES

MS. SHAUGHNESSY: Hello everyone. I'm Lana Shaughnessy and I'm happy to be here this afternoon and I know I met you last year across the street, here, in Washington D.C. So I'm here today to provide you an update on the Discretionary grant programs also authorized under Title VII. So I have a PowerPoint and I'm going to assume it's set up and you can see it. So I'm going to just start right now. Going to slide -- well, there's a table of contents slide. We're going to quickly discuss the -- are we okay? We're going to quickly discuss the two Discretionary grant programs eligibility, the absolute priorities, the budget and costs, some definitions, implementations, our current grants, and of course, contacts.

So moving on to the next slide, I think is slide three. Discretionary grants are competitive and each application competes with others for funding. With that in mind, sometimes an entity will provide two applications and in that respect, they might be repeating against themselves but then you never know how the readers and scorers, how that's going to come out, so sometimes that's a good idea. The submission guidelines can be very stringent and must be met. Those are published in the Federal Register Notice. Submission requirements are printed in the Federal Register notice which I'm currently working on with Joyce and we hope to have a Federal Register notice out within the next few weeks I hope.

Eligible applicants: If you want to go on to slide five. Eligible entities for professional development projects are: Universities and colleges; however, they must be able to offer the required degree which is a bachelor's degree at a minimum. Tribal colleges and universities; if they cannot directly offer the required degree, they would apply in consortium with an institution of higher ed, with a university that can. And state or local education agencies in consortium with a university.

And going on to slide six. Tribes in consortium with a university, IHE (Institution of Higher Education); any organizations in consortium with an IHE and Bureau funded elementary and secondary schools also can apply in consortium with an IHE university.

For the Demonstration grant application eligible entities include -- oh. On slide seven, I do need to point out that only those specifically listed as an eligible entity may apply or be in the consortium agreement. So if we have an application or an applicant that's considering a consortium application, they need to make sure that all their partners are eligible. Entities that include an Indian organization will need to provide documentation in the application that the Indian organization meets all the criteria of the definition.

State or local agencies that do not include regular universities or colleges; Indian tribes, Indian organizations, tribal colleges and universities, Bureau-funded schools, these are all eligible applicants for the Demonstration grant program.

Okay. The absolute priorities for each of these grant competitions on slide ten. The absolute priorities limit the types of services that a project can provide. The services identified in an application beyond those specified by these absolute priorities are not permitted and could result in the application being deemed ineligible. An example would be a Demonstration grant that the absolute priority identifies as preschool services or kindergarten readiness. And if the application were to include a project or services that would identify, say, first grade or elementary grades, could possibly be deemed ineligible because that would be outside the scope of the absolute priority.

On slide 11, the absolute priorities for professional development are limited to pre-service teacher training and pre-service admin. In other words, the teacher training would be for projects that plan to train, support American Indian/Alaska Native individuals to obtain their bachelor's degree and certification and license to be a teacher. And the same would be true for the administrator training. It

would be for American Indian/Alaska individuals to complete training and certification. And the training would lead to a master's degree at a minimum, and licensure to be a school principal.

So going on to slide 12; the absolute priorities for the demonstration grant are services that are limited to preschool programs for three and four year old American Indian/Alaska Native children and/or college prep programs for high school students, American Indian/Alaska Native high school students.

Going on to slide 13, we talk about project services and costs. On slide 14, the budget limitations for professional development applications and projects would be \$400,000 for years one, year two and year three. And in year four, the budget limitation is \$90,000, for the reason being, in year four training should be completed and the project would be providing induction services for their graduated students.

Allowable costs on slide 15; the allowable costs for professional development grants would include: All tuition costs for their participants, books, fees, supplies, living stipends and child care costs.

On slide 16, we look at the budgets for Demonstration grant programs. And if up to four years, each year the limitation is \$300,000 per year.

On slide 17, we talk about definitions which I had alluded to earlier, such as the definition for an Indian organization. The list of program definitions is in 34 CFR 263 of what we call EDGAR, the Education Department General Administration Regulations. And we can provide a copy of that, I believe, to you if you would like.

On slide 19, we begin implementation, project implementation on slide 20. Projects are implemented for up to 48 months in four 12-month budget periods. Projects are required to demonstrate substantial progress on their performance annually for continuation funding. And in 2011, as you know, we funded down the slate as we call it. We did not have a competition. And the five new, 2011 professional development grants were awarded to the University of Alaska Southeast, the Hopi Tribe, Montana State University, the University of Nebraska and the University of North Carolina at Pembroke.

And for the demonstration projects on slide 22, we were able to fund down an additional six demonstration projects and they were awarded to the Fernandeno Tataviam Band of Mission Indians in California; Navajo Prep which is located near Farmington, New Mexico; Omaha Public Schools in Nebraska; Osage County Interlocal Cooperative in Nebraska -- excuse me -- in Oklahoma, sorry. And Puget Sound Educational Service District in the state of Washington and Ysleta Del Sur Pueblo in Texas. And I think that's the first time we have a demonstration grant in Texas that I know of. Those are our 2011 new projects. For FY 2012, on slide 23, we are working on -- actually this should FY2011, I'm sorry. We're currently funding 23 continuing professional development projects and 36 continuing Demonstration grant projects. So those projects would either be two through four of their year.

We do plan, however, in FY 2012, to conduct a competition. As I mentioned earlier, we're working on that now and hoping to have a Federal Register announcement out in the near future. The competition will be held through Grants.gov electronically. Applicants will submit their application through Grants.gov and as Bernard mentioned at the Technical Assistance Workshop that we were able to provide last week, I provided two workshops on each of these Discretionary grant programs and they were well attended. So we are expecting to have a number of applications coming up in the 2012 competition.

On slide 24, this is a compilation of looking at either end reports or final reports. We have 643 documented graduates from our professional development projects. That would be including both teachers and administrators. Looking at final reports at FY '05 through '10 and our annual reports, and we've served 2,048 children in preschool services and 574 students in college prep courses. And those numbers, again, were either identified through final reports and/or annual reports.

And the contacts for Discretionary grant program would be myself and Robert Ambrosio, who is in our office. And currently we have on detail to our office, Jim Barthmaier, and he is following up on the payback portion of the professional development program and his email address is there And on the last slide, 27, we have Joyce's information which I know you know, but she is our director and we are so happy to have her with us and like I said, I'm working with Joyce to finalize the Federal Register Notice and get two new competitions out for applications. So that's it, very quickly.

MR. ACEVEDO: Thank you, Lana.

MS. SHAUGHNESSY: Thank you for your attention.

MR. ACEVEDO: Any questions for Lana?

MS. BUTTERFIELD: Lana, who sets the absolute priority, like for the --

MS. SHAUGHNESSY: Well, ultimately it would be the Secretary.

MS. BUTTERFIELD: So is it based on input from any other groups or --

MS. SHAUGHNESSY: Well, Robin, at this point in time, I'm really not sure how we might change those absolute priorities and what I'm thinking about is our GPRA measures that were put in place in 2008. So they go together and because our projects all have to report out to address the GPRA measures established for these two programs, that doesn't mean things can't change. So that might be something that we need to talk about.

MS. BUTTERFIELD: But it wasn't something that came out in the reauthorization or anything? It's set by the Secretary.

MS. SHAUGHNESSY: Oh, you mean it was reauthorized back in whenever it was last reauthorized in "No Child"?

MS. BUTTERFIELD: Right.

MR. ACEVEDO: Jenelle?

MS. SHAUGHNESSY: Yeah. Oh, Jenelle.

MS. LEONARD: Lana, let me just share with the council that, I'm going to say 18 months ago, the Secretary announced 18 priorities that all grant programs have to use. And so we, in setting up the budget, every grant program had to look at one of the 18 or combination of whatever priorities the Secretary offered to say to him which ones were your grant programs adhered to or are using. So that was published in the Federal Notice as well, to list all priorities that the department would be using in awarding grants. As well, the priority that Lana is using is also a statute too, so it aligns with the statute as well. Under Title VII, there are -- Lana, how many allowable areas are there under your program?

MS. SHAUGHNESSY: How many GPRA measures?

MR. GARCIA: No, allowable activities.

MS. SHAUGHNESSY: Oh, okay. We have preschool services and high school college prep services, and we have teacher training to get a bachelor's degree as a minimum and administrator training with a master's degree as a minimum. We have GPRA measures -- five GPRA measures for the Demonstration grant programs, and I believe, I want to say, seven for the Professional Development program currently.

MS. LEONARD: And what worked, Robin, was that it just happened that the Secretary's priorities were the same as the statute and so it made it easy for the Discretionary grant to select a priority that was already in statute.

MS. BUTTERFIELD: Well, I'm asking the question because of the movement for language immersion programs and that, in a number of places where I've been, has been talked about that should be more of a priority. So that's what I was asking; how does something become an absolute priority of the office? So, I mean, there could be other things too. I'm just curious how the process works.

MS. SHAUGHNESSY: If I could add to that. That's certainly something that is allowable with the Demonstration grant programs. A language immersion at a preschool, that would be something allowable activity to fund. And you understand it's competitive so we can't decide if that's presented. The readers decide who gets funded.

MS. LEONARD: As well, one of the things you need to know, too, is the language -- reauthorization language moving forward, also is stressing language immersion as a part of the Title VII program, too. So it's being recognized.

MS. SHAUGHNESSY: Right. Thank you, Robin.

MR. ACEVEDO: Any other questions on the line?

MS. BUTTERFIELD: I do have one more question, sorry. On the Professional Development side, have there been studies about the programs themselves? What are they doing that's unique to keeping or addressing the needs of Native teachers and what is the success rate of placement of the people going through the programs? Where are they placed and how long does it take them to get placement?

MS. SHAUGHNESSY: Right. Well, to answer your question, no, there haven't really been any studies done. But it's kind of the two -- I think

I'm hearing two things. I know that some of the projects include -- well, for example, Fon Du Lac Community Tribal College includes a Native language certification as part of their teacher training and although the state of Wisconsin, I understand, does not have a language certification or licensure, they have allowed the tribe to be the entity that determines proficiency. So that's just one project that comes to mind that does address the preservation of Native language. Now, as far as teacher placements and that sort of thing, that is something that each participant, once they graduate, maybe either work at their college or it's something that they each -- that's a challenge for them. They have to find a job within six months of completing their graduation and licensure. The grantee which would be Arizona State or whoever the professional development grantee is, once the individual is trained and graduated and has got their licensure, and the grant, you know, is closed after four or five years, it's

really -- they are not like a job placement unless the university has a job fair or something that they can help the applicant find a job. It's really up to the applicant.

MR. ACEVEDO: Theresa?

MS. AREVGAQ JOHN: Yeah, Theresa Arevgaq, John here. In Alaska, there is a situation or a case of where the teachers that have gone through the professional development, I understand, were authorized to share their products at the upcoming Language Education Diversity in New Zealand and we just learned about three weeks ago that it is not possible after all. So we've been prepping them to go present their product, their research, scholarly work on immersion classroom that -- both in Lower Yukon and Kuskokwim School District. And so right now, we are trying to make that up. We are sending faculty as well as a PhD immersion student now. Has that been a case in the past where -- or is this the first case that has been told, "Yes, we will pay for your teachers to go present your research and findings," and then, now, "We can't take the seven teachers that we've been working with the last year developing K-12 curriculum."

MS. SHAUGHNESSY: So if I heard you correctly, we have a grantee, a professional development grantee that would like to send teachers to present their research or their findings at a conference and they've been told they can't go?

MS. AREVGAQ JOHN: Yeah, at University of Alaska, Fairbanks, Linguistic Program. We've been working with the Alaska Native Center curriculum immersion developers, culturally responsive, and initially they were authorized to go to New Zealand with us and then we were informed recently that all of us cannot, after all, be there, you know, to present our work overseas. So some of us, thankfully, applied for National Science Foundation last minute, like two weeks ago, to buy our tickets. Now, I'm just wondering if this is the first case or has there been other cases like that of where they've been authorized, "Yes, you can use this funding," and then, all of a sudden, we were told we can't.

MS. SHAUGHNESSY: Okay. This is the first I've heard about that so maybe I can look into that and get back in touch with you. Which grantee -- is this -- did you say the University of Alaska, Fairbanks?

MS. AREVGAQ JOHN: Alaska Native Language Center Linguistic. I can give you the information if you'd like.

MS. SHAUGHNESSY: Would that be Beth Leonard? Is Beth Leonard your project manager?

MS. AREVGAQ JOHN: Dr. Sabine Siekmann, S-i-e-k-m-a-n-n.

MS. SHAUGHNESSY: Okay. I'm not familiar with that but I'll look into that. Okay?

MS. AREVGAQ JOHN: Thank you.

MS. SHAUGHNESSY: Okay. Sure.

MR. ACEVEDO: Mary Jane.

MS. OATMAN-WAK WAK: Thank you, Lana. Actually, my question is for Bernard. Thank you for staying, Bernard. We didn't get the opportunity earlier to talk and ask you questions. Wake up. I know it's getting late over there for you all.

After the OMB had their mandates around the reporting requirements for race and ethnicity, I think that we had a lot of concerns out here in Indian country and have heard it also with Alaska Native communities about those reporting requirement categories. Has that created any concerns with our Title VII applicants? Because I now am looking at these numbers that you have here for your Title VII grantees and your student counts. Our data is really across the board between our reported recent ethnicity requirements and our Title VII grantees. I'm just wondering if this has been a concern for the grantees themselves at the district level?

MR. GARCIA: Yes, Mary, I think the recent monitored visit that went down to Oklahoma, we learned from the districts where they are really being challenged with how the parents are able to register their children and so it does draw some concern with our Title VII project coordinators as far as completing the ED 506 form. So we brought those concerns and we haven't debriefed them with Joyce yet, with regard to how we may be able to go forward with regard to this whole issue on multi-ethnicity that I guess is pretty evident in the school districts who are -- when they do their registration they have multiple choices to select from. And so one of the project coordinators did indicate that based on their student data, I did ask them how do you provide the ED 506 form for the Indian parents. And so they just used the school district data base to identify their Indian parents and children and ED 506 forms were then provided to them. But that really did cause some concern, especially those that are multi-race identified in the district data base.

MS. OATMAN-WAK WAK: Thank you, Bernard.

MR. ACEVEDO: Any other questions?

Thank you, Lana. Thank you, Bernard. We'll let you go home. Thank you very much. We are about, now, to enter into the public comment period. We have about five minutes before we start that. So if you want to dash out, do that and come right back so we can get started right at 3:00. Thank you very much.

(Whereupon, a recess was taken.)

PUBLIC COMMENT PERIOD

MR. ACEVEDO: We are ready to convene our final session of the day. Before we start with the public session, I just wanted to mention that while we received a text from Wayne Newell, he was admitted to the hospital with fluid on his lungs so he's not doing well. He was glad to be able to treat it at home as opposed to on travel. With that, before we start the public comment period, Joyce, did you have something to say?

MS. SILVERTHORNE: I can hold that until you have an opportunity for more discussion but it's follow up on some of the questions that were from the presentation today from OIE.

MR. ACEVEDO: Thank you. We'll take that into account. I have a list of several of you folks -- and welcome -- that would like to offer your public comments to us. What I'm going to do is that I'm going to take them in order as you signed up and I'll list -- I'll list everyone's name off and then if you would indulge us, and in the interest of everyone having a chance to speak, limit your comments to five minutes. Then after we've gone through everyone, if you'd like to come back up and say something in addition, after everyone has had a chance to speak, that will really facilitate us moving this along and also give everybody the opportunity. The other thing I'd like to mention for those of you who choose not to speak publicly and would like to write your comments down, we have comment cards available so that you can fill those out and also submit those to us and those will be part of the record. I'm going to go in order and I'll read everyone off. I'll start with first, Quinton Roman Nose, Greg Masten, Tex Hall, Andrew Duff, Mel Sheldon, Charles Richardson, Cedric Cromwell, Joyce Harris. With that, Quinton, welcome.

MR. ROMAN NOSE: Thank you for this opportunity, Chairman Acevedo. I'm representing NIEA and also I have the Executive Director of NIEA with me, Mr. Colin Kippen, who will be giving comments along with myself.

MR. ACEVEDO: Welcome.

MR. ROMAN NOSE: I just want to thank you for this opportunity and welcome, say hello to all the other members of the NACIE Board and also to Department of Education staff and other educators and tribal leaders. Thank you for coming and making this opportunity available to the public.

I just want to make a few comments. NIEA just had their 2011 Convention in Albuquerque and is going to Oklahoma City in 2012. Had a really good turn-out. Had a lot of new addition -- opportunities for different educators who attended to participate in. Of course, Department of Education was there also supporting NIEA. So if you didn't attend this time, I invite you to attend next year. We do have plans for this upcoming December Obama Conference that we are planning a reception at the NIEA headquarters and an official announcement will be coming out soon.

There are so many things to comment on but I'm just going to say that the subcommittees and NIEA are going to be working on reauthorization of NCLB, ESEA, and also appropriations process that we are involved in with Congress where all programs are going to be cut. So I really appreciate NACIE coming forth and giving tribes and individuals an opportunity to do so and I'm just hoping that everybody that's involved take advantage of this opportunity.

I'm going to turn it over to Mr. Kippen.

MR. KIPPEN: Good afternoon, members of NACIE. It's a pleasure to be here for you today.

I have five points that I want to make today and I'd like to begin. First issue has to do with the U.S. Department of Education's consultation policy that's been mandated by 13175. And the NIEA as well as NCAI, are both anxious to understand what that consultation policy is for the United States Department of Education. We think that's imperative that that be done and that we would urge you to push to see that that is accomplished as soon as possible. The second thing is that there are a series of consultations that U.S. Department of Education completed both with tribal communities as well as in urban centers where there is a large percentage of our American Indian youth being educated. Those reports -- those consultations were completed but the reports have not been released. And so the Affiliated Tribes of Northwest Indians, the All Indian Pueblo Council, the National Indian Education Association and I believe, the National Congress of American Indians will all be calling for the immediate release of the report of those consultations. The reason that we want that report released is because

that will give us a picture of what the present situation is in Indian country with respect to the education after our children.

In a related vein, the All Indian Pueblo Council, the Affiliated Tribes of the Northwest Indians, and the National Indian Education Association have also passed resolutions calling for the immediate release of the NACIE report to Congress. It is my understanding that that report has been delivered to the Congress but has not been delivered to the general public. And we have asked for it and we would like to see that report because, again, we think it will provide a snapshot of where we are, right now, with respect to Indian education. And it is your work product, we think that work product, needs to be vetted in the community so that we can use that to ramp off of and to do more to serve our Indian children.

The fourth thing is that we think that there are opportunities that have not been realized yet and those opportunities have to do with collaboration amongst the various departments that serve Indian children and Indian young adults. So what we would ask for is the creation of a comprehensive strategic plan wherein the Director of Indian Education, recently appointed, the Director of the Bureau of Indian Affairs -- excuse me -- Bureau of Indian Education and the Executive Director of the White House Initiative on Tribal Colleges all come together to establish a strategic plan as to what it is that they are going to do and to communicate it. Not only to yourselves but to communicate it to us so that we can begin to have some reassurance that all that should be done is being done and so that we can assist where possible but so that we can also hold to account the Federal Government in delivering its trust responsibility to our Indian children.

And the last thing, the last thing I have is, I guess, almost like a glaze that goes over everything that we've talked about and that has to do with the NIEA's commitment to the creation of data and information -- to the collection of data and information which not only will be the responsibility in the federal government to assist us but that it will also enable us to form partnerships where necessary so that we will have a better picture of what it is that needs to be improved as well as what it is that is working. And in this regard, again, what we would like to see are measurable objectives -- a plan with measurable objectives so that this data and information will be collected, analyzed and communicated so that we will be able to do the things that will be most effective in improving the education of our Indian students and our Indian children.

I think that without this commitment to the collection, analysis and communication of data, we are always in a situation where our communities and students are invisible and if they are invisible, then they will be neglected. So these are my comments. I would be happy to follow this up in writing to you. This has been a long-standing perspective of the National Indian Education Association and I welcome any questions or comments.

MR. ACEVEDO: Thank you very much. We are on the same page with you, I assure you. And if you would like to submit written comments, we'll certainly take those to the record. Your comments, now, have been recorded as well with the court reporter here today, so thank you very much.

Greg Masten, please. I'd just like to mention that our report to Congress is on the website. Mr. Masten, welcome.

MR. MASTEN: Thank you. Good afternoon, members of NACIE. I want to thank you for your time here and dedication throughout the Indian country.

So as you mentioned, my name is Greg Masten. I'm the Education Director for the Hoopa Valley Tribe and recently elected President of TEDNA, the Tribal Education Department's National Assembly. I want to begin by first congratulating the Senate Committee on Indian Affairs and Senator Akaka for introducing the Indian Class Act S.1262. The provisions of the Indian Class Act are long overdue and I

also want to recognize the U.S. Department of Education. We received an email today that they have included in the 2012 proposed budget recognition of tribal education agencies and I think that's an important step in recognizing one of the key stakeholders out there in Indian country.

This is going to be the theme of my statement today is that we need to involve all of the stakeholders. So I'm just going to read this statement here.

I want to say that I, along with many others across Indian country, are very disappointed that key language was not included in proposed reauthorization of the Elementary and Secondary Education Act, ESEA, to include the major stakeholder in tribal education departments. If left unamended, the tribal education departments will continue to be excluded as partners with LEAs and SEAs (State Education Agency) in the education process. This approach contradicts the Federal Government's policy of self-determination.

We all know, too well, the data across the country demonstrates that the current education model hasn't been very effective in educating our Native students. While there are some gains, Native American students consistently have the highest dropout rates, the lowest standardized test scores and the lowest college completion rates. As an educator and having worked with Native children on reservations, I can tell you that our children are more than capable. And it's not the children failing the system but rather a system that has proven to fail the children. And while there are many contributing factors leading to these negative outcomes, such as socio-economic barriers, loss of culture, loss of language, lack of resources, incompatible and sometimes even in culturally insensitive curriculum, biased assessments, a need for more teacher training, administrative inconsistencies, and a lack of accountability, in order to close the achievement gaps, it is clear that this is not just a one dimensional problem. Therefore, in order to change these negative outcomes we need to take a multi-dimensional approach. This approach must begin by including all of the stakeholders.

Historically, tribes have been excluded from entering into the education process as full and equal partners. The provisions of the Native Class Act, particularly with respect to Sections 160 and 161, for the first time, made provisions for tribes to enter into cooperative agreements with State Education Agencies, SEAs, and Local Education Agencies, LEAs, to address the educational needs of their communities.

This will begin a new era of understanding and cooperation between Tribal Education Agencies, TEAs, and SEAs and LEAs, where representatives can come together and work toward a better and brighter future for all Native Indians. The ESEA needs to include the same cooperative language. I understand that there may be some reluctance and even hesitation and this is always the case when you're venturing new ground. And I think that there are some that don't believe tribes are capable of implementing comprehensive educational services. But I submit that self-determination has proven that tribes are best at managing their own affairs, managing their own services and resource. And I believe that tribes will continue to prove that they are more than competent enough to manage their greatest resource, their children.

And point in fact, many tribes are already performing comprehensive and complex education services. They operate early childhood program, K through 12 schools, tribal colleges and a host of supplemental services and I ask you to consider who has the most vested interest in seeing our children succeed? The answer, of course, is the tribes. And the tribes' TEAs are critical stakeholders and can be the link between LEAs and SEAs in our Native communities. TEAs across the nation perform vital education functions for their communities. TEAs have developed standards for language and culture, developed research-based cultural curriculum, developed education policies and codes, provide professional development and certification of Native language teachers, have developed assessments, gathered a longitude of data, administer grants and scholarships, develop college courses, provide planning, administer oversight, fiscal responsibility and overall accountability. And most important, TEAs

are best positioned to engage their Native communities and to provide infrastructure and consistency to build new bridges between contemporary education and our tribal nations.

We should not be afraid of the increased role of tribal nations in education. We need to look at it as an opportunity to bridge gaps, to leverage resources, to better prepare our teachers in Indian country, to develop more meaningful and relevant curriculum and as a mechanism for more cooperation and coordination. If we are earnest about wanting to close the achievement gap in Indian country, we need to include all of the stakeholders in this process. So on behalf of TEDNA and the Hoopa Tribe, I support the Native Class Act and the statement of fact that we want the same cooperative language from the Native Class Act included in the ESEA. Thank you.

MR. ACEVEDO: Thank you, Mr. Masten, thank you very much.
Chairman Tex Hall, please. Welcome, Tex.

MR. HALL: Thank you, Tom. (Speaks Native American.)

Good afternoon. My Indian name is Red Tipped Arrow. My English name is Tex Hall and I'm the Tribal Chairman of the Mandan, Hidatsa and Arikara Tribal Nation, located on the Fort Berthold Reservation in western North Dakota.

I'm here to make some comments on behalf of my tribe and also the Tribal Chairman of the Great Plains Tribal Chairman's Association in Rapid City, South Dakota, made up of 16 tribes of the Dakotas and Nebraska. We are all treaty tribes. My tribe has an 1851 Fort Laramie Treaty. We believe the treaties were approved by Congress and are the supreme law of the land and education is a treaty right. So we are very concerned about maintaining trust, responsibility and everything that it's happening, we really appreciate NACIE and the work that NACIE does. Under the Obama Administration, I believe the teeth have been put back into NACIE as an organization. And so we are very appreciative of the Obama Administration getting a full board in place with a mandate to improve education for our children.

Our children are very important to us in the Great Plains. They're our greatest resource and so we take education very seriously. I do have nine points that I want to raise and just digress back, real brief, that NACIE was formed in 1969 due to the Marion Report and the Kennedy study. Congress entitled it, "Indian Education National Tragedy – a National Challenge." And the studies showed that education was a failure for Indian kids. As a result, Congress passed a 1972 Indian Education Act. So this Act authorized many things that are very beneficial for our children along the way. And it clearly shows the Department of Education has a full trust responsibility for implementing this Act and this law. And of course, we are concerned about that. There's an MOA (Memorandum of Agreement) that was signed with DOE and the BIE, Bureau of Indian Education, which is under the DOI, the Department of the Interior. So this MOA is very important to us and the Great Plains Chairman's Association has requested in our documents to the Secretary of Education, Secretary Duncan, that this older -- this old MOA that's been in place needs to be updated and reviewed, especially with the No Child Left Behind. In the recent, No Child Left Behind law has been very detrimental for our schools and our children and we feel it has left behind many of our children.

So NACIE was created to provide policy, direction and guidance to Congress and those responsible for implementing this law. And so we have nine recommendations. One is the Federal trust responsibility to be fully implemented and maintained and upheld. As I mentioned, we were all treaty tribes in my region. We believe in the nation-to-nation, government-to-government consultation and appreciate this opportunity today. But we are requesting that full obligation of this trust responsibility be maintained and upheld through the Department of Education with its NACIE.

Number two, Indian education in many parts of our country, including ours, is still a failure for our children. The statistics will prove what I'm saying. We have a high school dropout rate of 50 percent, in some places higher. And our school conditions, you would not want to have your own child into some of our schools. Some of them still have asbestos. They're not safe. They're not healthy. The air quality is not very good. We passed a resolution at the Great Plains condemning many of our schools, yet the budget for new school construction continues to get less and less.

Number three, Department of Ed must budget funds, fully fund for the full implementation of the Indian Education Act, so NACIE can fully implement the law and help assist the Department of Ed. NACIE and DOE must advocate for full funding from Congress for all Indian education funds.

Four, the reports from NACIE over a three year period be released immediately. And I think you said that you have it on the website, Chairman Acevedo. Appreciate that.

Number five, fully support the continual cultural and language education of our children. I just want to acknowledge one of our tribal members, Alyce Spotted Bear, who is the Vice President Fort Berthold Community College and that's actually one of Alyce's mandates -- personal -- is the culture and the language in our homelands. So we're very appreciative that Alyce was selected to be a part of this board and will carry out those initiatives. But the whole Great Plains, our languages are still spoken for all of our tribes. So language and culture, if you go to the Great Plains, our culture is always part of our meetings. Our language is always a part of our meetings. It is spoken. It is demonstrated and it is exercised at the regular meetings.

Number six, Congress review any proposed budget reductions for Indian programs to assure this Federal Indian Trust responsibilities are maintained and funded. I do want to add that there was some consideration or thinking about transferring BIE to the Department of Ed. We opposed that at the Great Plains. Due to the trust responsibility being shifted, we feel it would lose unless the Department of Ed would have full trust responsibility in this Department. That's a whole different deal, but we have not yet heard that from the Department of Ed. In our view, the Department of Ed has been silent on that issue.

So number seven, again, the MOA that we talked about, initially, needs to be updated and renegotiated because of No Child Left Behind and other budget considerations and this potential transfer between DOE and BIE must be done soon.

Number eight, the Indian Education Act must be implemented and the reports, documents and data as prepared by NACIE as required by Congress be released and the recommendations fully implemented.

And number nine, the Indian Education Act be reauthorized and the ESEA reauthorization, now, the Class Act. So again, just in closing, we really appreciate this opportunity to make a few public comments on behalf of my tribal nation at Fort Berthold and the Great Plains Chairman's Tribal Association. Thank you very much for giving me this opportunity.

MR. ACEVEDO: Thank you, Chairman Hall, for your comments. We will take them under strong consideration. Thank you very much. Andrew Duff, please. Mr. Duff.

MR. DUFF: Thank you, Mr. Chairman, Committee.(Speaks Native American.)

I'm Andrew Conseen Duff of the Eastern Band of Cherokee. I live in Albuquerque, New Mexico. I'm a member of the National Indian Education Association, TEDNA, NCAI, and also the past chairman of AISES, the American Indian Science and Engineering Society. One of my accomplishments was to build partnerships, bridge relationships between those organizations. I'm also here standing and representing the Albuquerque Public Schools (APS) Indian Parent Committee and the Education Committee. 93

percent of Indian students belong to public school systems and APS has over 5,700 American Indian students with 506 forms in the fall, representing 115 tribes.

One-third of those Indian students represent the Indian Nation, local tribes in New Mexico and many others, including my own, 91,000 students in the Albuquerque Public School District. We have 13 high school district clusters, so a significant district. We have in our Albuquerque Public School, Indian Education Department, 19 resource teachers with one college readiness prep position. Our goal in Albuquerque public schools is to advise the -- assist the district in providing services to our American Indian students and to ensure the voice of the Urban Indian student and that the parent is also heard. The Native Class Act voice not only affects the tribal education departments and directors but affects all of our Indian students. I urge the NACIE Board and the Department of Education to not forget the American Indian students that are in the large, urban areas in public school systems across the United States where they attend classes. Collaborations could exist between the tribal education agencies, the SEAs and the LEAs, and would allow for critical data to be developed for impacts and funding formulas that will foster student development both in academics, culture and language. My children are tied through their mother through the Oglala Sioux Tribe and now attend schools in Albuquerque. While the tie has not been broken culturally, the miles keep them from being reported as high school graduates of their own tribe. College preparation has been difficult for us at best and we have additional paperwork to provide to the tribe for high school graduation documentation. This is but one issue where collaborations and consistent reporting could benefit the success stories and help develop more consistent programs and policies to assist all of our Native kids. Our children are the connection to our tribal futures. Their language and culture is the connection to the past. Let us make it a reality in the present by including the languages of the Native Class Act into the ESEA reauthorization. Thank you.

MR. ACEVEDO: Thank you very much. Chairman Mel Sheldon and Deborah Parker, please. Chairman Sheldon, welcome.

MR. SHELDON: Thank you, Mr. Chairman and Council. It's an honor to be with you today and to share with you a few thoughts. And first of all, I want to say I'm deeply appreciative of the work you do. It's not easy and it's a huge challenge but you've raised your hands and I really support you for being on the front lines like you are.

My name is Mel Sheldon, Chairman of the Tulalip Tribes, and also I'm the third Vice President of ATNI. And Tulalip is just a small, little tribe in Washington state about 35 minutes north of Seattle. So just in case you're in the area, stop by and see us sometime. We'll give you the red carpet treatment.

MR. ACEVEDO: I've been there. It is very nice.

MR. SHELDON: Thank you, sir.

First of all, I want to share with you that we have a real good working relationship with our school board. I think that's a real big key when we talk about education with our kids. We have an MOU (Memorandum of Understanding) with them, an understanding that we work together. We also have mandates on our people to build our own K-12 school. And until that happens we're asking ourselves to work as closely as possible with the Marysville School District.

A few years back, we had legislation pass in the State Legislature, House Bill 1495 and again, it talked about culture and language. We know how important that is for our children to give them a foundation. Unfortunately, what happens a lot is when there's not a lot of money around is legislation gets passed, but there's not really any enforcement and/or monies that back it up. And there's nothing that really warms a person's heart, and I've seen it, is where our kids, little kids learning our language

that was almost lost, but a couple of elders saved it and the revival is there. Our children are speaking their language. However, we need help and whether it be through the Class Act or other ways, strategies, you know, if we need to expand that and also someday we hope that we can write our own history and that will be acceptable at all levels to educate not only tribal children, but the greater community on who Indian people are and what we contribute to an area for thousands of years. Our history is rich and we'd love to share that.

One thing, too, the last thing I want to point out or share with you is, while we can't do everything through legislation, this and that, our parents is the one that we need to educate to help them support their kids. And whatever we can do, working together, to help our parents share with their kids to support them in that consistent goal to graduate whether it be from high school or college. Today at Tulalip, we have the -- we are very fortunate, we have a lot of people in college. We have a number of ladies that have master's degrees. Debbie and I, both, are graduates of the University of Washington. And prior to this time I went to college at the U, and I had the GI Bill to help me get through and also I worked 20 or 40 hours a week. For some of you that don't know, I was a house boy at a sorority as one of my jobs in college. It was a tough task but somebody had to do it.

It's an educational journey for all of us and how we get there, but we take those memories and it means a lot. We have a young lady in her third year of law school at Harvard. We also have a professor, a tribal member that is a professor in Arizona. She's now working with the school district. But, you know, all that pales when you think about our kids that don't make it through high school. We still have those challenges.

So that's my plea is how can we work together better to find solutions together for those so we can give them hope we can give them that path and we can help the parents. So thank you for the time here and I'll turn it over to Debbie.

MR. ACEVEDO: Thank you, Chairman Sheldon.

MS. PARKER: (Speaks Native American.) Good afternoon and thank you for allowing us this time to share a few words. My position at the tribe is I'm a Legislative Policy Analyst and I thank Patricia Whitefoot for inviting us here today. I guess my words would be I'm a parent. I have five children and as a matter of fact, I just received the National Indian Education Parent of the Year award last week.

MR. ACEVEDO: Congratulations to you.

(Applause.)

MS. PARKER: Very, truly an honor and it just means I have more work to do, I think, Patricia told me. But really, you know, our Chairman Sheldon mentioned the work that we have to do today as, I know, for him as a tribal leader to make sure the communication is strong with our Marysville School District.

For me, I have some great challenges being that I do have my students in the school district and it is a fight. Even today, my husband is back home. He was going to attend the conference here, but we have some issues with the school district and my son, making sure he's in the classroom and why aren't grades happening and being posted. And it is a fight and I can tell you that because from my very core as a mother, I have great concerns with the thought processes of our school officials, our teachers, staff and even the students. And I do believe that there is a lot of civil rights' issues happening within our school to where it's our Native American children.

And an incident did happen on Monday where a student was wearing a big feather headdress and was dancing around school at one of the high schools. One of the Native students asked that

person to stop and they continued and passed the headdress to another student. And so this young person -- we have technology these days so while I'm down here, she Facebooked me and said, you know, "Why does this continue to happen?" I asked the counselor and the counselor stated that, "Yes, it's zero tolerance of racism in the school district, however, kids will be kids." It seems to be kind of the statement and nothing happened.

So I do have these concerns that, you know, these rights of our students, these rights of our Native American children are not being heard. As a parent, I'm quite active, but I do have concerns. Last year there was a school district board member stated racial science -- Phil Russian was a scientist who he quoted as saying that, you know, if you're not Anglo or East Asian, then your brain size is too small to handle information. Therefore, in our school district, we are going to cut the budget for all students that don't fit in that category of Anglo or East Asian. So, you know, we've had a fight on our hands and thank goodness for our tribal leaders who care about our children.

And my concern here would be that we need help. We need clear guidance and I'm asking you for your support as a parent, as a person who is working on legislation to help fight for our rights. I do feel -- my heart hurts for these young children. They don't have a voice. They don't know how to say, "Something is wrong with the system and I'm being mistreated." Even as a parent, last week I received a phone call from a teacher that says, "Well, your students, your tribal students, they just have some deep rooted issues. So I was just wondering if the home life, you know, if there's a problem?" And I said, "No. My son is just reacting to all of the different treatment that he has received over this time but we are working hard." Myself, as a parent, I'm asking the school districts to rise up to think about what's happening in the school systems and for us to have national dialogue on how we can protect our Native students. So with that, I thank you for your time today.

MR. ACEVEDO: Thank you very much. Your concerns have been recorded. Thank you, Mr. Chairman, Ms. Parker. Our next individual is Charles Richardson. Treasurer Richardson, welcome.

MR. RICHARDSON: Thank you, Mr. Chairman, Advisory Council. Thank you for your time.

My name is Charles Richardson. I'm a member of the great Haliwa-Saponi Indian Tribe of North Carolina. We live in a very rural area. Up until a few years ago we had no, basically, I say, Indian school. Our tribe implemented the first tribal charter school in the state. And from what I've learned from the Department of Education in D.C., which Kevin Jennings came down last year and he and I walked around the school and visited the students at the school. However, my concern is Indian education throughout the counties and the public schools as well as our tribal charter school.

I have three sons; 25, 24 and 17. My 24 year old is in the Marines. My 17 year old is getting ready for college. All my kids have been taught their culture since they were little bitty kids. They taught kids in the school systems. My kids go to culture classes. They take babies by the hand and teach them their culture. But now we're getting to the point where the kids are looking at us and wanting to know why they don't have enough funds for all the kids to participate in these projects and in the schools.

My wife is an Indian Education Coordinator. She's got to do five schools in the county. A majority of the time she's by herself. She goes in the classroom. She teaches these kids their culture. She teaches non-Indian kids about our culture. I've seen the difference in the last year in these public schools. These young kids, non-Indian kids are learning to respect our kids. They're going home and telling their parents about our culture. And when our kids get into society, they're not bullied anymore.

But, you know, when I was in school, I had to fight every day because I was a Native American student. I mean, physically fight, get beat up. But that's okay, I survived. I don't want our kids to fight to get the education that they deserve. One of the problems we have within our community in my area is

funding. They fund our schools, our public schools according to the population of the Indian kids, amount of Indian kids that's in there. But if you got a kid that just so happened to get moved out of this county into this county, and that school does not have that program, that kid gets pushed out because we don't have the funds to reach outside of our immediate counties to get these kids and keep them in the schools.

We're losing kids to the streets in double numbers; alcohol, drugs, double numbers. When you talk to these teenagers in the work sessions that we do, there are reasons for not seeking their education. "We can't afford it. My mom made one dollar too much."

It's time we get past that. It's not about the dollars no more, it's about survival of our kids to be able to see where we're at now. In the 1960s and '50s and '70s, I remember our leaders. The great W.R. Richardson used to walk the halls. He worked endlessly and he would carry a suitcase because he couldn't afford to feed himself out on the road. He paved the highway for us to get here. I am very proud to sit here and look at all of you all. I never thought I would see this. And I wasn't going to say nothing and I didn't write down a list because the feelings that I have for these kids -- and I traveled the road for the last 15 years for these teenagers. I don't get paid a dime. I don't ask for it and I don't want it. But it hurts me when I see one lost or left behind over the dollar sign or because somebody didn't come forward and ask for what they need.

So when you sit around the tables up there and you're telling President Obama's Administration, and the other officials, the Department of Education, you know, "What we are going to do with these dollars and where should these dollars go?" And one of the main things that really hurts us is by the time the money gets in the counties, is you got your administrative fees, you got to pay somebody in the main department, DPI, you got to pay their staff. Then you got to pay county staff. When it gets to the kids, they don't have enough to buy nothing they need. They don't have enough to participate.

Do you know how bad it hurts when a child can't participate? My child got an early college. He's going 13 years to high school because that's the only way I can pay for two years for college because it's free. He gets a two year associate degree and his diploma next year. That's all I want to see. He asked me, he asked, "Dad, why come I can't got to NCAI with the rest of the youth that sits out there?"

I said, "The tribe can't afford it." It took something out of me to tell my child. I met with Jerry Germaine last year in the blizzard. I didn't. He did. When I told him he couldn't come here because we couldn't afford it. It's time we need to start looking at our future. This kid is sitting on a panel next week at the Capitol of North Carolina with the Initiative Development Corporation Center on behalf of all of the kids in the rural areas of the state. And it's not just about my kid. I know a lot of kids. There's a young lady out there today wearing a crown from Seattle, Washington. Last year she implemented and associated with our kids in Seattle at a leadership program. I got on the computer and got scholarships to take these kids. They still communicate with each other. I've seen Facebook messages, "We love you. We miss you."

We made this this week. Last week it was somebody telling about the porcupine and these kids paid attention to that. She looked at me yesterday when I saw her and she walked up and hugged my neck. Everybody calls me Daddy B. Everybody calls me Daddy B because I am their daddy. That's my kids. And the government needs to start looking at these kids as their kids. So when you all go down to Washington, please do me a favor look at all the Native American kids across the country. We're losing too many. And if we lose too many, after a while nobody is going to be sitting here to do what we are doing.

And I just want to thank every one of you all for giving us these few minutes. It's been an honor and a privilege for me to be among you all this week. And I just can't wait to go back and tell my people that you all listened to us again. Thank you.

MR. ACEVEDO: Thank you, Treasurer Richardson. We share your devotion of children as well, our Native American children. Chairman Cromwell.

MR. CROMWELL: (Speaks Native American.) Good day, NACIE. Very proud to be here and really appreciate what you're doing. You know, when I think about my tribe Mashpee Wampanoha in the state of Massachusetts, which Massachusetts means land of large foothills. Our tribe, we were the first Indian governed town in the United States of America until 1972-73 and that's when a lot of taxation kicked in. They waited with the allotment process for a very long time so I was glad to see that happen first for our tribe.

With having said that, we were very strong leaders in our community, still are. We controlled the school systems at that time. So you could imagine that in the school systems, it was the public school systems, you know, it was just not Native children there. It was all walks of life there, but it was within our community that we governed and managed. There was certainly a lot of pride, you know, because there was special ways of teaching our people. We didn't think about kinesthetic ways. Our people were very accustomed to that. It designed those components around ethics, your educational styles were adhered to because it was home-cooked. That's what I like to call it. Our people were able to accept that type of education and prosper around it. We've got statistics that show that our success rates were 90 percent plus.

With having said that, once the school systems were taken over by the non-tribal entities, certainly that educational ratio dropped. We talk about a national need of 50 percent. Our community is roughly 47 to 48 percent success rate out of high school. When we talk about No Child Left Behind, which NCLB amends the Indian education programs around performance, accountability, you know, funding, and giving the parents a choice, you know, to get the best in education, it's extremely failed. It's not successful at all. You know, I got involved in education advocacy about ten years ago because as the lady from the Northwest had talked a moment ago around, you know, if there's problems at home with your children. While I was in tribal council, I was getting approached by a lot of parents saying, "Listen, we're having problems in the school system." You know, our kids are being targeted and certainly within our tribal community, a strong tribal community, we're taught certain ways, certain ways to be, cultural, dynamics, you know, recently our tribes received -- we got the award for language. We've had the resurgence of our language. So our kids are really thriving with the type of teaching and education that we give them, but once they get into the school system, it's something different. We're thought less than and less of. So I've gotten pretty up close and personal with the superintendents within our five service delivery areas across Massachusetts. That's a big footprint, you know. So I showed up this year. And you know, I walk in there and I walk tall and they all get to know me. You know, I run into them at the State House and one of our service areas was funded at \$40,000 with roughly 300 tribal youth in that school system. So you talk about Title VII money under NCLB that amends these Indian education programs. 40 grand to provide advocacy. It's a fiduciary responsibility to provide the best in educational services based on performance, equity and the choice that their parents have. It's not much of a choice because you cannot get a fundamental system in place that actually supports education advocacy. Those key criterion metrics that support better enhanced education. And, you know, it's so important that those monies within the ESEA, those grant fundings that go to the states when we talk about LEAs, SEAs, and the TEAs, all that funding needs to come to the tribal community.

I met with the superintendent of Mashpee schools a couple weeks ago, Ann Bradshaw. You know, we are pretty friendly. And it's just -- "What are you doing? You have a field program, I heard, it's a place where tribal kids can hang out because you feel like you can't deal with them. You know, the structure is terrible. You don't have the right type of teachers in place. You have no metrics that

measure performance. You don't even have a baseline. You say these tribal kids are problems and you just have them in a holding pattern."

So I've been hiring lawyers, you know, educational advocate lawyers. So I have a team of them now that I fund which is pretty expensive, but I feel that it's my responsibility because Title VII is failing. In a recent success it was getting tribal kids to graduate. Buy ten laptops, set up the Internet. Go on these educational programs. It got them through the school system. Title VII couldn't perform. It couldn't get it done and they had this big speech at the graduation, it made all these things happen. I was proud but it's sad. It's a bad reflection of the system on what the accountability is of what they're supposed to provide; the best in education services for our kids.

So I thought, like, we were the LEA and the TEA and the SEA, the whole enchilada. You know, because in that performance that there are supposed to be monitors around the school performance with the LEAs, and what have you, within the school system. It's just not happening. So I think with the ESEA, it's so important for us to have that ability within the public schools to have those fundings, number one, be appropriated in the right way because the dollars are too short to serve. They don't even reach the baseline, performance line, where educational greatness is and excellence for our kids. They have no criterion. They have no information with staff. And I meet with them and I go in schools all the time and I set up IEPs.

You know, I'm a business manager and an IT professional in finance. I came in and I think without education you can't be all that you can be. Within our tribe, we look at it as having one foot in the shoe, one foot in the moccasin. To be able to introduce both worlds and education is that key and that bridge, for our Indian kids to be successful within this very dynamic and competitive world. So when I hear that the Indian country priorities have been stripped out, I say, "What the heck is this? This isn't self-determination, the ability for us to succeed and excel. It's another form of extermination and attack on tribal sovereignty."

So educational advocacy is so important around the assessment of what our children's need are. It is the state and Federal government to determine responsibility to fund that experience or get the heck out of the way and give us those monies. And maybe it is a cooperative agreement where they still hold up their end of the deal, but you give us the funds and we'll design those programs for the TEA and the tribal, and build it and make it work. So I know I do it, my education director does it, we have family members that do it, but the school still does not hold their accountability. I meet the different districts and the Title VII money within NCLB for Indian education whether it's performance or baseline things for excellence, teachers' choices. They are not aware of it, so another aspect of this is that from NACIE perspective, there's some -- and I call it "branding" right? Because it's a specific brand, specific need to our Indian children, that the school systems in the Northeast just do not know about. You know, my history is all over the state of Massachusetts but they're still blind to it because they don't look at it as mainstream for them, the way they think.

So I think there's some components around branding, advertising, if you will, I don't want to cheese it up, but it's important to get this proliferate information out there to the public schools around, number one, what Title VII means, but, number two, really what does Title VII mean from a funding capability, certainly from a sovereign perspective. How do we get that grant funding so that we can execute on the proper levels of baseline education for educational excellence for our children. With that advocacy component, you know, for better performance and then we can manage our IEPs is the main thing. And Ritalin is not the answer. That's the first thing they want to do is pop that on the kid, Ritalin, you know, and create a monster. You know, so I sit with a lot of these kids and it's problematic because we teach them that they are great, but when they get in the school system, they're subpar. And then when we expect the school system to do the right thing, they don't. They won't. So we need to assure that there's priorities in the ESEA. It's got to happen. Thank you.

MR. ACEVEDO: Thank you, Mr. Chairman.

MR. CROMWELL: Appreciate it very much.

MR. ACEVEDO: Cecelia Firehunter. Welcome, Cecelia.

MS. FIREHUNTER: Good afternoon. (Speaks Native American.) I'd like greet you with a warm handshake and feelings from my heart. My name is Cecelia Firehunter. I represent Oklahoma Coalition Education which is comprised of seven tribal schools, four state schools, and we are trying to get the parochial schools into our circle. That's been very difficult but we are going to do it eventually. On Pine Ridge Reservation, we have these schools including 19 Head Start centers and 11 college centers. I also represent the little school which is about 900 students, pre-K to 12.

What I wanted to say, today, to you is what we told the Secretary's representative. A couple years ago, he came to Pine Ridge in a consultation. You know, a lot of these Indian organizations have been around a long time representing us for Indian education. Last month in Rapid City at our reservation at a school board meeting, we put the names of all the Indian organizations that represented education like NIEA, NACIE and we asked the question, "What have they done for us?" On a scale of one to ten: 0, 0, 0, 0.

So we said, "We need to talk to these people." One of the things is that communication has to improve within the organization to the communities. Because if you are transparent and you're not communicating all the way down to the local school boards on what you are doing on our behalf, we're not going to know, are we? So we are asking all Indian organizations that represent us in education to aggressively pursue the communication process on what you're doing on our behalf.

The second thing is you need to be talking to us. You need to be coming to our communities, to our school boards and asking us what we need and what you can do for us and that doesn't happen. When we say consultation, it's not just within the Department of Education but within the National Advisory Council on Indian Education that you need to be talking to the ground level people working in education and ask for our input. And not just for two or three hours, but really sit down and have a conversation with us.

The other thing that we ask for with the Secretary's representatives two years ago was that it's time, it's time to do research. Pine Ridge Reservation is 2.5 million acres. On any given day, there are 6,000 students getting on a yellow school bus whether it's a tribal school, state school, or parochial school, going somewhere to a building to learn. 6,000 Hajati children. We have a captive audience on Pine Ridge Reservation. It's time to invest in some real research to understand why and how come our children are not learning based on the norms of that community, based on the beliefs of that community. Too often when we're writing grants they want best practices. They want all this research materials. It's interesting there's very few research. Coming up in the Indian community, there's very few research that pertains particularly to us, the Oglala Sioux, on the Pine Ridge Reservation.

So one of the things that we are going to ask for as we move forward is to take a hard look at how much money we can invest in doing some research to once and for all get the data that we need to truly create curriculum and learning methodology that fit our children in our community. And that needs to happen right now, right away. You know, we are using everybody else's model. We're using everybody else's research. We're using everybody else's perception and concept of what education is and how it should work. And we're jumping through the hoops. Those seven different tribal schools are using seven different kinds of curriculums to teach English. They're using seven different kinds of ways

to teach history. There's no comprehensive curriculum based on good research that's going to guide us in how we teach our children.

Secondly is language. We talked about language and culture. You know what? Some tribal communities like mine, we have a large percentage of language speakers. Some of the change has to come from within. It has to come within the family and community. There's no amount of money that's going to bring culture and language back. That has to be an inside job from the people in that community that want it, want to keep it. That they have to invest time, energy and effort into reviving culture and language. NACIE can't do it. The government can't do it. The people have to do it. We need to start creating that kind of message.

I'd like to acknowledge Stacy Phelps and Janice Richards, these two people graduated from Rivermont, our school. Our school has graduated some outstanding young men and women who went off to college. We have a doctor. We have a pharmacist, college directors. I'm very sad today. I'm very sad today because we deal with the statistics day in and day out on the kind of conditions our children live under. I did not see 20/20 ABC news. I did not see it. I do not need to see a documentary to tell me what's wrong.

Right now, we're talking about doing a study similar to the Amber child studies for the CDC and Kaiser Permanente to take a look at the impact unresolved early childhood trauma in a person's development. We are looking at that as another way to collect data. I've had conversations with Stacy and part of another area where we really need to take a look at, we are looking for physicians. You know, we talk about home grown. You know, I ask tribal leaders as I travel across the Great Plains in health care, how many doctors do you have that are tribal citizens? How many dentists do you have that are tribal citizens? How many therapists do you have that are tribal citizens? How many engineers do you have that are tribal citizens? I'm sorry to tell you, not that many. And the reason why I ask these questions is it comes back to leadership within the education systems.

If we want to close the gap in getting more health care workers in our communities, schools have to do a very, very serious hard look at their curriculum, to strengthen the math and science capabilities. Math and science is the foundation for many health care careers. Math and science are the foundation for even passing the law school entry exam. Math and science is the foundation for all kinds of jobs that our tribal citizens can learn. So when we begin to take a look at what has to change, I'd like to just say that in our community, we're not looking for someone to come in and do it for us. We're taking some hard looks at our existing system and what we can do at school boards to change some of those systems within our community. This year for the first time, my school board made some decisions based on data. The data that we accumulated as we took a look at this data, we made some changes within the curriculum and within how we teach our students.

Second thing, this is really a sad thing to say but our tribal colleges are not producing very good teachers. At my school, we have 15 Teach for America in the K to 12. And I'm sorry to tell you, our kids love those Teach for America teachers. The Teach for America teachers bring something into the school that our tribal trained teachers do not bring. And you know what that is? Enthusiasm. Enthusiasm. I can understand why a lot of our tribal trained teachers do not. When you live in that environment of poverty, when you live in those environments, it wears you out. So how do we change how we teach teachers that are in our tribal communities so they can come in the classroom with enthusiasm so our children who are subjected to so many challenges and trauma, they come into those classrooms hurting, hungry. And so the teacher that walks in that classroom every morning needs to understand that and infuse that classroom with light and enthusiasm because the kids need that.

The other things, as school board members we talk about transportation. We did a study on Pine Ridge and we took every bus that rolled on the road of the reservation to total up how many miles our school buses travel on our reservation. That translates into making sure that the roads were in

good shape because it's a big issue. Number two, nutrition. When you have a reservation like mine with 85 percent unemployment and poverty, kids are going hungry. And the school lunch is the only time they have a complete meal. However, the USDA has not had a consultation with Indian tribes on how to increase or change the formula for the school lunch. So if you take a look at that formula, the schools on my reservation have not had a major increase in school lunches. So what happens is this: We are limited in our budget and one of the things that a lot of cooks are saying is that so many of our children need second and third servings of lunch because that might be the only meal they have until breakfast the next day.

So there's a lot of research that shows that poverty and brain formation, not eating an adequate nutritional -- not getting adequate nutrition in your body does affect the brain and that coupled with all the trauma that our children experience on a day-to-day basis. So the challenges of teaching Indian children in our school, many times, is not about teachers or the building or the teaching materials. Many times it's about the kind of social conditions our children come from that prevent them from hearing, from seeing to tell. So when you take a look at the recent report on -- the GAO (U.S. Government Accountability Office) did a report on mental health, behavioral health services for our Indian health service. It just confirmed what we've been saying.

You know, if we are serious about our children being able to learn, we need to also be serious about making sure that there are enough resources in our tribal communities to provide therapeutic services for our children, because a lot of our children have trauma and pain and somewhere they need to let it go, and that does affect their learning. In closure I'd like to just say this: I know many of you around this circle and I appreciate what you're doing. But also, I want you to constantly stay in touch with us. If you're representing us, we need to know what you're doing. If you're representing us, you need to talk to us more often. If you're representing us, there's got to be more communication because guess what? There's a lot of smart Indians out there sitting on school boards. There's a lot of smart Indians out there working in the community who have some ideas and answers on how we can change it. So I want to encourage you to stay in touch with us. NACIE has been around a long time and I just asked my sister over there, what do they do? I kind of have an idea but I needed to ask the question. She said, "I don't know. Go ask them."

So I just wanted to say that, and again, I really, really want to highly encourage you to push forward research and research our communities. Pine Ridge Reservation is an ideal place to do research. Those kids aren't going anywhere. And those kids are all our children on that reservation. We need to once and for all figure out the best way to teach our children based on data and statistics that we gather for our community. And I bet you, I bet you, once we get that data and we start changing how we do business, we're going to see a dramatic change. We are going to see dramatic change in how kids are learning and we're going to see dramatic change in improving in the test scores. And I know when we say test scores, you know, I know personally our kids are not stupid. Testing is not always a way to measure the kids to see if they know anything or don't know anything. So we've got to find different ways to measure what they know and what they don't know.

So I just want to leave you with, please support and encourage and most importantly let's get some new language to do research so we can once and for all get the data we need to make the changes in how we do bids on reservations like Pine Ridge, who I represent today and that data can help guide us and change how we teach, how we see the curriculum and even teach teachers how to teach our children on the reservation. Thank you for taking the time to listen to me.

MR. ACEVEDO: Thank you very much for your comments. And I guess I did see the 20/20 special and one thing I took away from that is education is your answer. Joyce Harris, please. Joyce, welcome.

MS. HARRIS: Thank you. Good afternoon everyone and as he said, my name is Joyce Harris and I am the Director of the Region 10 Equity Assistance center which is located here in Portland, Oregon, Education Northwest. And I'm here to talk to you a little bit about the assistance centers because there are ten of us in the country. We are funded through a competitive grant from the U.S. Department of Education and Jenelle, here, is someone that oversees our program. Just to tell you a little about the history of Equity Assistance Centers, we were created under the 1964 Civil Rights Act as desegregation assistance centers. And during that time, we were responsible for working with school districts to address some of the issues that arose as a result of school desegregation. I'm here to tell you we are still grappling with many of those issues.

In the mid-90s, the U.S. Department of Ed changed our name to Equity Assistance Centers to better reflect the scope of work that we do. We specifically work on issues related to race, gender and national origin equity. We work with public schools or any other governmental agency that's responsible for operating school, a public school. Our services are provided to the school districts or school communities at no cost because we are funded by the U.S. Department of Education to do this work.

There are ten centers in the country and as I said, I'm region ten. My region includes the states of Oregon, Washington, Idaho, Alaska, Hawaii, Guam, American Samoa, the Republic of Palau, the Republic of Marshall Islands, the four Federated States of Micronesia which are; Chuuk, Yap, Kosrae, Pohnpei; Congo of the Northern Mariana Islands and America Samoa. So I'm really glad to be here with you today because I could be anywhere on the planet.

One of the issues that has become very important to all of us in this country is the whole issue of how children experience schools as it relates to harassment and bullying. And I bring that up because many of us are being called on in our various regions to help schools and districts and tribal communities deal with this issue of harassment and bullying. I just want to share some work that my center has done here lately.

We partner with the U.S. Department of Justice Community Relations Center out of Seattle, Department of Education's Western Regional Office for Civil Rights and with the Confederated Tribes of Umatilla Indian Reservation to put on a conference on the reservation in Pendleton, Oregon, and it was such a wonderful collaboration because the tribe underwrote the costs of the meals. I think they charged \$5 to offset the meal and we also had the Deputy -- Acting Deputy Director from the Community Relations Service in Washington D.C. came and spoke. One of the highlights of the conference was the student panel which I put together and students spoke to experiences that they had related to harassment and bullying. One of the consistent themes that came out of that was that in many cases the adults in the building did nothing to stop the harassment, to stop the bullying. And the reason why we were there was to talk to the adults about their legal responsibility to not only stop it but to create an environment where they prevent harassment and bullying.

Most recently as two weeks ago, I was at a conference up in Seattle called, "Schools Out." It's about after-school programs. They invited high school students to come and experience the conference. They had small workshops for the students on racism and all kinds of isms and how to, you know, be leaders in the schools and during one of the sessions which I chose to sit in on, I was at a table with a young lady, she was Native American and there was a young lady who was from Vietnam. They were sharing their experiences and the young child who was -- and I call her a young child because as she told her story, I just felt like -- I just wanted to hold her because it was so painful.

She talked about being the only Native child in her school and how when she walked down the halls she would be called, "Red skin, where's your bow and arrow? Go back to the reservation." And she said this happened on a regular basis. Then she said one day her school had an open mic and she mustered up the courage -- she wanted her peers to understand her culture, her history, the spiritual

nature of who she was and so she stepped to the mic and she began to talk about her community, her culture and she said the kids start laughing.

As she told the story it was obvious that, you know, she was reliving that all over again. Then the Vietnamese girl said, "Tell her the other thing. Tell her the other thing that's going on." So she was sitting there and her hair was about shoulder length and she said, "Yesterday, my hair was long." She said, "We had a death in the family and part of how we honor and acknowledged the death of the loved one is we cut our hair." And so when she went to school the day before, the kids were saying, "What happened to your hair? What happened to your hair?" And she said, "I started to tell them, you know, we had lost a family member and this was part of my culture." And she said the kids started laughing. And it brought home to me as the Director of the Equity Assistance Center, that part of the work that we do is to help teachers to understand the type of harassment that children from diverse backgrounds experience. And I've also -- when we were on the Umatilla Tribe and Reservation, one of the tribal elders told me, she said, "Joyce, we are in the process of planning a camp next week." And it was a camp for middle school students and the theme was suicide prevention. Once again, that reinforced for me the importance of the work that we do to help teachers and other communities understand Native American history and culture and the challenges that are still being faced.

As a federally funded service provider, we're in a position as Equity Assistance Centers to go in and help with that information, helping people to understand what their legal responsibilities are but also their responsibilities to prevent the types of behaviors that alienate children, isolate them and instill fear in them. So I just wanted to bring a couple of examples of work that the Equity Assistance Centers have done. So this past August, several of the Equity Assistance Centers collaborated to help present a conference called, "Pathways for Respecting Native American Civil Rights." Another one did a conference on working with Indian parents. And so as we work in our regions, we are very cognizant of the fact that there is some populations of students who people just don't understand what they experience and how they experience schools.

We plan on doing additional work. We just, two weeks ago, one of my staff was in Idaho and she worked with the tribe there. They specifically asked for her to come back and work on issues of bullying and harassment. We have, also, centers who work with schools on looking at curriculum and the holes in the curriculum, the misinformation in the curriculum, the images that are presented. And so I just want to share with you the ten regions. Do I have time to do that?

MR. ACEVEDO: You've gone past your five minutes.

MS. HARRIS: Oh, well, I apologize for that. So how about I just leave this with you. There are ten regions.

MR. ACEVEDO: We'll take that for the record.

MS. HARRIS: You can go online and Google "Equity Assistance Centers," and you can see which states the regions serve.

MR. ACEVEDO: Thank you very much.

MS. HARRIS: So thank you and if any of you are in any of the states, give us call. Thank you.

MR. ACEVEDO: All right. Thank you very much.

That will close the public comment period for today. Anything else that the Council would like to discuss today or adjourn until tomorrow?

MS. OATMAN-WAK WAK: Just a point of clarification about what our time will be to propose any of our recommendations on the agenda?

MR. ACEVEDO: We certainly have time today. We're not scheduled to close until 5:00. So if you want to stay longer, that is your prerogative as members of the council.

MS. OATMAN-WAK WAK: I think we need some time to digest the budget that we have before we move forward.

MR. ACEVEDO: We have a fair amount of open time tomorrow in the afternoon. I know there are things going on here that could affect our full quorum, so just keep that in mind. Things that I jotted down today; an April council meeting, the budget issues, recommendations to Secretary Duncan involving regulatory changes or policy changes, the bylaws, subcommittees that are necessary and our ongoing obligation to develop another report to Congress. Those are the ones I've raised. Virginia.

MS. THOMAS: I just had a comment before we get to something else about the testimonies that we heard today.

I wanted to talk to every one of them that was here. And I hate it when you give a testimony and there's no follow through. And I think we owe justice to these people of follow through -- it's on our website or something. The issues that were brought up were very valid and I think that -- we can't be just a silent board. We have to be able to take our position and make these recommendations into something, not only just to have it transcribed and here it is, but what are the recommendations that we've heard from today and what we're going to do about it. That's my biggest thing is that I don't want these people to come all this way to testify before us and then it just -- leave it right there. We have to have some kind of follow through. Either it be something that we recommend to put in on the website because, obviously, we are not going to contact everybody that came in today, or if we didn't get an address or something, but on our website we can say that we've had this consultation and these were the concerns and this is what we wanted to do. We have to have some kind of follow through.

So I think before we go into something else separately from what we just heard, maybe we can have, like, a plan of action or develop a committee that can work on this to get it together but I think something should be done. I, for one, know almost everybody that came up here to testify. I don't want them coming to me saying, "What did you do about it," because we need to do it as a group.

MR. ACEVEDO: Comment well taken. I think that's what we're talking about recommendations to Secretary Duncan, those things that we can impose, the regulatory policy changes and then the more difficult ones in our report to Congress for congressional change in terms of legislation. So I think that's how we take action. I mean, all that was said today was absolutely relevant to what we do and how we make that happen for the folks to the best of our abilities here on this Council. I think it is through our recommendations to the Secretary and then in our report we do to Congress. Robin.

MS. BUTTERFIELD: Just to support what Virginia was saying, and also, I think what you're suggesting. It wasn't a surprise to me to hear how many people said they didn't get our report. So to respond that it's on the website is not good enough. We need to -- I think one of the recommendations is to make sure we send it out to people and not just assume that they're going to be looking at the website. I mean,

you know, this is the age of technology. We can be a little more aggressive at getting the word out in terms of what's going on. So I think we need to take seriously what Cecelia was saying; communication. We need to be communicating what's going on and what we're suggesting and what we're hoping will make a difference. So I think that is definitely one of the recommendations that we should propose.

MR. MCCRACKEN: Sam McCracken. I just want to make a recommendation. The thing that was most disappointing to me that all of this, obviously, is a reflection of what we hope to get done. But when we hear the comment of, "We don't even know what you guys do," is to me -- I don't ever want to be represented that way as a person, as a Native American, as a proud leader of this community who has a voice and to hopefully use it. So I think that's one thing and I think as a committee, I think we all can shake our head and say we want to make sure that people know what our plan of action is or our plan and what we represent. So I would just like to throw that out as a recommendation and make sure that there's -- we bring more clarity to that because if we can at least do that one thing, then people know why they're coming to us.

MR. ACEVEDO: Virginia, again.

MS. THOMAS: I'd like to add on to Sam's that that's one fold. The second fold is how we can tell them how they can assist in doing this also because we have tribal leaders here and their voices can be heard. We have the Listening Conference that's coming up, everything that can happen. We need to let them know what they can do. There were some people up here that said our tribe needs assistance. There's things that we can connect with the Department that they're obviously eligible for the different grants and the things that they don't know about. And I think, you know, Robin is right, maybe the communication should be upgraded more than just the web and there's something else that we can do but I think not only can we tell them what we're going to do but tell them what they can do in the same process.

MR. ACEVEDO: And I think we can look to our Director to help us on that with her full-time position.

MS. THOMAS: Yeah, I think it's Joyce's fault.

MR. ACEVEDO: Those were not my words.

MS. THOMAS: We love you, Joyce.

MR. ACEVEDO: Jenelle.

MS. LEONARD: Mr. Chair, let me just say to the NACIE Council, that we take direction from you. So if you have, in your open meeting sessions, discussions and ways that the Department can better communicate as well as identify those outreach that we need to contact; if you state it, we do it. It's truly in your hands. If communication, as we heard, is an issue then as a DFO (Designated Federal Official) asking that you discuss that and give us specific guidance as to when you complete a report, where do you want the Department to send it? Because right now, the charter simply says to send it to Congress and we sent it to the members. But give us guidance, tell us what you want us to do. That's our expectation. We'll be happy to do it.

MR. ACEVEDO: Thank you, Jenelle.

MS. SPOTTED BEAR: I have a comment to make. I don't know if anyone from NACIE attended NIEA last week. I couldn't because I had a death in my family even though I was scheduled to attend. But to me, that would be a good forum to have a session that says, "NACIE, what is it, what it does for Indian Education," and maybe disseminate copies of the report at that time and have somebody go over the report at that time. Maybe more than one member. Just a suggestion.

MR. ACEVEDO: Patsy.

MS. WHITEFOOT: Yes, we just heard from our tribal leaders who also talked -- I heard earlier, I can't remember who, but someone said, "Well, we could make reports to the National Congress of American Indians and the National Indian Education Association." I think to help, the communication needs to go further than that. It also goes to our tribal leaders in the various organizations that our tribal leaders are representing as well. Such as our regional inter-tribal organizations because that's where much of the dialogue goes on is at our inter-tribal regional organizations. You heard Chairman Sheldon talk about the Affiliated Tribes of the Northwest Indians, the Great Plains Tribal Association. I believe those are critical.

I think we need to go back and take a look at the goals of the NACIE and just begin putting more specifics in there about this communication collaboration. I would also just like from those individuals that testified, you know, learn from them about what it is that they're doing. What are some of the best practices that they are doing as well about what's going on in their community. And so perhaps there's something in the future that we can develop that would help us to be able to identify and to follow up with them to get those best practices.

MR. ACEVEDO: Mary Jane.

MS. OATMAN-WAK WAK: Patsy already stated what I was going to in the execution of communications and outreach plan that we not just keep it national in scope, but go to the organizational level. Many of the organizations that Patsy referenced as well as the USET (United South and Eastern Tribes, Inc.), you know, Southern California Tribal Chairman's Association, All Indian Pueblo Council, have very robust education committees and we need to be communicating at the local level and not just at the national level. But thank you for that recommendation, Alyce, because there is a great following, a very diverse audience within the NIEA, but that's not where we are going to be able to have the kind of communication and outreach with the tribal leaders that Virginia was stating.

MR. ACEVEDO: Deborah.

DR. JACKSON-DENNISON: I was just kind of mentioning the same thing that Patsy had mentioned and Mary Jane followed up on and I'll follow up a little bit more. It's been my experience that the organizations that I've been involved with as mentioned by our public commenter earlier, a lot of what happens in Indian country, Indian Education particularly, there's a lot of talk with no follow through and I certainly don't want to be a part of that on this Council. And I think I asked this early on is to what our purpose is besides the charter, I mean, we get those responses, but besides what we are told we are supposed to be about.

I think we need to go and as an organization as a group I'm asking, to go a step further and put together a simple strategic plan, our purpose statement. Just like we have businessmen right here, I got two of them right here. I'm sure you don't run your business without a purpose statement and without

vision and mission and all of that. I really feel strongly that this organization, our group here, needs to do that and work and state clearly what we're doing with the staff so that we don't get that kind of -- I don't want to be a part of that because it really is a waste of time and is why I sometimes don't attend some of the conferences that are out there because you see that there's nothing really -- you go to one and you go to them all. There's not lots of progress that can happen unless, you know, we have that in place. So I'd just like to recommend that.

MR. ACEVEDO: Virginia.

MS. THOMAS: I would just like to add a piece onto that is that if we don't do it today, we need to do it tomorrow and not wait on this and sit and do a conference call because it will make it more difficult. So I'd just like to add on that that we need to act on it as fast as we can.

MS. AREVGAQ JOHN: Chairman? I think that, you know, the narratives that we heard today really resonate the voices that we are aware of from our diverse communities. I believe that being proactive in the follow up, like, really going through the recommendation. They brought out the issues of accountability and measurement and I think that our responsibility is to ensure that those recommendations are in the hands of our tribal membership so that they know that we're making progress or that we're showing some kind of progress in dealing with those issues and concerns that were brought up. There were some wonderful remarks about the projects that happened as well.

And I follow up with Sam in the sense that, you know, I don't want to be associated with an organization that has like a block in front and there's no communication. And so I can confer with many of the voices here.

MR. ACEVEDO: Stacy.

MR. PHELPS: However, you know, I can see we're regionally split up and we can go and do all these things but I guess for me it's like if I'm going out on behalf of NACIE to either communicate or listen, I mean, I would really like us to focus in on a few key things, because I feel like we're all over the board sometimes. And I mean, Indian education is huge and I mean, maybe we can be more effective by us focusing on a few things that we move forward, you know, instead of trying to do everything. I feel like right now we're just, you know, people bring stuff to us, we kind of -- I don't want to say rubber stamp it, but that's what it feels like because none of us really know where it goes. It just sort of goes into a document somewhere and we don't know if it ever gets read or followed up on and then we just do the next round of things.

So, you know, part of establishing what we're supposed to be, you know, maybe identify some outcomes of what we're trying to accomplish as a group because it just really, I mean, we haven't been meeting a lot but in the few meetings we have had, you know, it's starting to feel like the same thing over and over. We've all been to three meetings now but, you know, it's -- I would just really like a tangible goal of, "Hey, we're going to try to do this by this time." And I'll get on board and I'll work as hard as I can but, you know, right now, it just feels like, you know, we come, we get an information dump and we ask a few questions. We don't know if it's real relevant to the programs or anything and then, okay, fold up and we'll come back and do it again next time.

You know, it's just kind of getting to be a waste of time and now it's getting to be a waste of money if we're 40, \$50,000 to host a meeting off site and we do the same thing that we could have done with email or a phone conference at the end of the day. So, you know, that's kind of my input. You know, I'll go out there and I'll be an on-the-ground person. I'll represent NACIE. I'll go to meetings and listen and

I'll report out but I want to know what I'm reporting on, what I'm listening for and what is our specific identifiable role because I just don't want to go out there because, you know, I don't want to misrepresent anything either.

MR. ACEVEDO: Material well taken. I think to address business head that Deborah pointed out. Pick one or two things and you have only really, I mean, this administration, one more year. Maybe the President will be re-elected. Maybe he will not. We don't have any control over that but what are you going to get done in the legacy for this particular Council for this particular year cycle. And Stacy is right, we can't over reach. We just heard how broad the issues are in Native American education and they are far more than the reach of this particular council that they can do. So we need to pick one or two things that we literally say, "We will get this done." And I share all of your sentiment in this. So think about it. We will be here tomorrow morning unless you want to work some more tonight. It's up to you.

MS. THOMAS: Mr. Chair?

MR. ACEVEDO: Yes.

MS. THOMAS: I'd like to make a recommendation that we bring back tomorrow at least -- each one of us bring up to five points and we can cluster them together and then select maybe the top three that we can go through. That will give us something that -- we've got a lot to go through and make our points and that we all can bring back five points that we brought back from today and then tomorrow, cluster them together and see where we stand.

MR. PHELPS: One more point off of that. I love the updates. I know our Department of Ed staff worked hard and they're working tirelessly on our behalf, but I would really like to ask for a format of like 15 minutes of talking and then let us ask some questions. You know, it feels like we have good questions and it runs over into the next one. I know they're excited about their programs, you know, but for preparation, say, just give us the top four or five things you want us to know and then let us be able to ask some broad questions. I think there's a wealth of expertise that we can help guide but that's where we run people out of time and some people don't get to talk, you know, we don't have that opportunity for feedback and follow up which I'm sure is frustrating for them, too, because they prepared for this and there's not a lot of two-way communication. That was just an observation I had.

MR. ACEVEDO: I share Stacy's sentiment on that if we're going to get a PowerPoint, we can read PowerPoint. And some of that today -- not to take away from the folks, they were reading their PowerPoint to us and I was reading faster than they were speaking. Give us -- you know, one of the rules that we have in business is it's about five slots and you may talk for 20 minutes on those five slots. Because if you're flipping those through, that person could not be listening to you any longer. That's not taking away from their passion for their program, it's just the time that we have available.

I think that's one of the things we're all saying right now, is we want some of this update but we want to keep it concise so that we have time to do what we need to do in terms of collaboration and discussion. All right.

MR. MCCracken: In our corporate world, if it's not on one page, it doesn't get read. One page because then they can't flip forward. So everything we do -- that I have to do to my leadership that's running a corporation is a one-page document. I segment it. You put your key bullets and you have your talking points that you're going to address. I think for me sitting here listening to PowerPoint after PowerPoint

after PowerPoint and the last time we were in D.C., the same thing. I was teasing somebody about all the paper that was used for the Power Points. That's just me, personally, but from the business world, that's business world 101, one-page document. You have their attention. They're all easy to read. It's on one page. They're not flipping through and not listening to you. To Thomas's point, I would like to make the recommendation to you for your staff when they're speaking to us. We are all really savvy business people that work in this industry.

MR. ACEVEDO: And to be fair, we are now educated. We weren't before at the first couple of meetings. So I think we're ready to make that flip.

MS. OATMAN-WAK WAK: I think will all the speakers we heard a very common thread about identity in terms of access and preservation of language and culture. Identity issues that children are facing within the schools. I would like to make a motion to require the U.S. Department of Education Office of Civil Rights to provide NACIE with a desegregated report of the cases filed for racial discrimination violation of special Ed, IEPs, to be provided no later than one month to the NACIE Board.

MR. ACEVEDO: Second?

MS. BUTTERFIELD: Second.

MR. ACEVEDO: It's been moved and seconded. You all heard the motion. All those in favor signify by saying, "Aye."

MEMBERS: Aye.

MR. ACEVEDO: Those opposed, same sign.

(No response.)

Motions carried.

MS. WHITEFOOT: I would like to follow up on the presentations as well. What helps me are the policy and regulatory issues. That's the bottom line for me because we're expected to follow these. I still have not gotten a response to one of the specific GPRA measures for Title VII. And I didn't hear Bernard even respond to that either. And I've not seen those in the documents that we received and so policies and regulatory issues, statutes, all of that are important. You might say, "Well, it's in the Federal Register or, you know, the statutes." However, that doesn't always come out. We may not see it all the time.

MR. ACEVEDO: Jenelle.

MS. LEONARD: Patsy, I did find the GPRA measures. Actually, I noticed the page in the budget report there are the GPRA measures for the Formula Grant program are there. Maybe you can review them tonight and if you have questions about them, we can get them to you. Let me just turn really quickly to them. They have to be in the congressional budget justification and I just had the page because I wanted to come back to you. But each one of the programs, it has performance measures, program performance information and on page E13 is the -- I think it's the Formula Grant form and then on page E20 and E21, are the GPRA measures for the Discretionary Grant Program.

MS. WHITEFOOT: Yeah, I know those. It's the type of Formula I.

MS. LEONARD: The Formula I are there and the results because we have to report the results to Congress as well each year. So you look at those tables that are there. Those are the results that we reported on the GPRA measures.

MR. ACEVEDO: Lest you all go away depressed tonight after listening to everything, this was a success today. This regional meeting you have the best attendants in terms of people testifying before you than in our last year's meeting. So this regional meeting was a success even as costly as it may have been. This gave you good tribal participation.

MR. PHELPS: And I think they could have had just a real good phone with a picture of the person on there for \$200. I think we should do one meeting out in the field but without -- with maybe a different set of circumstance. Do we need all those reports? Probably not.

MR. ACEVEDO: Well, I think that's a way we can talk about this is that you've got these court reports there's a different format. We're all asking for it from the Department and so you wouldn't need this video conferencing to be able to hold a session and have that expense.

MR. PHELPS: Or maybe the meeting in D.C. is that and the meeting in the field is more of a listening and action session.

MS. THOMAS: Mr. Chair?

MR. ACEVEDO: Yes, Virginia.

MS. THOMAS: I'm not going to get off this soap box here. I want to make sure can we do this. Could we get this done first thing in the morning? The agenda that we have here, it says even at the 8:00, it says "Administrative Business" What are we covering in that, Jenelle?

MS. LEONARD: I'm sorry?

MR. ACEVEDO: The 8:00 session is an open one, isn't it?

MS. LEONARD: It is an administrative meeting so it's if you have any administrative matters that you want to take care of like organize yourselves or --

MS. THOMAS: So we could put that up in there, right, instead of waiting until later?

MR. ACEVEDO: Well, yeah, you've got the first two hours in the morning are open to us, correct?

MS. LEONARD: Yes.

MR. ACEVEDO: 9:00 to 10:00 is clearly open and it looks to me that, truly, whatever that administrative business is, it shouldn't take an entire hour. So we probably got at least an hour and a half in the morning to address some things that have just sort of surfaced this afternoon.

MS. THOMAS: I recommend that we review the points in the morning and condense them.

MR. MCCRACKEN: I'd like to second that.

MS. LEONARD: I just want to say that we have Kauffman here. If you get the five points together, they can pull them together and throw them up on the screens so that you can see them. They are here for that, to serve you. I might be out of order. I think I was. I wasn't really listening. I'm sorry but excuse me, Chair. I just wanted to let you know those details.

MR. ACEVEDO: I think the question was from Virginia if we have open time in the morning.

MS. LEONARD: Yes.

MR. ACEVEDO: So I would suggest while we are all fresh, if everybody is here at 8:00, we will start on it.

MR. MENDOZA: Mr. Chairman, I just want to remind you to consider since we are in the vicinity of NACIE's purpose and relationship to statute and the charter for NACIE, NACIE has always had an inter-agency reach with how the statute is written. And so arguably, you have the ability to make recommendations across that continuum and how it impacts other agencies. And so, you know, how are you utilizing other offices and initiatives namely the White House, namely, OMB and agencies of that like when you're developing these five points would be critical. So I think considering strongly across that continuum of learning, are you learning to help elementary and secondary and higher educational institutions might be a logical way of being able to approach these five points as it relates directly to your recommendations to Congress. Those being the strongest, I guess, formal recommendations, that you've submitted to Congress and how can those be adapted to approach it strategically.

MR. ACEVEDO: Thank you. Mary Jane.

MS. OATMAN-WAK WAK: I just wanted to follow up on that because that was actually the direction that I'm thinking in terms of the report, bringing that data from the Office of Civil Rights (OCR) about active cases that have been filed, how many are being moved forward on behalf of those families that have suffered deprivations at our reservation and non-reservation communities about potential recommendations for a joint listening session in tribal communities between the Department of Ed Office of Civil Rights under the Department of Justice because I think that there's a lot of crossover in that area. The dropout/push out and the pipeline prison is a reality that's, you know, right here up in our face and I don't think that the Department of Ed OCR would be able to do something like that without including an agency like the Department of Justice, and then, even furthermore, with the rash of suicides that we continue to suffer and plight our communities could not happen without SAMHSA either.

MR. ACEVEDO: Any other comments this evening before we recess?

Hearing none --

MR. PHELPS: One more.

MR. ACEVEDO: Stacy.

MR. PHELPS: If we get our work done early, I want to go to Sam's event and support that.

MR. ACEVEDO: That's an incentive to get here right at 8:00. Sam, you want to let people know what's happening tomorrow.

MR. MCCRACKEN: I didn't mean to disturb the meeting. Tomorrow at 1:00, we are going to do a traditional blessing of the brand new Nike Town in Portland in honor of the National Congress of American Indians being in Portland, Oregon. I have to -- actually I won't be here tomorrow because I have our leader from my clan, my community is flying in this evening who is going to do the blessing for me. He's going to smudge and bless the store and then we have the Black Lodge Singers who are coming White Swan, Washington to sing the honor song. So if you do dismiss yourselves, somebody text me so I can make sure -- it's closed to the public so it's only for our people to experience and be honored. It's just something that the company respects the work that we do and they want to do things in the right way so they asked me to do that. In the honor of the National Congress of American Indians being in Portland. This being the home of Nike, that's the purpose of wanting -- of them wanting to do that. So that's what's happening tomorrow. And we launched our new collection which goes back to help kids play sports. so maybe you can buy some product too.

MR. ACEVEDO: That's imperative in terms of getting our work done in the morning, that if many of you leave, we will lose our quorum, I have a feeling. We need eight, so if you are going to go to that in the afternoon, we will not have a quorum to take -- to transact business.

MS. WHITEFOOT: How far away is it, Sam?

MR. MCCRACKEN: It's on 5th and Morrison, so just on the other side of the bridge, right downtown. Right in downtown Portland in the heart of the shopping district.

MR. ACEVEDO: Motion to recess for the evening?

MS. OATMAN-WAK WAK: Motion.

MR. ACEVEDO: Second? Is there a second?

MR. MCCRACKEN: Second.

MR. ACEVEDO: Moved and seconded to recess. All those in favor signify by saying, "Aye."

MEMBERS: Aye.

MR. ACEVEDO: All those opposed?

(No response.)

We're adjourned.

(Whereupon, NACIE Board Meeting was adjourned at 5:00 p.m.)

(NACIE) FALL 2011 PUBLIC MEETING, DAY II

ADMINISTRATIVE BUSINESS – AS APPLICABLE

MR. ACEVEDO: Good morning, everyone. We have established a quorum. For the record, there are ten members present, nine here in our – in Portland and Robert Cook who is on the telephone. With that, I open the meeting up for discussion with respect to particular goals and issues the council would like to proceed with based on yesterday's testimony by the general public and the council's reflection on that testimony.

All right. Well, for council members, those of you that had prepared your goals or issues, we're trying to get them up to the screen for you right now so that you can have a group look of what we've thought about individually.

MR. COOK: Mr. --

MR. ACEVEDO: Robert?

MR. COOK: Can you hear me?

MR. ACEVEDO: Yes, Robert. Go ahead.

MR. COOK: Okay. I have a suggestion to make. Maybe -- I know we don't meet that often. But when the circumstances arise when members can be there in person, is there any way that we could have-- like, you know, the documents that are be putting, you know, whatever (inaudible) and little bit more rather than (inaudible.)

THE REPORTER: I can't hear him.

MR. ACEVEDO: All right, Robert. Thank you. We'll talk to our contractor as to that ability to do that for us for future meetings. Thank you.

For the record, since Robert started, might as well just go ahead and read off what people have suggested as ideas/issues/goals that the council needs to consider this morning as a – as council. And they are in no particular order. They are just as they were handed in.

And the topics are: Recommendations to Secretary Duncan regarding the regulations of policy change; bylaws of this council; subcommittees of this council; our annual report to Congress, preparation for that; whether or not we want to schedule a council meeting in April of this – of this year. Excuse me.

MS. LEONARD: I'm sorry. I'm just trying to get some power.

MR. ACEVEDO: You shut it off. Thank you, Jenelle.

MS. THOMAS: Robert, for your information, it was Jenelle.

MS. LEONARD: I'm the guilty one. So sorry. I was just trying to get some power.

MS. THOMAS: Karen, we apologize.

MS. LEONARD: Did I break it?

MR. ACEVEDO: No reflection on Jenelle, the federal government is here to help us.

MS. LEONARD: Good point. Good point. Good point.

MS. THOMAS: For the record, she blew the fuse.

MR. ACEVEDO: She's very astute. If she didn't like our goals, she got rid of them very quickly, so --

MS. LEONARD: And I'm really technology savvy. I just hit the button.

MS. THOMAS: Here it comes.

MR. ACEVEDO: I believe we were reading through the list. We were on whether or not to schedule in April a meeting of NACIE. We've just made that, probably in Washington, D.C. with the council. We had a budget report yesterday. Anything that you want to discuss regarding the budget that was presented? Obviously, based on yesterday's testimony for us, communication and networking with the appropriate organizations and Native American country. Tied to that is our accountability to those folks. Research. I know we talked a bit yesterday in the presentation regarding the research contract and grant that's being -- contract, I should say, that's been written, whether or not that's covering the areas that we heard yesterday.

Our Native languages, our partnerships and collaboration. I think that -- whoever put that in, does that -- one of the things that was talked about yesterday was the ability to reach beyond education to the White House as well as other agencies.

Tribal control and advocacy by NACIE. Capacity building and sustainability, very broad category as well. Culturally relevant, indigenized curriculum development; culturally responsive professional development for teachers, students, and community members; increasing education for educators who are in K-12 and higher education; funded elderly resident programs in all schools; developing vision and mission statements; intervention that is academic and behavioral outreach to ensure better technical goal assistance for Indian education; addressing urban Indian issues and the executive order that the President is considering at this time as well.

Robert, did you have anything you wanted to add to that list of topics?

(No audible response.)

MR. ACEVEDO: All right. You have about -- certainly, any members of council, anything else you'd like to add -- that you see up there that you would like to add to that list? Stacy.

MR. PHELPS: I kind of was putting mine more down as more action items, I guess, instead of topic areas. So, you know, kind of the thought process I used was, you know, a series of action items or goal statements or, you know, outcome based things.

And my assumption was -- is that, you know, when you focus on something, then alignment of resources and activity kind of follows that. So, you know, I looked at the five things was increase the number of high quality and local teachers in school leaders; develop and disseminate best practices

around cultivating language and culture in our communities; improve the transition and retention of American Indian and Alaskan Native students into post-secondary opportunities.

MR. ACEVEDO: Are you getting all this?

MR. PHELPS: I can take a moment. Create a robust data collection system to improve educational outcomes; and then increase the high school graduation rate of American Indian students by focusing on academic preparation and mental and physical well-being of students.

And the last thing that I wanted to put, because I think I heard a couple of them talk about this, but, you know, create a working group between the BIE, U.S. DOE, WHITCU, and others that work on strategically aligning programs and leveraging resources to focus on some key initiatives versus --it seems like all of those groups sort of do their own thing and they cross pathways, but there's -- and when I mean a working group, I mean something that meets monthly where they come together and talk about issues and alignment and how these things can all be leveraged instead of in opposition of each other.

Because I think, you know, for us as NACIE, we don't represent tribal education. We don't represent public school education. You know, we represent Indian education. And, you know, I think to not have those key stakeholder groups in D.C. that are aligned with federal resources not talking on a regular basis or not working together is sort of, you know, kind of a waste of energy and time I think. And so I would really like to encourage some sort of working -- you know, consistent working group between those parties.

MR. ACEVEDO: Any other suggestions before we move into discussion of these topics and action items?

DR. JACKSON-DENNISON: This is Deborah Dennison. I might -- the last one Stacy recommended, and I think that would be a great starting place. Because although everything up here is important, they're still scattered. And I have to say that the Number 19 is pretty much what I put up there, talking about and thinking the same thing as Stacy.

Although I think NACIE does oversee all education programs, I think that we're responsible for improving Indian education as a whole. And where the breakdown is that very thing, is that thinking that when fragmentation of the BIE over here and the public schools over there, we heard it from some of our speakers yesterday.

And so I think that developing of a -- a mission statement or a purpose statement of what NACIE's purpose is and also what we want to be, even though I think you made it pretty clear, Mr. Chair, that we don't know after a year from now with the next presidential election if we'll still have the same team, part of leadership is looking out --especially the Native wisdom is looking seven generation. So, you know, we just don't think for a year. We think for down the years.

I'd like to see an establishment of what the vision is for this organiz- -- for this group of our team here and how we're going to connect and build those relationships within that region of what we envisioned for Indian children that aren't even born yet.

So that's kind of the main thing that I think needs -- the strategic planning for WHITCU with the key stakeholder leaders at top there, including Joyce and Bill, who was here yesterday, and Keith Moore and others that are in Washington and throughout the country that can be a part of this and ourselves. That's -- that's my view is that's a good starting point with strategic planning. And then all these other things fall into place as to where they stand within how we look at them and get us -- getting us organized.

MR. ACEVEDO: Thank you, Deborah. Theresa -- I mean Alyce. It was Alyce, wasn't it?

MS. SPOTTED BEAR: I wanted to add language and culture. And I notice higher up it did have something in regard to the Native languages. Number 11. And then research, Number 10. And the communication and networking, I'd like to add to that. And then the one that Stacy said about improving the programs - - improving the high school graduation rate for Native American students. I think that's very critical. Thank you.

MR. ACEVEDO: Virginia.

MS. THOMAS: I just wanted to add to Stacy and to Deborah, their comments here. As I saw this yesterday, it started with the concerns of the people that were testifying. And like I said, I think there has to be some outcome of this.

And I think Deborah has hit it right on the nail with Stacy that we have to do this strategic plan and put in place what we expect the foundation to be to succeed with all that we have listed here. If we don't have the foundation -- starting off with this working group, I think it is an excellent idea to do this and let them know that this working group -- we go forward as the initiating -- initiating this meeting, this grouping, and tell them these are our concerns that we've heard from the public and that we need to condense this all down.

Mine was the one that -- the accountability one that's up there is mine. Because I feel that we should be accountable, not just in overall, but everything that's listed up there that these were talking about yesterday that we have to have some kind of a plan. We need to show them somehow that we're taking action.

And I think this strategic plan that Debbie thinks -- you know, things that we should have, that's an excellent start. And part of that should be this working group, and then going from there and focus this down into something that we can actually attain. I mean, this is like a dream team that's up here now. But we're going to have to focus it in and combine things so that we can have a working platform and set a really firm foundation for this.

MS. WHITEFOOT: The comments that have been made already are included in here. It's a matter of us I think reorganizing all of this information that's in here. And I think it also states what Stacy brought up and also what the other folks brought up.

To get to those, you know, the experience in public education and being a superintendent of bureau school, it's beyond the three pillars that we talked about yesterday. But I think that we need to begin someplace. We need to begin with BIE Department of Education and WHITCU. To get to the health and well-being, though, requires communication and networking then with SAMHSA with Indian Health Services with Head Start, early Head Start, because we're talking about cradle to career.

And so I think that we might want to do a subgroup of that or something, but really it's about being holistic. When we're talking about Indian education, it's always about being holistic and being grounded in culture and language in our homelands and in the Native Class Act. And so if we could just reorganize this information. I think it's all in there. Everything that we stated, we're all saying the same thing. Just a matter of reorganizing.

MS. BUTTERFIELD: Yeah, I'm trying to get my ahead around what is within the scope of what we can do as a body that's recommending to the Department of Education, to the secretary to the President, actually to the President. And I think we need to remember that that's who appointed us, that we are recommending to the President things that would make Indian education better. I get a little frustrated

with a laundry list of things, but I also get frustrated with making recommendations like we did in our report to Congress and we have absolutely no mechanism, it sounds like now, to find out whether or not any of those recommendations are being followed up on. I thought when we made the recommendation in Congress that we were, in essence, also suggesting to the Department of Ed and others things that needed to happen. So now it sounds like we have to write additional reports to make sure that we're following protocol. But the I -- the concepts are still there, the things that we were suggesting needed to happen.

So I'm really wanting to know when we make a recommendation, what happens? You know, so is there follow-up? Is there somebody who said, ah, I can deal with that one; I'm going to put that on my to-do list here at the Department of Ed and I'm going to make something happen.

So I'm started thinking about this. When I was in Oregon, we had a state Indian education plan. So we did this strategic plan, and we came up with -- what it always seems like we came up with is a list of -- a wish list. You know, we'd like better teachers; we'd like culturally appropriate curriculum; we want, you know, early childhood practices, you know, all of that kind of stuff.

But really made a difference is when we took that list of things and then had responses to it on the part of those who were in place to do the work. Because we're not in place to do the work. So -- I'm all for doing a strategic plan or another list of recommendations. But I want to know once that's made, what's going to happen differently than what happened before? So that's a little bit of my frustration even with just the year cycle that we've been on.

MR. ACEVEDO: Deborah.

DR. JACKSON-DENNISON: I agree with Robin. In fact, this is one area of -- and I actually did my dissertation using ind- -- ind- -- ind- -- I can't say the word -- indicators of effectiveness in that fact that -- what school reform is all about.

And what happens in Indian country is that, you know, we do this type of thing, laundry list, as you put it, the wish list. And they really are coming from our heart. But you hit right on it when you first started talking. It's about our purpose. Why do we even come to these meetings? What's coming out of them? What do we individually -- because I may be thinking I'm here for a reason other -- totally different than what Theresa or you or others around us are thinking.

So that's where that purpose thing -- that's where you really have -- we really need to start strategic planning. And then we're all on the right track. And we say, Okay, we -- we tell our executive director, we're here because we want to -- we exist for this, this, that, or that reason. We want to communicate to -- we exist for whatever our charter says, but even further along in that.

And then they take that back to Washington, if we're not meeting with Secretary Duncan or the President himself, and say this is what NACIE says they're about. And they -- so then they expect it. And here's our communication timeline. Here's our action plan and here are the things that we're recommending to you and what we want done about it by a certain time.

And that's -- I think that's being a proactive group, instead of just giving a list and -- because I, you know, seek to understand is -- Stephen Covey says you're on the receiving end. And some of you have been on this when you're in a leadership role, whether it be a school or any organization, or especially the President of the United States or Secretary Duncan, people come at you and they -- pretty soon all you can see is, wa, wa, wa, wa.

You know, It's like and -- and it's like pretty soon you can't even get the message that someone is trying to tell you because they're not organized in their -- in their process. Okay. Now, this what we want and this is how. I always like to ask people come with me with some suggestion as to how you want to resolve.

We kind of heard it yesterday. We heard the same old things. I'm hearing it in my board meetings. You hear people come and say, This is happening, This is happening, This is happening. And then everybody looks at you like what are you doing about it. And there's some issues that you just can't do anything at all about it. But unless you have some sort of process -- it's about processes. And that's why I look to the two business people, because school reform is a business plan.

And that's what I'd like to see. It starts with a purpose, us having a united purpose statement. It can be called a mission statement, but I'm looking at more of a purpose statement because we're not as big as an organization that might be -- although we are in a sense. I guess that goes to the differences of thinking.

So those are my comments on where to start is developing -- I mean, taking some -- sometime and -- quality time, writing for about five minutes all, of us, and then bringing that together, not just the bullets of the wish list like we did this morning, but writing some statements. What is it that we exist for? What's our purpose, in your view? And then pulling that together and then pulling who says what and then who agrees, and then have one united purpose statement.

And then we go to the list. Okay. This is our purpose. How much can you handle to fit into that. And that's how strategically we can start, I suggest.

MR. ACEVEDO: Virginia.

MS. THOMAS: I agree with everything that Debbie said. But I also need to you go back to our annual report that's in your packet that we have here. They have all these activities and accomplishments, and it comes down to the priorities and recommendations.

And if you've read this, it says that all these recommendations were made this past year. And yesterday -- I don't remember who said it. Someone in that direction said it, that we're done with this; now we have to start on the next one. So it's like we're already starting.

But we need to address what was even in the end report. I mean, we've got to go back and -- we can fit all this stuff that we have here are justifiable within this annual report and what are we tackling.

And so I think that we should focus ourselves looking over this annual report and use Debbie's plan here of making a plan based on what we have here and how it interjects here and how we can, for our next report, prepare what we've done with this.

Because this was our -- this was is what we did. This is our recommendations and the rationale. Some of the rationale, I don't agree with because it's not really anything that we -- it's not really tangible. You know, like we promised yesterday it was happening, but we can make this happen but we have to go back to what this annual report is and prepare for the next one and make it even better than what we have right here.

MR. ACEVEDO: Thank you, Virginia. Let me see if I can help a little bit with this. Let me start at two levels. One is never lose sight of our title. We are an advisory council. All right. So that is the limitation on this. But we also can work effectively with -- within that construct of being the advisory council.

And I think that -- the suggestion that Stacy made with respect to having the active working group involving -- and specific organizations, such as BIE, Department of Ed, and WHITCU, to sort of take action on specific -- on items at the congressional level that we want to see pursued.

And I'm reflecting on what, Michael, you said yesterday. When that report goes up on the Hill, people who want to champion goals within that report will champion it. Otherwise, it just sits on a congressional staffer's desk. So that we have -- that really was really telling.

So that sort of goes to where Robin's frustration was. Once you set it up there, we generally don't have any control over that. And we don't. Because our task is to report to Secretary Duncan. So

what I want to do is reflect back and say at the congressional level, I report to Congress -- Stacy's suggestion of an active working group, WHITCU's department -- or excuse me, at specific organizations makes sense in terms trying to move -- get congressional action on those things we send up to the Hill, topics.

Part two of that: What out of that -- going to what Virginia just said, when we look at our report that went to Congress, what things can we take to the secretary and say, Secretary Duncan, this is something that you can do. It's a regulation that can you change -- or a regulation that you can implement. It's a policy that you can implement or a policy you can change. Seems to me that's how we can be effective.

So I really do think that what we have up there is a broad range of topics again. But Virginia's is the most exciting in that we've already done a lot of this legwork, so shouldn't we look back at our report to the Hill and say what do we want to take the secretary, and say, Secretary Duncan, since you have one more year in office, assuming the election doesn't go the way you wanted, we want you to get these things done. And that gives us some concrete thing to do in the next 12 months or so. Jenelle.

MS. LEONARD: Mr. Chairperson, Mr. Chairman, let me -- let me -- I want to address something that Robin said, as well as just kind of put this on the table in terms of reporting. Just echoing what you said, Michael did say what happens to the reports to Congress. And trust me. We send a lot to Congress. But as a suggestion -- and I don't know whether we can do this or not, because I'm just kind of talking off the top of my head right now. We do have an office called the Office of Legislative and Congressional Affairs. I don't know if we could ask the assistant secretary of that office to set up a meeting with staffers who receive this report to have some dialogue between the staffers and the advisory committee.

I don't remember it's ever been done in the department, and I don't know what response the council will get if you make that request.

Is Karen still sitting there?

Anyway, but if -- I mean, that's our connection. We can't, as staff, talk directly with Congress. We talk with them through the Office of Legislative and Congressional Affairs. They talk to members of Congress. But an office may be able to facilitate a conversation to follow-up on the report that went to Congress. That's one suggestion.

The other one is what I would ask you to do is to look at your charter and look at the duties, descriptions of duties. And the first duty says, Advise the Secretary of Ed concerning funding and administration, including the development of regulations, that administrative policies and practices of any program, including any program established under Title VII, Part A of ESEA, which -- which the secretary has jurisdiction and, A, that includes Indian children or adults as participants or, B, that may benefit Indian children.

This is a duty to advise the secretary. It does not combine it with Number 3, which says, Submit to Congress no later than June 30th of each year a report on the activities of the council.

So they're two different reporting mechanisms here. And you're first duty is to advise the secretary. So in advising the secretary, one of the things that I would advise you to do is to request a response. Because when control letters come into the department, we have a duty to respond to the public for any control letter.

So you put the ball in our court and ask for a response or follow-up or a progress report or an update, either written. You determine the time. You give us the responsibility of responding back to you. I don't think you can do that with Congress. But at least those are some ideas that you can toss around.

MR. ACEVEDO: Thank you.

MS. THOMAS: I just want to tag onto Jenelle. But back to the annual report, the very first one that's in here for the Recommendation A is exactly what we're talking about to the secretary. We're telling want secretary to create the establishment in the Department of Ed that cross federal agencies at a higher level.

This is exactly what we want with WHITCU and BIE and with DOE. We're asking him already to do this, but we haven't asked a timeline, a follow-up, when will this happen. And the rationale is good here, but maybe we could even tag along with this and just say this is what we would like to happen and list, not just the rationale, but the activities that we would like to see happen as part of this report. Because this had already gone up, but there's -- the rationale is there, but when is it going to be acted upon.

So everything that's in here, even the language portion, it's already in here in this report. And I think we need to be responsible like Jenelle said and ask when is the expectation that this is going to be coming around.

MS. LEONARD: And, Mr. Chairperson, I want to get Karen on the screen. They're busy talking. I hope they'll -- Karen.

UNIDENTIFIED SPEAKER: Karen stepped out for a little bit. I can text her and tell her to come back.

MS. LEONARD: Would you do that, please.

MR. ACEVEDO: What I'm hearing is -- thank you, Jenelle -- is do we have a Goal Number 1? In other words, are we going to do one or two things in the next year? Is the first one this recommendation to the secretary that we have these education organizations talking to one another and we want a response back and saying, Mr. Secretary, have you started that activity?

(Audio interference.)

THE REPORTER: I can't hear when they're talking at the same time.

MS. LEONARD: Would you mute the mic? Jenelle.

UNIDENTIFIED SPEAKER: The mic was muted.

MR. PHELPS: We have an April meeting coming up. We can ask them to have had a couple or two or three meetings by the time we get there in April and report out on some areas they're both working on and what are some strategic ways they're leveraging their federal resources to have an impact. That would be a much more informative session, you know, to have all of them there to talk about those things. And, you know, hearing about everything separately, I want to hear about what they're doing the same because that's where you have the more bang for your buck.

DR. JACKSON-DENNISON: Do -- Jenelle, do we need to put that report to Congress into a more -- a report more directly to -- is that what I'm hearing you saying? -- to the secretary and then giving, like Stacy recommended, a -- would it be -- would that be the way we would approach it in April? Or we'd plan on being there and this is what we'd like to hear results on these recommendations?

MS. LEONARD: Well, let me just tell you that I don't think it will be done by April. If you even suggest that they created interagencies, it takes -- it's outside of the secretary's jurisdiction. So he would have to work with the secretary of interior the other secretaries to create it. Then they'd have to work internally to find out who whether -- would be serving on the committee. I mean, it's a lot of federal kind of red tape to create these.

It's a recommendation to do that, and this is something they can get started on. I just think between now and April it may not happen. And this is just my opinion, understanding how long things do take to get implemented in the department.

MS. THOMAS: But at least we could find out if there's follow-through on it, if there's an establishment --

MS. LEONARD: The follow-through. Yeah, the follow-through, the update, the progress report, the status is what you really want.

I -- I keep saying this. There should be a separate report or recommendations or advice to the secretary. And just from moving the report to Congress -- let me just say that this is Karen's status, and I don't need her here to tell you.

One of the things as that if you're sending a document out for the secretary's signature, it has to go through the Office of -- it has to go through his office, the office of -- be cleared through his office for the signature.

The statute does not say the secretary is sending this to Congress. The fact office, the White House office, is sending this report. So as a courtesy, the secretary gets a copy. But this is not a direct report to the secretary.

Number 1 says, "Advise the secretary." You need to separate out what is the secretary and what do you want to go to Congress and direct it to the secretary so the secretary can act upon it. He will read the report to Congress, but it is not -- the intent was the secretary -- the report goes to Congress, not to the secretary. And so he can't overstep that boundary. That's -- but that's Congress report. This is not his report.

So I just wanted you all to be very clear on how to separate out. And if -- and when you look at Number 1, it says for the things that he has jurisdiction over. He has jurisdiction over all of the Ed's programs. And if there are recommendations or advisements or budget issues or policy or regulations that have to do with Ed, he can -- he can take care of that.

MR. ACEVEDO: Thank you, Jenelle. Very helpful. Deborah.

DR. JACKSON-DENISON: Yes, Mr. Chair. I think that based on what Jenelle said, perhaps we need to go back to that the report to Congress and take that apart and start going with what things we see that the secretary has ability -- because if you remember, when he did meet with us in Washington, he did say make your bold recommendations. And that's the message I've been sharing back in my local area, that we want bold recommendations. And that's pretty much what they have been asking for as they do these consultations throughout.

So it's time that we take that apart and start looking at it. And then I think all these other things that we listed here will fall into place. Because those are more -- those are more specific type areas that we heard yesterday. And that's what got us more detailed into that type of thinking. But we did spend some quality time, as I recall, back in April really putting these broad recommendations. Some of them were policy driven. Some of them were -- I'm thinking about the Impact Aid one can that we worked on. And the -- you know, all of these areas that -- that there -- he may have some control over through

regulations, through administration and others that would not be. So that might be a place that we start today.

MR. ACEVEDO: Very good. Further discussion?

MS. THOMAS: I just want clarification on this, Jenelle. I understand this is the congressional report that's going to Congress. But could we not go back and under the priorities and recommendations take that and take what we've given to Congress and redo that and give it back to the secretary and say, "This is what we gave to Congress, so this is what we want you to follow through on"? Because it's exactly what we want.

So I would recommend that we take this apart and make it our -- Secretary Duncan's report and say, Okay, we made these recommendations to Congress, this is what we would like for you to do, and give him the actives that came up yesterday based on all this. Just like -- I have to go back to Sam. And don't tell him I said this, but he was right about a bullet page. You know, get it down, get it done, and get it in there. Don't you dare tell Sam that I said that.

MR. ACEVEDO: For the record, Virginia supports Sam's suggestion. With that said, it seems to be we are ready to take and pull this a part right now. If we want to get something concrete done, you all are well aware of what's going on the Hill right now and how slow if not legislation is moving if at all.

So my suggestion to you as council is let's pick these things out of here that we know that Secretary Duncan can unilaterally do within this next year without the consent of Congress. Certainly, he has to have the support of the President and the White House. But you could then come away and say we were able to get these things done at the level of the administration.

And it seems to me the first one we're talking about again here is this interagency group that the secretary could start the process on. With Jenelle's advice, that it will not be done within the time frames as Stacy suggested, but we at least get an action saying, Mr. Secretary, we'd like you to pursue this at your level. At least keep us apprised of the progress on that.

MR. PHELPS: Right. And have him and -- have him come to our April meeting and report on the progress.

MR. ACEVEDO: Or someone from his office.

MR. PHELPS: Right.

MS. THOMAS: Mr. Chair, I just want it to be noted that when we did this report to the secretary that it's not our concerns, but it's from the public that we've got these comments. And our marching orders came from what we've heard today or yesterday, and this is what we're going to go forward. So it's not actually coming off the cuff, but it's actually being heard in the Indian country. So some kind of disclaimer or something that's on there. I'm ready to rock and roll. Let's go.

MR. ACEVEDO: Jenelle, go ahead.

MS. LEONARD: This is moving away from where you were, but we have a lot there. You had asked -- you wanted him to return because you had a question yesterday. Someone had an Impact Aid question.

MR. LOTT: Good morning. How are you?

MR. ACEVEDO: Mary Jane had the question. She stepped out the room for just a minute.

DR. JACKSON-DENNISON: She was asking about the hundred percent LOT (Learning Opportunity Threshold) in the -- and I this was something I could have answered, but I'll wait for you to answer, Alfred. But she's asking about the Impact Aid. She's -- she was asking yesterday and she stepped out, but she was asking about, you know, the delay payments for Impact Aid, hundred percent LOT schools.

And like I said, I've been part of this for a while, so I know the answer. But I think she'd probably want to hear it from you, so I'll wait for her. We should wait for her to come back. I don't want to answer for you, although I know the answer.

MR. ACEVEDO: All right. Take a minute.

All right. Let's go back to where we were. As soon as Mary Jane comes back in, Alfred, we'll have her ask that question of you.

With that said, let's go back to -- are we in agreement? We have goal Number 1 to the secretary regarding the interagency committee process. We have that as one of the goals that we want to press the secretary on to see if we can get done next year.

MR. PHELPS: It implies action.

MR. ACEVEDO: When you look at this report that we sent to the Hill, is there another one or two or three items that you think the secretary can take direct action on -- and I'm sure Jenelle can give us advice as we go through this -- that does not require congressional action?

MS. BUTTERFIELD: If you just go right down the list --

MS. THOMAS: I agree. Go down to list.

MR. ACEVEDO: Well, I'm not going to re-read it to you. I want you to read it and tell me what you want out of that.

MS. BUTTERFIELD: Well, A, "Raising the profile of Indian education as a priority," and then you would say "for the Department of Education."

And in that recommendation Number 1, the position of assistant secretary for Indian Ed be created or re-established within a Department of Ed. I mean, that's already in the statute of Title VII. That office was originally created at an assistant secretary level and it's been demoted over the years. So raise -- elevating that position would make a very strong statement that there's a understanding about the trust responsibility of the federal government, that that position oversees all of the federal funding sources.

And so that is something that I know is already in the works. It's also part of previous executive orders on Indian education. So that can be all we do is change the language as a priority for the U.S. Department of Education.

MR. ACEVEDO: Is there a consensus on that issue?

MR. PHELPS: I would like to split those. If the goal is to get that position back down the road, great. I don't know why it went away or -- but I would really like them to not say, well, we'll do the committee

after the position, because then we're in limbo again. I would like to have them establish an interagency working group that –

MS. BUTTERFIELD: I thought we already agreed we did that element.

MR. PHELPS: Well, okay. Well, but that recommendation follows that rationale. I thought what we were saying is we would like a recommendation specifically to start this working group. I mean, if the position for the assistant secretary is another recommendation, that's fine.

But I guess what I don't -- to me, that Recommendation Number 1 is tied to Rationale Number 2. And I think we just established we want recommendation -- a stand-alone recommendation focused around this interagency working group not tied to that position. I mean, that's -- that's where I'm --

MS. BUTTERFIELD: We were tying -- we were going through a listing of recommendations, as I understood it. So I thought we already agreed on the interagency task force. That's one. Now we're moving on it another one --

MR. PHELPS: Oh, sorry.

MS. BUTTERFIELD: -- things that are in this report.

MR. PHELPS: Okay. Sorry. I got lost on that one.

MR. ACEVEDO: That's the way I understood it. You're separating them out. Is there a consensus on pressing forward with the -- pressing forward to the secretary?

MS. WHITEFOOT: I agree.

MR. ACEVEDO: Is that your Number 2 goal? So Number 1 is the work group. Number 2 is the requesting the secretary to move forward on the -- the assistant secretary to move forward on the ed's position. Consensus on that?

MS. WHITEFOOT: Consensus.

MS. THOMAS: Consensus.

MR. ACEVEDO: All right. Is there another goal or goals that you would like to take out of the this report that the secretary -- unilaterally take action?

MS. BUTTERFIELD: I think Number 3 down below, that the Title I language -- or maybe it's not necessarily the language, but that they look at how they could deliver information to Title I country, that they're not -- those funds are not to be used for Title VII. That's something that can be done, you know, within the activities of the department.

MR. ACEVEDO: Jenelle, that's probably a regulatory change. Does that change the regs or clarification of the regs?

MS. LEONARD: Yeah, clarification of the regs which would come from guidance, the nonregulatory guidance.

MR. ACEVEDO: Consensus?

MS. WHITEFOOT: Yes.

MR. ACEVEDO: For clarification, we'll work on some language.

DR. JACKSON-DENNISON: I think Number 4 also is one that I found challenges within my role, especially in states that don't really recognize the significance of Title I and Title VII. As we're going through the authorization of -- of the ESEA law, I think it's -- and I think this will be handled if indeed and whatever we put together on the recommendation at the top. Someone at the federal level really needs to look out for -- over the state plans that are submitted to -- and you've heard me harp about this before. But there's no one at the federal level that holds the states accountable that have large number of Native American students to make certain that certain laws that maybe state laws aren't seen as superseding federal law, especially when it comes to English only.

So it sometimes make its very hard, very difficult, to implement immersion schools and immersion programs and -- when you have the state saying, you know, you're English only. So there needs to be some sort of -- and I think that's the rationale also for -- for, A, of having a secretary -- an assistant secretary of Indian education and someone that works with them directly as these -- as the reauthorization happens and we start monitoring state plans.

Because right now they're only approved by -- I mean, I know it's gone a little better, but it was really difficult when the last reauthorization happened. The states really do think that their law supersedes federal law when it comes to Indian students, especially in Arizona where there's a paranoia, I would say.

MR. ACEVEDO: That's certainly something - - Jenelle can correct me -- that is within the department's purview, right?

MS. LEONARD: It is.

MR. ACEVEDO: Establishing some sort of process so that we know that they are being reviewed, as Deborah described.

MS. LEONARD: That the state -- or that the state is involved with you?

DR. JACKSON-DENNISON: Yes, that the -- there's someone at the federal level looking out for Indian students. Because that's where that one- size-fits-all view comes on. And the state doesn't recognize -- we're talking about language, especially English only. The definition of an English language learner is a one size fits all in our state.

And so when they look at the students that are immigrants from Mexico, they put that same category onto our Native American students as English language learners. And so they're saying, oh, no, you've got to follow these English language learning models that our state proved and you can't be teaching your -- you can't be doing bilingual education, you can't be doing these department programs, which really makes it hard on us.

It's almost like we have to sneak around about it, and we shouldn't have to because there's the Native American Language Act. There's all these other acts that are in place, but no one at the federal level is really -- when those plans come in -- when the ESEA plans come in or the NCLB plans or whatever we're going to call them this time, when they come in from the state, someone needs to look at them and say, okay, you can't -- you can't force this upon Native American students. They -- we should be able to develop our own. And that's where that misses the boat, in my view.

MS. LEONARD: So the recommendation is that there be maybe an internal working group to --

DR. JACKSON-DENNISON: Right.

MS. LEONARD: -- review or to address the language issues, to take a look at --

DR. JACKSON-DENNISON: Right.

MS. LEONARD: -- the definitions of --

DR. JACKSON-DENNISON: To take into account that state plans include the Native American Language Act, the presidential executive orders on language and culture, and all of that. Because states just don't look at that when they submit their plans. And no one at the federal level -- even though they exist, they don't hold water. They don't have teeth is what I'm told from a legal standpoint.

MS. LEONARD: Right. And you keep mentioning state plans. The states -- I don't know if the plans are submitted annually. I don't know if they are submitted -- there are programs where plans are submitted once every four years. So the new plan may not come in until ESEA maybe rec- --reauthorizes. But I think you want something that is in gear. So you may want to not necessarily tie to the --

DR. JACKSON-DENNISON: I don't know. I don't know how they're all submitted, but I know they're submitted when the reauthorization happens.

MS. LEONARD: Right. But you want -- you want someone to take a look at it now.

DR. JACKSON-DENNISON: On a regular basis, yeah.

MS. LEONARD: Yes. Within the year, you want something to happen.

MS. JOHN: Mr. Chair, I support on what Deborah's saying. Because we're having the same issues in the immersion programs, for the dual language program model does not fit into the immersion plan. So I concur with this idea to concentrate on that subject.

MR. ACEVEDO: Consensus -- Stacy, go ahead.

MR. PHELPS: Sorry. And before we get going too far, are we going to establish a set of priorities like Tier 1, Tier 2, Tier 3 recommendations? Because I would really like to -- I mean, I know everything's important. But by April, it would be nice to be able to check back with our top five or six and say, "How's it going? We'd like a 15-minute overview on each one and where we're at."

So before we -- you know, I'm not trying to stop anybody's discussion on progress. But I just think it's important that, you know, all of us have this report with 20 some recommendations, that we don't do that again, because -- just to focus in on a few things that we can eat over time and follow that progress.

MR. ACEVEDO: I think your suggestion is well placed. What I was hoping to do was -- with the council's concurrence is have no more than five goals. And that's a way -- and then you -- within those five goals, which one is absolutely Number 1 for us to get done, for your tier process, and Number 2, and then we press on those in some sort of order to make sure that they are accomplished so you can come away at the end of next year and say, we got these two or three things done out of the five or six that we submitted to the secretary for action. And I agree with you on that one.

We need to digress for just a second. Mary Jane is back in the room. You had a question of Alfred regarding --

MS. OATMAN-WAK WAK: Yes. Good morning, Alfred. My question was specifically around the legislation for early timing payments and some of the concerns at the districts, especially 100 percent LOT district have in not receiving -- not receiving their payments.

Is the U.S. Department of Education supportive of that legislation? And I just -- I'm not very familiar with, and I just wanted a little bit more clarification.

MR. LOTT: Well, we are supportive of the legislation, as far as I know. I know right now we -- for the fiscal year '12 initial payouts, we have -- we have -- so we can pay everybody since we're under this current continuing resolution, we have set the learning opportunity threshold (LOT) at 65 percent.

And so -- and what that means is that will allow us to pay as many LEAs as long as the CRs (Continuing Resolutions) continue. After the CRs -- hopefully after we have an appropriation and we have our full funding, then we can use our formula in the method that for -- the current regulation supports and we can -- and we can put the money out in force.

Now, last year, we had -- we used a 90 percent LOT prorate figure. And what happened was there were some of the larger LEAs were paid toward the first -- the first two CRs. And then toward the latter CRs, there wasn't enough money going around.

The 65 percent LOT will allow the money to go around in a smaller allotment, of course, but everybody will be able to get some of their monies until we get past these continuum resolutions.

MS. OATMAN-WAK WAK: Okay. I understand that. But just in the scenario that you've laid out there, I'm not -- that's a huge claim for districts that are trying to, you know, budget out. And I know of just three districts off the top of my head that are looking at between \$1 and \$2 million in cuts. I mean, that's -- in a reservation school and community where you have no tax base to levy, that's -- that's an incredible burden on these LEAs.

MR. LOTT: You're right.

MS. OATMAN-WAK WAK: Especially when the congressional appropriation is there.

MR. LOTT: I agree with you that many of the LEAs and certainly the ones that you mentioned are -- throughout the country are experiencing cuts in -- in state appropriations, in monies that they will get. And in some cases, there are three states that actually use the equalization process under Section 8009 to adjust their contributions to the state based on Impact Aid monies. So we're taking all that into

consideration, but we're limited as to how much money we're going to get. And we have to be able to distribute the money to as many people as possible. And I'm hopeful that the -- that our Congress will move forward and pass a final budget and allow us to get back to our normal process and raise the lot up higher to -- to accommodate all of our applicants at the highest rate that we can and exhaust our funds.

DR. JACKSON-DENNISON: Thank you, Alfred. I'll explain it a little bit more because I'm coming from a hundred percent LOT district. What the district -- what the Impact Aid office, what they're really good at is if you request for an early release of funds -- because right now they're still paying out previous years. I think we just got our 10 percent from previous years. So they'll give you the 65 percent if you ask for it, but they're being very careful as to not give out unless it's requested because there are districts that are in dire need.

So those districts that you're talking about, they have been -- the department has been really good about giving the 65 percent out. Last year, it was 90 percent. And then when there were districts that were really in dire need, they didn't have enough because the continuing resolution hadn't passed. So I think that makes it really clear as to why they're doing 65 percent this year.

And eventually -- we've been told -- hundred percent lot districts we were told way back that we may not even get the hundred percent because of the budget cuts and everything. So we've been strategizing at the local level how to handle this and how to move forward. But eventually, I think it will start taking care of its own and it will come back to -- that's my hopefulness.

MR. LOTT: Yes. We are currently paying those people who request those LEAs who requested early payments as we speak. The batch of approvals are going on now, and we took it on a first-come first-serve. I think we have at least one or 200 LEAs on our list right now.

At the last conference, we were supported by the executive direct in asking that LEAs who would not need their funding until later in the year to refrain from asking for it early. And I think we got some pretty good cooperation on that. So -- but yes, we're trying the best we can right now.

MR. ACEVEDO: Mary Jane, any follow-up for you?

MS. OATMAN-WAK WAK: (Shakes head.)

MR. ACEVEDO: Thank you very much, Alfred.

MR. COOK: You're welcome. You all have a nice day.

MR. ACEVEDO: Thank you. Let's return back to our primary discussion. I believe we have four stated goals. Are there any -- are there additional ones that you want to pursue with the secretary and then, once we've got them listed, prioritize those as -- within certain time frames that you want to see some action items from the secretary, if at all possible? Deborah.

DR. JACKSON-DENNISON: Like Stacy said, they're all good. I don't know if this is one that the secretary can take on by himself, but I think it should be one that Congress needs to look at. And that has to do with the equalization of Impact Aid that he just -- that Alfred just referred to in Section 8009.

It really hurts. And this is one our Native people in New Mexico are really hurt by, and Alaska. And I don't know how many Native students that are in Kansas, but those are the three states that are equalized. And it really does hurt. And I know that there are hard feelings about it. And it's been -- it's

gone all the way to the Supreme Court, but we have tribes in New Mexico that are really not getting their fair share of funding for Indian students.

And so I don't know. That one's really a big one, but it's a congressional – congressional action. But I think that we should make reference to it to some degree as to what the position is from the Department of Ed. I've seen it just go on and on and on. And it just -- it's just sad. It's very sad.

MR. ACEVEDO: Jenelle, do you have any comment?

MS. LEONARD: I agree. You should make -- you should include it.

MR. PHELPS: Can I ask you a question. Not on the one you talked about but the one before, on Recommendation 4 about the plan when they're submitted, are they in compliance, was there any relevant executive orders, and those types of things.

When the paperwork goes out requesting plans, does that include in there for them that their plans must make these existing language things, you know, our -- you know, schools have high native stuff or existing executive orders or, you know, tribal engagement or anything like that?

I mean, if I'm a state or a district and I get that, I mean, I'm -- I'm going to silence – be silent on the part of ignorance. If I don't know that, I'm going to write a plan. But if there it tells me I have to familiar the existing executive order, this relating to American Indians, or this related to, you know, language or -- you know, is that in there as guidelines for them to follow?

DR. JACKSON-DENNISON: I don't think so. I really don't. But just to answer what I – these are of course my opinions, because I don't see that. But the race to the top did do that. They – in their roundabout way, Secretary Duncan when he put out all that money -- this is my perspective in Arizona. He said -- and I heard it again yesterday from Michael where identify the lowest performing schools. Well, that just happens to be Indian country.

So all of a sudden, that's when the state of Arizona took recognition and said, okay, what are you guys doing? You know, what can we do to get that race-to-the-top money? It wasn't until then that that they asked us to include things.

But when it came to that point, I'm talking about laws, like English only, which is a law passed in Arizona which is very difficult to get around because it's passed by two-thirds of the voters in Arizona. So they're saying, Okay, well, we have to comply with our state law when we write these plans. But there's nothing -- I don't think there's anything that might meet the recommendation that we have something stated when we ask for it.

Because the state's considered the local education agencies. So when they submit their plans to the federal government, they submitted it and there's no one really at the federal level that looks and sees, okay, you have X number of Native American students, but this law should not supersede federal legislation and state it out for them. You're right.

MR. PHELPS: But beyond race to the top, are there other things that states are submitting plans that -- I guess what I'm trying to do is – I mean, in South Dakota, we have people that are, you know, a generation back who -- well, are -- they're not. But I notice a lot of its changing, and now we just have really uninformed school superintendents who when they know the rule, they say, oh, okay, I'll make an adjustment.

So I guess my question is: Is there some sort of -- I'll use this example. I used to do a lot of proposals to the National Science Foundation.

And whenever you write an NSF (National Science Foundation) grant, there are two things your proposal and abstract has to address: Broad impact and how are you impacting minorities in intellectual America. If your proposal does not address those two things in very specific statements, it's thrown out the door. It's not even reviewed.

So what I'm asking is, is for any of these-- these federal plans or these waivers or these projects, is there a statement that we could put on these RFPs that go out that say, You must specifically address this and it must stand out.

DR. JACKSON-DENNISON: That's probably what we need to do.

MR. PHELPS: And I think we should have somebody do the compliance after. But I think we should put it in there so that there's no excuse and that if it doesn't get addressed, it just gets thrown out.

DR. JACKSON-DENNISON: It's not in there now. I've never seen it.

MS. BUTTERFIELD: Yeah. Actually, this is -- my experience is a little bit dated, but I'm sure the general process is the same. When I worked for the Oregon Department of Education, I was on the team that had to help develop the state plan. So I know that the Department of Ed, the U.S. Department of Ed, sends out guidelines that says your plan must have X, Y, and Z.

So that would be probably the mechanism to try and make sure there was insertions in there that says, Please be aware that these plans must also be -- yeah, yeah.

DR. JACKSON-DENNISON: I think a large part of it is if you have -- I know Idaho where Mary Jane worked, they have an Indian Department of Ed or they have some -- Arizona doesn't have that. New Mexico established it a few years ago. It depends state by state.

But it's really depending on -- I guess that's where you are in the Department of Ed. It depends how they recognize it at a state level. But it really is something that these are federal laws that should be written into the requirements of plans, so that's what we need to say as a rationale.

MR. PHELPS: And then I -- sorry, Mr. Chair. Then I think you have some teeth --

(Coughing into the microphones.)

THE REPORTER: I'm sorry. I didn't --

MR. PHELPS: I mean right now -- What?

THE REPORTER: I was having difficulty hearing you.

MR. PHELPS: Oh. Sorry. Have some teeth to go after, where, you know, Jenelle or Joyce got a plan from Arizona on, you know, language stuff and they didn't address this and it was specifically in the front page, then they can say, Hey, you guys either resubmit with some true -- you know, tribal input, or we're not going to review it.

So, you know, I just want to, you know, be responsible and say I think we should be proactive and make sure they're aware of it, and then we can look for it. Because, you know, if I'm a state and you tell me that, I mean, I'm going to try to get my anything and, you know, ask for forgiveness later. But if

we kind of prevent that -- which I think happens. You know, some states are better than others. But this way, we make no assumptions.

MS. WHITEFOOT: And this whole conversation is leading into the next recommendation around tribal education departments as well. And this is dialogue that's currently going on. And I don't want to separate them, but it fits into this conversation about, you know, tribal control.

And certainly the comments that we had yesterday, you know, were predominantly tribal control issues, tribal chairmans, tribal officials who were making recommendations about the role of tribes being considered as LEAs and SEAs as well.

And it is in Secretary Duncan's blueprint reform. And so I guess I just want to add this into the discussion too, because that's what's going to help us is the role of tribes being more proactive too. And it's not to diminish our urban communities in some cases, depending on where we're at the state level or the regional level, and how we outreach to urban communicates.

Every community and intertribal organization all do that, but I just wanted to at least bring that into the discussion too and not to minimize also this discussion. Because this is an important discussion about making certain that we have these -- these provisions to address whatever it is that needs to be addressed across the board.

MS. BUTTERFIELD: So maybe that could be kind of a broader heading that we're asking the secretary to provide guidance to states about how to ensure that current laws are being observed that we gave to Natives and that they also provide local -- I mean, I see those assertive sub-bullets under kind of one broad activity that better guidance be given from the Department of Ed to state so that they ensure that Native students' rights and stuff are being protected. So that could be a general one.

And then under that, for example, that they consult with tribes and tribal education departments as often as possible, that they ensure that the integrity of Title VII be followed because parent committees are often circumvented with the grants, that they look at the state plans to make sure that they don't overstep their authority when it comes to language. So those are like three, you know, subheadings under, you know, the secretary providing direction to states.

MS. OATMAN-WAK WAK: I would add additionally to what Robin had said in regards to the subgroups and the proficiency levels of the subgroups that the training under Title II is, you know, specifically to meet those students that are struggling in subgroups, as well as --

Because what Robin was saying is -- it just reminds me of the submission of the plans, that it's usually -- it goes into this blanket of, you know, low income and poverty. And, you know, when we are looking at the data, we notice that -- at an even deeper level, that's our kids and our schools and our reservation communicates.

So actually tying the plans to the most needy kids, and then seeing that those services of technical assistance are being linked to the subgroups that are struggling the most.

MS. THOMAS: Also, I'd like to add on that is what was brought up yesterday -- I think it was Robin -- about the supplanting as the supplemental. That should be part of it.

Because that all goes back to the accountability portion of this. Because we're here to make him aware of what's going on. And if we see these comments that were made yesterday that they say they're taking some kind of money that should be held harmless to Title VII but yet it's moving over to Impact Aid or Title I, anything that they're duplicating here, I think that should be part of it.

MR. ACEVEDO: I think that was encompassed within our Title I versus Title VII regulatory changes.

MS. LEONARD: Mr. Chair.

MR. ACEVEDO: Jenelle.

THE REPORTER: I need you to speak into the microphone, please.

MS. LEONARD: Sure. I will. Can you hear me now?

THE REPORTER: Yep.

MS. LEONARD: Okay. Good. As a DFO (Designated Federal Officer), being a facilitator for the meeting here, may I make a process suggestion to you?

MR. ACEVEDO: Yes, please.

MS. LEONARD: Hearing the discussion, I -- would you consider assigning perhaps that recommendation to one of the members to fully develop and come back and present it to the council?

Because I heard a lot of discussion. I heard Robin say "provide." I heard some verbs used. But some of the things that you also need to do is consider that when you say "provide," at some point the department has to develop guidance. And so I just need you all to give us some action to --

Because we could provide some guidance, but there's a lot that has to go into developing the guidance. You have to convene people to discuss it. You have to -- and you have to be really succinct about what it is you want us to do.

The other thing is that -- I think someone mentioned about assurances, assured that Title VII money is being used. What does that mean? I mean, because the law does that already. But apparently it's not happening. What is it you want us to do to make it happen?

So I just think that -- I know you have -- the suggestion is really good, but it gives a person enough information to develop it and come back with something pretty solid that they can present to the council. And so that way you can get all of them discussed. And, of course, we have a role to play in developing. Just a suggestion.

MR. ACEVEDO: It's good suggestion. And I -- Stacy was the one who actually had a very specific action item. You know, because -- and I agree with you that those nice flowery words assure, you know, and accountability, those don't, you know, carry any really substantive weight in terms of was that done or not done.

And Stacy's suggestion was to put it right in the language of -- for example, with respect to those state plans coming back, you put -- the language is there. And so when someone's reviewing it at the federal level and say, Is that language in our out; if it's not in there, we're going to kick this plan out, sort of thing. So I think that's what you're saying.

So you have these -- and I have six goals here in front of us now that the council has talked about. It's that kind of wordsmithing.

And let's go back now. And I know a lot of you educators. And I'm a lawyer. But let's put on our business hats and make it a one-page set of bullets.

And if you wanted to have a -- that's the executive summary. If you want to have a larger, more in-depth document attached to it, it's certainly your prerogative as a council. But I would strongly advise that you keep it to a one page set of bullets with very specific actionable items. Otherwise, it will get lost

again and you'll be talking a year from now and saying, What happened? We asked for assurance and they gave us assurance. What did it mean? Stacy.

MR. PHELPS: So what are our six?

MR. ACEVEDO: The six that I have in front of me -- and I would advise --

MR. PHELPS: Just broad, yeah.

MR. ACEVEDO: One is the working group on interagency Native American education, establish that. Two is establish the position of the assistant secretary of education. Goal three: Title I versus Title VII regarding regulatory changes. That's the plan versus, you know, a supplement.

Goal Number 4: State district plans reviewed by the department of education to ensure the plans include Native American language/cultural/historical components. Number 5: Congressional action needed. This is Deborah's suggestion. That is the repeal of Section 8009, equalization section regarding -- within ESEA.

Goal Number 6 -- and this one's a little hazier. I didn't quite understand it all. I think we need to flesh this one out some more. Tribal control initiatives. This one will be the subgroups within that. And that was -- that one needs to be fleshed out some more. So I'd really like some more discussion on how that is viewed by the council. Stacy.

MR. PHELPS: And this is just a question. The -- I guess I'll just say it. It doesn't appear that most of those really affect the achievement in graduation of American Indians from K-12 schools. Or does it? Do we -- I mean, I'm just throwing that out there as a question.

MR. ACEVEDO: To the educators.

MS. BUTTERFIELD: Well, it does. And it addresses what we have within our scope of influence. We are at a policy level. So establishing the agency task force so they can work on policies and practices that impact schools. I mean, you have to look at it in -- as --

MR. PHELPS: No, I know. I did. I said "most." I know a couple do, but --

MS. BUTTERFIELD: Yeah. And so that's just my response to that question.

But in terms of the six that you have laid out, it's really difficult to massage things when you don't have a picture of them. Because I saw one that would encompass several that really focuses on, if we want to use Jenelle's language, develop and provide direction to states about how they work with, you know, the tribes and tribal communities would cover.

And under that, you would have specific tasks, like, you know, looking at the language that goes into state plans, you know, making sure that Title VII committee rights aren't overstepped and that people know where they can go if they feel like they are.

You know, because under Title VII you've got somebody at the Department of Ed that is supposed to be, you know, working with all of the title programs -- the Title VII programs in the state. And that's usually who people can call when they feel that their rights have not been -- so it's sort of making sure information gets out to appropriate agencies and, you know, tribal groups.

I mean, I see a number of tasks under those, but that there's a broader heading that suggests that it's really work at the state level that would filter down, practice.

MR. ACEVEDO: That's a good point, and this is going to what Jenelle just expressed a second ago and that Robin mentioned. I suggest that the council appoint a subcommittee to draft the specific bullet points that we will then all agree to. And I'm certain we could have a teleconference on this so that we can agree to it and send it off to the secretary within the next month or so if we're in agreement that those are the goals, the six goals we would want to press forward on this next year as things we think are attainable within the office of the secretary. Deborah.

DR. JACKSON-DENNISON: I just wanted to follow-up on what Robin said and then to answer Stacy again on.

Policy-wise, they do have a direct impact on improving the quality of education that we're able to provide at the local level. All the issues that we heard about, some of them do come from these policies that are in place now.

And also just to think back on what Robin said, timing is essential right now because of the reauthorization of the Elementary Secondary Education Act. It's really -- I've always heard, well, when it's reauthorized, we do this or that. So since it's lagging behind now, these are things we can say we want to consider as reauthorization.

MS. BUTTERFIELD: Just a couple of things is that there is a lot of what we recommended included in the Native Class Act that's already been submitted on behalf of NCAI, NIEA and USEF.

But I also want to make sure we don't lose the one recommendation around technical assistance, and there are several bullets in here that we can combine to focus on that. And it seems we are also scheduled to have a conversation today along those lines as well. So I wanted to be sure that was in there.

MS. WHITEFOOT: And I just want to follow-up on the blueprint report that, you know, Secretary Duncan cent out. It does include language and I believe -- I can't recall if it was technical assistance but also TEAs, tribal education control.

So the work that we've been doing at the state level has language under tribal control because we're having to go to the tribes to ask for, you know, their blessing on the teaching and history as well. So every state is a little different, but it's all I think, you know, coming under tribal authority more and more, similar to the work that we've done -- we did years ago with BIE has taken over more of that control. And we do have the experience and expertise.

But I also just want to say that, you know, beyond improving the quality of education of our children, it's also negotiating with state education agencies, local education agencies, to make certain that we're also being tribal and responsive to the needs of our tribes as well to build that capacity in our own communities so that we can ensure that, you know, we're also sustaining just who we are as Native people.

MR. PHELPS: Right. And, you know, what I heard yesterday, and I'm going off of -- you know, I felt like we started talking about going in a direction where we, as NACIE people, that are sort of regionally located would be listening more to our region.

And what I heard our region talk about was more tribal involvement and engagement, more educational outcomes, our kids are failing and dropping through the cracks, more language and culture, and more, you know, leveraging and funding and opportunities.

And so, you know, I want to -- you know, I don't want to go out to meetings -- because in the Great Plains -- I mean, you guys have all been to meetings. And they don't -- they don't hold back out

there. And if I'm going out there as a representative of this council, I don't want to go out there with things that they just look at and say, that's in every federal thing I've -- what are you doing today? Because I don't want to be so broad and fluffy that, you know -- these are things that are already going out and let's give a list of, hey, we support these. But we want this done. I mean, that's where I'm coming from.

Because, you know, I -- you know, I kind of said it yesterday. You know, action's always better than, you know, more words. So these six things, these are complete action that affect those things that those tribal people came with.

Because, you know, I like Tom's comment that this was the most tribal engagement we've ever had. And if we do nothing, if we wasted their time coming here and we go off in a total different direction, then, you know, nobody's ever going to come back and, you know, have that engagement. So, you know, I just keep challenging, you know, that we make sure that we can all say, Yes, that's what they talked about yesterday, that's what we're recommending, and say that with, you know, some -- some fidelity then I'm okay with it and I'll vote for it. But, you know, I'm trying to find where their words are in our recommendations directly.

MS. THOMAS: Stacy, I have a question. Earlier, your first initial comment was you weren't sure which one of -- or any -- I'm not sure which one of these you said that you didn't think was relevant to the education. Which one was it that you were concerned about?

MR. PHELPS: No, I just -- you know, like the title fundings supplanting versus supplementing. I mean, is that a full recommendation or is that something they're already aware of and we need them to follow-up on?

DR. JACKSON-DENNISON: Who's the "they"?

MR. PHELPS: Whoever. I mean, I assume people have these rules that know these rules and they're just bypassing them, right? I mean, that's kind of how this works, right? States choose to ignore it. SEAs/LEAs choose to ignore it.

So, you know, the thing that would ensure service is more teeth in the RFPs or in the follow-up plans that would directly impact educational outcomes. You know, I -- sorry.

You know, the only thing -- I haven't heard anything about accountability, you know. Accounting and plans, but what about accountability and the follow-up side of it. You know, some more kids are being successful educationally. I mean, those are the things that, you know, I'm, you know, concerned about is that we don't lose those focus.

You know, we didn't do one thing on language and culture, yet every one of those people who came up yesterday talked about language and culture. Not one of our recommendations reflects that. So, you know, those are the things I'm concerned about if we're going to represent the people who come to our meetings to give input, then our recommendations should reflect that.

MS. WHITEFOOT: I just wanted to add that several of them also voiced their support for the work that we're currently doing on the Native Class Act. And all of these items are included, pretty much, in the Native Class Act. And so there has been much dialogue going on about that.

And so I agree that there's a need for communication and networking still with all education organizations, including NACIE. And so how we communicate, I think we need to -- whatever this overarching is, you know, to improve the quality of education that as tribally and culturally responsive

and that also includes communication and network out to -- with our communities that we're representing, whether that be, you know, school districts or intertribal organizations.

And we're at this level with NACIE. So I just see that as an overarching kind of goal with these six specific action items that we're going to be working on.

And I just want to remind us that, you know, while there was discussion on the budget issue, I think that because we're here with the tribal leaders, that's one of the reasons that we got the response and because of the communication that we had with our own tribal leaders.

And for our region, which was the Northwest, we had a number of people that were here, and there's constant dialogue going on. And after the recommend -- the comments that were made, the chairman of the Great Plains Chairman's Association says we're going to be working more with -- you know, we're working with the Northwest tribes and it's the same thing that happened with all tribal council.

So there's increased support and awareness that's going on with our tribal leadership and they're looking -- and having been, you know, on my own tribal council, I know that they're looking, you know, toward those individuals who have been working in Indian education.

And I see that, you know, when we talk about economic development in our communities, economic development and education go hand in hand. We all are working toward the common goal for our communities to continue building our capacity so that we could continue moving forward as tribal people.

MR. ACEVEDO: And in the interest of moving this along, because we're going to have a transition here in the few minutes, we have those six goals that I've outlined to all of you that you, I think, have consensus on.

I would recommend that we have a three-member committee to draft this for us and get back to us within a month, and we'll schedule a teleconference call and adopt it. Do I have consensus and volunteers for the subcommittee?

MS. BUTTERFIELD: Well, I'm not sure we have consensus yet. Because I did not hear the technical assistance piece and then the other piece that we talked about yesterday, which is the communication, how to get all of the information about what's being accomplished and recommended out to Indian country beside -- beyond posting it on the Department of Ed Web site. I think there are other ways to deal with that. So --

MR. ACEVEDO: Well, did you want to add another? I have Goal Number 7 as technical assistance.

MS. BUTTERFIELD: Well, I'm just saying I'm not sure we have consensus on the six. So -- because some of the ones that you mentioned seemed like they could be combined and massaged a little bit.

MR. ACEVEDO: That's what I'm looking for is the subcommittee. Now that you have these elements, I guess would be the best way to say it, do you want to have a subcommittee that can put the language together that we then have a conference on and agree to? Otherwise, I think you're going to be just, you know, sort of talking in generalities until you have some specific language.

MS. OATMAN-WAK WAK: Well, I was just thinking about her comments that she had made yesterday in regards to that communication plan. I think that we had a really prime opportunity to be able to share our original recommendations and then that follow-up piece that ties to the accountability of the roles and recommendations that we had provided, one of those being research.

We talked about it very intently -- intensively during, you know, our first meeting. And as a result of that, the U.S. Department of Education is now going to have an intensive research focus specifically designed to disseminate best practices around Native language and culture.

So when I'm thinking about it in terms of what we're doing here, we have to have some long and short-term results. And so I would volunteer to be a part of the work group.

MR. ACEVEDO: Thank you, Mary Jane. Others?

MS. BUTTERFIELD: I will. I will.

MR. ACEVEDO: Robin.

DR. JACKSON-DENNISON: I just wanted to comment that the technical assistance is something that is more of an action plan that has resulted in -- back to the other areas that -- I guess we're looking at a problem -- or challenges -- I don't like to call them problems -- challenges in Indian country, as well as how we're dealing with them, how we're responding to them.

One of the challenges is the supplanting that Stacy is talking about isn't -- but responding to that is, again, trying to educate our -- those are -- those are like action steps to respond to -- to this. And I always look at my own local area and we have such a turnover, which is one of the things they brought up -- one of the comments yesterday. The turnover of administrators in our area is high, especially superintendents.

And I know I've heard that from the very beginning, that we get superintendents that we know as Native people in the community that are coming, and you know they're not going to be there very long. And you so you take the time to give them technical assistance or whatever, and then they're gone. And then you have to go through that again. And that's where that supplanting and all of that become issues.

So I just wanted to make that as a comment to one of the is- -- one of the things that happens in Indian country that really is difficult to deal with.

MR. ACEVEDO: We have two volunteers before us.

MS. WHITEFOOT: (Raising hand.)

MR. ACEVEDO: We have three. Do I have a motion to appoint Mary Jane, Robin, and Patricia to the subcommittee to prepare these goal statements to the secretary?

MS. SPOTTED BEAR: I move.

MR. ACEVEDO: Been moved by Alyce. It's your second.

MS. THOMAS: I just want some clarification.

MR. ACEVEDO: Out of order. Is there a second?

MS. WHITEFOOT: I'll second.

MR. ACEVEDO: It's been moved and seconded. Discussion. Now you may --

MS. THOMAS: Are you saying they're taking all of these -- not -- these eight for the month of --

MR. ACEVEDO: Yes.

MS. THOMAS: That's a little overwhelming, I think. I volunteer to help, but I think we should divide it a bit finer.

MR. ACEVEDO: Okay. There's a motion on the floor. It's been seconded. Any further discussion?

MR. PHELPS: Is there an opportunity to add Virginia to the --

MR. ACEVEDO: Well, the movement and the seconded would have to agree.

DR. JACKSON-DENNISON: I agree.

MS. WHITEFOOT: I agree.

MS. BUTTERFIELD: I agree.

MR. ACEVEDO: All right. And specifically, what is it you need? She made a suggestion but she didn't make a specific action item as a part of the motion. Virginia.

MS. THOMAS: Well, my point is I count eight now, you know, including the last two that we have there. And I would like to see it may be divided into half and have -- I mean, that's what we're here for. I mean, the whole committee should be working on this and not just a handful. But we should divide part of this up and -- Because it's going -- I see a great deal of work, and I want to give this as much time that we can as a -- as a committee or a council.

And I know that I'd be willing to work on it, but I think that everyone on this council should take a portion of this and break it down even farther, at least into half, if not fourths.

MR. ACEVEDO: Further discussion?

MS. BUTTERFIELD: I thought the --

MS. THOMAS: Before I end this, it's because our expertise are so different and that we could add to different things in our expertise area.

MR. ACEVEDO: And I don't disagree with you, but I think what we're trying to do is make it succinct. And if we -- I mean, we could certainly sit here the rest of the day and draft the language. We are here today. We don't need to adjourn if we don't want to, and work on the specific language.

So if that's your suggestion, I would certainly advise the council to do that. Because if we start to have a larger group in here or three or four committee -- subcommittees, we are going to get a bunch -- I think it's an in-depth document just as we sent to the Hill. We're trying to make it a one- pager is what our goal is, is my understanding. Robin.

MS. BUTTERFIELD: Yeah. I think given what we heard yesterday and the comments that people have shared this morning, that given sort of eight or -- I mean, each of us may have bulleted something a little differently, that it is the work of a smaller committee to condense it and come up with something that's succinct enough that --

I mean, this is just for one year. We can add or -- I mean, we're trying to get something that's achievable within a shorter period of time, and it seems to be the committee recommendation is the way to go. But it doesn't limit anybody's input anywhere.

MR. ACEVEDO: Virginia, is there -- are you volunteering for the committee -- subcommittee? Yes?

MS. THOMAS: Yes.

MR. ACEVEDO: Just move and object to Virginia being there.

MS. BUTTERFIELD: No? Everybody accepted?

MR. ACEVEDO: Okay. Been moved and seconded. And we add one more to the subcommittee, and that is Virginia. All those in favor? Further discussions?

(No response.)

MR. ACEVEDO: There being none, all those in favor of the motion, signify by saying "aye"?

ALL COUNCIL MEMBERS: Aye.

MR. ACEVEDO: Those opposed?

(No response.)

MR. ACEVEDO: The motion is carried. I think we need to take a break.

(Brief recess.)

(Whereupon, Kimberly McLain took over as the court reporter at 10:20 a.m.)

MR. ACEVEDO: Let's go ahead and start. We don't need a quorum for the presentation. Trini, we are ready for you. You can go ahead and start. Welcome.

IMPROVING EDUCATIONAL OUTCOMES FOR NATIVE AMERICAN AND ALASKA NATIVE CHILDREN-COMMUNITY OF PRACTICE

MS. TORRES-CARRION: Thank you very much. I feel so honored to be in front of all of you. Thank you for inviting me.

MR. ACEVEDO: Thank you for coming.

MS. TORRES-CARRION: Do you have the PowerPoint in front of you?

MR. ACEVEDO: Yes, we do.

MS. TORRES-CARRION: Okay. I'm not going to go too deep on the PowerPoint because I wanted to give a demonstration about one of our features. So we will talk about that later on.

MR. ACEVEDO: Don't worry about your PowerPoint. We just want to hear from you.

MS. TORRES-CARRION: Okay. Thank you. That's good. Thank you very much. My name is Trini Torres and I work at the Office of English Language Acquisition also known as Title III. I'm an Education Program Specialist for the classroom teachers and now I administer grants under our office for Native American and Alaska Native Children school program. I really would like to present to you our programs so that you will see -- I'm not going too much deep on the PowerPoint. You will see the purpose of this program. The authority, regulations and appropriations. The eligibility, the programs authorized, the funded projects in 2011, features of these projects, Native language target, technical assistance resources and that's what I'm going to be focusing more. Future funding opportunity, and the Q & A. Next page. The purpose of this program is to assist Native American and Alaska Native English learner students. The first purpose for them is to attain English language proficiency. That's what Title III is about. It addresses the need for English language learners. Supports the teaching and studying of Native languages. Consistent with section 103 of the Native American Language Act. I think this is one of the most unique parts of our work, grant. That everything that you have mentioned about the teaching of language, the studying of the Native language and the culture piece, it can be imbedded in this grant. I'm not going to go through too much of the authority and regulation because that's something that is too much, but I did -- I do highlight them so just in case when you have time and you want to see what the authority is, the regulation, you have information on slide five. The type of programs and appropriation, this is a Discretionary competitive grant. We have assigned five million dollars per year and the project period may end up to 60 month. So it's five years that we can continue funding these projects. The eligible applicants are elementary, secondary and post-secondary schools, primarily for Native American children including Alaska Native children, which can be an Indian tribe, a tribally sanctioned authority, Native Hawaiian or Native American Pacific Islander. We don't have any of those organizations yet. An elementary school or secondary school that is operated or funded by the Bureau of Indian Education or a consortium of such schools.

We also have elementary or secondary school operators under a contract from the Bureau, and elementary or secondary operated by the Bureau, an institution of higher education in consortium with elementary school or secondary school, operated under a contract or grant from the Bureau of Indian Education, or a tribal or community organization. Public schools are eligible for these grants if -- first of all, they need to have primarily Native American students. We all know that most of our Native American students are in public schools and they can have a tribal extension or they can have a contract from the BIE like Johnson O'Malley. That's the way that the public schools and charter schools can apply for these grants. We have a certification -- an eligibility certification in the application package just to guarantee really that that school that we are funding meets their requirements. Because we really are very jealous. It's a small grant and we really want it to go to our children, our Native American and Alaska Native children.

The activities authorized are teacher training. I'm going to go very fast. Curriculum evaluation, assessment designed for Native American students. I'm not going to talk anymore about that. Now, in

2011, we have 21 funded projects in the states of Alaska to Washington and I'm very happy to see that some of you are part of these states. We are serving 4,765 students as I count them from grade level-- birth to college. And the average award is \$175,000 to \$300,000. It's important for us to know that this is the first time that we have tribal colleges were funded in 2011 and the first time we will be addressing early childhood. So we are proud of that.

The features addressed in these projects include heritage language and culture-based curricula, research-based literacy model, curriculum development to community-based literacy instruction, summer camps, professional development leading toward bilingual and Native Language certification. So far some of our projects have been able to certify their teachers in their Native language as a bilingual teacher. We have parent education college programs, indigenous language materials development, cultural sensitivity training for teachers. These are all implemented by the Tribal Culture Support Center. All the programs that we have, the tribal elders are the ones that are taking care of the culture and the language.

In the program we have intervention for students entering into college and it's something very unique that I want to say, we have the tribal colleges now are following their dropout students to bring them back to school. That's one of the promises that we have in our tribal -- with our tribal colleges. We have remedial courses. Like I said, early childhood development and parenting practices, early detection of development delays and health issues, prevention child abuse and neglect. We are targeting newly graduated students who are entering college and like I said, who are dropout. So there we have all the services that we have for our dropout students. The tribal college partners will encourage parents and family involvement in the program. This is something that is also unique. We understand that when it comes to institutions to higher Ed, parents are not too involved with their students and with their children and education. And in these programs, we want to be able to see how the tribal college and partners are going to be engaging with the parents of these students.

We have sheltered instruction protocol as a model, direct instruction, respond to intervention professional development models. Teachers professional development resource center and parent resource centers. One of the things that we want to focus on our parents is that we like to train our parents in order for them to serve our students. We give them an assignment for math or science or whatever content area, we want to make sure that our parents know how to help a child with that understanding. So that's what we're focusing on our parental involvement activity. Projects use technology as a tool for professional development because we understand that all our projects are in very rural areas. These are language targets on page 19 from Arapaho -- and I'm sorry I cannot pronounce them all correctly so I'm not going to do that -- on page 20 to Yup'ik. We have all these languages that are targeted in our program. We are very proud of that.

And to learn more about these applications, you can visit this website. It's going to NCELA (National Clearinghouse for English Language Acquisition). Okay. We have NCELA on Clearinghouse. In the first one in the NCELA Clearinghouse, you will be able to find all the applications that were funded in 2011 and learn what those projects are going to be doing. That's part of the Transparency Act for the new -- and accountability. We have posted all the applications. Then we have "our baby," as we call it, which is launched, a community of practice called, "The Talking Stick."

I'm taking you on this -- this is a picture and I'm showing you we are online so you're going to be able to see -- you can ignore some of the slides that were in your PowerPoint about this. We are directly online. This Talking Stick is for including educational outcomes for Native American and Alaska Native children. And our mission is to connect grantees serving the same population; link novice grantees because when we meet that novice, we always bridge a new idea with experienced grantees and give the grantees the opportunity to interact with OELA (Office of English Language Acquisition) staff and experts in the field.

And we named it the "Talking Stick" to honor the Native American tradition which says that gives a voice to all members, promotes respectful listening, encourages collaboration in working toward goals. This will be the values that guide our interactions. And you will see on the first one which is our home, you will see the forums, how we are doing. This activity is that we are focusing maybe you have seen names here like Dr. Powell's webinar. He gave us a webinar and all the service and everything. Then we have -- I want to emphasize that this is something that we don't control. This is all -- we do accept the members but we don't have any control. Only our grantees, the members, are the ones that determine what they want to talk about. We have -- we show the events that we are going to -- we have a section just for that and the calendar. And they can add their events from their respective programs or state or school. So far we have conducted two webinars and one workshop. The workshop was conducted here in D.C. We have forums. Discussion. So that they can -- they can post their forum discussion. At the beginning we had to post so that we can break the ice but now they are doing it on their own. Can you hear me?

MR. ACEVEDO: Yes, we can.

MS. TORRES-CARRION: We have a library in our community of practice where we keep the members suggested links like you can see. We are not only addressing their English language, we are also addressing the content area because that's part of the grant. We have the links. We have suggested articles. Materials related to the presentations that we had. The program information, research and best practice. Like I said, it's very important to know we have allowed this is the community of practice and we can show you that how they like -- so here we have our first video on the expert testimony on the Native Language Act here at the Senate.

When you look here at the library, you'll technical support. I don't know, for some reason when I click here, on the top here, you should also see the webinars that are archived. But I don't think the computer is set up here for that, but if you look in your laptop, maybe, in your personal, you will able to see all the webinars that are archived. And also, you can get all the technical support. We are very proud to show our members. And, in fact, we have somebody from -- we are adding new members so that we can have experts in all the area from early childhood to post- secondary. Like for example, yesterday, this member, she is going to be our expert on early childhood. She is from HHS. We also have -- we are also going to have one is special education just for Native American and best research and everything that has to do with our students. And I also have somebody here from NACIE so I have a representative from NACIE. I'm just going to here -- John Reyhner. I would like you to go to his page so that you can see that he has a project in Arizona. He is a professor and his project is also funded by our office under a Title III Professional Development grant. We have another grant which is a big grant, it's for training teachers. And this particular grantee is going to be training in dual language Navajo. Okay. So I think I gave you an overview. Do you have any questions?

MR. ACEVEDO: Questions? No, Trini.

MS. TORRES-CARRION: Okay. I just wanted to make sure. Is my time gone? Okay. So I don't have any more time, I'm sorry, but anyway, I really would like to invite you all to become members of this community of practice and bring your expertise to the site. And if you would like that, just email me and I will send you an invitation. So thank you very much. We also have music and everything dedicated to the American Indians. Thank you.

MR. ACEVEDO: Thanks very much. Thank you. Jenelle, with respect to the Office of Indian Technical Assistance, the action items, is that something you'd like us to take action to or do we have to have David's --

MS. LEONARD: Actually Liz Grant is going to present, but certainly if you want to read this and contemplate whatever discussion/decision you want to do. If you want me to give you the background on it and just remind you how we got to this point.

MR. ACEVEDO: I think we have time so please, go ahead.

MS. LEONARD: Actually, it was at the Advisory Council Meeting last April, I think both Fran as well as the Commissioner for NCES (National Center for Education Statistics) presented on the NIES (National Indian Education Study) and what some proposed actions were. We followed up with a closed meeting where, once again, the Commissioner presented with the options. While you couldn't make any decisions at that meeting, each one of you individually made your comments and I know we have that for the record. We have those summarized notes. And it was at the request of the Assistant Secretary, at that point it was Thelma Melendez, who had wanted to find a way to provide technical assistance for Indian education because we heard so many times from the tribal leaders in the listening sessions, that's one of the areas that the Department was sorely lacking in was technical assistance. So it was her effort to come up with some way to provide that. And in talking with Peggy Carr, who is the Commissioner of NCES, one of the ways was to reduce the Indian Ed study so as to fund the technical assistance center. And that's when we got your input at the closed meeting. We followed up and the proposal was to -- while you didn't vote, when you look at what individually each of you said, and, Robin, I can remember your voice saying, "Definitely we need to do something on technical assistance and move forward on something." But we don't want -- and I think it was the general consensus of the Council, we don't want to, in any way, lose the Indian Ed study. We want to really keep the reporting and that helps the -- so the reporting is going to continue. The question now, though, that's facing us is something that Michael mentioned yesterday that we are getting ready to compete new comprehensive centers. The Federal Register Notice is in the process of being prepared. One of the things that we want to happen is that it didn't add the TA component, but Thelma Melendez words are echoing in my ear, "We don't want to move forward unless we get NACIE's recommendation, blessing, guidance as to how we should do this." And so this is what's being -- is what she's going to present to you. If we have the Comp Centers competing and nobody knows who is going to be the awardee, we need advice as to geographically where would you recommend they be located? What is the mix you would want and there's some options here. These are only suggestions. It is not to influence you in any way. It is for you to tell us what it is you want us to do. So that's going to be the conversation that she will have with you.

MR. ACEVEDO: And that's the overview. Are we ready for Mr. Yi?

MS. LEONARD: Oh, I'm not sure. Oh, there he is.

SCHOOL TURNAROUND LEARNING COMMUNITY SERVING NATIVE AMERICAN STUDENTS

MR. ACEVEDO: Hi, David.

MR. YI: Hi. How are you all doing?

MR. ACEVEDO: Very good. Welcome. Go ahead and proceed, please.

MR. YI: Well, thank you for having me as a part of your conference. Again, my name is David Yi and I work in the new Office of School Turnaround in the Office of Elementary and Secondary Education. I'm here to really talk about how the work we are doing in the Turnaround, in the lowest performing schools, really ties into the work that we are doing to help the Native American schools and students in these communities.

First of all, specifically, I work in a program called, "School Improvement Grants," and I wanted to give you some context about the type of work that we do and how that really ties into the work that we do with the Native American students. So the School Improvement Grant really focuses on turning around the lowest performing schools. We target the bottom five percent of schools in every single state, including Puerto Rico, D.C., and the Bureau of Indian Education. So these bottom five percent schools are the schools that you always hear about. The schools that have the dropout rates. They're dropout factories. The schools that are consistently lowest achieving. The schools that you hear about for generations have not really helped students get into college and succeed after K through 12 education. So we have a strong focus on this but a lot of the schools that we fund have student populations that have high Native Americans, so there's a lot of schools out there, especially in Montana, in Idaho, a lot of these states where a lot of our schools are actually on Indian reservations. So the reason why we're covering this section today, is to talk about how we're going to tie our TA efforts to support all students including the Native American community. So to give you a little bit further background, I'm going to have a PowerPoint presentation. It's only a couple slides and I'll come -- and this ties into the work we're doing that you just heard from Trini. We also have a community of practice that we're working on and we're really trying on to the work that others have started.

So if we can switch over to the PowerPoint. Like I said, school improvement grants is a full school report. It is not just a program that you just give money to schools and you say, "You have to make some changes." These are full efforts where the entire school, not just a school, but the community itself has to change. Schools can win up to two million dollars a year for up to three years. They can receive up to six million dollars. And this money is going to be used for making entire school changes so that includes sometimes replacing ineffective principals, replacing teachers, having a safer school environment, increasing the learning time, having more focus on instruction, and also engaging the community. So these awards are really to changing schools that you've always heard of being dropout factories so they're now becoming the most high-performing schools that they can be. And our overall goal has been to really support these schools because they have been neglected for such a long time.

In terms of funding, so we got a lot of money fiscal year 2009. We got three billion dollars from the Recovery Act and since then we've been awarded a little bit over 500 million dollars. So for the past two years, we have over 4.5 billion dollars that are going to these lowest performing schools. And like I said, a lot of these schools have high populations of Native American students.

Our program for the first year, we funded 826 schools across all 50 states. And again, I said that includes BIE and we proportionally go to schools that are in the low income communities. As you can see, 77.7 percent of our schools' students get free and reduced lunch, and a high proportion of students of color as well. So these are communities that usually have been the most disadvantaged. And in terms of the national picture, we have also a strong focus on funding high schools. As you can see, the majority of the schools that were funded, around 45 percent, were high schools because these are the schools that usually do not get Title I funds which are targeting toward the low income students. We really are targeting high schools because of graduation rates we are seeing in a lot of these schools are

so low. To qualify for our School Improvement Grant which we call SIG, they have to have an average graduation rate of below 60 percent over three years, which again, is super low.

So we are seeing our funds really being used to target these schools to find ways to prevent dropout and still have students actually graduate and then go on to college. Again, we also have a mix of schools being funded in the inner city but then we also have a good mix of rural schools, suburban schools and those that we call, "on the fringe." Again, our focus on graduation rates really ties into the work that we are talking about Native American students. As you can see, the states with the largest percentage of Native American students, this slide just shows you average graduation rates and obviously these are numbers that we really want to see raised. A lot of our money is being targeted toward raising these graduation rates overall.

Additionally, not just high schools and middle schools and elementary schools, we're also really looking to achieve -- raise achievement of all students and as you can see from the scores, I'm sure you've heard this before, overall American Indian/Native Alaskan students have been performing lower on these tests. We want to make sure those achievement gaps are eliminated.

So overall, how does this relate to you all in your group? Like I said, a large number of schools from our grant program are -- have a large Native American population. So there are 87 schools right now that are being funded that have over 50 Native American students, you know, and like I said, these schools can receive up to two million dollars a year up to three years. In total, that's about over 17,000 Native American students and cumulatively, it's over 115 million dollars. So there's a lot of money available right now to make a lot of drastic changes for these schools. And for the schools that were awarded that have high Native American populations, that annual award was 1.2, so that's over three years you're going to see over three and a half million dollars.

So as you can see, the Turnaround Schools that were dealing with the School Improvement Grants, really ties into the Native American community in general and all populations that are disadvantaged at the school level. And so what we are trying to do is to a large scale effort for technical assistance and part of that is a community of practice. Trini just shared with you a community of practice that they're doing that's targeted just for the Native American community. We have a larger one that's just focused on the entire Turnaround community which we want to actively have engaged with the Native American group.

In a second I will show you the actual website. I want to give you the context of what we're going to be looking at first. So what we've been seeing is throughout the funding that we've given for the School Improvement Grants, like I said, the first year we had over 800 schools and this year we have again, maybe more schools that are being funded. With all of these schools, we need to find a way through our visits to these schools that they want us to find out how they can communicate with one another. I've been in schools in Maine or South Dakota, that literally, that is the only school in the entire school district and the next closest school is 50-plus miles away. And they are doing -- they all want to change their schools but they are telling us, the Department, that we need help to connect to other schools to see what they are doing, as well, so they can get best practices.

So what our community of practice is really doing is trying to tie all of our grantees together to really have them support one another and also, to provide a way to get easy access to resources and to hear experts, because we know a lot of these schools you can't just travel and get the best speakers on specific expert areas to talk to you about what you should do. And we are here to really provide that avenue for them through this online community.

So our online community is called, "The School Turnaround Learning Community." We have over, now, around 1500 members. These members include school level officials, district level officials, state level officials and also external providers. We want to close that whole loop where everyone is really working to help improve these low performing schools. All of these school -- our community is

open to anybody so as long as you have an email address, that's all you need to sign on. So that you can even have family members, community members, engage if you want. When we started this, like I said, it was specifically targeted toward our grantees, the School Improvement grantees. And so we focused on areas that we saw across the country that the School Improvement grantees were struggling in. This includes things like how to mentor teacher effectiveness. When you have these new teachers who are coming to these schools to really improve these low performing schools, how do you know they are being effective and how do we support them to make sure that they are actually going to do the work that make these schools no longer be the lowest performing. So we had a whole series on – a webinar series where we partnered with a teacher quality campaign to provide six webinars on this. And in addition to the webinars, we had a bunch of resources that we shared. And from these webinars, we saw that we had people from across the country join, not just SIG schools, but schools – any school that was engaged in turnaround efforts from all different levels. So we saw states communicating with their school officials. We saw external providers coming and saying, "We have great products too. How can we share those with all our schools."

In addition to that we did a series on using data. Again, that was an area that we saw a lot of schools and districts were struggling in how to actually, then, collect student data to see the progress that students are making and then using that data really effect change to really make growth. The final area we looked at when we initially started this community practice was increased learning time. Again, schools had a real struggle to see how they're maximizing the current school day to maximize instruction. We saw a lot of schools wasting the time they currently had and we felt there were ways that schools could really improve their instruction during the time that they have. As part of our School Improvement Grants, schools are also required to extend the day as well. So we saw a lot of schools struggle with that. So that's the context of our online community.

Now, how does it relate to you? While we are doing these different groups, we realized this isn't just School Improvement grantee issue. This is schools across the country regardless if it's the lowest performing school, that needed support in all of these areas. So as we were doing these different sessions, we realized we should open this up. We really need to broaden this approach. So we've been working with different groups in the Department to see if they would actually like to start their own specific group on our online community. So we've been in contact with the Office of Indian Education to start their own group on Native American students and the particular issues that people on reservations or Native American communities may face. And again, with each group, like I said, we have resources available and webinar series and discussions, to really connect different people and different communities to talk about issues and share best practices.

We're hoping that we can expand this. Our next group that we're actually launching is engaging stakeholders. And even though we aren't launching Native American communities right away, while we are sharing this with you all is we want to let you know that any school can join this community, this online community, right now and find usefulness for it. Because, like I said, these are cost-cutting issues. It doesn't matter what community you're in. Every school needs to know how to add effective teachers. Everyone needs to know how to effectively use their time, how to use data. These are all cost-cutting issues and these are all resources we already have for you.

When we did our webinar series, we got experts from across the nation and we also had people on the field implementing in and sharing their best practices. So when people in far-away communities who are more isolated because they're in the rural frontier, these people can connect to other communities through this online community. Before I show the actual website, is there any questions?

MR. ACEVEDO: Any questions for David? No, David, go ahead. Oh, excuse me. David -- sorry. Robin, go ahead.

MS. BUTTERFIELD: I just wanted to know if you are identifying strategies that are unique to Native communities?

MR. YI: Yes. So that is why we are specifically picking up a group for Native Americans on our bigger online community. So there was a TA session in New Mexico I believe two weeks ago that one of our representatives from our Office of School Turnaround went to and talked to schools that had a large Native American community who were also receiving our SIG grants. So that was kind of a session where they used it to identify the specific needs and unique needs that a lot of these schools are facing. So when we have a group on our online community, we really tailor the content to the specific needs of those grantees and that's what we are hoping when we are in the development stage of that, and we'll be able to do with the Native American group.

MS. BUTTERFIELD: So that information then from, say, that meeting, as an example, will be posted then, the strategies?

MR. YI: We're going to use -- we don't want to just use that information. We want to connect that with information that the Office of Indian Education has. Once we compile within the Department itself, all of the needs that we think we have, then we'll release that to be part of our larger group. But we're still in the earlier stages of making sure we contacted all the relevant stakeholders within the office itself, and then afterwards, we'll be able to release more information on what we want to do with this group.

MR. ACEVEDO: Thanks, David. Joyce?

MR. YI: Does that answer your question?

MS. BUTTERFIELD: Yeah.

MR. ACEVEDO: Joyce.

MS. SILVERTHORNE: We've had one meeting at the office where we took a look at some of the things that this technical assistance for the Turnaround schools is doing with schools nationwide and a conversation in looking at what kind of overlap we have between programs within the office and this is actually coming to you at a point of you can make recommendation to suggest what you think ought to be included in this series for Native American schools. We realize that many of these schools are receiving Title VII funds. Many of them are receiving Native language funding. Many of them are receiving Title I. Many of them are receiving Turnaround. And so how can the office then look at coordinating these services to make them grow further.

One of the comments, of course, is the supplement not supplant and this is a place where that is going to reach several places at once and we have superintendents and teachers and school personnel that are actually coming in as the members of the organization. So it's an opportunity that encompassed several things that you've been talking about.

MR. ACEVEDO: Patricia.

MS. WHITEFOOT: Since we have you on the line, and I believe the group might have been the National Indian Education Association, is where the comments were raised. I just want to raise this one that in

some of our tribal communities in rural communities, there has been major shift in demographics in our communities where our tribal populations may now be the minority, however; we're still on our reservations. And so what happens is because of those change in demographics and you're still on tribal land, those funds may be used predominantly for other populations and not necessarily just simply how the demographics are made up for each school that you have in your schools district, but yet you still have a significant Native population in your overall school income. So that's an issue because Title VII is there and recognition is given that, yes, we are on the Indian reservation so we do need to get support from the tribe, but Native children won't be served. So I think that really needs to be examined as well.

MS. LEONARD: David, can you speak to how the site is going to grow beyond just the 87 schools that happen to be SIG, but you really you want the whole community to join, right? It's not going to just serve the 87.

MR. YI: Exactly. So like I said, when we started doing these individual groups on the community, we realized it's not just our grantees. It is everybody. So when we had teacher effectiveness, we saw like three other grant programs within the Department itself, the teacher incentive funds, Title II, we saw all these other grantees say, "Look, we can utilize this and we are all talking about same thing. Why don't we all share?" So it's the same concept that we're thinking with the Native American group. Obviously, we have our grantees but we're in constant communication with the Office of Indian Education to talk about their grantees. So we want this to be a huge network. And like I said, it's not just grantees. It can be school districts, schools, external providers, community members. We want to make it a robust community where everyone is actually sharing best practices.

MR. ACEVEDO: Thank you.

MR. YI: Okay. I'm going to --

MR. ACEVEDO: Robin? Just a second, David. Robin has a question.

MS. BUTTERFIELD: Just one more question. So in looking specifically at the American Indian/Alaska Native sites, are you sort of compiling data in terms of what types of strategies that are sort of commonly being employed by those schools? Do you track that kind of data?

MR. YI: Right now, it's more anecdotal through our monitoring and through some of our visits here and from our comprehensive centers and regional centers. But we are actively looking to find common practices amongst these schools, common best practices in the areas of need. So these are all things like Joyce mentioned earlier. These are developmental things. But if you all have any information on that, too, it is a great time to share with us, we will incorporate that.

MS. BUTTERFIELD: Okay. Sounds good.

MR. ACEVEDO: Okay. David.

MR. YI: I will just briefly go through the website. I don't want to show you the whole thing, obviously, that's not useful. I just want to show you the utilities of the site because I think a lot times when people have -- people see online websites and they think it's too complicated so they don't want to use it. So

we want to just show you that this is actually a very easy site to use, so that if you share this with any of your community members, they can join very quickly.

The website is called schoolturnaroundsupport.org. And like I said, all you need is a user -- an email address. Anybody, regardless of where you're working, can sign on and create a new account. I already have an account so obviously I will be logging in, but you can also just create a new account and it's a very easy way to share with any of your grantees or any of the people that you are working with to see the functionality of the site. I'll log in real quickly and just show you two or three things and then I'll just finish up with any additional questions that you all have.

Very similar to the community that Trini showed you, we have a lot of information. So on our home page, we have, obviously, all of our events that we have coming up. But the three things that I'll emphasize to you all are the groups themselves, like I said, so far we have four groups working. We have engaging stakeholders that we're launching in a week. Increased learning time, using data and teacher effectiveness. So when we launch a Native American group, this will be one of the groups that will be on for the learning community. Additionally, what I want to emphasize is our resources. It's very difficult to find very good resources online and to have a one-stop shop of where all the resources can be located. We're trying to use the website so that any school district, any school, any state can find resources that they really need and we have a wide variety of resources available. So you can see all these categories and then you'll see subcategories as well. Usually, when we launch a group we also launch a new resource tab so it's something that we can discuss that we can actually add resource tabs specifically for the Native American community where there's target resources about research of what's going on.

The final thing I just want to share is the actual webinars. Our most popular part of our website has been these webinars series. And so I'll just click on "Using Data." On this webinar you can see that we had six weeks of webinars available and the great thing about this is if you can't make the actual webinar during the time we have it assigned, you can go back on to this website and check any archives. And like I said, we really partner with some of the experts in the field. So for "Using Data," we partner with the Data Quality Campaign. Sam Redding has been a very strong advocate of School Improvement grants through the Center for Innovation and Improvement. They've all been presenting these webinars and they've presented their research and best practices across the country. So this is just another resource where even though we don't have a Native American group on here yet, a lot of these communities can join the website and can get resources on topic areas. Probably they do need areas of need.

So there are a lot of resources already available. We encourage you to share this with your grantees and other people and join the site. And then when we do actually launch a Native American group, we can have more tailored discussions and really focus on your needs.

Are there any last questions before I go off?

MR. PHELPS: What was your website you were on again?

MR. YI: Sure. It's schoolturnaroundsupport.org.

MR. PHELPS: Because there's a schoolturnaround.org.

MR. YI: It's schoolturnaroundsupport.org. And the PowerPoint that I presented earlier, we will email that to you and I'll make sure the link to the website is actually on that PowerPoint as well. So you will have that electronically. Any other questions? Thank you very much.

MS. WHITEFOOT: Jenelle, can we get a copy of all the Power Points emailed to us?

MR. LEONARD: Yes. So asked, so done.

COMPREHENSIVE CENTERS UPDATE AND TECHNICAL ASSISTANCE RECOMMENDATIONS(S) FOR NATIVE AMERICANS/ALASKAN NATIVES

MR. ACEVEDO: Liz, welcome.

MS. GRANT: Hi. Thank you, everybody. Shall I just start up?

MR. ACEVEDO: Please.

MS. GRANT: Is there an introduction to this piece, Jenelle?

MS. LEONARD: I've already introduced it.

MS. GRANT: Hi, I'm Liz Grant. I work in the Office of Elementary and Secondary Education and I've had the opportunity to work with Jenelle on some of the issues in the Office of Indian Education and then also in her office, the Comprehensive Center Programs. So I wanted to get your recommendations on a couple of pieces as we think about how to use the technical assistance money that we've got new this next year and in order to provide technical assistance through the Comprehensive Center network. So I believe you have a hand-out. This one with the pictures of the country on it and different states.

MR. ACEVEDO: Yes, we do.

MS. GRANT: What I thought I'd do is just provide a really brief overview of Comprehensive Centers, generally. I know some of you know a bit about them. And then go into some options to consider about the TA activities that they undertake as well as, how to structure the delivery of that TA, through which centers. There may be a preference that way.

So the Comprehensive Centers have been around. They're starting in their 7th year since the 2005 competition. We have about \$50 million dollars a year. Hopefully, that will be sustained in coming year in the coming congressional budgets. We're also hoping that that amount of money increases because the Comprehensive Centers are the way that the Department of Education is able to support its work in as states and districts and schools implement different aspects of the Elementary and Secondary Education Act. The Comprehensive Center network is the delivery unit for that technical assistance. So they serve to support the Department's work by working directly with the state.

We are planning a competition, the next round of competition for next summer. So by mid next summer, we would have a competition out to get new centers. According to the statute, we need at least 20 centers scattered around the country. Ten of them must be in particular REL regions, the Regional Education Labs. So we need one of each of those ten regions and then we can spread the other ten around the country as best serves the needs of states. Right now, we have 21 centers. So we have regional and content centers.

In 2005, they decided to break things up so the regional centers would help deliver the services of technical assistance. The content centers would provide the content expertise. We are going to keep that same structure in this next round of Comprehensive Centers. It'll be a little different in terms of

which content centers we choose to fund in the coming year. But right now, if you look on the map that's in front of you, we've got centers in different regions and those are highlighted in the dark text. So Alaska, Northwest, North Central, Great Lakes East, Great Lakes West, on around. Those are all regional centers. And then the one's with the little boxes, innovation improvement, instruction, high schools, teacher quality, assessment and accountability, those are the content centers.

We think of it a little bit like a hub and spokes pattern. The content centers are the hub of some content expertise. The regional centers help share that expertise out and support the implementation work at the state level. One of things to notice on the map I think that's useful, is that where the placement of these centers are. We may change the regional center regions in the upcoming competition, but if they change, it will be just one state here or there. We may choose to go with 15 rather than 16 regional centers, that sort of thing. We have not made those determinations yet. But generally, they'll follow a similar pattern to what we have here in the way that the regional centers are in these different sections of the country.

When we compete these, we compete by region. So in the Northwest among those states of Washington, Oregon, Montana, Idaho and Wyoming, there will be a center there. It need not be in Portland where it is now. It could be in any of those states in that region as long as the provider, an institution of higher education, a non-profit, those sorts of groups, as long as they apply and win the grant competition, then they can be anywhere within that region, but they must be located in that region. That's where they provide the services. Contrary to that is the content centers which can be anywhere, typically. So if you notice the teacher quality center has three arrows from it. That's because the teacher quality center is now run by AIR, the American Institute of Research. They have offices here in D.C., as well as in the area of Chicago because that's where the original parent -- or one of the organizations was and it was recently purchased by AIR.

So the content centers are a little more dependent on where the home offices of the providers are than are the regional centers, where we require that the regional centers are in those -- in particular region.

So turning on to the next page, there's two things that we've had here. One is those first few paragraphs on the back of that paper. The top part talks about the different kinds of technical assistance services that can be provided through these centers. And these are just ideas of things that you may want to consider and that we may want to prioritize in terms of the delivery of technical assistance. In talking with Jenelle, she has suggested that one of the big areas that needs to be met to serve Native American students is to build the cultural competence, knowledge and understanding at the district and state level. There's a real lack of understanding among the leaders and the educators at that level and that's one of the roles that the Comprehensive Centers could be to help work on that by establishing links between the states and tribes and between districts and tribes to create those conversations and increase the knowledge and cultural competence all the way around.

The other pieces listed here along with that culturally appropriate training to staff are: Identifying model programs and promising practices and sharing those among the states and districts that serve Native American kids; integrating language and culture and figuring out some ways to do that effectively; it's sharing that information about gathering the good knowledge that exists around the country about how to do things well, and then sharing that more broadly; promoting programs that are effective and promoting some increased parental engagement.

So before moving on to the structure, maybe we should talk for a moment about the TA activities that you think would be most important for these centers. If you have ideas right now and want to share them or we can do that as we go on. Jenelle, I'm not sure how best to structure that part of the conversation.

MR. ACEVEDO: Comments from members of the Council?

DR. JACKSON-DENNISON: I'd like to invite you out to talk to the National Indian Impacted Schools Association Conference which is in about a month from now in Las Vegas. And I don't know if that's too soon, but that's a good opportunity to talk with -- and I know I talked to Joyce about it yesterday. They've been asking me -- Joyce is coming out and I know Jenelle went out last year, but this is a key group of people to do some technical assistance within this area.

MS. LEONARD: Liz? May I, Mr. Chair?

MR. ACEVEDO: Please.

MS. LEONARD: You know what one of the things I really failed to tell you all, and you have to forgive me for this, and that is that the Technical Assistance Day, we had our director for the Comp Centers come out to Technical Assistance Day and to conduct two roundtables to get input from people attending the workshop on what they thought and how they thought the centers could be structured. We also had a court reporter there to take down all of the comments. We are waiting -- I think it'll be like a two-week period before we get those reports back. We certainly will share that information with you. I just want to let you know we did have one focus group and two roundtables of people attending that. I think there were about 25 people in each session that gave input to complement what you were saying there.

MR. ACEVEDO: Robin.

MS. BUTTERFIELD: I like a lot of the topics that you have here but I think one of the biggest ones that I've heard from the Indian people working in school systems is just clarification on rules, rights and responsibilities.

MS. GRANT: And I'm not enough familiar with what that would mean. If you could explain that just a little further. Rules, rights and responsibilities around --

MS. BUTTERFIELD: Well, it's around their opportunity to provide input into the education of their children. So specifically, if it was Title VII or Title I or, you know, just being the parent in the school system, they often kind of get run over.

MS. GRANT: So the Comprehensive Center network, as defined by the statute is to help build the state capacity to do work, right, to support their districts in the schools. We would frame it in a way that says, "We'd like the state office to increase their capacity to support districts and schools in engaging parents meaningfully in the conversations around the use of Title I funds and the delivery of education to Native American students." That sort of thing. If that makes sense then we could definitely write that sort of activity into the expectations of these centers. Other thoughts?

MR. ACEVEDO: Patricia.

MS. WHITEFOOT: Having been a former tribal leader continuing to work with our tribal leadership in particular here in the Northwest, I would go a step further and state, "Not build state capacity." You know, what our ultimate goal is to build our own tribal capacity to be able to -- to be able to carry out strategic plans for us. And of course, that always includes the assessment, the planning, the monitoring,

implementation and evaluation. Another further step would be to build that capacity so that we could sustain our current efforts around tribal education control and at the same time ensuring that our tribal specific needs are being met in a very competent way with the teachers, administrators that we're working with. Because oftentimes in our communities we're working with non-Native individuals that we're having to constantly educate and then who move on and leave our communities.

MR. ACEVEDO: Jenelle and Joyce -- sorry, Liz.

MS. GRANT: If I could just follow up with a question. Sorry. To just ask what sort of activities you think would be most useful in building tribal capacity that way? Would it be engaging them with state-level training activities around things like assessment and monitoring and such?

MS. WHITEFOOT: I think if -- and maybe it's a content area we might want to take a look at to do that. That's something, you know, I think I would be supportive of. Just simply, we're talking about whole tribal lands and wherever our aboriginal lands are because we're talking about natural resource needs and needs for math and scientists in our communities to be able to hold on to our natural resources. We're talking about, in some cases, almost entire states or three or four states. So I think if there's a content center that the Department of Education may consider, that's something that we should seriously take a look at.

MS. GRANT: Okay. Thank you.

MS. BUTTERFIELD: Yeah, I have a couple of comments or questions because the question that you just asked suggests that in order to work in Indian communities and Native communities, you have to think outside of the box in terms of the TA that you're currently providing. I don't know whether this will go through but within the Native Class Act that we are submitting, that's already been submitted, I should say, you know, we're looking at the possibility of tribal education departments being on par with state education agencies. So those -- if, indeed, that were to be piloted, you would have a number of tribes that would need all kinds of support around federal program management and delivery.

Secondly, if we're really going to try to provide for the technical assistance needs of Indian country, I'm wondering can the Indian focus part of that TA go outside of a region so that you might have a region house, say, in the Northwest that they could cover the Pacific and California because of the unique needs, you know, of those communities. Because if you add to that that Title VII funding goes directly to LEAs, so if you deal with it just in a state level, I'm not sure that you might have the impact that is necessary to really make a difference. Although there are individuals at the state level usually, many people, who have a pretty good understanding of what's going on in their state, but not always. In a number of states they are non-Indians and they don't really know or actively get involved with Title VII projects in the state.

So there's some nuances in Indian country that might, you know, ask you to look differently at sort of where you serve and how you serve the constituents.

MS. GRANT: Yeah, definitely. Thank you. Why don't you -- oh, sorry. Please go ahead.

MS. AREVGAQJOHN: Theresa John. In Alaska we have unique situations where there's migration of students from rural Alaska to South Central the biggest village we call in Alaska, and high turnover rate of administration. And, you know, with those two things combined there needs to be a dialogue that is culturally responsive, so I'd like to see this as your focus area because one other thing is that we have

five main ethnic groups with diverse cultural standards. Principals are similar in their values but they all have their own and I was wondering how that dynamic would be, you know, resolved in a large state as Alaska? Thank you.

MS. GRANT: That's a great question and I think what we'd be asking of the Comprehensive Center is that they have that sophisticated knowledge that they build that, that they bring in consultants or partners, sub-grantees, who have that kind of knowledge of the diversity within the state of Alaska on the different cultures so they could best serve the state that way. It's about serving the whole state. So the applicants for the grants that we're proposing, would need to be able to describe those sorts of things.

MS. WHITEFOOT: I just wanted to add one comment. Over the past few years, I have you been communicating with our technical assistance center here in the Northwest and every time that I've worked on a project or proposal with them, there's a substantial amount of time that goes on with educating the staff at these centers. You know, you were talking about the sophisticated knowledge they might have. That knowledge is lacking within the technical assistance centers. I have to take the time to educate them about working with tribal governments and the policies, the principals, values, standards, the protocols that we have. And so I just think that the Comprehensive Centers seriously need to take into consideration a center that works specifically with the tribes or the tribes will have control over a center with the Department of Education. That's ongoing in almost my 40 years of education is just always educating the non-Native community about tribal treaties, about sovereignty, rights, responsibilities, all of that. Thank you

MS. GRANT: Thanks. I'll let you know that both Jenelle and Joyce are educating me about those same things as well. I want to take just a minute to look at the second half of the page there about the Comprehensive Center options some of you have talked about this a little bit.

So there's some different ways that we could divvy up the funding that we're talking about for technical assistance. I've written down a couple of pros and cons. They may not capture everything. They're just a start in trying to understand the decision ahead. So we could fund a content center or two or three to add on to their body of work, a proportion of their work that would be dedicated to serving Native American students. So I've given, here, an example of how the Office of Special Education has done it. They have supplemented three centers over the last seven years and the way we write it is that the amount of funding given to that center, a proportional amount of work must be done to support students with disabilities. So the teacher quality center is about getting teachers who are skilled in serving students with disabilities and about 50 percent, maybe 40 to 50 percent of the teacher quality center work has to be dedicated to that end.

In the same way we could do that sort of thing with different centers around the Native American student population. We are not yet ready to go out with our notice of proposed priorities that describe what these centers are so we leave you at a little bit of a tough spot by not naming all of them right now, but just to let you know, generally, we'll probably -- you know that the key reform areas for the Department. We've got standards and assessment. We have teachers and leaders. We have school turnaround, early learning, using data -- I've forgotten the others in there but those different parts will probably be picked up by these content centers. So, if you think about a teacher center, for example, and what kind of work they could do to further the cause, you may want to put in a lot of money into that kind of center.

So the difficulties with that is that it's just capturing one aspect of education rather than the whole piece and what all states are doing across the board for kids. They are just around a particular

content area of expertise. So it could be perhaps limiting. The other piece that's difficult about that is the content centers, meaning the applicant who may win that may reside in Washington, D.C., rather than an area where there's a large Native American population. On the plus side, you get a lot of targeted expertise built up around a particular issue to serve students. And the content centers work nationally so they work with all states across the country.

Option two, here, is about funding one or more regional centers. This way you would have centers within large population areas and they would be addressing all needs across K-12, from standards and assessment and teachers and leaders and school turnaround efforts, and all those sorts of things are captured by regional centers. Regional centers help states implement all school improvement activities, all kinds of reforms so they're a little broader that way. The difficulties are that they may be tough to choose among the regions about where you would want to place a center or two or three, which ones you would want to fund. Perhaps the Northwest and North Central and Southwest may be areas that you would consider that may be a little Western United States centric. You might want something on the East Coast or somewhere around there, but choosing that may be more difficult. Also regional centers do not typically work outside of the region. So we could probably put some special stipulations on this. We'd have to work on it but to try and get a more national span by supporting maybe two or three regions, how we get that knowledge out to all states.

The third option would be, of course, to fund a mix of those centers. So those are some different ways to look at it. If you have some thoughts on what your recommendations would be or some things for us to consider more.

MR. ACEVEDO: Thank you, Liz. Robin.

MS. BUTTERFIELD: I have some thoughts. I used to work for Department of Education. I also worked for one of the centers at one time. So in my opinion, if you could help a region exceed the boundaries of the center for the purposes of the Indian Ed piece, that would help some of our feelings about equity because I think it does probably make all of us feel badly, you know, some of these regions are limiting. So in my opinion, basically, what you said, the Northwest, the Southwest and either the Mid-Continent or North Central in terms of geography, but that I also liked -- and I don't know if you're going to keep the innovation and improvement or the school turnaround, that's something that is going to impact everywhere along with the assessment and accountability one, I think, is going to be where there's huge questions and issues. So just giving the limits of what you've presented to us, that would be my thoughts.

MR. ACEVEDO: Other comments?

MS. WHITEFOOT: Again, Patricia Whitefoot. I also have worked as a consultant to our TA center here in the Northwest. I agree with the Northwest, Southwest and Mid-Continent but I would also make certain that Alaska has its own special center just because, you know, the work that we've done with Alaska. There are just some unique needs and I'm thinking about even around the Northwest and I've taught in the Southwest in schools that have such unique needs particularly around rural needs, remote transportation, housing. There are just some very unique needs that exist in Indian country. I'm just thinking about some of the tribal consultation and one item that we've not talked about, I agree about the school turnaround and the school assessment and accountability. When we were meeting with the Department of Education with their Technical Assistance Day, I heard about the need for civil rights issues to be addressed, particularly around the number of Native students that are being suspended,

expelled, the disproportionate number of Native children that we have in special education because of language kinds of issues.

I would take that a step further and also address the substance abuse related issues. And when Kevin Jennings was at the Department of Education, he had done a lot of work and now he's departed and so we have to come back around and educate another individual in the Department of Education on those needs that were being addressed in our tribal consultation sessions around substance abuse, violence and trauma being experienced by our children and our families in our communities. Thank you.

MS. GRANT: Thank you.

MR. ACEVEDO: Thank you, Liz. We will consider the options you've presented to us and we'll make a recommendation a little bit later in our session.

MS. GRANT: Terrific. Thanks. Good to talk with you all.

MR. ACEVEDO: Thank you very much. We have Commissioner Sparks is next.

MS. LEONARD: She's not here.

MR. ACEVEDO: All right. Well, since we have -- we're going to have a presentation from her, yes? No?

MR. PHELPS: Yes, we will.

MR. ACEVEDO: Okay. I'd like us to complete or close the circle on our subcommittee with respect to our goal statements and also looking at Jenelle to schedule a time when we can get together to review those goal statements from our subcommittee and adopt it as a full council. I know she needs some notice requirements so I'm looking at -- and this is just off the top of my head -- mid-December. Is that.

MS. LEONARD: That would be doable. That would be -- yes. Mid-December, yeah, I could get a notice out. We would have to have 15 days -- yeah. I could move the notice probably next week to get it published, but I would need to know how many hours do you want me to set it for --

MR. ACEVEDO: I'm looking for agenda items. The two agenda items would be, obviously, the goals document. The second one is the review of our bylaws. We'll have the drafts sent out to have here to look at. Those are the two agenda items that I'm looking at. Other suggested agenda items? That will determine whether it's a half day or two hours or four hours, whatever it is.

MS. THOMAS: I would think at least two hours to go through our bullet points and get it fine-tuned.

MR. ACEVEDO: And then the bylaws. So we're probably looking at four hours just on those two items alone.

MS. LEONARD: Okay.

MR. ACEVEDO: I'm looking at -- what dates are acceptable to members of the Council, a date that we could get a quorum? If we did mid-December, that is a Thursday. Are there other dates that are better

for you? Do you want to go into the next week? I think people start to wander off for Christmas holidays.

MS. BUTTERFIELD: I'm not available the 10th through the 17th.

MR. ACEVEDO: Then you're not going to be there. You're on the subcommittee. Earlier? Jenelle?

MS. LEONARD: What do you want to do?

MR. ACEVEDO: Well, we already have a subcommittee member who can't participate, so we need to look at other alternate dates. I was looking at the week of the 12th, but already she's out. The week of the 5th, is that too soon?

MS. THOMAS: As long as it's not the 8th.

MR. ACEVEDO: Thursday's out for you.

MS. WHITEFOOT: 6th or 9th.

MR. ACEVEDO: Are those good or not?

MS. WHITEFOOT: They're good.

MS. AREVGAQ JOHN: I'm open on Fridays. I teach Monday through Thursday but if I need to, I can find cover if I know in advance.

MR. ACEVEDO: So the 9th is good for you. It's good for at least three members of the subcommittee. How about the rest of you so we can have a quorum? The morning of the 9th of December for four hours. Good? Consensus. The morning of the 9th of December?

MS. THOMAS: Is that enough time, Jenelle?

MS. LEONARD: Yeah, it is. For the West Coast people, it's going to be really early for you. A.M. -- I mean, it's going to be --

MS. AREVGAQ JOHN: Like 6:00 a.m.?

MR. ACEVEDO: There is no good time for Theresa. The folks working in Alaska, there's never a good time.

MS. LEONARD: What about you, Patsy?

MS. WHITEFOOT: I prefer 7:00 a.m., Pacific Standard time is good for me. What time would that be for you?

MS. AREVGAQ JOHN: It would be one hour.

MS. WHITEFOOT: Is that okay for you?

MS. BUTTERFIELD: How about 8:00 at least?

MR. ACEVEDO: 8:00 a.m. Pacific Coast time?

MS. AREVGAQ JOHN: Yeah.

MS. LEONARD: 8:00 a.m. -- 11:00 --

MR. ACEVEDO: 11:00 for you guys.

MS. LEONARD: 11:00 to 3:00?

MR. ACEVEDO: East Coast.

MS. THOMAS: 10:00 Central, right?

MR. ACEVEDO: Yes.

MS. LEONARD: Okay. 11:00 to 3:00 p.m. I will develop the Federal Register Notice and email and let you know when it's going to go out and when it's posted. And it's going to be a closed meeting. The only thing that I need Karen back on the line is to tell us whether or not you can actually vote in a closed meeting. Okay. If you can't, then we need to figure out how to best handle that so that you can make decisions and at what point you can bring it to the public to pass those decisions. So when she comes back on the line I will ask her to give us some guidance.

MR. ACEVEDO: All right. Thank you.

MS. WHITEFOOT: I'd like to add one other agenda item. Because of the discussion we had, the report to Congress status.

MR. ACEVEDO: Agreeable? It's agreed.

MS. LEONARD: Oh, there's Karen.

COMMISSIONER, ADMINISTRATION NATIVE AMERICANS ADMINISTRATION FOR CHILDREN AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)

MR. ACEVEDO: Are we ready? Commissioner Sparks, welcome.

COMMISSIONER SPARKS: Good morning, everyone. I guess it's still morning everyone. Thank you for inviting me to be a part of your meeting for this session. For those of you whom I don't know -- and I think I know just about everyone around the table, my name is Lillian Sparks. I'm a Commissioner for the Administration for Native Americans (ANA). I'm a member of the Rosebud Sioux Tribe and I previously worked for the Executive Director for the National Indian Education Association. So I'm very

familiar with the work that NACIE does as well as the work of Indian education generally. So I'm really happy to be here to talk about some of the work that we're doing over at ANA and HHS and how we want to continue to partner with the Department of Education. With me is one of my colleagues, Stacey Ecoffey. She is the principal tribal advisor for the Office of the Secretary, Department of Health and Human Services and also works on all of the tribal issues that impact HHS.

So as you know, the Department of Education and HHS has partnered on the Race to the Top (RTT), an Early Learning Challenge fund. While we are really happy about that, we had a lot of discussions over at the Department of Health and Human Services about tribal eligibility for the RTT funds and early learning challenge and the fact that we service so many tribes who are Head Start programs, who are child care programs through ANA, and we'd like to see some encouragement from the Department with regards to the states that are eligible for the RTT because tribes are not eligible for RTT. To have the states work very closely with the tribes in terms of making sure they're part of any application that comes forward. I know when the first round of RTT happened that tribes -- in South Dakota particularly, and Stacy is familiar with this, you know, tribes work with the states and submit applications and we'd like to see that same type of effort happen again through this round of funding. Most recently, our Secretary, Kathleen Sebelius, has issued a letter to all the governors urging them to work closely with the states to find ways to consult, to find ways to collaborate, to find ways to partner. And I think this is one area where I think there's a great opportunity for states and tribes to work together on these applications.

So for those of you that aren't familiar with the Administration for Native Americans, I can tell you that part of the Administration for Children and Families and it's the part of that Department that is not always thought about when we think about HHS. Even though we have the second largest budget that serves tribal communities within HHS. I think most folks think about Indian health services. We used to partner with all of their activities that they have related to youth, children and families. But we are the Administration for Children and Families and so a number of our activities, we think there's just a natural synergy to partner with the Department of Education, Department of Interior and other groups that fund those like groups.

So a quick rundown of ACF, we have Head Start. We have child care. Tribal TANF programs. Office of Community Services which is where your community block grants as well as your LEHI dollars come from. The Office of Child Support Enforcement where a number of fatherhood initiatives and healthy relationships that are promoted through OCS, OCSC, we have the administration for the developmental disabilities where we're looking to do greater outreach into Indian country to make sure that tribes are accessing the state developmental disability councils. We have the Administration for Native Americans where I think most folks are very familiar, in this room, with the types of programs that we fund at ANA.

We just finished announcing our awards. I'm not sure if everyone is part of our list serve, but if you're not, please feel free to give me your contact information and we'll make sure you're on there. What we funded this year were awards in the areas of socioeconomic development strategies. A number of those initiatives are related to some of the First Lady's, "Let's Move Initiative," as well as a lot of economic development, business incubators, job training, efforts related to making sure that our people are equipped to be competitive in the work field.

Then we have our environmental regulatory enhancement grants. And those grants really have to deal more so with developing tribal ordinances with regards to environmental codes, testing waste water or doing some GPS and mapping activities and then we have our Native American building -- Native Assets Building Initiative which is actually our brand new joint program that we're doing with OCS which really allows for families and individuals to save for education purposes, for home ownership purposes or for entrepreneurship purposes through individual development accounts and matching

funds provided there. And we have our tribal governance program which was a new competition in terms of they compete only against themselves.

Typically, tribal governments always compete within the SEGS, but listening to all our grantees serving Indian country and what their needs are, looking at the applications that came through, we understood that there was a real need for the tribal government grants to really compete against each other versus all the SEGS. And our most well-known grants which would be our Native language preservation maintenance as well as our Esther Martinez Initiative grants which are focused on immersion activities. While we don't get a high number of applicants there, most folks are familiar with those types of grants because of the recent activities that groups such as NACIE, NIEA, NCAI, a number of folks have rallied around with regards to support.

In September, we held our first ever Native Language Symposium which brought together all of our grantees that have Native language types of activities. And so within ANA what we're looking to do is really build a network or programs and in particular schools and after-school programs that are doing Native language activities to kind of build this peer-to-peer network where they can learn from each other, but also help inform us in terms of what the priorities need to be with regard to Native languages. Whether it's the policies that we developed, greater support with curriculum, challenges with regards to professional development and teacher training, we want to hear about them. And most importantly, we want to partner with the Department of Education and Department of Interior with regards to how we can just be much more collaborative in nature when it comes to supporting these types of programs. We've had conversations with how we might be able to do that with the Bureau of Indian Education and they're very much on board, as well as, the Deputy Assistant Secretaries over at Interior for Indian Affairs. We've also had some conversations with your Acting Deputy Assistant Secretary for Elementary and Secondary Education, but we understand that transitions that have been happening at Department of Ed. And now there is to be some strong leadership in place through Joyce Silverthorne, and we appreciate all the efforts that Jenelle Leonard has leant over -- I think much long overdue than you ever thought, but the years that you served in that capacity, I think, has just been tremendous in terms of the outreach, the communication, and I know that Joyce will continue those efforts. And we're looking forward to working with you as well as Bill Mendoza at the White House Tribal Colleges initiatives and I continue to work with Don Yu as his office transitions as well.

But to make sure that the Department of Ed is fully aware of the partnership that we're willing to take and we're not asking for funds. We're not asking for re-designing of programs. What we are asking is that we come together and have these conversations on a more regular basis and where we know that there's efforts that there's overlap that we talk about it and figure out a way to make sure that these dollars are being used efficiently, not duplicatively, and that we really are finding ways to build support and allow for flexibility within our policies to support communities that really want to do greater language programming.

And so I wanted NACIE to be made aware of that, as well as, again, receive your thoughts and input in terms of how we might be able to better collaborate and partner through our various departments.

So with that, I'll leave the floor open. But, again, thank you for having me here. I apologize for being late. I think we were running over much later than we anticipated at the convention center, but please know that I'm always committed to the issues that all of you work so hard on a daily basis.

MR. ACEVEDO: Commissioner Sparks, thank you. Any questions or discussion from members of the council? Patricia.

MS. WHITEFOOT: Some of the comments that you have brought up, of course, are important, particularly around inter-agency collaboration. And I mentioned some of those in some of the goals that we just discussed with the Comprehensive Centers. And so I want to make certain that we continue that as we develop our specific goals to work on that. You've already answered our question around partnerships so we're looking forward to working with you, as well, so thank you.

COMMISSIONER SPARKS: Great. And I guess what I will try to do is to provide a way through Joyce to make sure that NACIE -- and that we find a way to utilize you over at ANA when we think of efforts that there's partnerships, so that we're doing our part in terms of making sure we are getting what we need in the agendas that we develop and the outreach and communication as well. Because we don't have a similar group within ACF (Administration for Children and Families). While we do have something that's much broader and bigger at the Department, which I think is akin to what you guys are doing with the Secretary's Tribal Advisory Committee. We don't have anything in particular at ACF that informs us and allows us to kind of just touch base, engage, where Indian country is on a number of these issues. And because so many of our programs at ACF are with schools, it would be great if there's a mechanism that we might be able to do, again, just some surveying when certain issues come up within the group.

MR. ACEVEDO: Mary Jane.

MS. OATMAN-WAK WAK: Thank you for attending this morning. I just wanted to -- on behalf of NACIE, provide some insight into our next national activities phases to really roll out an intensive research project, specifically around language-based programs. And so that will be one of the next priorities under national activities.

COMMISSIONER SPARKS: I was really excited to see that RFP that went out for research that I know is long overdue and Department of Ed has been looking to follow up on that has to deal with cultural-based education and language-based education. We were really happy to see that happen. And, again, this is, I think, just part of what we think we want to be able to do in terms of sharing information and partnering and using whatever it is that you find helpful from us in terms how we can prioritize the work that we do in ANA around language.

MR. ACEVEDO: Commissioner Sparks, thank you very much. We appreciate it.

COMMISSIONER SPARKS: Great. Well, thank you guys for all your work. It's great to see so many friends and familiar faces around this table.

MR. ACEVEDO: Thanks for coming. With respect to other action items of the Council, I think we've agreed to our next teleconference. We need some advice from Karen with respect to actions that we can take in a closed meeting.

Karen, we're proposing to have a teleconference session on December the 9th, I believe, we agreed. We have a couple of actions items. One is adopting our bylaws. Two, adopting a communication document to the Secretary regarding issues we want him to pursue on behalf of Native American Education. What can we do, officially, at that session?

MS. AKINS: During a teleconference closed session?

MR. ACEVEDO: Yes.

MS. AKINS: To be honest, I want to defer to our legal counsel that reviews meeting notices for closed sessions. Typically, I review all notices for open sessions, but for closed sessions, I would refer those or route those to our Office of the General Counsel. But just my experience, Mr. Chairman, is that I don't think those would fall under the guidelines of having a closed session. It's typically, you're going to be discussing matters like personnel, like we did for the OIE director position. Matters of national security or contracting. But we can -- Jenelle and I can work together and draft it and see what they say. And to be honest, the bylaws is your document, but just in kind of reviewing it, I think OGC will want to provide with some guidance and some maybe some comments or feedback on your bylaws before you actually adopt them.

MR. ACEVEDO: All right. Thank you, Karen. With that understanding, Liz Grant gave to all of us in her Comprehensive Center option, three suggested options and, obviously, we're not restricted by that. And I think she wanted a recommendation from the Council. So I ask Council for their input on it at this time.

MS. BUTTERFIELD: So do you want that in the form of a motion, then?

MR. ACEVEDO: Yes, Robin, that would be good.

MS. BUTTERFIELD: Well, just to get the conversation started, I move that we approve three regional centers and two content centers.

MS. OATMAN-WAK WAK: Second.

MR. ACEVEDO: It's been moved and seconded. Discussion?

MS. WHITEFOOT: Discussion. I make the recommendation to include Alaska as its own separate center. So I'd like to amend this to include Alaska as its own center.

MR. ACEVEDO: Is there any objection from the mover or the person who second?

MS. BUTTERFIELD: Well, I guess in my thinking was because we're being limited as it is that Alaska, I mean, Northwest labs used to include Alaska. So I just don't know in terms of the resources available, you know, what we can ask for but I guess we can always ask.

MR. ACEVEDO: Theresa.

MR. PHELPS: Should we amend that to make sure that the Northwest, you know, has on-the-ground people in Alaska to consult on that and to ensure that?

MR. ACEVEDO: Theresa.

MS. AREVGAQ JOHN: Yeah, I like that idea to separate it, in a way because we are covering a huge demographic area here and I know that in order to collaborate and communicate with interstate, it's very difficult. And we have one of the highest recipients from grantee Title VII and Title I from Alaska. And travel is real expensive and technology is always a problem. I know that because I teach distance

practice and we have to kind of like – so it might make it much easier to have Alaska its own center. Maybe we can have further discussion on that if need be.

MR. ACEVEDO: Stacy.

MR. PHELPS: So in terms of, I mean, you know -- so in terms of this, like, in my mind, the three regions that have the highest concentration of like, you know, the gray part on here so I guess North Central, Northwest, Southwest. So my understanding then, is, we would cut one of those three and put Alaska in as a region. Is that the question?

MS. BUTTERFIELD: I would be willing to amend my motion to say three regional centers with Northwest, North Central and Southwest being those three, and that the Northwest would have included a satellite service area that specifically provides for the needs of Alaska. So I would amend the motion that I made.

MR. ACEVEDO: Is there a second? Will you second that? Was it Mary Jane that seconded that?

MS. OATMAN-WAK WAK: Yes.

MR. ACEVEDO: Are you in agreement?

MS. OATMAN-WAK WAK: Yes, I am.

MR. ACEVEDO: Further discussion?

MS. THOMAS: Clarification on the motion. I'm sorry. I was late.

MS. BUTTERFIELD: The motion is that we would recommend three regional centers to provide technical assistance and those would be the Northwest, North Central, Southwest and that the Northwest region includes a satellite that provides specific services to Alaska and that we have two content centers, that would focus on specifically Indian Native issues.

MR. ACEVEDO: Further discussion?

MS. WHITEFOOT: Yes. I'd like to – I don't know if I need to amend it or what but I notice that Alaska has its own center.

MR. ACEVEDO: We talked about it. It's getting messy and we may have to withdraw the motion and start all over.

MS. WHITEFOOT: I just note that Alaska does have its own center and so I just want to make certain that Alaska remains as its own center. After looking at this map, because I thought they were part of the Northwest, but looking at this map, it looks like Alaska is its own center and that we also continue to support Alaska in that center.

And think it's important to make that statement to the Department of Education because, you know, they could withdraw that center and I think we need to go on record to say that we support that center. So I still support the motion that's in place, now, but maybe we need another motion.

MR. ACEVEDO: The motion as it stands would certainly indicate that we are changing Alaska to a satellite office. So that is a change from their current situation. So I'm sure Theresa is not going to want that.

MS. AREVGAQ JOHN: No, no.

MR. ACEVEDO: Very good. Tommy?

MS. THOMAS: I was just going to add to it because I would vote against this motion and ask for another motion on the floor because I was there when we fought for this Alaska center when Vella Mason was in office years and years and years ago. Because exactly of what Theresa was saying because I was up there at the time and the distance and having it in the lower 48, it's -- they're not knowledgeable of the difficulties that are within Alaska and they put Alaska in the middle of the United states map, it's from end to end that covers. So I would vote against this resolution -- I mean, this motion.

MR. ACEVEDO: I would recommend from the Chair that the mover withdraw the motion and the second withdraw it and then offer a new motion on floor if you're both agreeable. Agreeable?

(Ms. Butterfield and Ms. Oatman-Wak Wak nod in agreement.)

MR. ACEVEDO: All right. Stacy.

MR. PHELPS: Can I just ask a clarifying question? So when you say they're regional centers and content centers, what's the distinction between that?

MS. BUTTERFIELD: The content centers that she identified were the ones that are in the shaded -- the words are shaded. But she said those could shift according to the Department's priority. Like, one might be turnaround schools, but right now they're innovation improvement, instruction, high school, teacher quality and assessment and accountability. So because we don't know what they are going to be that's why I just said a couple. You know, and they would serve nationally everybody, the content. And so -- but the regional would be, you know, trying to capitalize on the proximity of the greatest numbers of the Native communities. So that's the distinction.

MR. ACEVEDO: The Chair recognizes that previous motion was withdrawn, the seconding person agreeing to the withdrawal. The Chair will entertain a new motion.

MS. OATMAN-WAK WAK: I'm actually not putting forward a new motion but I wanted to know, like, we're making this recommendation, will we be privy to the information from the regional advisory committees that the Secretary has established and see what their recommendations are?

MR. ACEVEDO: Jenelle.

MS. LEONARD: Yes. And, in fact, the regional advisory committee (RAC) reports should be online. Stacy, you have a computer with you, just check for us, because each RAC report should be online right now. And to just give you some more information, part of the statute says, the part that they're supposed to establish ten regional advisory committees to meet and to talk about the needs in those

specifics ten regions. There was the advisory committee -- I mean there were regional advisory committees, they met -- I can't remember when. I think it was March/April. They have a report to the Secretary to report on the needs for those regions and so those reports are available to the public for review.

While I have the mic, the other thing that I think you need to know in making your decisions, is the amount of money available. It's a million dollars. And so I think that should be part of your decision as well in terms of how do you divvy up a million dollars to make sure you get the -- you're leveraging the funds. You get the biggest bang for the buck. So when you're looking at the centers, what are you -- my question to you is think about what it is in terms of how much can they deliver for the money and if you divide that amount in however many centers you're proposing.

MR. ACEVEDO: Discussion?

MS. THOMAS: I have discussion. My discussion point is what Jenelle was just talking about the funding distribution that we would have for something like this. Of course, my first thought is we should be equitable across the board. And then you think, I have to pull for Alaska, here, because the cost of living and the cost of standards and to supply up there, it should be based on the student count or the funding that's given to those students or how many students are counted within that regions that we're dividing up these four now and would make it equitable based on the number of students that are within those areas.

MR. ACEVEDO: Robin.

MS. BUTTERFIELD: I don't like being put in a position to sort of feel like we are making tribal communities compete against each other. It happens to us all the time, but isn't it also true that those regional centers should already be attending to the needs of Native communities? So the money that you're talking about is, I guess, to ratchet up the attention and to discuss a little bit more time and effort. Sort of that being said, I don't know. I just won't say anything more right now.

MS. LEONARD: Mr. Chair?

MR. ACEVEDO: Yes, Jenelle.

MS. LEONARD: Robin, you're absolutely right. The \$56 million that the Comp Centers currently get are to serve all states, all school districts, all students. Okay. And as I mentioned earlier at the TA Day, we had six Comp Centers who came out to say this is how we are specifically supporting Indian education in our regional centers. There are more that are doing it. And I also said that you could request as a Council, for us to report back to you what specific activities are going on in each of those Comp Centers. We're happy to do that. So let's just say with the competition that Liz mentioned that funds will be awarded across -- what did she say maybe we'll have -- how many did she say?

MS. BUTTERFIELD: She said 20.

MR. ACEVEDO: The minimum requirement is 20 according to the Department statute.

MS. LEONARD: Right. Maybe we'll have 20 centers. So the \$56 million will be awarded across those 20 centers. Right now, I would venture to say, because I don't know the funding for each one, but Alaska

gets about \$2 million dollars because it's a stand-alone center. I don't know what the formation is going to be under the new competition. I don't know if they'll combine Alaska with the Northwest or leave it separate as California, Texas and some of the others. Okay. That's an unknown right now and we don't know if they're content centers. We know that she said that they would align with the Secretary's priorities. Okay. So they may not be the ones that you see here but more the ones that the Secretary -- that align with the Secretary's priorities.

Now, once the centers are awarded, then you have special ed who is going to give \$1 million dollars to whichever centers they decide. They generally have about \$3 million to give. And when that money goes to the center, whichever one they select, that money is specifically targeted for students with disabilities, special ed needs. They can't do anything else with those monies. And special ed has people assigned to monitor and make sure that these services are delivered and to keep updated on what they are and provide.

Likewise, with the million dollars that you have, those monies are specifically targeted for and Indian ed, nothing else. So in addition to what they're being funded for and, of course, they're serving all students, but now they are going to get a supplemental funding specifically targeted for Indian education. Okay. In addition to what they do, so that's the way it's going to work.

MS. BUTTERFIELD: Okay. Can I make one more comment?

MR. ACEVEDO: Robin.

MS. BUTTERFIELD: Can we also recommend that whoever ends up getting the additional funds to support the technical assistant needs of Indian country, that that come with it the recommendation that they have Indian people on their advisory councils? Because it's my understanding that in the large meeting that was held in D.C., where they were asking for what the regions were recommending there were two Native people in that audience that I'm aware of and so the opportunity to provide input across the board, you know, nationally, was pretty slim in terms of Indian input. So it would help if we're putting funds into some regional centers and content centers that they also have on their advisory board's Native people.

MR. ACEVEDO: Jenelle.

MS. LEONARD: I would even take it one step further and say that the people who are delivering the services --

MS. BUTTERFIELD: Yes. Native --

MS. LEONARD: That Native American preference, you know, that's the language.

MS. OATMAN-WAK WAK: Chair?

MR. ACEVEDO: Mary Jane.

MS. OATMAN-WAK WAK: You know, we're talking about the formulation of these different priorities. Could we even take that one step further and have it as a competitive preference priority for all of the centers to address the unique needs of the American Indian and Alaska Native children? Okay. So who is doing the motion?

MS. THOMAS: It sounds like it's threefold now. Right? Do I get this straight? That it's threefold into this kind of motion of -- whatever it is, there's three different issues going on.

MR. ACEVEDO: There's no motion on the floor right now.

MS. THOMAS: But that's what we're looking at?

MR. ACEVEDO: Stacy.

MR. PHELPS: So do states like Alaska with their, whatever monies they're getting already, are the centers -- I'm sorry. Are they serving kids at a high level or no?

MS. LEONARD: Yes, they are.

MR. PHELPS: So, I mean, that's happening?

MS. AREVGAQ JOHN: Yeah. Yeah. I just attended the last technical assistance program and there were rooms full of PIs, grantees, from all over the state from school districts through non-tribal, so there are huge recipients in Alaska.

MR. PHELPS: And are they effective?

MS. AREVGAQ JOHN: Yeah. From what I know, from programs that I'm involved in from Southwest region where I'm from, their developing curriculum to coincide with newly dual language program in a matter of four or five months. So they're working, you know, they're really utilizing every cent that they get to the maximum to try and catch up with the culturally responsive curriculum development that the children need in the region.

MR. PHELPS: So is the money, the million dollars, is it to kind of invest in innovation? Is it to leverage more resources for Indian students in those regions? I mean, I guess I'm just trying to figure out, like, if you're going to invest it somewhere what's the biggest bang for the buck?

MS. THOMAS: It's to sustain it is my understanding.

MS. BUTTERFIELD: No, it's not existing to the degree that it should in a lot of places. In Alaska it sounds like they may have more activities.

MS. THOMAS: I think that's what I was talking about. The Alaska issue, you know, why we need to do that --

MR. PHELPS: Well, if this is supplemental to the \$56 million already. So I guess my question is that, I mean, if I'm going vote on prioritizing where this goes, you know, is more money needed in Alaska -- and don't take that the wrong way -- versus, say, someone else?

MS. AREVGAQ JOHN: I can speak to that. I have seen that need both at the under K-12 as well as higher education level because a lot of -- some of our delivery sources are distant delivery only. And there are

no stores where students can go buy computers. Some of them are not able to hook up to the Internet yet, and because of the harsh weather conditions, a lot of times, lights go down for days and our students can't participate. So there is a huge need for ensuring that there's engagement with students and from the main offices and as well as scholars and communities. And I know that in classrooms, there's hardly any computers that students can use. Maybe four, if they're very lucky, in the number 100 students to share. So I mean, there is a huge need.

MR. PHELPS: I mean, I think every tribal community has those same restrictions and, you know, a layperson like myself might look up there and see huge amounts of money going into Alaska and then I can say, can those be -- is it a question of priority? So it's not addressing those -- I mean, it -- I mean, I can show you that many schools in South Dakota that have those same restrictions because they're isolated, in dilapidated buildings. So I guess I'm just confused as to what we are trying to prioritize this money on, at the end of the day.

MR. ACEVEDO: Jenelle, do you have something to add?

MS. LEONARD: At the end of the day, the funds are for targeted technical assistance. Because when you look at the existing centers they are trying to provide technical assistance to everybody, including Native American/Alaska Natives. That's what the funds are for. Okay. But this is providing funds for an identified need which is more targeted assistance that specifically, not commingling with any other funds, but specifically provide technical assistance as identified and prioritized as the kind of technical assistance that you are recommending to regions around the country. I think that's the simplest way I can put it.

MR. ACEVEDO: Robin.

MS. BUTTERFIELD: I make a motion that any addition to the \$56 million dollars that's currently going to go for labs and centers, that the money -- extra money that we have to focus on the needs for Native technical assistance be divided up between four regional centers, one of which is to include Alaska and one content center and that all of those centers have to have Native individuals on their advisory boards as well as Native staff delivering the work.

MS. THOMAS: I second that.

MR. ACEVEDO: It's been moved and seconded. Discussion?

MR. PHELPS: So does that mean of the four that you would have Northwest, Southwest, North Central and Mid-Continent would compete against each other as the other three?

MS. BUTTERFIELD. So -- yeah. I will add that the Northwest, North Central and Southwest be the other three. So the four centers would be Alaska, Northwest, North Central and Southwest.

MR. PHELPS: What about Oklahoma and the Mid-Continent? Because I missed that the first time, that's why I asked that.

MS. BUTTERFIELD: Oh, yeah.

MR. PHELPS: That's why I asked that question. Sorry.

MR. ACEVEDO: I think we are still in the discussion stage. You're out of order in trying to amend in the middle of a discussion.

MR. PHELPS: I missed that the first time so that's why I asked.

MR. ACEVEDO: Discussion.

MS. BUTTERFIELD: Okay. So I'm going to leave the motion the way it is and I guess my hope is that other -- the content center will have to help assist with all of those regions that we don't actually have somebody in proximity.

MS. THOMAS: Could you just repeat the regions that you quoted in your motion.

MS. BUTTERFIELD: I said the Northwest, Southwest, North Central and Alaska.

MR. ACEVEDO: Further discussion?

MS. THOMAS: I'm going to have to fight for Oklahoma now.

MR. ACEVEDO: Speak into the mic. Excuse me. Speak into the mic.

MS. THOMAS: Because looking at -- if you look at the map the Southwest, you think well that would include -- but actually that doesn't include Oklahoma or Texas or Kansas. So we don't have a Mid-Continent as they call it.

MR. ACEVEDO: Correct.

MS. THOMAS: Just for clarification from Jenelle, is there a possibility of five instead of four?

MS. LEONARD: Yes. The money gets smaller.

MR. ACEVEDO: You have to remember what Jenelle stated earlier --

MS. THOMAS: The money gets smaller but we're still serving the same amount of people, it's just redistribution. You know, there may be a smaller pot but that doesn't mean that it's less services. It's just making it more condensed and localized. Do you understand? Did I make myself clear? You have a puzzled look on your face.

MS. BUTTERFIELD: No, I'm not understanding.

MS. THOMAS: You're not understanding? They're talking about the money would be smaller. And it would be smaller for each one, but we're still serving the same children because if you take the Southwest and if you're including the Mid-Continent states, they would still have to serve all of those students anyway for that amount of money. But if we cluster it and they take the five instead of four, we would hit the Mid-Continent and give them a portion it would be just a portion of what the 56 is, plus

any additional money but we would still be serving the same amount of students. We would just have an additional center that covered that area.

MS. BUTTERFIELD: Can you just be specific in terms of are you advocating for one more regional center, a lab content center?

MS. THOMAS: Yes.

MS. BUTTERFIELD: Okay.

MR. ACEVEDO: Stacy.

MR. PHELPS: Well, that's what I was going to ask is that if on the level of priority, is it that the regional centers are going to be more direct service to sort of improve versus the content center? I mean, because if that were the case there I would say, well, triage versus long-term care, you know. If I'm in triage mode, then I'd say I would support dumping the content center for adding a fifth regional center, if that were a priority.

MS. AKIN: We're having technical difficulties. We can't hear you.

MR. ACEVEDO: Okay.

MR. RAY: Can you hear us?

MR. ACEVEDO: Yes. We can hear you loud and clear.

MS. THOMAS: So even though I seconded the motion, I might have to vote against it to establish --

MR. ACEVEDO: Speak into the microphone, please.

MS. THOMAS: I said that reviewing this, I might have to -- even though I seconded the motion, I might have to vote against it.

MR. ACEVEDO: Certainly your prerogative. Any other discussion? If not, I'll call for the question and motion.

MS. THOMAS: Question.

MR. ACEVEDO: All those in favor, signify by saying, "Aye."

MEMBERS: Aye.

MR. ACEVEDO: We have three -- four in favor? Those opposed?

(Hands raised.)

MR. ACEVEDO: Motion fails.

MR. PHELPS: Isn't it a tie?

MR. ACEVEDO: Motion fails. Further discussion?

MR. PHELPS: You know, my further discussion, I would be in favor of trying to, you know, target all of the regional areas where there's a high concentration of American Indians because my logic is -- I know the content centers are probably important but I think the impact of having another regional center provide direct service in a region is probably more beneficial than having a national center who might send out webinars and those kind of things. I think we have -- our communities have access to a lot of that. They don't have access to boots on the ground which I assume the regional centers do more of.

MS. BUTTERFIELD: So I will make another motion --

MR. ACEVEDO: Just a second, Robin. Virginia? Use the microphone.

MS. THOMAS: I think Robin is making my motion. You're just changing that the number, Robin, to --

MS. BUTTERFIELD: To five regional centers.

MS. THOMAS: That's it. That's the same.

MR. ACEVEDO: Robin.

MR. BUTTERFIELD: So the motion is now to support the idea of having five regional centers to include: Alaska, Northwest, North Central, Southwest and Mid-Continent and no content centers, but that they still have the stipulation of having Native advisory board members and Native staff to carry out the work.

MS. THOMAS: Second.

MR. ACEVEDO: It's been moved and seconded. Further discussion? There being none, call for the question.

MS. AREVGAQ JOHN: Question.

MR. ACEVEDO: Question called for. All those in favor of the motion signify by saying, "Aye."

MEMBERS: Aye.

MR. ACEVEDO: Those opposed, same sign.

(No response.)

MR. ACEVEDO: There being none, motion is carried. Any other business we need to take care of? I don't believe there is.

MS. WHITEFOOT: Oh, yes.

MR. ACEVEDO: Patricia.

MS. WHITEFOOT: Yes. Yes. In our meeting did we decide on a date?

MR. ACEVEDO: Yes, December 9th.

MS. WHITEFOOT: Okay. I got lost in all the conversation here. I would like to add on the agenda a follow up on the Comprehensive Centers, the status on that.

MR. ACEVEDO: Agreeable?

MEMBERS: Yes.

MR. ACEVEDO: Jenelle.

MS. LEONARD: Mr. Chair, when would the Council like to meet in the Spring?

MR. ACEVEDO: Good question. Last year we met -- was it April?

MS. LEONARD: April 23rd, 24th, somewhere in there. And the reason was to do the final work or to work on the report to Congress that was going to be reviewed.

MR. ACEVEDO: First of all, is the month of April good for people?

MS. BUTTERFIELD: I was hoping we could do it a little later.

MR. ACEVEDO: Well, wait for a proposal.

MS. AREVGAQ JOHN: The semester ends in early, mid-May so I'm busier around that time. Late April would be fine.

MR. ACEVEDO: Are we talking about the second half of April, then, is preferred by three of you at least. Alyce, four.

MR. LEONARD: The third week of April is open.

MR. ACEVEDO: The week of the 23rd, is that a good week if we settle on a date?

MS. BUTTERFIELD: When is spring break?

MS. WHITEFOOT: The first of April.

MS. THOMAS: That's the first April?

MS. WHITEFOOT: Yes, the first week of April.

MR. ACEVEDO: The week of the 23rd, the week of the 30th which takes you into the first week of May.

MS. THOMAS: What about the third week, the 16th through the 20th?

MS. BUTTERFIELD: I'd prefer that it be later than earlier. I have a granddaughter that is due and I'm going to have to be there. I could do a phone thing if it really gets down to it, but I'd prefer to be there.

MS. THOMAS: Is the week of the 16th through the 20th open?

MR. ACEVEDO: The week of the 16th?

MR. RAY: What's that?

MR. ACEVEDO: The week of the 16th?

MR. RAY: Sounds good.

MR. ACEVEDO: So far so good. All right. Any one of those days? There will be travel because we'll be in D.C.

MR. RAY: 18th is not good for me.

MR. ACEVEDO: Meeting on the 16th and 17th? One day for sure, right. I'm not sure we need two days. You never know. All right. Let's nail it down to the 16th as the meeting date. Based on the agenda whether we're going to need an extra day. All right. Agreed?

MEMBERS: Agreed.

MR. ACEVEDO: And that's in D.C. Any other business items?

MS. WHITEFOOT: I have one. I just wanted to follow up on the discussion that we had on the regional technical assistance centers. I would like to propose – I make the motion that we increase those funds from one million dollars to two million dollars. That's my motion.

MS. BUTTERFIELD: I'll second.

MR. ACEVEDO: It's been moved and seconded that the funds for one million allocated be increased by an additional million dollars. Discussion? Jenelle.

MS. LEONARD: Well, I think it's a good motion. In your capacity to advise the Secretary, I think that is the advice or the recommendation that you're making to the Secretary.

MR. ACEVEDO: Correct. Thank you. Discussion on the motion? There being none, I call for the question.

MS. THOMAS: Question.

MR. ACEVEDO: The question has been called for. All those in favor of the motion signify by saying, "Aye."

MEMBERS: Aye.

MR. ACEVEDO: Those opposed, same sign.

(No response.)

MR. ACEVEDO: Motion carried. Any others? Stacy, go ahead.

MR. PHELPS: I have to say that if I knew there was two million dollars that I would have entertained more of these national centers. At some point, let's keep the topic areas together because I would have probably did something different.

MR. ACEVEDO: There's no assurance that --

MR. PHELPS: Right.

MR. ACEVEDO: -- those additional are going to come in. That's just NACIE's request.

MR. PHELPS: Yeah, sure.

MR. ACEVEDO: Any other business? None. The Chair will entertain a motion to adjourn.

MS. WHITEFOOT: So moved.

MR. ACEVEDO: It's been moved.

MS. OATMAN-WAK WAK: Second.

MR. ACEVEDO: It's been moved and seconded that we adjourn the NACIE meeting. All those in favor signify by saying, "Aye."

MEMBERS: Aye.

MR. ACEVEDO: Those opposed, same sign.

(No response.)

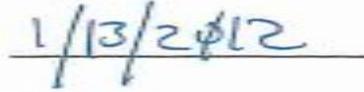
MR. ACEVEDO: Motion carried. Thank you everyone.

(Whereupon, NACIE board meeting adjourned at 12:40 p.m.)

I certify the accuracy of these minutes.

Handwritten signature of Thomas R. Acevedo in blue ink, written over a horizontal line.

Thomas Acevedo, Chair

Handwritten date 1/13/2012 in blue ink, written over a horizontal line.

Date

CERTIFICATE OF REPORTER

I, Leyla Star. Jones, do hereby certify that pursuant to the Rules of Civil Procedure, the witness named herein appeared before me at the time and place set forth in the caption herein; that at the said time and place, I reported in stenotype all testimony adduced and other oral proceedings had in the foregoing matter; and that the foregoing transcript pages constitute a full, true and correct record of such testimony adduced and oral proceeding had and of the whole thereof.

IN WITNESS HEREOF, I have hereunto set my hand this 17th day of November, 2011.

/Signed
September 21, 2011

Leyla Star Jones, Commission Expiration

CERTIFICATE OF REPORTER

I, Kimberly R. McLain, do hereby certify that pursuant to the Rules of Civil Procedure, the witness named herein appeared before me at the time and place set forth in the caption herein; that at the said time and place, I reported in stenotype all testimony adduced and other oral proceedings had in the foregoing matter; and that the foregoing transcript pages constitute a full, true and correct record of such testimony adduced and oral proceeding had and of the whole thereof.

IN WITNESS HEREOF, I have hereunto set my hand this 11th day of November, 2011.

/Signed

Kimberly R. McLain