

**U.S. DEPARTMENT OF EDUCATION
TRIBAL CONSULTATIONS and LISTENING SESSIONS**

PUBLIC MEETING

**Thursday, August 15, 2013
TOLOWA EVENT CENTER - SMITH RIVER, CALIFORNIA**

The Tribal Consultation and Listening Session was held in the Lucky 7 Casino & Hotel Conference Room, 310 Fourth Street, Smith River, California, on August 15, 2013 at 10:00 a.m., Joyce Silverman, Director, Office of Indian Education, presiding.

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Director, Office of Indian Education (OIE)

William Mendoza, *Lakota*

Executive Director, White House Initiative on
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Sedelta Oosahwee, *Mandan, Hidatsa, & Arikara Nation*

Associate Director, White House Initiative on
American Indian and Alaska Native Education

Jennifer Akins, *Elk Valley Rancheria*

LaWanda Quinnell, *Elk Valley Rancheria*

Thomas Finch, Director, AIVRS

Danielle Vigil-Masten, *Hoopa Valley*

Kerry Venegas, *Hoopa Valley*, Hoopa Tribal

Education Association, Director of Education

Joseph Giovanetti, *Smith River Rancheria*

Crispin McAllister, *Karuk Tribe*

Lyle McKinnon, *Yurok Tribe*

P-R-O-C-E-E-D-I-N-G-S

10:17 a.m.

OPENING CEREMONY**POSTING OF THE COLORS AND INVOCATION**

MS. VENEGAS: Good morning, everyone. Thank you so much for your patience. We would like to take a few minutes just to do some housekeeping and go through the process for consultation very, very briefly and just a matter of logistics. For those who are at the table, we would like to invite tribal leaders and senior officials to the table.

For those of you who are sitting at the table, please be sure to, when you are speaking, press your speaker buttons. It's a red button on the speaker itself. And when you are finished, please press it again so that we make sure that each person that needs to be heard is heard and there are no other extraneous noises.

The second item, whenever you wish to speak, please give us your full name. That's really important. And make sure that you speak clearly, so that our court reporter is able to take your statements and your comments with ease.

For those on the phone, we would like to invite you to please mute your phone on your end so that we do not hear any noises from your end. If you would like to make a statement, we're asking you to please sign up to make a

statement through the conference call measure by emailing us at brandon.bayton@kauffmaninc.com. And that's, again, brandon.bayton, B-A-Y-T-O-N, @kauffmaninc, K-A-U-F-F-M-A-N-I-N-C, .com. Thank you so much for your time.

At this time we would like to continue with the actual meeting.

OPENING BLESSING

MR. GIOVANETTI: I would like to invite you to stand for the opening blessing.

We thank you for this day. We thank you for all of our relations you have brought here to Smith River today for this consultation for this listening session. We ask for protection for all of the people who still might be in transit making their way through the mountains.

We ask for protection for all of our relatives, our community who's being affected by these fires, the smoke, protection for the animals, all of our firefighters, our families. We ask for strength, for inspiration, for encouragement, and for healing for our loved ones, our sick.

We ask for productivity for the very best outcomes of this consultation, that the words come forward, that they be received, that they be recorded, honorably dealt with, work with the -- work through them, consider them for any solutions through all of our own concerns in the area of education.

(Song by Mr. Giovanetti)

INTRODUCTION & WELCOME REMARKS

MS. VIGIL-MASTEN: Hey, my name is Danielle Vigil-Masten. I'm the Chairperson for the Hoopa Valley Tribe, and I want to welcome all of the tribal leaders, tribal members, education directors, and all the White House staff, the education directors that are here for this important consultation.

So we are in Smith River Rancheria, which is in an area that's close to the ocean.

California is really unique. We have a really unique history as tribes here. We have 109 federally recognized tribes in the state of California, and there's 40 -- or there's 78 tribes that are non-federally recognized right now. And so this is really a concern to us when we're looking at different policies that are established, and on behalf of all of the native people that are out there in the state of California.

As California history goes, our history, we have tribes that have been exterminated, terminated, and also don't have any federal recognition. And so we also -- we're right here by Tolowa, and the reason why I'm bringing this up is because it's really important to me, because we have tribes in this area that are not federally recognized. And that's really concerning because I'm looking at legislation here that came out regarding both rehabilitation -- no offense, Tom -- but

that's coming out that may affect their services. So there was a California judgment plaintiff rule that was a judgment that was signed, and the California Indians at that time signed off on a payment, which was \$600, which equaled out to 49 cents an acre. And so the California Indians that are not federally recognized, some of them receive that check, as well as the federally recognized tribes.

And so I just wanted to let you guys know that we're unique in California. We have all of the tribes, the 109 tribes that are here that are recognized and the 78 tribes that are not. We speak our own languages. We have our own dances, our own cultures, and our own history.

And so I'm really pleased to be here with you guys, and I just wanted to make that clear, that you guys knew that we do have that many tribes that are out there that are not federally recognized, and to make sure that they're included with all of the tribes that are federally recognized. Because the state of California recognizes them, and I think that it's important that the Federal Government does as well. So I just wanted to make that clear because we are in support of that.

And something that's really unique about myself, as the Hoopa tribal chairperson, is that I'm also -- a lot of the families are interrelated. And so we have -- which makes us also unique, which is another factor into it, that we're intermarried, and we're also interrelated.

And so I just -- it makes it hard when decisions come down the line and it gets us fighting amongst each other for federal dollars. And so -- and you guys know this as well because you guys are tribal, but it's hard to compete for federal dollars when they're out there. And so, any note, with all that said, I had to get it off of my chest.

I just want to welcome everybody to this consultation for the Department of Education, and we want to thank you for coming to Northern California because a lot of people are scared to come out to this terrain because it's rough, but yet it's beautiful. This is the most beautiful place in the whole United States. So I want you to get a chance to go out there and enjoy the ocean, check out the redwood trees, and if you get a chance to come over to Hoopa, we're experiencing fires right now, and we also are experiencing some fights for keeping our fish alive.

So we thank you for coming here because a lot of times we ask Washington, D.C., to come to Hoopa, to come to Yurok, to come to these areas on the North Coast, and they usually go to Southern California, like last year in Pala.

And so one of the things, also, before I close, after talking to some of the tribal leaders here, that they wanted me to make sure that you guys know and said -- they said they appreciated the consultation last year in Pala, but they said they want measurables and deliverables, because you

request that of them in their grants, and so they want to make sure that when they're elevating their concerns to you guys that we're getting the same respect. So thank you.

(Applause)

OVERVIEW AND REMARKS

MS. SILVERTHORNE: Good morning, everyone. My name is Joyce Silverthorne, and I'm the Office of Indian Education Director. And we operate the Title VII Programs for the Department of Education; Title VII Formula, which many of you are recipients; Title VII Discretionary Programs, which include demonstration programs and professional development; and the most recent grant option, which is the State Tribal Education Partnership Programs, in which we have a small number. There are only four across the country. And we are operating these programs as part of our discretionary portfolio.

So there will be more comments in a little while, but I just wanted to introduce myself and let you know that we're very glad for such a wonderful turnout today. Thank you for coming.

MR. MENDOZA: Good morning, everybody. Thank you so much, Chairwoman, for those opening remarks, and thank you to our opening prayer.

This community -- I'm really happy to be here, and the acknowledgements for being here in Northern California we really appreciate as well. It's been a commitment of the

President's administration to go to Indian country, to actually engage in what President Clinton had set forth in terms of meaningful consultation. And for the first time ever in 2009 and 2010 the Department did such activities on tribal lands, and from those engagements in 2010 we heard from tribal leaders, themselves, that Indian education wasn't just about the reservations. It wasn't just about the rancherias, that the vast majority of students attend schools that they feel are outside of their control and their involvement, vis-a-vis public schools. And when we looked at that across the country, you know, it became apparent to us that the conversations needed to be approached together but also addressed in their unique fashion.

In 2011 we conducted what amounted to urban native listening sessions around the country, and in 2012 we began to bring those conversations together in the form of the tribal leader education roundtables that were conducted then in response to the President's Executive Order 13592, improving American Indian and Alaska Native educational opportunities and strengthening tribal colleges and universities.

What this means is that for the first time in history the Federal Government is engaging with education in a more inclusive way of all of the unique spaces that it operates in. From the Bureau of Indian Education, seven percent of our students at top. Tribal colleges and universities, same

influence, six, seven percent. It's but a finite aspect of where our students are and how we need to be strengthening tribal nations.

If we're going to affect that 93 percent, we need to have, alongside the plight of educators, the influence of tribal leaders. And so the Executive Order really embraces that, and how can we break down those silos and address the decentralization that we're dealing with on a federal level, where those monies are going to certain areas of the country and not others and that nothing is being done strategically, and, at best, it's disconnected. And so the initiative was borne out of that concern.

And, foremost, when you think about Indian education, you hear about the Office of Indian Education, Title VII, Supplementary Formula Program to local education agencies. You hear about the Bureau of Indian Education and their unique system, 168 schools or so in 23 different states. Not a huge footprint. You hear about Johnson-O'Malley as well. I know we'll hear concerns for our Johnson-O'Malley Program. And there's little connection between those. And I forgot the third, the Tribal Colleges and Universities Movement, 40 years young, built from the ground up, now operating under tremendous circumstances on shoestring budgets.

And so Indian education as we know it and have embraced in its life-long endeavor, which is consistent with

our ways of knowing it being, is now moving forward and trying to be institutionalized. And so part of our role and responsibility is to sit within that gray area of the administration as the initiative. And so being able to connect these conversations with our communities and insuring that the process is meaningful, that it is responsive, is in its inception for the first time in history through this initiative.

And so we're really excited that even though the Executive Order was signed in 2011, we have just passed our one-year anniversary. We've engaged on a number of levels, which I'm really excited to delve into, but today is about you all. And I hope today I can share some of those activities with you that we are engaged in, but we need to understand what's happening in Northern California.

We've accomplished being in areas like this when we've been out to Elko, Nevada. We've been out to areas of the country that, you know, just don't normally end up on the saturation of rotating government officials. And that's our continued commitment, and it's a struggle. So I encourage you to reach out to your decision-makers to express how valuable or invaluable -- I don't want to make any assumptions -- today's conversations are.

Because just as we have one of my colleagues, Tom Finch, joining us today, we hope to build on that. You know,

we've reached out to our Office of Special Education and Rehabilitation Services and said, you know, you have this issue that we know about that you want to hear from tribal communities. Well, we have this vehicle that we can connect that to, and it's a meaningful aspect, and we want to have that conversation come to fruition and be a consistent mechanism for engaging with our communities.

So for every flagship program that we have, whether it's Race to the Top, Promise Neighborhoods, Investing in Innovation, we need to hear from those senior officials, wherever those are, just in education, and that's just education alone. We have USDA; we have all of these other agencies that we want to be bringing those decision-makers to, and have them look at their programs through the lens of education. Because we know that -- visiting with Chairman last night, we said, you know, everything is downstream from education. All of these issues -- justice, health, understanding -- they're all tied to education. So we have to be focussing -- taking time among all of the other responsibilities and concerns that we have to focus on those issues.

So with that, I just want to say thank you to our elders for allowing a young whippersnapper like myself to talk before you, and please push us hard and share your concerns in the most boldest way that you can to be able to carry those

back to D.C.

And with that, I just want to emphasize what I shared with some of the panel members today. Don't assume that you're talking to an informed audience. Oftentimes when we come into the communities, they talk as if they can skip to -- skip some things. We need you to talk as if you're explaining this to someone who doesn't understand, because we share these transcripts, we share these words verbatim with other decision-makers who need to understand the full impact, you know? So thank you very much for having us.

MS. VENEGAS: If I may interrupt just real briefly, for all of our folks who are participating by phone, if we could ask you to go ahead and mute your phones. If you're unmuted, anything that your phone picks up actually will prevent other people from hearing the rest of the session, so we would appreciate it if you could mute your phones. Thank you.

MS. OOSAHWEE: Good morning. My name is Sedelta Oosahwee. I'm the Associate Director of the White House Initiative on American Indian and Alaska Native Education. I'm an enrolled member of the Mandan, Hidatsa, Arikara Nation, Fort Berthold, North Dakota; and I'm also half Cherokee.

I want to thank you guys for having us here today. I want to thank everyone that helped put this together, Kerry and everyone else.

I really look forward to hearing what you guys have to say today. I think Bill kind of gave you a pretty good outline and history of why we're here and what we hope to accomplish today. He also kind of alluded to some of the work of the initiative, and I'm hoping that we can provide updates throughout the day and maybe help answer some of the questions with some of the activities that we're doing as well. So thank you guys again.

MS. VENEGAS: At this point I would like to ask a few of our education representatives from the community to come forward to the front seats here. We would like to share a little bit about the history of education in our area and some of our key education concerns.

**OVERVIEW OF AMERICAN INDIAN EDUCATION
IN NORTHWEST CALIFORNIA**

MR. CRAMLIT: (Indigenous greeting) My name is Andre. I'm an up-the-river Karuk Indian from the villages of Kutamene (phonetic) and Yutamene (phonetic), the upper falls and lower falls.

I was asked to give a brief overview of Indian education in the state of California and some of the things that we're working on now.

I'm the Operations Director for the Northern California Indian Development Council, and part of my duties are youth and family services. We operate an Indian education

center here in Del Norte County, and I'm also a member of the American Indian Education Oversight Committee, which is appointed by our State Superintendent of Public Instruction, and our charge is to advise him on all aspects of American Indian education in the state.

Let me just start out by talking about our traditional education practices. We -- a lot of us, especially up here in Northern California, we're not tribes as people generally think of them. We didn't have one area that we all lived in. We were collections of families that lived in autonomous villages along the rivers, and as such, we were self-contained. And that included ceremonies, that included governance, and that included education, certainly.

And, as in most tribes, a majority of tribes, education was a communal responsibility, that the kids were taught by aunts, uncles, other community leaders and elders as part of establishing what their roles are within the tribe. We're very role-oriented, and that's a critical feature of what we consider to be traditional education, is helping to figure out what your role is within the tribe and fulfilling that role and getting the training and the needed understanding of what those mean.

So, second, we had mission Indian schools. That's certainly different than a majority of Indian educational experiences throughout the rest of the country, where the

Spanish came in and set up missions that were designed to take Indians away from their communities, a lot like other schools, but we also had the unfortunate practice that it was -- it was also a way of committing genocide against native people here in the state of California. A majority of those were in Southern California, but they did stretch up all the way through the San Francisco Bay Area.

Like most of our -- like all tribes in the United States, we were forced into boarding schools as well. The majority of our students went to Stewart Indian High in Nevada; to Sherman Indian High School in Southern California, in Riverside; and/or to Chemawa, which is up in Salem, Oregon. And we had the same practices as a lot of places. BIA people or other federal agents would come in and literally take the kids and ship them off to boarding schools.

My family had part of them taken into boarding schools, and then my grand- -- great grandmother hid a couple of her children so that the federal agents did not find them, and so they were able to go to local schools.

As they said earlier, the majority of our kids, I would say about 90 percent of them, now attend public schools, and they are responsible for the education of our children.

We also had Ford schools that -- there was one set up in Hoopa and there were other ones throughout the state that were under the control of the Federal Government and had many

of the same aspects as boarding schools, where they're mainly vocational training programs to put Indian people into menial jobs, such as housekeeping and different things like that.

We also had other schools. We had a program up in our area where there were patrons that were employees of the Federal Government that came out into our communities and worked to both Christianize and Anglicize our students, and so that's been part of our history as well.

Bringing us up to modern times, we have -- California has made some strides in working with the Indian people. There's 350,000 Indian people in the state of California. We're the highest population state. Many people aren't aware of that. But a majority of those are out-of-state Indians that were brought here by relocation programs.

There are more people that speak Navaho in the state of California than speak all California languages put together. Language was something they really tried to exterminate with us, and culture.

We're very fortunate up here, where a majority of us were not moved to reservations far away, and so we were able to maintain our cultural practices and our traditions in a way that many tribes have been, unfortunately, not able to maintain.

We also were not in contact with western society. As long as other programs -- or other tribes have been, we --

the minors came in in the 1850s, but they left shortly thereafter because the gold wasn't as easily accessible here, so we were basically on our own in our own communities until around the 1900s. And one of the things that that entails is, for me and my own family it was very impressive to me, is that my great uncle was raised in the time where there was no electricity, no roads, no contact with western society, and when he died, he'd seen the space shuttle go up and all the history that went in between that. So traditional life for us is that close. It's just a couple of generations that we've been in constant contact.

California, also, for one of the programs that we have that is successful is we have American Indian education centers, which many states do not have. We have 27 funded programs throughout the state, which is woefully inadequate. We're funded at four million dollars to operate those 27 centers, and just due to the sheer number of Indian students we have, we're not able to extend our service to a majority of those people.

As part of my work with the American Indian Education Oversight Committee, we do work with our centers in trying to advocate for additional funding.

I think that's about all I have and all of the time I have, so I will turn it over.

MS. VENEGAS: Thank you, Andre.

My name is Kerry Venegas. I am the Hoopa Education Director for the Hoopa Valley Tribe, and it's a pleasure and a privilege to be here representing the educational issues for our students.

I wanted to just provide a little bit of context, because many people are not familiar with California and our native students particularly in our area. So as Andre mentioned, by sheer numbers California -- it's 1.9 percent of the total California population is native students, totaling more than 723,000 as of our last census. California has the largest native population by number in the country, which means that we are serving a large number of native students spread across a huge geographic area.

This particular region in our area has the largest land-based reservations in the state, the Hoopa Valley Tribe and the Yurok Tribe. And we account for more than -- I guess I must be magnetic. I'm setting off the mic. Give me a second. Okay. All right. Great.

We account for more than 12 percent of the student population in the districts in this area, our native students. And, for example, in the district that serves the Hoopa Reservation and sits right on our reservation, we are over 80 percent native students.

However, the disparities in education across the state and in our region are huge. We are less than 70 percent

proficient with our native students in our district areas. The gaps in our English and language arts and mathematics are not decreasing, and they're not necessarily increasing. We seem to be holding steady but never closing those gaps for our students.

However, one exception to the national picture is that here in our area our native students have higher proficiency levels in mathematics and language arts, and a lot of times that's reversed, so ...

Our California High School Exit Exam is an exit exam, as in most states, that is a requirement for graduation, and our pass rate is less, about ten percent less than the peers.

We also have a college-going completion curriculum, called A through G, and the rates for American Indian students, especially in our area, are significantly less than the rates for all other students in California.

And our graduation rates, when taken on a cohort basis, starting in ninth grade and following our students through twelfth grade, we have about a 74 to 75 percent graduation rate. But please keep in mind that that graduation rate, although comparable with the national graduation rate for native students, does not actually reflect the students who are assumed to have transferred, to have gone into our continuation schools, who have moved to other areas that we're not required

to track. So our true graduation rate is probably closer to the 60 percent, 55 percent of the nation.

KEY EDUCATION ISSUES IN NORTHWEST CALIFORNIA

MS. VENEGAS: At this point we would like to highlight some key issues, and I'll ask our panel members to speak to these, but first, I would like to share them. And unfortunately for those of you who are in the audience here, our technical glitches are preventing the PowerPoint from being shown, so bear with me while I read the issues, and I will make this available to have this PowerPoint later.

Native language and culture is, of course, a major concern to us.

Our tribal oversight, tribal education departments, and the direct control over the education of our tribal members, our native students.

The collaboration and direct input that it takes to make a quality education with tribes and many people leading the way.

The access to education opportunities to higher education and just to buildings, including the transportation for our students to cover large distances. As you've seen, those of you who have traveled here, it's no easy thing to get in and out of our area. It's no easy thing for our students to get to school.

Title VII. Our access and input directly into

those funds, one of the few direct funding sources for the education and the care of Indian students in public schools.

Curriculum and assessments that are appropriate and high quality for native students. The matrix being used for so many of the assessments that gauge the progress of our students in the state and nationally have very little to do with being tested in our communities or relevance to the cultures.

Impact aid funding and some of the necessary construction.

If we had been able to be onsite in our school district.

Our schools, of course, are aging, and the funding sometimes gets funneled desperately to support the academics as well as transportation, while we have no air conditioning on 100-degree days.

The Internet and digital divide is increasingly something that concerns us, as most access to educational opportunities start with being able to even fill out applications or access the information online.

And, of course, again, transportation.

At this point I would like to introduce our next panel member, who is Laura Lee George.

MS. GEORGE: (Indigenous greeting) I'm a Karuk Tribal member, and I am a retired employee of the Humboldt State University. I was the Director of the Indian Teacher and

Educational Personnel Program for 16 years. I'm currently called back to the university doing an interim while the university struggles with the issues for native students.

I am also a retired Klamath-Trinity Unified School District Superintendent. I was the Business Manager for Klamath-Trinity Unified School District that encompasses the Hoopa, part of the Yurok Reservation, and Karuk country.

I am also -- I have been appointed by the State Superintendent as the Chairperson of the American Indian Ed Oversight Committee and have served on that for the past eight years since it was incepted.

Some of the issues that I see -- have seen are not going away. There are systemic issues. For instance, when we look at demographics, especially -- I'm going to pull Hoopa Elementary School out as an example because it is the largest elementary school on a reservation. It has over 447 students on the Hoopa Valley. Ninety-four percent of those students are American Indian. Ninety-six point four percent qualify for free and reduced lunch. Kerry gave the statistics on what the assessment data reflects. There are 26 percent American Indian teachers on the reservation in the school district. Okay. Those are bleak statistics.

Ninety-six point four percent free and reduced lunch. Let's put a real face to that. What does that mean? The principal at Hoopa Elementary makes it a point to make home

visits. She takes children home. She goes and visits the families. There are many issues that -- so she is out in the community. A good portion of those students live in less than substandard housing. There's no running water in a lot of those homes. There's no electricity. Poverty. She sees students putting food in their pockets from the school lunch program and knowing that that may be the only food they get until they come back to school the next day. On the Maslow's hierarchy of self-actualization, these students are still in survival mode. How can you expect them to come to school ready to read or even have a place to do their homework when it is sent home?

Digital divide is huge. The only access most of the students have to the Internet is when they attend school. When I was there we fought hard for E-Rate funding to bring Internet to the school. Right now it's in need of update because it doesn't have the band width or the speed to keep up with a lot of the technology nationwide.

These students love to go to school, but transportation is an issue. With the sequestration funds that were -- cut the budgets back, the school district there was -- it had no choice but to reduce their bus schedule routes. That left a lot of the children to walk a mile or more to the nearest bus stop, and sometimes when they get home in the dark, in those forests there are bears and mountain lions and all

that sort of thing. So when a child leaves -- misses the bus, parents a, lot of times, do not have transportation money to run their children to school. Transportation is an issue.

Impact aid funding comes to the district, and a lot of it is spent on those issues of transportation. It does not go to salaries of the faculty and staff. So that -- but that is a big thing.

Also, a big impact in this area is the Forest Reserve Funding has gone away. That has a huge -- over a 300-and-some-thousand-dollar impact to that one school district.

Title VII funds come to the district; again, the sequestration affected them. They are providing tutors to students, but they also are desperately trying to provide curriculum with the cultural -- that reflect the cultural background of the schools.

Curriculum is a huge need nationwide. We've seen it statewide. Our Indian student's identity is threatened, and each time that a student goes to a new place, wherever there are -- there is a lack of information nationwide for not only Indian students but for students, in general, to know the Federal-Indian relation sovereignty and how that all works.

When I went back to the university after we had spent years updating the facility administration there on Indian sovereignty, Indian rights, when I returned here 12

years later, everyone had retired, so we have to start again from scratch. People do not know what sovereignty means, in general, and programs -- Indian students are being held to race-based programs and saying that it's illegal. We fight these battles on a daily basis. And this is something that if it came from the Federal Government, it would really help in making a change in what curriculum is there.

Indian language programs. Indian language survives and thrives in this area; however, there are also issues on pay scales for Indian teachers to be paid the same as other teachers.

I believe that's all I have at the moment. Thank you.

MR. MENDOZA: Ma'am, if I could have you expand on the Forest Reserve Fund and the origination of that. Is that ...

MS. GEORGE: I believe it came from a previous farm bill that a lot of the school districts in our area -- because there is a lot of forest lands, that they -- similar to impact aid, that they pay for a certain percentage for their lands to help support the schools.

MR. MENDOZA: Thank you.

MR. McQUILLEN: (Indigenous greeting) In Tolowa territory you would greet (indigenous greeting).

I'm Jim McQuillen, I'm the Education Director for

the Yurok Tribe. Also, a Yurok person and of Tolowa decent. The Yurok Tribe is the largest tribe in the state of California.

Other issues that my colleagues covered so well -- they left very few for me, but funding, funding, funding. So many of our areas of need could be assisted with additional funding or better use of the funds that we have. I heard earlier that we are suffering from the silo effect at the federal level. I know that's very alive and well here in the local and the state level to the silo effect, where programs stay in their silo and don't work well together.

We are so close to solving some of our problems ourselves, but we're limited on funds. We know the Johnson-O'Malley Program has been frozen for over 17 years with the same level of funding based on an earlier head count from 17 years ago. We know that Title VII Programs in the districts are competing for funds and are underfunded. These two programs offer assistance directly to our students, but there are very few staff members due to the underfunding and limited funding, so getting to those students in need is a big problem.

An additional issue is access to information. Our tribal students are members of our nations, of our tribal governments, and yet we have very little access to the information from local school districts on how those students are doing. Oftentimes we'll have to hunt down the permission

from parents, and the referrals come very late because we don't have access and control of that information, student information, on our own students. The referrals and the interventions are done later, and the problems run deep, and by the time tribal staff get there, the problems are very, very large, and the student is far behind, years behind. We would like to have control of that information and direct access to student information as early as possible in order to help our own students.

You heard our colleagues bring up cultural curriculum. In our area here most of our students -- 99 percent of our students are in public schools, sprinkled throughout the districts here on the Coast. Many of our students end up in alternative education programs far too early and very large numbers ending up in drop-out prevention programs, charter schools, or what we call county office schools. These are the court community or juvenile hall schools. We're over-represented in these areas where we do not want our children to be. When our children end up in these schools, they don't have access to the lab classes; they don't have access to the high level curriculum and the mainstream schools that offer a much wider variety of curriculum. We would like that problem to be looked at very closely.

We've done a little bit better in terms of graduation rates, but our students are graduating from these

alternative programs in far too large of numbers.

We've done well on language in California. We had a law passed where tribes can have their own teachers in the public schools. AB 544 was passed about seven years ago, where we could get our own teachers in the school districts, and we've done well in the high schools in the area. Yurok language is offered in five area high schools now. We're missing at the lower grade levels where we need the cultural curriculum to keep our kids at school, give our kids another reason to go to school and stay in school, to offer the language and cultural curriculum earlier. The K-8 level would be a goal for us.

We've had many local task force and curriculum committees here. I applaud the local districts for doing that over the years, but we need to keep those up in terms of having local conversations, local committees that address curriculum, that address the push-out and the drop-out rates, to continue those committees to talk at the local levels.

In fact, I applaud the local school administration that's here today. We have a few school administrators from local districts, and we thank you for being here.

There are a couple of other brief areas to touch on. Special education. We are over-represented. American Indian students here locally are over-represented in the areas of special ed. We would like to see a better assessment sooner

and more comprehensive services sooner in special education needs.

One of my colleagues mentioned the issues at the local university here. Our local university is the California State University at Humboldt State. With budgets and concerns going on, the native programs there have been in the state of disarray for several years. Any assistance we could have on helping to maintain those programs -- we've had -- many of our tribal leaders have graduated from the California State University at Humboldt, and many of our tribal leaders have come right out of that university, but in the past few years the programs that serve American Indian students there have been in total disarray, and many of those are federally funded programs. We need some assistance in facilitating some conversations between the university administration and local tribes to save those programs and restore them and properly fund them for the future.

That's all I have right now. Thank you.

MR. CRAMBLIT: I have four more issues that I wanted to touch on briefly, also. To put a personal face on it, our sequestration for our local Title VII, I'm on the parent committee for the program which is north of Eureka, California. We've had to eliminate one tutor position, and that is definitely going to impact the growth and academic development of our students.

I'm on the national committee, working in partnership with other organizations on Common Core State Standards and the implementation of Common Core State Standards. And one of the things that's left out nationwide is any connection to culture and language within the Common Core State Standards. So I'm working locally, regionally, and on the state level to try and include that, whether it's on top of the -- in the one percent that's add-on -- or 15 percent that's add-on, or into the base core standards as well.

I think one of the things Jim mentioned that was very important that could be a model for the rest of the country is that AB 544, the Indian language teachers. Tribes are now authorized to credential their own teachers, so we create our own assessments and our own priorities for what we want to see in Indian language teachers. But as Laura Lee mentioned, we also have a financing issue in terms of whether we're able to pay them as teachers yet on a teacher's scale or whether we're paying them at the lower rate.

And then another issue that we're still, unfortunately, confronted with on almost a quarterly or an annual basis is the mascot issue, how it's impacting our students. It has a great deal of impact on their self-esteem and their ability to feel comfortable within the school system, and so that's something that I think needs to be addressed on the national level as well.

MR. MENDOZA: Appreciate it. Now, your name again, sir, sorry, for the record? Just ...

MR. CRAMBLIT: Andre Cramblit, C-R-A-M-B-L-I-T.

MR. MENDOZA: Andre, if I could, too, I just want to talk about AB 544 for a second and just have you describe, you know, kind of what that -- how that works. I mean, you alluded to it a little bit. I'm really interested on the infrastructure for who -- where those certifications come from. Is this tied to -- you mentioned the oversight committee, the American Indian Oversight Committee.

MR. CRAMBLIT: The oversight committee was one of the groups that championed the program. It was created as a legislative effort with the help of the Santa Ynez Band of Chumash Indians down in Southern California. They were the ones that helped get the legislation sponsored and passed through with the support of other programs and individuals throughout the state.

In our case for my tribe, the Karuk Tribe, I'm the Chairman of our Karuk Language Restoration Committee, and we created our own assessment test for people that wanted to get the credential, a language teaching credential, and we forward those people that have passed the test on to the state creden- -- California Credentialing Commission, and they are certified as full teachers in the language.

We also have training requirements that we have for

them to keep updated on their credential and to make sure that they're current. And one of the training things that we try and do is to give them some things -- because they're not trained as teachers, to give them things such as discipline, curriculum, scope, and sequence, and those kinds of things as well.

MR. MENDOZA: Okay. I would just be really interested in any -- anything written on the subject, like in terms of regulations, procedures, process-oriented stuff that --

MR. CRAMBLIT: I can certainly send you that.

MR. MENDOZA: Okay. Appreciate that.

The other part of that, just a last follow-up, do non-Indians pursue this process as well?

MR. CRAMBLIT: We have had some non-Indians that have worked in the language that do pursue the credential as well.

MR. MENDOZA: Okay.

MR. CRAMBLIT: It's not -- each tribe is allowed to determine what -- who they consider to be eligible for recommendation of these credentials.

I'm currently writing a policy brief on the impact of language and culture and on the implementation of Common Core State Standards, and I will forward that to the committee when that's available.

MR. MENDOZA: And I guess just related to Jim's comments as well, I just wanted to hear from you on data usage for Yurok and -- am I cutting out? Okay. I just want to hear about data usage and any (noise from mic) -- I know that. It's probably my nose. (Laughter)

And then maybe this is a question related to Kerry, too. I know we've heard about, in the past, relationships with Hoopa Valley and local education agency in terms of data exchange and agreements being set up to that effect, and we're very interested in how tribes and school districts, if not the state educational agency, are grappling with this issue formally or informally.

MR. McQUILLEN: Thank you for the question. The past couple of years we've had a couple of reports here generated through a task force and our local P-16 council. We called the first one the Native American Report Card, where we worked in partnership with the local Del Norte schools here to generate a report card, and we selected -- first, we selected too many benchmarks to measure, and it got too complicated. But selecting ten or 12 different areas to take a look at and track students all the way from the drop-out rate to -- in California there's something called the "A through G classes," and those are the high school classes that are college preparatory classes to take a look at how many native students are successfully -- getting those students up to the next

benchmark. We looked at attendance rates. We looked at other areas of participation in the co-curricular and after-school type programs and sports. That became a very good tool for to take some of the emotion out. We had a lot of families believing that no -- no American Indian students were graduating at one point in time, and putting some real figures in of how our students are doing. Some areas we were doing better than we thought. Other areas were bigger concerns than we thought. One being students participating in the A through G, or the college preparatory classes, that are almost absent for the Humboldt/Del Norte area, the American Indian students completing those classes.

Our graduation rates have improved some, but as I said before, we have far too many of our students attending these drop-out prevention schools or court community schools or places we don't want our students to be at.

Taking a look at that, the report card we generated here locally was very good, and then our P-16 report was also a model that -- you know, I would encourage local districts to continue that and to discuss and track those areas.

California, they have a data collection system called Data Quest that's sponsored by the California Department of Education. It's accessible to anyone and everyone, and it follows students, and by cohort here more recently, the graduation and drop-out rates are followed, looking at how many

students enter the ninth grade and, four years later, how many are still there? That's the way to do it. As opposed to looking school by school, they look county by county, as well as district by district. It's a very good system for California that's available for anyone to look at.

So, again, helping people break out of the cylinders, I think, is really important. Seeing district people that talk to tribal people, each of the tribes has an educational person, and I think that would help, that may not cost a lot of money, as to get people to talk to one another and sit down at the table and discuss and have an action plan set up to address some of these issues.

COURT REPORTER: Sir, could you state your name again, please?

MR. McQUILLEN: It's Jim McQuillen.

MS. RITCHIE: Hi. My name is Rhonda Ritchie. I'm with Smith River Rancheria. I'm the program manager for Howonquet Head Start and Early Learning Center, so I'm starting from the very early ages, zero to five, and what's going on there, and I am interested in what's going on with President Obama's early learning initiative. And we just completed a community assessment, so it was community members, parents --

MR. McKINNON: What was your name again?

MS. RITCHIE: Rhonda Ritchie, R-I-T-C-H-I-E.

And what the community and families were stating in

the focus groups -- we had a series of focus groups -- and it was really about how in Head Start we have comprehensive services, so we include the families in the education. And what we're seeing -- what they were talking about is the common core that now both California and Oregon are implementing, is that they don't have a social emotional component. And the kindergarten teachers in Del Norte County in the past two years did kindergarten assessments, and what they're finding is that the students are coming into kindergarten not ready to learn because they lack the self-regulation skills and the social emotional skills for resolving conflicts, and so the children aren't even ready to learn initially. But the common core does not address social emotional issues, so we think that that's really important. And -- did you have a question?

MR. MENDOZA: No. I'm good.

MS. RITCHIE: So we're really -- we really want to know a little bit more about Obama's initiative because I think that it's really important to include the families, also. So one of the goals that came out of that focus group was to work with the school districts in both California and Oregon, because we do straddle the border, so have students in both states, and really wanted to -- the parents in the community really wanted to see us link with the school districts to see how can we bring in the parents, the families. Because a lot of the families, once they leave the Head Start environment and

go to the school district, they don't feel welcome, they don't feel included, and so that's a big -- there's a big divide there. And with our children, like the gentleman over here was saying, is that the raising of children traditionally was more communal, and that is exactly what Head Start fosters, also.

MS. VENEGAS: I want to thank Rhonda, too, because I wasn't able to get in touch with her. Thank you for being on the panel, jumping in and sharing that, because the early childhood portion is hugely important to all of us. Many of the tribes around here do run some form of early childhood education program, if not a full array, and making those connections, we know it's vital. And we now know by kindergarten -- it's not just third and fourth grade any more -- by kindergarten we can predict which kids are going to struggle and where our literacy rates are at.

I know that we are pressing against our time, but I did want to share a few things about the data access and some of the information.

One thing for us in the Klamath-Trinity District is that we do a lot of it through the MOA or MOU process, in terms of having access to student data. We run several programs, including an Indian demonstration grant college success program, where we have an agreement with the school district that we're allowed to access PowerSchool, but we are required to get parent permission.

So for everything that we do as a tribal entity or tribal program serving our own students, we do have to have all of our parents fill out release forms, so the paperwork can become quite complicated. Sometimes parents don't understand what they're signing. Sometimes they're reluctant to sign additional forms to what they've already filled out for the schools. Trying to explain that we're different, even though they're tribal members and their informa- -- they feel their information should be with us.

In terms of recordkeeping, and I believe that this has come up in various ways before, including with the Step Grant process previously, is that tribal education departments really need to be able to maintain the records of their own tribal members. We really need to have our own comprehensive system that let's us track the progress from birth all the way through to our scholarships, our grants, our college educated members, who need and want to come back to our areas and do the kinds of jobs in tribal government that we need our tribal members to do.

Having that kind of longitudinal system -- and I believe Hoopa, when they put in their application for the Step Grant, that was a big piece of what we wanted to do, was that kind of data collection for ourselves, maintaining that, understanding what it means, looking at our own achievement rates, and figuring out where we need to put the information

and the resources, too.

One quick highlight for those who have been familiar with some of the work out in Hoopa that Greg Maston was working on, we have been tracking the data. Those students who are enrolled in our language programs, Hoopa language and other native languages, have higher achievement rates, and actually, their college-going and their completion rates are much higher than students who do not take or have access to the native languages in our district.

And so the question becomes, if that's what we're seeing on our district level for our students, what does that mean for our region, for our state, and of course, nationally? If that is the key, and we do believe it's the key to helping our students be successful, is being able to take and appreciate and learn and communicate and think in their own languages and that cultural piece, then that should be an integral part of what we do.

And I wanted to check if you had any final questions for our panel members.

MR. MENDOZA: I don't.

MR. McKINNON: I do. Panel members out of where? Hoopa? Down the river? I don't -- I spent the last year working for the Yurok Tribe, but now I'm lost. You keep talking panel members and Laura Lee was here and other people, and --

MS. VENEGAS: Well, in this case, this was a brief overview, so our panel members are Laura Lee George, Andre Cramblit, myself, Kerry Venegas, and Jim McQuillen, representing some of the information. And, unfortunately, there were other people who were reached out to who were unable to be here today.

MR. MCKINNON: When you talked about language and that Maston one that was doing something with -- what was it?

MS. VENEGAS: Greg Maston. That's the former education director.

MR. MCKINNON: What was that? Was it ninth graders and up?

MS. VENEGAS: He was looking across ninth grade all the way to twelfth grade and seeing who had taken native language --

MR. MCKINNON: Right. I know that they're tracking that, but I'm worried about the younger kids.

MS. VENEGAS: -- and integration.

MR. MCKINNON: I am worried about them. My little guy's, you know, first, second, and third, and now he's going into the fourth grade. And, you know, there's no help there for him. There seems to be help there, but every year goes by. Next year he'll be in fifth grade. He has a speech problem, and, plus, he wants language. And pretty soon he's going to be in high school and he's still not going to have it. I don't

know what to do. So where do I go to find this help for him or other kids?

MS. VENEGAS: So native language help or the help with some of the regular issues?

MR. MCKINNON: Both. For all of the kids.

MS. VENEGAS: So, Lyle, I'm --

MR. MCKINNON: We've been one of the ones that have slipped through the cracks, and I talked about this 20 years ago when my kids were going to elementary school. And to me it hasn't changed yet. They've tried different things, but still it hasn't changed.

MS. VENEGAS: And I think that's a frustration that we've all been expressing up here, is that we haven't seen the gains we should. We haven't seen the things that -- we're a Title I school district. That money is supposed to go to improve the outcomes.

MR. MCKINNON: Yeah, I think it should go to the language because I think that would -- you know, it helps the younger kids.

MR. MENDOZA: Sir, just if you could state your name just so we can make sure we get those concerns on the record.

MR. MCKINNON: Lyle McKinnon, Yurok Tribe.

MR. CRAMLIT: I had one more thing for the community to consider. My name is Andre Cramblit again, for

the record.

In my experience, there is about 50 to 70 percent of our students that have some form of a visual learning disorder, whether that's amblyopia, dyslexia, graphing errors, that is a huge impact on our students' ability to learn to read, to write, and it impedes their academic development.

MR. MENDOZA: Thank you. The only thing that I wanted to touch on is just the importance of early learning and the administration's commitment in this area. As you know, we've had a number of investments, you know, that have either resulted in specific competitions, such as the Early Learning Challenge, which is scheduled any day now to roll out, as well as investments in i3 and others, but we have wanted to engage with our Office of Early Learning on this matter. We had hoped to have it come to fruition for this consultation, but it will be on the docket for our consultation that we have planned right now, and I'm looking to Sedelta and Joyce to keep me straight here, in the Phoenix area, and specifically -- I know we had some Smith River -- Salt River. Salt River, which is on Smith River Road, or something like that. So it's very interesting down there. So Salt River down there.

We hope to have webcast capabilities there, but at a minimum, a teleconference. And if we have anything to the contrary of that, you know, we'll keep you tuned in on the Ed Travel Consultations website. So that is August 12th --

September 12th. Sorry. August is already gone.

So, thank you.

MS. VENEGAS: So in order to wrap up our panel, first of all, I would like to close by saying, thank you for giving us the opportunity to share some specific things about our area and our students and our concerns.

I know you'll hear a lot more from our tribal leaders coming up in the roundtable session, and then during the public comment, a lot of people will be able to share their particular issues and personal concerns.

I would like to thank everyone who spoke as part of this overview, and I will now hand it over. I believe we're moving into the Consultation Topics Overview.

MS. SILVERTHORNE: Thank you very much. That was extremely helpful.

As long -- my life has been spent in Indian education. I am a parent, grandparent, great grandparent. This is not a passing fancy. But in the past two years working with the Department of Education, it truly becomes that global picture that we're looking at across the country, and there are so many, many different aspects that we'll be trying to address.

We're going to have a short break now, and we'll come back together and do presentations about the consultation topics that we have on our agenda. So with that, a 15-minute

break. Thank you.

(Break)

MS. VENEGAS: If you'd like to come back and have a seat, we're going to get started. At this point we would like to move to the next agenda item, but a few housekeeping things.

As you're speaking, please remember to speak into the mic. Try to not to set it off, the way I'm doing, and speak clearly and as slowly and enunciate your words as possible. We are having these sessions transcribed, and it just makes it a lot easier for it to be transcribed if you can speak very clearly.

At this point we will move on to the Consultation Topics, and I would like to hand over the microphone to Tom Finch.

Tom, if you would introduce yourself.

CONSULTATION TOPIC(S) BACKGROUND

MR. FINCH: Thank you. Can you hear me? Can anyone hear me?

MR. UNKNOWN: No. Actually, you've got to speak up or change the microphone or something. We can't hear you.

MR. FINCH: All right. Thank you. Thank you for that, Joyce, and to the staff, Bill and Sedelta, for inviting me to participate in this particular consultation. And I thank you all for allowing me to have a few minutes on the agenda to talk about an emerging issue that is affecting one of our

programs that we operate, the only one that we operate, solely for the benefits of American Indians and Native Alaskans with Disabilities.

By way of introduction, my name is Thomas Finch. I am the Director of the Training and Service Programs Division within the Rehabilitation Services Administration.

The Rehabilitation Services Administration is one of three components within the Office of Special Education and Rehabilitative Services.

I spoke with our Acting Assistant Secretary, Michael Yudin, who some of you may know of, who asked that I certainly provide and give to -- or share with you his greetings for the success of this particular consultation.

The Training and Service Programs Division -- and I'm taking these few moments to give somewhat of a frame- -- a framework for who we are and perhaps the basis upon why I am here and the challenge that I am asking and seeking your input and comments with regards to.

The Training and Service Programs Division within the Rehab Services Administration is responsible for the overall administration and management of the majority of our discretionary grant programs that are authorized by the Rehabilitation Act of 1973 as amended. One of those discretionary grant programs, and again, the reason for my being here, is our American Indian Vocational Rehabilitation

Services Program. This is a program that is designed to establish a program to provide vocational rehabilitation services to assist American Indians and Native Alaskans with disabilities who reside on or near reservations, federal or state reservations, so that they may prepare for and engage in gainful employment.

This is a program that is only open to the governing bodies of Indian tribes and consortia of those governing bodies located on federal or state reservations as the sole criteria for applying for a grant under this particular program.

I share that with you to give you some context for, again, my being here. Because the Department of Education seeks input from tribal officials, tribal governments, tribal organizations, and affected tribal members regarding a possible change in the Department's interpretation of reservation as that term is used in determining eligibility under the American Indian Vocational Rehabilitation Program.

Now, I did peek into the material that was provided to you as you are here, and I believe on the left-hand side of the folder that you received there is a write-up with regard to the American Indian program, which goes into much more detail than I plan to do today, but it is included in there. What I'll attempt to do is just simply to highlight some of the critical issues and the challenges that we are facing, and then

conclude by raising and asking for your consideration and comments with regard to three areas.

Well, by way of background, on May 9th of 2012, the U.S. Government Accountability Office released a report entitled "Federal Funding for Non-Federally Recognized Tribes." And the citation is there, the link in terms of the report is there, but the bottom line is that the GAO questioned whether the Department's interpretation of the term "reservation" when used in determining eligibility for grants under the American Indian VR Program was broader than the term's statutory definition.

The statutory definition of the term "reservation" includes Indian reservations, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act.

Our interpretation also includes a defined and contiguous area of land where there is a concentration of tribal members and in which the tribe is providing structured activities and services, such as the tribal service areas identified in a tribe's grant application.

The sole finding of the report back to the President indicated that the Secretary of Education was to review the eligibility requirements for the American Indian

Vocational Rehabilitation Grants Program and take appropriate action on grants made to these tribes that do not have federal or state reservations.

One of the conclusions as they went through was that there were five grants that affected six tribes that were not located on a federal or a state reservation. But in our rebuttal to the GAO report, we pointed out that our definition, if you will, and interpretation of the term "reservation" included other areas, properties and areas where there were contiguous lands of which services were actually being provided to American Indians with disabilities.

This occurred back on, again, May of 2012. And as a consequence, each year we normally hold a competition to award new grants under this particular program. But because of the concern and the lack of agreement with regard to this particular program and its requirements related to eligibility, we have not held a competition for -- well, last year, and we will not hold another one this year. What we did instead was to petition and to publish in the Federal Register a waiver to the Department guidelines that would allow us to continue to support the eight tribes that were funded previously that would have ended a year ago September. And now we've gone back to extend, if you will, that same waiver for an additional 24 tribes, whose grant is scheduled to end September 30th of this year.

The reasoning behind this is that we felt it was not appropriate to penalize tribes in terms of their inability to compete because they didn't meet the strict interpretation of the statutory language. And so what we have, and we've also published this in the Federal Register and we have it open for comment for 60 days, and it's under, again, Tribal Consultation, where we, in fact, lay out a little bit more some of the information with regard to the background, which is included in your information here, as to how we got to where we are. But, more importantly, as I indicated, the purpose for bringing this to your attention is to seek input or to seek comments from the tribal organizations that I mentioned earlier as it related to three specific areas.

The first is seeking comments as to what the potential effect or impact of limiting eligibility is for the American Indian Vocational Rehabilitation Program to those Indian tribes and consortia of tribes located on federal and state reservations and the other land areas specifically listed in the statutory definition of reservation.

Secondly, for tribes that currently provide services under this program and that would not meet the revised interpretation of reservation, we are particularly interested in whether individuals currently receiving services from these tribes would continue to receive vocational rehabilitation services to assist them to return to work. And if so, how and

where the clients might obtain these services.

And, thirdly, we're particularly interested, also, in how a revised interpretation of reservation would affect the pool of potential applicants for the American Indian Vocational Rehabilitation Program, including tribes that have not previously applied for but may consider applying for an AIVRS grant in the future. And that acronym is for the American Indian Vocational Rehabilitation Program.

Where we are today is that the GAO -- and if you go to that report and read the Department of Education's response to the report, it clearly articulates the position and the interpretation that has stood for decades, which was not accepted by the GAO. And so, consequently, in keeping with the finding, we are reviewing the eligibility requirements for the program, and we are seeking input from and under tribal consultation from tribal members, et cetera, in order to share their thoughts with us.

Where we will go with this -- and this is the first of the tribal consultations that I've been able to participate in. I was not able to make the one earlier this year, but I do intend to participate in the one in September.

We will take the information that is provided to, and is the result of, this particular consultation and the one in September, along with the comments that we receive from the notice published in the Federal Register that is asking the

very same questions I just shared with you. We will review that, and that will ultimately lead to the development of, and a publication in the Federal Register, of a notice of proposed rule making with regard to the eligibility criteria that will be used in the future for this particular program.

So your assistance is vital in terms of providing your thoughts with regard to this. It will be helpful in our determining the direction and the eligibility requirements for this particular program in the future.

So I appreciate the opportunity, once again, to be here. I have already met with a couple of individuals who I know and have worked with over the past years, who came from North Carolina to be part of this particular consultation, and I've had an opportunity to talk with one or two others in terms of more general issues affecting American Indians, particularly those with disabilities.

So I will be here through the afternoon. Unfortunately, I do need to get back to D.C. tomorrow, but I open and welcome any opportunity to discuss, answer any specific questions that you might have, but more importantly, I'm looking forward to your response to these particular concerns that I have shared with you.

So thank you very much for your opportunity again. Thank you for your participation and your attention to this particular issue. So thank you.

MS. VENEGAS: Are we holding questions or are we allowing people to ask questions?

MS. SILVERTHORNE: And, Tom, could you reference how they can submit their comments? It's in the Federal Register Notice.

MR. FINCH: There is in the Federal Regis- -- yes, there is a publication in the Federal Register Notice that speaks to this particular issue and provides, really, the portal that you need to use if you so choose to provide comments to us. It is -- I don't have that information, but certainly we can make it available to an individual, make it available at the end. I don't know if that was in the packet or not. Okay. It is in the packet. I would direct you to that notice that is in your packet. It essentially lays out for you a little bit more of the chronology of where we are and how we got to where we are, but more importantly, it gives you the portal that you need to submit your comments through.

I would also -- and it's not a requirement, because in order to be heard, if you will, you need to go through the proper channel, which is this particular portal that has been established, to accept comments. And a docket has been established in order for these to be received and to be tallied. But if you so choose to, I will share with you my email address as well as a point of contact if there is need for further clarification or if there is anyone who would want

to consider a follow-up discussion. And that simply is tom, T-O-M, .finch, which is F-I-N-C-H, @ed.gov. That's tom, T-O-M, .finch, F-I-N-C-H, @ed.gov. My telephone number is 202-245-7343.

I have to admit that I'm always challenged when I give out my telephone number, because I want to really give it to one of my staff members, but I think it's -- that you'd call them, not me. But by all means, if there are questions or you want to follow up on this or discuss it, by all means, feel free to do so.

MR. MCKINNON: Can we entertain questions now?

MR. FINCH: Sure.

MS. VIGIL-MASTEN: Danielle Vigil-Masten, Chairperson for the Hoopa Valley Tribe.

I have a couple of questions because I noticed on this release date that the time frame has already expired for comments, and so my question is, since the time frame has expired, are we still able to submit comments? Because the comment that I would like to make would just be this.

As we service -- under the Vocational Rehabilitation we service members that are recognized in the California Indian Tribal Government, so they're on the California -- if they could prove that they have a California card under the judgment rule, that we service them. And so this affects their ability to be in our program, and so that's

a concern.

And the other concern that I have is that being that we live in the state of California, we have the unique history, like I said before with the Tillie Hardwick cases, there's 17 tribes -- or there's 17 plaintiffs that were in that case that established rancherias, and so those aren't necessarily defined as tribes, and so how would they be affected?

So that was just my questions.

MR. FINCH: Again, this is Tom Finch, in response. First of all, the information that's included in this particular docket refers to waivers and extensions, notice that was published in the Federal Register, which simply is an acknowledgement that we -- and this is where the 30-day period has elapsed, but this was an acknowledgment that we intended to waive the EDGAR regulations to allow us to continue to provide fiscal support to the 32 tribes that are directly impacted by this. So that information that is here is not the tribal consultation piece that I mentioned. That was only published a few weeks ago and is open for 60 days.

MS. VIGIL-MASTEN: Okay.

MR. FINCH: So we will get that information out to you, just simply so you have the most current information.

The other that you refer to has to deal with a definition, and you talk about rancheria. And, if I may, there

is in our Code of Federal Regulations a -- there is a definition under "Indian tribe," which states,

"Indian tribe means any Federal or State Indian band, rancheria, pueblo, colony, and community, including any Alaskan native villages or regional village corporations (as defined in or established pursuant to the Alaska Native Claims Settlement Act.)"

So the issue with regard to rancheria is one that is already covered --

MS. VIGIL-MASTEN: Okay.

MR. FINCH: -- under this particular program.

One of the things that I had heard while I was sitting during the break, and was mentioned on one or two occasions, that I would like to at least try to clarify, and that is, within Indian country, when this first evolved back in May of '12, we had, and continue to have, conversations with our grantees, which number 85. It's not a huge number. Our budget is about \$38 million, and individual grants to the tribes run in the neighborhood of 350 to \$500,000 per year for five years. And it repeats itself every five years in terms of new competitions.

But the question that I keep hearing, and again, something I want to clarify, is not related to whether the issue is focused on being either federally or state recognized. That's not the issue. The issue that the GAO identified has to

do with the definition of reservation and the disconnect between our interpretation, the Department of Education's interpretation, which is much broader than what is contained in the statutory language. So the issue that we're working towards is in terms of defining, if you will, or taking the position with regard to the interpretation of reservation.

What you have and will see in the announcement is the intent to more narrowly define the term "reservation" consistent with the statutory language, which essentially suggests that the five grants which we currently have, where services are being provided to six tribes, would no longer be eligible to receive funding because they are not located on either a federal or a state reservation. So it's not whether one is recognized, whether it be federal or state; the issue is where is? You know, where is the governing body of the Indian tribe located? And the statutory language is very clear and narrow in its interpretation, which is they must be located on or near a federal or state reservation.

Yes, sir.

MR. MCKINNON: Lyle McKinnon, Yurok Tribe. Are one of these programs located at Hoopa? Is that the same one we're talking about?

MR. FINCH: Yes.

MR. MCKINNON: Okay. Now, these terms we're talking about, "reservation," the term "reservation" or

whatever, if some of these are eliminated -- you said the total funding was like 38 million -- would some of these dollars revert back to these other programs?

MR. FINCH: They wouldn't necessarily go immediately back to the program. They would be part of the appropriations to support American Indian Vocational Rehabilitation Programs.

It is, and we review grants on an annual basis, and tribes are required to submit a budget that reflects the activities that they intend to pursue in the next fiscal year. And while initially the grants, when they were awarded, were -- the tribes were notified that they were essentially awarded for five years at a specific amount. And what we've encouraged tribes to do is, if they feel as though the funds which they have to operate the program are insufficient, they have an opportunity to request additional funding. In the event that these particular programs were no longer funded, then the funds would remain in the account and then either be -- provide increased funding for some of the tribes who can demonstrate that they do have a need for additional funding, or they would be used to support new programs.

MR. MCKINNON: Okay. Thank you.

MR. FINCH: And just as a follow-up to that, if I may, and that, again, simply means that -- we are currently funding 85 different programs. It is not our intent, in any

way, to discontinue the support to programs. What we may have to do is open up the competitions to include other tribes who currently have not applied for funding. Because there is in the statute a regulation that provides for those who are currently funded to receive a competitor preference in the process. So they receive an additional ten points if they are currently funded, so that they start off in a new competition ahead of others who have not been funded previously.

But that is the intent, is that we want to continue to retain the funds in the account for American Indians with Disabilities and that we have no interest in essentially cutting back programs. We would like to increase the numbers, if we possibly can.

MS. VIGIL-MASTEN: Danielle Vigil-Masten, for the record. Our vocational rehabilitation services are shared with the Yurok Tribe, and we collaborate, and the program is doing really good. So I just want to say thank you for providing the funding for us to be able to meet the membership needs. We have -- in the audience we have some successful clients that are here that are concerned about the future of the grants, and they have tremendously turned their life around and are doing really well. And I just want to be able to acknowledge the program, the Vocational Rehabilitation Program, for their efforts and all of their hard work to serve such a large area.

And so I would like to say that, because you said

under the individuals that continue to assist and work, how are the services doing? And so I think our services are really good. They always can be improved because there's always room for that. So if we can get more employees to help out to be able to meet the needs of our people, I think that would be awesome. So thank you.

MR. FINCH: If I just may add an editorial comment to that. This is Tom Finch. I acknowledge that, and I appreciate that, and I will share that information when I get back with the American Indian team that we've got in place.

The issue that we're seeking comments on is not so much in terms of the services that are currently -- or the number of services that are being provided. The concern is, and the comments that we're bringing to and seeking comments on, has to deal -- in the event that these particular programs are no -- who are currently serving individuals. The question that is being posed is in the event that they would be discontinued, how might those services continue to be provided? And the other part of that is, and if so, by whom? So that's really what we're seeking.

We believe that the services that are being provided through the tribes that we do support are doing a monumental job. There's no question about that in my mind at all. Given the circumstances and the challenges that are faced by you all within Indian country, that is not the issue. The

question that we're seeking input on has to deal with what recommendations, comments, might you provide to us that addresses this particular concern, which is in the event that these programs are no longer funded, how might the services that are currently being provided be provided.

MS. VIGIL-MASTEN: So this is Danielle Vigil-Masten, Chairperson for the Hoopa Valley Tribe again.

This federal obligation for services has continuously come up. Right now we're in the middle of our budget process, and so right now, as the tribal government, we're looking at the possibility of how are these services going to continue if something did happen. So a lot of the grants that we receive, we have to pick up the tab for them because they're on a reimbursement basis. And so I was -- we had dinner last night, and I was talking with William and with Joyce and Sedelta, and I said, the concern that we have as a tribal government is that we're continuous- -- you guys want us to start businesses and do well, but the problem with that is, whenever we make a profit, you guys want us to pick up the tab for a federal obligation. And so when we make money on our timber resources or from our enterprises, we're continuously asked to pick up a tab for something that we should be provided.

So that really concerns me because -- and I was telling Bill, I know it's not you guys' fault, and I know that

everybody is under restraints. So are we as Indian people. You know, we shouldn't be asked to pick up a tab for something that should be provided. And as far as our tribe's budget goes, the service is needed, but we don't have the extra resources to pick up the tab. And so it would probably be cut, and our people would have to be without those services.

So because we're geographically challenged and we don't have the services in our area because of the location where we're at to receive other outside sources, this would be a huge detriment to our tribe and our people, and as far as -- and the Yurok Tribe as well. Because our budgets are tight, I don't think it's fair to ask the tribes to pick up the tab when we can't -- we have a 60 percent unemployment rate. Our people are living in poverty. And so -- a lot of times there's a perception out there about California tribes being rich. Well, we're not one of those tribes. So I just want to let you know that.

So with that said, I know times are hard, we would like to urge -- if we have to go to D.C. to figure out how to get more funding to our tribal programs, we will be there.

MR. MCKINNON: And if I may, with that being said, the program in Hoopa doesn't just serve the natives in that area, Hoopa. I think John is here someplace. He's out and about, in Del Norte County, all around. I don't know if he comes up this far, but it's not just the Hoopa area that they

serve, and they don't have that much money for the jobs they've been doing. They've been doing really well there, so it's not just Hoopa where they serve.

MS. UNKNOWN: I don't know that it's been mentioned -- is this on?

MS. SILVERTHORNE: What we're doing at the moment is to allow Danielle the opportunity to speak as a tribal leader before she has to leave. We understand that the fire duty is calling her back, and we need to excuse her for the afternoon. And so I asked her if she would go ahead and make her statement this morning earlier, and then what we'll do is take a break for lunch, and then we'll come back, we'll finish up the presentations about consultation topics, and then we'll open it up to tribal leaders and then to public comment.

And we'll take everybody's comment that is here that is interested in providing, and I believe there's a sign-up sheet so that we'll have an orderly process to proceed through. But, thank you, and we will come back to you. Thank you.

MS. UNKNOWN: Okay. But we had copies with those of the Federal Register, the updated copy, so we're having copies made for everyone so that you know when the cutoff date is. Okay?

MS. SILVERTHORNE: Wonderful. Thank you very much.

TRIBAL LEADER STATEMENT(S)

MS. VIGIL-MASTEN: Okay. So my name is Danielle Vigil-Masten, for the record. I'm sorry that I'm going to have to get up and leave this meeting. We have a fire that's approaching our reservation. It's two miles out on the east of us. We also have two important lawsuits that we're fighting right now to save the salmon in the Klamath River and the Trinity Rivers, and so we have a lot of issues at home that are going on.

This -- I wanted to make sure I made this consultation because education is our number one resource for our people. Our youth are the most precious and most valuable resource that we have, and our college students that are out there, and we want to make sure that they have adequate education; we want to make sure that they have adequate services.

And we read President Obama's initiative, and we just want to make sure that there's follow-through and that there's support for our Early Childhood Education Center and our education departments, and not just Head Start while it's an HHS.

So we want to make sure that those things are addressed, and we also want to make sure with these sequestration cuts that are coming down the board that you guys in D.C. don't back down. Step up for us, make sure that you

are there, and if you need us to back you, we will be there. So just give us a call. My number is on the paper. Pick up the phone and call me.

I was texting. I apologize for that because I usually don't do that in consultation meetings, but because of the fire and the fisheries issues that are going on, I had to make sure that I was available for issues that are coming forth. I also have a council meeting tonight to attend and address some of these issues.

The main concerns that we have from the Hoopa Tribe's perspective is our language and culture. So we want to make sure that our language and cultural programs through the Johnson-O'Malley Program, even though it's funded through -- partially funded through our 638 compact, it's only funded at 38,000. That's barely enough to afford to pay for a director to run the program. So I just wanted to make sure that that was addressed.

Also, the oversight and direct control over education for our tribal members, we want to make sure that they have direct input in that process. We want to have access to our education systems, Title VII funding. We want to make sure that we have curriculum and assessments that are appropriate and high quality for our native students. Impact aid funding and construction, the policies and procedures, and the law and the input from the tribes and parents are

essential. We want to make sure that that is there.

We also are faced with a huge problem with the applications for these different types of grants and programs because they're on the Internet. Well, if you come to Araez (phonetic), which is about three hours away, you will notice that we don't have continuous Internet coverage. So we live in a really rural area, and so it's -- there's a lot of trees and forested area, and so we're faced with obstacles with a digital divide.

So President Clinton, during his time in office, he said -- he made a promise to the tribes that he would bridge the digital divide between the tribes. And we want to see that happen, because we still don't have wi-fi services for each of our homes, and the people that do have Internet access have to pay \$100 a month at minimum to get that coverage. So those are obstacles we face because we don't have broadband, we don't have wi-fi, we don't have urban technology.

So I just want to make sure that you guys are aware of that. So it's hard for us sometimes to upload our grants because they time-out because it's taking so long to upload them when we do our reporting.

And so those are basic obstacles we face in living in a rural area. And so some -- I was at the fire meetings, and they were calling us "super rural." "You are from a super rural area because it's really hard to get services in here to

be able to help you on these fires." And so now, hearing that phrase, I'm going to continue to use it in my consultation issues, that's for the "super rural."

And so transportation, that's a huge, huge problem. In order to get our children to school on the bus services, our reservation is spread out so -- in so many areas. We also have people that are attending our schools in the Klamath Unified School District that are down the river that need to be able to have education.

And so we want to make sure that we're meeting the needs of our students and of our families, and we want to make sure that we're able to provide transportation, because many people that live in Hoopa are living in poverty, and they don't have the vehicles to get their kids to and from school. And, plus, their homes are up in the mountain areas, and for them to get their kids to school during the winter is really hard.

So we face a lot of obstacles that people living in the urban area don't really understand. So I was hoping that I could capture you guys and take you guys to our reservation. Even in Tuwatek (phonetic), where they're living in third-world conditions, and just let you guys get an idea of what we're going through as people.

So I thank you guys for this opportunity and enjoyed dinner last night, and I look forward to working with you guys. And I just want to make sure, if you want to hold us

accountable for grants, I want to make sure that this consultation has deliverables. I want measurables, deliverables, and I want to make sure that your goals and objectives have been reached. Thank you.

(Applause)

MS. SILVERTHORNE: With that, I believe the lunch has been arranged at the back of the room already, and so we'll take a break and come back. We're scheduled to come back at -- what time? We're scheduled to come back at 1:00 o'clock. That's going to be a little snug. 1:15?

MR. UNKNOWN: 1:15.

MS. SILVERTHORNE: Thank you, everybody.

(Lunch recess)

MS. VENEGAS: We would like to take the opportunity to do a couple of housekeeping things and make sure the people are familiar with the procedure of the consultation sessions. Does everybody have a copy of the agenda? We did revamp the agenda a bit. We went to lunch a little bit later.

So in terms of housekeeping, the way the consultation sessions generally work is that we give an overview of the consultation topics, which is talking about specific issues that are of upcoming importance. And then we talk about getting into the actual government to government process of consultations, and then we'll also hear from the tribal leadership representing their tribes, being in the

consultation and being able to speak, to give their statement.

Once the tribal leadership has spoken, then we open it for public comment. That is the opportunity for everyone in attendance to come to the mic and speak about their concerns and share their information.

To help facilitate that process, has everyone signed up, or is there anyone who hasn't signed up who would like to come up and make a comment and ask questions? The sign-up sheet is actually over on the table by the doors. So please be sure to sign up, because that's how we'll follow on the protocol.

The other thing is also a reminder. If you could come to the microphone and give your name and your tribal affiliation, title, however you would like to be recognized before you start asking questions or speaking, it makes it easier for us to track and understand who's speaking from where.

And then, again, another quick reminder. It's a lot easier for a transcription if you speak clearly and slowly and make sure to clearly state your name and where you're from.

MR. MCKINNON: Can we start by -- just ask, like, any one topic and then come back to something else later on, as a tribal leader? Like maybe I might want to bring up just one issue for now and then get public comment, and then somebody else might think of something and we go back and forth here,

too? Or not?

MS. VENEGAS: So usually speaking from the Tribal Leadership Statement, it's your opportunity to discuss all of your issues at once. But, Lyle, you are more than welcome to bring up additional issues, and of course, you're always welcome to be in the public comment period, too, and continue the conversations.

MR. MCKINNON: Do we start now?

MS. VENEGAS: So we're going to begin, right, and I'm actually going to ask Joyce Silverthorne to go ahead and lead off with the rest of the consultation -- oh, I'm so sorry.

Actually, we're going to pause for a moment because what we did not do this morning was we did not give the opportunity to thank our hosts on their tribal land, and so I would like to acknowledge Smith River Rancheria Council Member Joseph Giovanetti, who is going to welcome you and say a few words.

MR. GIOVANETTI: (Indigenous greeting) Welcome to all of you who made it today for the consultation.

I wanted to mention that -- introduce myself. I'm one of the seven Smith River Rancheria tribal council members, and also Lenora Hall is over here, one of our council members, also. She came in later this morning after an earlier meeting she had. There are quite a few of our department directors here, and I want to acknowledge them as well. But I wanted to

say just a word about our facility here on Tolowa Indian lands. We're welcoming you. Glad you could make it today.

We were a little bit nervous last week because we only had 31 registered like a week ago. We started doing more emails and everything. Indian country.

Like, I was up at the Siletz Pow-Wow up in Oregon last week, and I go, talking to tribal council people, "You guys need to come. Try to make it, try to make it. Please come, please come." But it's hard. That's a long ways up there.

And I wanted to mention just a little bit about Smith River Rancheria. We're one of the 109 federally recognized tribes here in California. And our rancheria was purchased by the United States in 1906. We were with 160 acres. Our tribe was terminated in 1966 because of a termination act in all of that whole process.

We were restored as a result of the Tillie Hardwick class action litigation in 1983, which restored the federal recognition to 18 California tribes, including the Elk Valley Rancheria, our neighbors who are here with us today, and Resighini and quite a few other tribal nations, Bear River, Table Bluff Rancheria, Wiyots, quite a few Northern California tribes.

We have Smith River Rancheria. We own 519 acres. We're trying to move all of it into trust. We're like a lot of

small tribes, and even larger tribes. We've got 26 parcels we're moving into trust status. And that's an uphill battle, but we're working with Interior and everybody else to try to make that happen.

And we have 1501 tribal members. We're one of the top ten largest of the 109 California federally recognized tribes. And, let's see, the Tolowa Event Center that we're sitting in right now on Tolowa Indian land is part of a 27-million-dollar two-phase enterprise expansion that we began with expanding the casino two years ago, and also, we just finished our 71-room hotel, and we were so glad to be able to host quite a few of our visitors at our hotel next door that opened in July.

Again, we would like to welcome the U.S. Department of Education and their staff for holding this tribal consultation and listening session here on Tolowa Indian lands here at Smith River, California. (Indigenous tongue spoken)

MS. VENEGAS: Thank you, Council Member, and thanks again to the Smith River Rancheria for opening your facility to us and hosting the consultation session.

So at this point I would like to turn it over to Joyce Silverthorne to continue with the consultation topics.

CONSULTATION TOPIC(S) BACKGROUND (Continued)

MS. SILVERTHORNE: Good afternoon, everybody. If you look in the right-hand side of your blue folder, there is

the -- of very small print, but it is a copy of the PowerPoint. And I believe the PowerPoint is up and ready to start. It will be in just a moment.

And what we're presenting is information about the Education Title VI Form.

For all of you who are familiar with working with the Title VII Program, you have a 506 Form that certifies the eligibility of students, and that includes federally recognized, state recognized, formerly terminated, and any of those programs that were at one time, in 1994, under the Title VII Program. Well, at that time, I believe, it was a Title IX, but it was -- it's the same program, Indian Education.

This 506 Form is an Office of Management and Budget cleared form, and so it goes through extensive clearance. We are about to do the first major revision of that form since it has -- gosh, there have been things added to it, there have not been things refined. And the print for the instructions that was on the top of the form has been getting smaller and smaller, and I believe it's less than a size 8 font at this point and very difficult to determine what the information is.

So we went back to the statute, took a look at what was actually required for the form, and are trying to reduce it back so that we get the information we need so that you are able to verify student eligibility. And remember that Title VII acknowledges eligibility, that the child is a tribal member

or that the parent was a tribal member or multiple parents, or that the grandparent or grandparents were tribal members. And so that is a second-generation eligibility.

And so some children it may -- their last actual instructions -- their last actual tribal member may have been a grandparent, but they are still eligible for a Title VII Program.

For anyone who has worked with eligibility, certainly you listened this morning to Dr. Finch's information about the reservation definitions. The Code of Federal Regulations, 25 CFR, has many, many different regulations about who is recognized as an Indian, depending on the kind of program that they are under, the kind of service that they are requiring, and there are many complications to this. So that's why the 506 is an important form for us to be able to use.

I apologize for all of the small print, but that's why you have it as a handout as well, and we can get the PowerPoint to you if you would like to have a copy of the PowerPoint.

In this we are looking at gathering the information that tells us that these children are in fact eligible to be Title VII and eligible for the funding. It becomes a part of the student's school record, it becomes a permanent part of their record.

We also have a high mobility of many of our

students, and they transfer out of a school or come back to a school. They may live with another family member for a time and come back, and so each time that there is a change there can be a form that is replacing that.

This does not need to be completed every year. If it is a part of their permanent record, it should stay a part of their permanent record.

These are the four pieces that are required for a 506: The name of the child, their date of birth, school name, and grade.

I'm sorry. That's difficult to read up there as well.

We have copies that are coming, and we have the original 506 Form, which has a lot of busy information, and then we have a revised form that has four sections. And with those four sections we have tried to give a more defined information. Each section needs an answer, and on the back is a set of instructions that tell you about each of those sections. And so we've pulled the instructions into a document and removed them from the form. That isn't a major change. It's more of a -- more of a cosmetic appearance change.

The information that is collected still applies to who was eligible, whether it was the child, the parent, or the grandparent. It can be more than one tribe. If there is an opportunity to have the full name of the tribe, that's

wonderful. If there is a membership number, that is desirable, but if you have at least those other pieces that trace what it is you can see in front of you that documents that this child is eligible, that's the kind of information we are trying to gather on this form.

When we look for tribal information, there has been some confusion about whether we needed the official tribal name, and we're trying to clarify that. There is a source of all of the federally recognized and state recognized tribes that are annually updated through the Bureau of Indian Affairs. The last page of this PowerPoint has those resource websites for you to be able to access those lists and that other additional information.

When we looked at the different kinds of federal recognition, state recognition, terminated tribes, and it's interesting to hear today that there is more of a list or more of a reference to terminated tribes in this area, and quite often that isn't something that school districts have all of the information for. And so wherever possible, the work -- to be working together from the tribe and the district, to be able to have that updated information is a good resource, and so I would like to encourage that, and along with this revision of the form, is that communication is important.

I think most of the information that's in the PowerPoint is going to be pretty self-explanatory. At the

expense of time today, are there questions that would be about the form itself? Yes.

MS. CARMELO: Children who have been adopted out of the tribe, what proof do we have to have for them?

MR. MENDOZA: Could you please come to the mic with your questions, so we can document it for the record?

MS. SILVERTHORNE: And please give your name first so that she has the information for the record.

MS. CARMELO: My name is April Carmelo. I'm a Title VII Indian Education Coordinator out of Redding, California, for Shasta Union High School District.

We are a consortium, one of the only consortiums north of Sacramento. We have seven districts and 26 schools within that district area. We have just a little over 500 students, kindergarten through twelfth grade, in our program.

One of the questions that has happened in the last two or three years, and my advocate in D.C. is John Cheek out of Oklahoma. He's an advocate for our region. We had students who were terminated and were an organized Indian group or organization, and when I submitted my student count for that, we were denied the terminated section and the organized section, stating -- when I questioned Mr. Cheek about that, the comment was that there were no terminated Indians in the state of California, and there were no organized Indian groups. Therefore, I was not able to count over 30 student in my

program that had checked that box. Because I do not check that box for them. They fill it out, send it back in, and then put the information down.

I advocated for that; however, I was denied those numbers to count. And we are a formula grant, so based on our numbers determines the amount of funding that we receive per student.

So I was also told by Mr. Cheek that the only terminated or organized tribes that qualified under that particular definition based on the 506 Form was some tribe back east, either in Maryland or Maine, that qualified for that definition. However, when I consulted other Title VII Programs in the state of California, they said that they were not denied that count, and they were eligible for those services and were able to count those two particular categories.

So I think there needs to be a little bit of communication between D.C. and also some advocacy about the Title VII Program within the districts, and actually throughout the state, because I don't -- I think that districts do not understand the eligibility criteria, nor do they understand the funding for that. And the Title VII Programs are sometimes pushed to the back or the corner part of the building and are not up front where we bring in quite a bit of money to our district. So education, starting with the district level, about the Title VII Program is a huge, huge plus for us. Thank

you.

(Applause)

MS. SILVERTHORNE: Thank you. And you're right, there does need to be better communication and continued professional development. We are in the process of developing webinars.

If we could hold comments to just the form at this time because what we are going to do with the public comment will be open it up for all of the other information as well.

MS. VOORHEES: Linda Voorhees, Manteca Unified, Title VII Teacher Coordinator.

Is there any possibility of getting email addresses on the 506 Form? We find that many of our parents at this time have email but don't have phones, and that would really help us out. Thank you.

MS. SILVERTHORNE: Thank you.

We have a copy of forms that we'll be handing out to everybody, so you can take a look and compare, but at the moment those -- those didn't get copied this morning, so those on are on their way.

Yes.

MR. CRAMLIT: Hello, my name is Andre Cramblit, and, again, I wanted to bring up the unique needs of California in terms of that definition of Indian that could be used not only in Title VII but in all of the programs that deal with

Indian education. Then that is defined under the United States Code, Section 651, "Indians of California defined. For the purpose of this subchapter, the Indians of California shall be defined to be all Indians who were residing in the state of California on June 1st, 1852, and their descendents now living in said state."

MS. SILVERTHORNE: Thank you.

MR. MARTIN: Good afternoon. I'm Gary Martin. I'm a retired Bureau of Indian Affairs employee of the Education Department at Washington, D.C., and I'm also a tribal member with the Cherokee Nation of Oklahoma, and an Indian parent.

And the question I have of the form is, at first blush I see that you're asking for a designation of a fairly recognized Indian tribe. And I want to make sure that that doesn't conflict with the Johnson-O'Malley Program's way of counting their students and whether this form is not going to put the Johnson-O'Malley funding in jeopardy by commingling these two programs.

If you'll note and remember, the Johnson-O'Malley Program is a very specific program for specific eligibility of Indian children, and it's probably the last remaining program in the public schools for Indian children, whereas the Title VII Program has a broader acceptance of an Indian student.

So when I see this, and what concerns me is I see an OMB number on this form already, and I see a date on this

form already. Being a federal employee, it makes me nervous to see that, because once this gets out in the field, it becomes the gospel according to OMB, and it's very difficult to change.

So I don't know if you've had a consultation by the National Johnson-O'Malley Association in the past, but I want to encourage that dialogue to occur. Because I believe that if we leave out the Johnson-O'Malley Program and ignore that requirement and merge it into Title VII, we will lose probably the oldest education program for our Indian children, and I believe that would be a very large detriment to our Indian communities. Thank you.

MS. SILVERTHORNE: Thank you very much. And the OMB number that is on the form has been in existence since the '70s. So it has been in existence and used, and information has added to it. Never has it been refined or simplified for ease of use.

And these are submitted one for each child, very similar to how the Johnson-O'Malley funding requires that verification, but it has not at this time been seen as duplicative. There are always those concerns, and you're right, we do have to watch that.

MR. MENDOZA: I just want to comment a little further. Maybe some out-of-the-box thinking could happen here, and I know how sensitive these subjects are around any form of consolidation of those two programs. But having kind of dual

processes for a good deal of public schools that are either -- you know, one or the other, is something that we could pursue with the Bureau of Indian Education. I'm looking at how we could capture information that could be useful to both programs.

So if you have any thoughts in that area of how to not only protect information to the unique needs of the program, you know, we sure appreciate any suggestions in that area.

MS. SILVERTHORNE: Can you even see those names on that?

MR. UNKNOWN: No.

MS. SILVERTHORNE: It's very -- I'm sorry. It is on the one in your handout, and we will get you a copy of the PowerPoint if you're interested.

These are part of the revision and updating of the Title VII Program. We have been under a process of trying to bring this up to date over the past year and a half, and we have enhancements that went into effect last year that include not having late applicants funded, then trying to get the application process back to where everybody's equal opportunity has an open and close date, and the process is a public process.

In addition to that, we have also looked at the forms. We have looked at the updating of information. We are

also working to make some additional enhancements. In the past number of years, probably 10 to 15 years, there has not been a performance report that has been submitted with Title VII, and that needs to change. That is a requirement by federal granting. But it hadn't been updated, and so we are working on incorporation of prefilled data from your application system that actually helps to put together that report. And those reports, then, will be starting -- not this year because we're too far into the year to be able to do it, but we will have them into the system for the next year.

We are this year also working on extending the number of years that your objectives can cover. Because the formula program is an annual program that is new money every year, the objectives have been new objectives every year. That doesn't service well to look for and determine best practices over time and service to students.

When we talk about the achievement gaps persisting, part of it needs to be how do we make efforts and progress toward closing them. So we are looking at extending the objectives for up to a four-year period. Four years is a number that is arbitrarily chosen. That could be longer, shorter. We looked at four years as being a reasonable answer. And so with that we will have that information changing in the next cycle of applications.

So those are the enhancements that we're working

toward, and we would welcome comments and concerns of anyone who is interested in making those comments and concerns.

You will find in your folder a comment card. Because this is not a formal policy through the Federal Register notice, like the AIVRS list is, these are comments directly to the program, and they can be incorporated without the Federal Register at this time.

Should we make changes to anything affecting legislation, that's a different story, but that isn't our goal at this point. It's more to refine the process and to better collect the information to be able to evaluate our program. And the comment form in the packet is available even after today.

MS. McLAUGHLIN: Hello, my name is Kelsi McLaughlin. Elise and I are with the Education Department for the Yurok Tribe.

I have some concerns about the children that this is going to affect, but I just want to make sure that I'm completely clear on the changes that is happening with the form.

So we're changing it from -- to make sure that a grandparent or parent -- that there's a number on the form. That's what's changing. Correct?

MS. SILVERTHORNE: Not that there is a number on the form, but there is a verification of them that they were a

tribal member. And for most of our communities, I think, the number process is in place, but I understand that that isn't true in all of our tribes.

MS. McLAUGHLIN: No. Okay. But that's the only -- I haven't seen the new form, so I just wanted to see it.

(Ms. Venegas handing.)

MS. McLAUGHLIN: I don't think this is the one.

MS. SILVERTHORNE: No, that's the old form.

MS. VENEGAS: Oh, is that the old form?

MS. SILVERTHORNE: The new form has boxes.

MR. McKINNON: So does this mean you have to provide their -- this is Lyle McKinnon, Yurok Tribe.

Do they have to provide their role number, then, is what you're asking for, to verify that that's who they are? I don't understand this completely.

MS. SILVERTHORNE: They have always asked for an enrollment number, if available.

MR. McKINNON: Then it states right at the top here how it's going to benefit the kids. How does it -- how would it benefit the kids once they've signed up and get into the school system?

MS. SILVERTHORNE: This is a formula program that is funded directly to the local education agency --

MR. McKINNON: Okay.

MS. SILVERTHORNE: -- operated and administered

through a parent committee through bylaw. And those forms are completed on an annual basis because it is formula and new money each year.

MR. MCKINNON: Thank you.

MR. MENDOZA: Our apologies. We are making copies of the draft form. The draft form was not prepared for you today, so we're going to get these copies to you now for what is being considered or proposed under what Director Silverthorne just discussed.

MS. SILVERTHORNE: These are not as much changes in what you are submitting but in the ease of understanding it and the organization of how it's arranged, and larger print.

MS. McLAUGHLIN: Thank you. That's basically what -- thank you for answering my question.

MS. SILVERTHORNE: Yes.

With that, we'll turn this over now to the Tribal Leader Comments, and we'll go around the table for tribal leaders to make whatever comment they would like to about the education process.

TRIBAL LEADER STATEMENTS (Continued)

MS. QUINNELL: LaWanda Quinnell, Elk Valley Rancheria. Sorry. LaWanda Quinnell, Elk Valley Rancheria.

We don't have any formal comments at this time. What I did tell Bill Mendoza earlier was that since the beginning of the states, since the states organized, they have

talked about tribal consultation and about the sovereign rights of tribes, and what we would like to see the Federal Government do is help those states recognize that they are still infringing on the sovereign rights of the tribes.

MR. GIOVANETTI: Joseph Giovanetti. Can you hear me? Smith River Rancheria.

We need support from our State Department of Education to obtain state funding for our Annual American Indian Education Report, which came out for the first time this year. It was generated by a grant that CSU, San Marcos received from the, I want to say, the San Manuel Tribe in Southern California. But the San Manuel Tribe does not have a trust relationship with American Indian Nations. The United States does. And they generated a really outstanding report on the status of Indian education in California at K through 16 grade levels. And that's a really admirable effort that Julie Dilatory (phonetic) and her staff can use the funding to generate that, but it's really not their responsibility. The state should be paying for that.

So, like, if you folks, through your work for the White House the task force, if you could pass the word on that, that should be a state function, that we need support, that it would be nice to see every school district do that, but at least it's a start. And CSU, San Marcos, generated that. That was generated through the CSU, San Marcos American Indian

Cultural -- Culture and Government Center. That's a new center they have on that campus.

Other concerns that the Smith River Rancheria is concerned about is how the special ed programs are used. Our kids continue to be, all too often, kind of dumped into these programs and with very difficult ways of transitioning our children out of those programs once they get into them, and we're concerned about the effect on the self-esteem of our children and other Native American children as well. Now, that is a common problem in our service area, our five county service area, in Southern Oregon and Northern California.

The curriculum is an ongoing concern. The effective needs, or the heart, the culture, the problems that are caused by that void in K through 12 curriculum, they're manifold. This causes non-Indians to continue to oftentimes not know anything, even the first thing about Native-Americans and our cultural values of California tribes, our tribes, specifically, or any other American Indian tribes.

This status quo problem at the K-12 level of teachers and staff not having broader access to accurate content on our cultural values, on our ways, our world views, it subjects our children to poor treatment from school personnel, so it's an ongoing concern. And it almost seems trite or trivial, but it's so engrained and so long-standing that I have to bring it up.

Some attendance review boards, or sideboards, as they're known, are all too commonly insensitive sometimes in the extreme. Sometimes school boards have armed police officers present in the presence of our young children, with their parents, regarding when children have fallen through the definition of having become truant because of missing ten percent or more of the school year, school days. That's an ongoing concern.

Testing is a concern for many students with special learning disabilities. Students with those kinds of deficits, testing services are sometimes nonexistent or not available, and as a result, students don't receive the assistance that they need and their self-esteem suffers because of that, because they can't really get to the bottom of why.

Suspensions are an ongoing concern. Some schools are much worse than others with suspension activities that don't seem to be consistent, or consistently poor.

We would like more communication from our local education agencies and state educational agencies to offer more assistance to our parents.

Also, we need educational funding assistance for every type of educational activity to help stretch our tribal dollars, so that we can develop our young people. Thank you.

MS. SILVERTHORNE: Thank you.

MR. McALLISTER: Crispin McAllister, Karuk Tribe,

Council Member.

It's a little bit challenging to follow some of the things that have already been said today. We've had a lot of great speakers come in from the panel this morning and with some of the tribal leaders that have already spoke.

I live in Orleans, California. It's a little bit further up river from where Hoopa is at. Chairwoman Danielle Vigil-Matsen, when she used the "super rural," or whatever that expression was, Orleans is way out there further than that. Disconnection with the digital divide, all of these other terms that have been used today, transportation, you're looking at almost 40 miles in either direction for these kids to go to high school.

For the kids there in Orleans, who would like to be involved in sports, there's no transportation for those kids to even be able to do that for -- if they have to go to Happy Camp, which is 40 miles up river, 48 miles.

Other things, where there's lack of funding for providing some of these services, like from this AB 544 Program, we have teachers that we have already credentialed to be able to teach the language in the schools, but the schools aren't willing to -- either not willing or not able to pay them.

Starting out from the Head Start level and moving up all the way into high school, getting to the kids at a

younger age, I think, is going to alleviate some of the problems that we run into when they get into junior high and high school, with combatting some of that lack of education from the rest of the community as far as what Native American, whether you're a Karuk tribal member, a Yurok tribal member, a lot of times it's just an Indian, especially when we're up in these areas where that lack of education for the rest of the community, they don't really understand what that means.

And getting to the -- just the education part of it, we're missing out on a whole lot of opportunities to address these issues at a younger level. And trying to address them when they're already a problem in high school or right before they go into college isn't -- I don't think it's really going to make much of a difference until we can move in before that and start working with them before the problem actually becomes a problem.

But thank you for everybody else's input.

MS. SILVERTHORNE: Thank you.

MR. MCKINNON: Lyle McKinnon, Yurok Tribal Council. Been there for a number of years, and every year we go through budgets, sit down with the council, go through budgets. And it's really hard when you don't have enough dollars to go around. And when it comes to education, like language, for example, you know, we don't have enough money to keep them on year around, or they don't know if they're going to have a job,

these teachers, that next year. So how do they plan for their future, for their home life, for their car they might want to buy? They can't plan for these things because they don't know if they're going to get another grant in or not for language.

Up in my area we have -- our tribal office is located on the Klamath River in Klamath. My district is Hoopa, where I live in Hoopa. So to get education, language education, up there in the smaller grades, like K through 4th, is where I think they really need it, you have to apply for a grant. And if that grant doesn't come in, these kids there don't learn anything about their own language. They have to learn Hoopa language. My grandson comes home talking Hoopa. I don't want him to do that. You know, he's a Yurok.

But there's -- like Jim said this year, you know, we got a grant in, Lyle, but it's for 9 through 12. And I'm sitting there behind, yaaaay, but when are these little kids going to get some help, you know? So that's a biggie up there in that area.

Our native people are spread out from Willow Creek to Hoopa to Orleans, Del Norte County, all the way up here. We're just about all related, and we're all in the same need. And it all comes -- we all need dollars, I guess. I don't know how to fix that. Do we keep applying for grants for language? Is there a way we can go to D.C. and say, okay, set aside dollars so we can count on it every year? I don't know the

answer. You guys know more than me, you know? So that's the language. That's not counting the schools, itself, the transportation troubles we're having.

I know in my district, Hoopa, the kids have to walk nowadays sometimes. The unemployment is unreal up there. It's about 60 percent unemployed. So when somebody gets kicked off a bus or whatever, you know what, those kids don't go to school. So how is that helping those kids to have the staff kick those kids out of school for a week, when the parents don't have transportation to get them there? So that's one of the biggies there, too.

Then when it comes to the Yurok Tribe, back to budgets. Get around to -- you know, we're the largest tribe in the state of California numberwise. So when it comes to education, higher ed -- after they graduate high school, now -- we would be putting through, what, about 150 a year? I think we would have double that if we had money to give them, you know, just a few dollars to give them. Right now, I think it's 500 a semester, or a year. That's nothing. It's enough to buy two books, I guess. But if we had double that for higher ed, there would be a lot more kids going to school.

And I think somebody mentioned today about we won't do it because we don't get anything in return. I heard that someplace, you know, I gave you ten bucks, I want ten back, or 20 back or something.

But it's like for the higher ed -- I lost my train of thought. It's like we can't take the money from the other departments of our tribe because they need a little bit, too. The BIA will say, well, we gave you money - aid to tribal government dollars, we gave that to you already; use it for education if you need it. But what do we do with the rest of the departments of the tribe? Lay them all off, our officials department?

So, you know, we need those dollars for education, and I don't know how we're supposed to go about getting them, whether we go after grants every year, whether we cut half the tribe down as far as different departments. It's a challenge, and it's a huge challenge as a council person to try to come up with the dollars for higher ed for all school programs.

You know, they have those programs in high school, or elementary, about slipping through the cracks. I don't know where that is. I go to my grandson's school once in a while, and there's no help there. There's no JOM teachers there. I know Mr. McQuillen back here does his best. He's outlying to area schools every place, and he's trying to stay on top of it, but there's not enough help there to help our kids. So they get left out. I've seen so much of it over the years. Half of my nephews are on the streets because they don't have an education. Their family life was terrible, and they dropped out.

So back to this education thing I've been hearing all day. I don't know what to do about it. Then we start talking about Indians being defined. Oh, I don't even like to hear that. But, you know, living on reservations and stuff, different programs, always. Always coming up with different programs and how to change things around, but there's never any dollars attached to them, it seems to me, to really help somebody.

You know, we're not -- me, I come from the world of work. I'd be willing to go out there and work all day if I could get my kids more money to go to school, you know, for higher ed, or whatever. Maybe that's what it needs, everybody has to go back to work, you know, all of us to help out someplace. I don't know.

So many times I drive back and forth from Hoopa to Klamath. Because I work in Klamath and I drive from Hoopa. It takes me two hours one way. And that's all I do is think about how we can make money so we can help our tribe and the kids.

That's all I have to say. Thank you.

MR. GIOVANETTI: Joseph Giovanetti. There's one comment, I forgot it. I skipped over my notes. I missed the push out. Someone mentioned the push out thing of kids from high schools or secondary level. Push out phenomenon is absolutely accurate to describe the bias or insensitivity or racism that manifests itself to a lot of our Native American

kids. And it's a grotesque measure of like whatever happens for our kids not to make it, like Lyle was -- Mr. McKinnon from the Yurok Tribe was talking about those kids are "push-out kids." They got booted a long time ago. Somebody gave up on them and gave them the message that they don't belong. But it's an ongoing problem. It's like the bad weather. It's so engrained, but we need to -- I wish to God -- I know President Obama. He could lead such a discussion on race, but I'm afraid he would be decapitated himself if he talked about black/white relations in this country, let alone facilitating a discussion on -- a dialogue with Indians and the things that they encounter upon racial bias or racism, but I wish to God he could do it, because I know he's smart enough.

MS. HALL: Hello, my name is Lenora Hall. I'm on the Smith River Rancheria Tribal Council.

And I just wanted to get some clarification on the Title VII access. Is it right that school districts may apply for Title VII grants but tribes can't?

MS. VENEGAS: Let me make one clarification. When it's the consultation to consultation session, normally you guys are not able to respond or speak.

MS. HALL: Oh. Oh, just comments?

MS. VENEGAS: Right. So as an elected official, please feel free to give a statement, and then in the Public Comment period then; but during the consultation part, they are

required to listen to what you guys have to say.

MS. HALL: Okay. Did you write that down? That's good.

All right. So we're just wondering about that, is who has access. And if tribes do not have access, the tribal education departments, or whatever, why? Why is that not available to us?

And if that's so, can this be changed with the Office of Self-Governance and BIE collaboration? What do we need to do to change this if it's not -- if we don't have access?

I would just like to make a comment about -- I went to an annual meeting of the Portland area office and California Office of Health, the Indian Health Board. And one of the things that became apparent is that we passed a resolution to require that funding sources that give grants and dollars to tribes to do research projects, or whatever, that every time we complete a project or a -- what the goal is of the grant, those statistics have to go back to the Federal Government and don't get to stay within the tribe themselves.

And for us as the Smith River Rancheria, we have recently tried to collaborate with Del Norte School District, and I do know that there was a former Title VII director here, and then the other Title VII director that's sitting in the back of the room, we tried to get what is our drop-out rate for

Indians in Del Norte. How many natives are dropping out every year? What grade level? And so the communication between tribes and the local education agency or the school district or -- you know, needs to improve, because how can we write grants, or how can we seek funding if we don't have that information, those statistics, to back up our reports, our data?

And then, you know, funding for tribal ed departments in schools and programs could only lend itself to fostering strategic planning for our tribal members, whether you're a Tolowa, whether you're a Yurok, you know, or any other tribal Indian that lives -- native that lives in Del Norte County, is if we have funding and it continues to stay regardless of sequestration or budget cuts or whatever, and -- like, I know in the health field we're adamantly protecting our rights as Native Americans, indigenous people of this area, that that funding needs to stay.

And I think the same thing needs to happen for education. We need to fight for the education funding that we get, the small amounts that our tribal education departments get, and what does the local education agency get for natives being in a school district, I mean, so -- and what are those monies being spent on? So that kind of information needs to improve with the tribes.

And I think -- I was talking to Bill Mendoza at

lunch, and, you know, we -- our people have the knowledge of what it takes to educate our people. I mean, my council -- Dr. Giovanetti sits on our council. I have a master's in education. Another member has a master's in linguistics. We're very highly educated on our council, and we want the same for our tribal members. So to keep that funding and the progression of education going at a high rate of success and keep it going, we'd like to start our own school here. We want to educate our children, because we know what best to teach them. Not only the marriage of academics academia with culture, language, the history of our people, as well as the history of the Del Norte tribes, in total, as well as the whole regional area, including Hoopa, Karuk, Wiyot.

And I just went to the Paddle to Quinault up in Washington, and every time an elected official went down to the floor they honored all of us. We not only represented our tribe, but we represented all of the surrounding tribes. So I hope I did Hoopa good.

But, anyway, so -- but it's something that we have to take responsibility for, and not only as tribes. But, you know, it's not that we expect the Department of Education to fund totally, but to maybe help guide us in saying, well, you know, here's a successful program in Alaska, here's a successful program in Southern Arizona, or whatever, and this worked for this tribe, maybe you should try it, or a column --

you know, combined resources of BIE, BIA, Natural Resources Funding, medical, United Indian Health. I sit on that board. We get some money for -- to give to tribes for scholarships and whatnot, but to me it's a marriage of all the resources, and I just think that it's really important that as leaders in our State Education Department that you can make it a real strong goal that we continue the funding sources, the level of funding, if not increase it, but to fight for us. Thank you.

MS. VENEGAS: At this point I want to check and make sure that we've had the opportunity to hear from all of our tribal leadership in the room, our elected officials for government-to-government.

So I want to just do a quick check-in, if there's any break time needed or if we want to move just right into public comment.

MR. MENDOZA: Public comment.

PUBLIC COMMENTS

MS. VENEGAS: Okay. So at this point we'll go ahead and open for public comment, but did everyone have a chance to sign up who wants to speak?

Did you want to sign up?

MS. FRALEY: Yes.

MS. VENEGAS: Okay. So let's take a quick moment, then. Are there people who have not signed up who would like to speak?

(People signing up)

MS. VENEGAS: And, again, just to remind everyone how we usually proceed in terms of public comment. You signed up, we'll go in the order of the sign-up sheet. And make sure everybody has an opportunity. If you would like to sign up, the sign-up sheet is back here, and it can actually circulate. There's still space to do so.

And the first person up who signed up is Amanda Donahue.

MS. DONAHUE: Hello, my name is Amanda Donahue, and I'm a Smith River Rancheria tribal member, and I'm just a parent.

At one time I was the parent committee chair for our local school district, and one of the things that I wanted to talk about is I have heard people say that we haven't seen, like, an increase in -- or we haven't seen any progress. You know, our numbers are still where they have always been regardless of the services that we provide. And I think that one of the reasons why is because we're not actually treating the issue that needs to be addressed, which is the visual perception issues and dyslexia and things like that. We provide tutoring, but tutoring is just like a band-aid, kind of. It gives them a little boost, but they can't read and write. Really, like, what are we -- it's kind of like wasting our time. So ...

And the kind of instruction that the students need is -- you know, it does cost more. It's a little bit more intensive than just showing them how to do a math problem or helping them write an essay, but I think that in order to see an impact in our communities, that's something that's going to have to -- that needs to happen.

There's actually -- I've done a lot of research on it, and kind of what Lenora was talking about, there's a district in Alaska where they've adopted -- it's called a Stripe Program, and they're excelling. They are seeing years made up within months, and things like that, and one of the ways that they were able to do it is by receiving a grant from U.S. Department of Education.

So when you see things like that that are working, it would just seem like we would adopt it throughout, you know, share it amongst each other, provide the funding, so that we're not hearing the same things over and over.

I went to Pala, and I hear the same concerns, our students are struggling, our students are struggling, but what are we doing to help it? You know, we are tutoring. And that's one of my big things. So, I guess, it would be more funding, you know? I think that it would be better to do more funding. We'll see a better product, and our students would not only get a better education, but then they have a higher self-esteem.

The other issue that we talked about when we went to Pala, and I just want to readdress a little bit, is the mascot issues. You know, we have to keep addressing that time and time again, and it seems like a fight that never goes away. And I don't see how different states have to pass their own individual criteria for what is allowed and what's not allowed. You know, it's been addressed before. Everybody knows the impact that it has on communities, and if anything, it divides communities, because you have people on both sides. And while, you know -- it's just one of those things that is unnecessary. We don't need to fight with each other. We've already seen the negative impacts that it has in certain areas where they're not respected, and things are happening, you know, in our area. It caused a big issue. And then you see the true colors of what people think, because then they're upset because they can't represent us. But in that same note, then they turn around and they say things like, why are you worrying about this? Worry about drugs and alcohol in your communities. So then you start saying, okay, well, they want to represent us, but at the same time, you know, then they throw that in our face.

So I guess my big things are -- the mascot issue I think needs to be addressed at a national level; and two, is more funding so that we can do specialized interventions rather than just tutoring. Thank you.

MS. VENEGAS: And one thing I want to remind people

of, too, is that there is actually a time limit, so to be timely in your comments. A maximum of ten minutes is allotted to each person, but feel free. If you have briefer comments, that's not a problem, but just remember that at ten minutes we will have to actually stop and move to the next person.

The next person up would be Lola Henry.

MS. HENRY: Good afternoon. My name is Lola Henry. I represent the Hoopa Tribe. I'm a Head Start manager.

I'm part of the Hoopa education team that's here today. I wanted to first start out with, being a Head Start manager, we took a 5.27 percent cut last year. That reduced services this coming year. We're going to close for a month.

I was just reading a notice through the Indian Head Start Director's Association that there's a proposed 18 percent cut coming for Head Start next year. What does that mean for Hoopa Head Start? That means over \$102,000 to cut. What does that really mean internally? That means laying off five teachers, that means cutting back full day services, that means reducing services to three- and four-year-olds, four-year-olds that are going to go into the school system in Hoopa Valley.

Why does that impact Hoopa tribal education and the Hoopa schools? Is the tribal educations nationwide ready to see that impact from the Head Start Programs, where we're going to have to cut services to four-year-old children going into kindergarten, ready for school? That's going to be a flow.

You're going to see a domino effect, and I think people really need to keep an eye on that. It's going to go on, and then it's going to go on to our college programs. You're going to see that domino effect for years from this happening.

I'm not sure how people get together back in D.C., but it's -- I want to just do an eye opener of if this comes down, it's going to be significant.

So I also stand in front of you because I have a grandson entering kindergarten this year, and he just graduated from Head Start. So I was talking to my daughter about him going into kindergarten and how she needs to stay on it and be alerted. And one of the things in Hoopa, I think, is communication is really important. And you've heard most of our programs talk about how rural we are, how sometimes the Internet works, sometimes it doesn't. A lot of kids don't have a computer. We're not urbanized. They don't even have computers in their home.

A lot of kids are being raised by their grandparents. We're seeing this out of early child -- in our programs already. Grandparents are raising grandchildren. That's just the facts. They don't even know how to start a computer. They don't know algebra. They didn't graduate from high school. So we're needing a lot of support in our education programs to look at kids, getting them tutoring, getting them passed, helping those grandparents that are trying

to get their kids to school.

Just recently this past year I was asked to stand up in front of the school board, and parents approached me to talk. They were going to cut services to Bald Hill. Well, Bald Hill is way up the hill. I mean, we're talking miles on a curvy, round road. And they wanted to designate a stop. And all of the kids on Bald Hill would have to get to that spot. But we're talking about grandparents. An elder would have to walk her five-year-old kindergartner down a steep mountainside, because she doesn't drive, to catch the bus so her grandchild could go to school. Well, we all know it's not sunny California all the time here in our area. So we are concerned about weather; we're concerned about the curvy road that goes up, the traffic; we are concerned about mountain lions; we are concerned about bears and all those things; and also, the safety of that grandmother. Because she would walk down, then she would have to walk home. But she would also have to walk back down again when the child came home from school.

So we addressed those with the school and said, you know, we're not a city block here. We're in Hoopa. Bald Hill is way up there. Please look at going back and looking at what we have and what's real. We have grandparents raising children. They shouldn't have to walk. We're past -- my grandmother walked to school when she was an elder, back and forth from where she lived. We're in 2013. Grandparents

shouldn't be walking their grandchildren still at this day to school, and transportation cuts shouldn't be happening.

We really need to put some money into education, and like I hear everybody saying, it's the Federal Government's responsibility to the tribes here, all of the tribes here. That's what -- that's what they're supposed to do. And, you know, we've got to look more at the big picture and find out, you know, what's going to happen with my grandson in three years if these budget cuts come through? I'm really concerned about that. I'm concerned about, yeah, I know what I should do. You know, I know he needs to be computer -- we're going into a new dimension of technology; he needs to know about a computer, but every member on the reservations that we have don't have the same things every family has. My family may have a computer, but some families may not.

So Indian children, it's coming down, and if it happens with Head Start, that's -- you're just going to see a little bit of it starting to happen, and then probably in three years you're going to get hit hard. Tribal education is going to see the impact. All these budget cuts are going to be on our children. And children deserve a right to education. They deserve -- they deserve better education services.

And I wanted to point out -- we were sitting back here, and my brother is one of the local Indian teachers back in Hoopa, and we have 700 children in our local school

district? 800, maybe?

MS. VENEGAS: Yeah, over 800.

MS. HENRY: 800? Well, we have 12 Indian teachers in Hoopa, and we have one administration. So although we're supposed to be the biggest percentage, we're really not.

The other thing I wanted to close with, we were in an education meeting with a tribal council one day, Kerry and I and a bunch of other directors, and one of the councilmen said, What are you doing? Are you teaching the kids your language and their culture and -- you know, what are you doing over there? And we said, yeah, we're teaching them their language and their culture. And he said, well, what I'm bothered about is when they go to kindergarten, your grandson goes to kindergarten or my daughter goes to kindergarten, how come they're going to kindergarten and they're teaching them all about George Washington? How come they're not teaching them about Hoopa and who they are? And what happened to the Hoopa Reservations when -- years ago, when the settlers came in? How come you're not teaching that?

So I heard a lot of tribes talk about language and culture, and I think that's going to be, probably, one of the biggest things that we have to hit on, because it's individuality and looking at your spirit, and to be able to succeed, you need that self-esteem, and that's something I hope that we're giving there, even if tribal education could help

out with that language and identifying who we are as Indian people.

And I want to close and apologize to you, but we are managers here that have to go back to our tribe. We have a tribal council meeting tonight. But we also have to take our flag because they need it for the council meeting, so no disrespect to anybody, but we do have to leave with our flag and take it on back to Hoopa when we're done here. Thank you.

MS. VENEGAS: Again, our apologies, but as all of the elected officials around the table know, at a council meeting you have to have your flags present and accounted for, so we'll try to discreetly move that out.

The next person up, and please forgive me if I do not pronounce your last name correctly, Don Steinruck?

MR. STEINRUCK: Yes.

MS. VENEGAS: Thank you, sir.

MR. STEINRUCK: My name is Don Steinruck, Absentee Shawnee, a tribe from Oklahoma, retired educator.

I have three points I would like to express to you today. One is, the lady just expressed about education. I'm a graduate of Humboldt State University, the Indian Teacher Education Program. I spent 36 years as an educator, retired from the district two years ago. Started out in McKinleyville Junior High, and then finished out my term at Smith River School, right down the road. A large population of tribal

students from this rancheria attended that school.

My point that I want to make dealing with education is I'm a male. There's not too many male teachers, especially native males, in education. What can the U.S. Department of Education do to attract more male teachers, native teachers, as well as female teachers, into this profession and keep them? Because it's extremely important. The image that you have and express and stand before your students -- and I've worked with 125 students a day when I was teaching in McKinleyville, as compared to 45 or 50 at Smith River School. The impact that you have is tremendous. There has got to be a large push to get and attract and keep qualified Indian teachers.

Now, I just heard this week that if the state of Hawaii, which would be a wonderful place to live, can now attract and keep teachers -- they have a program, they have like 35 million dollars that they're going to implement. I don't know where the funding is coming from, but they realize they attract a lot of teachers from the mainland to come to Hawaii, but a lot of those teachers do not stay, for a couple of reasons: one, the cost of living is too high; two, it's a cultural barrier and a culture shock. If you're a teacher from the mainland and you go to Hawaii, you're going to be stuck on probably a very remote area of school dealing with Native Hawaiian, and you're not knowing their culture.

So part of this funding is how to keep the

teachers, how to attract them to want to stay, and give them cultural sensitivity training. I thought, wonderful! That's a great program. I don't know where the funding is coming from, but somebody is doing something right. And so why can that not happen here in the other states?

My second point is dealing with what was already addressed with Title VII. I was involved with Title VII when I graduated from Humboldt State. At that time it was called Title IV, then it was Title IX, then Title VII. Forty years ago after I left Humboldt State, I was employed as a Title IV community coordinator, counselor, teacher in McKinleyville.

I saw a lot of need. I had a lot of personal contacts with parents in the program, but I didn't see a lot of good follow-through with the program. It employed people, but as far as reaching the level of working with students, it was not there, the impact. There was no accountability. So when I saw -- what I heard today was -- and that's my point that I want to make, is Title VII now needs to have more accountability. There's a lot of waste with the money. Even locally there's a lot of waste.

When I was teaching in Smith River, we had one tutor between two schools. That person barely even came and worked with the students. The person quit. There was a period of time we had unemployed Title VII tutors. Services were not administered. So looking at accountability I think is a good

thing. It would probably hold the programs accountable, it would hold the employees accountable, and maybe there would be some better progress for children, maybe even the test scores and everything else with that.

My last point is -- it's already been talked about, too -- is I'm a real advocate for early learning centers and preschool. I have young grandchildren. I have other grandchildren who have already gone through the Head Start Programs here for the Rancheria, and I want to see additional funding made available to those children. Because as an educator, when I taught seventh and eighth grade, during those 36 years I saw the impact of what happens when you have children go through a Head Start Program and they march up the ranks, and you watch them coming to your classroom. They either have the skills or they don't. And where do they get those skills, those early skills? Preschool. And that's where it starts. Thank you.

(Applause)

MS. VENEGAS: The next up is Marty Meeden.

MR. MEEDEN: Good afternoon. Marty Meeden, Paiute/Washoe, from California. I sit on the board for the California Teacher's Association. I'm also the Secretary for the California Indian Education Association.

Just some comments about some of the things I've heard here today. This race to the top. When it's a race,

that means somebody loses. Our kids cannot lose any more. All of our kids deserve adequate funding. The drop-out numbers are flawed. We must track our kids from the preschool to kindergarten and kindergarten to the end of high school to get an adequate representation of our high school graduation rate.

It was mentioned communal responsibilities. And, yes, education is part of that, but where is the Department of Commerce, the Department of Agriculture, the Forestry, the Bureau of Indian Affairs, National Park Service, and other various stake holders here today? They should all be here. You can't build a house with only the cement workers. Collaborate with your peers in the other departments.

California is unique. Our needs, which are your responsibility, are many, from health, education, business, and technology. This administration needs to step up and use executive orders, if necessary, to begin to make the change promised to our people.

Our students don't go to school to take a test. This testing craze must end and be replaced with well-rounded, culturally appropriate curriculum. Thank you.

(Applause)

MS. VENEGAS: Next up Sueichet Colegrove.

MS. COLEGROVE: Hi. I'm Sueichet Colegrove. I'm the CSP, the Hoopa College Assessment Program Coordinator, so we are actually pretty fortunate to have two of the

demonstration grants currently.

So we provide service. We've been providing tracking/tutoring services to 46 students. They are now seeing, currently, incoming seniors. We just got recently awarded with a new demonstration grant. Hopefully, we'll be providing service to 32 to 40 more students, incoming freshmen. The freshman class is about 78 to a little over 80 students, majority are American Indian students, and those are the students that we provide service to.

A lot of problems that we've seen as advisors, tutors, part-time parents to kids that we're not related to are transportation issues. We have a lot -- like a good majority of our students live off the reservation. We do transport. We do college chores. We've been picking up, and that's been like one of the key things for our program. We do summer classes, like we just had a Bio 20 class, so it -- Monday, Wednesday, and Friday, and we picked up every day, and we had an English class. We picked up every day in the morning at 7:30, and we dropped them off. So we're basically the bridge between the parent, the student in our program.

And then I also speak, too, as a parent. I have four young children in elementary school. And I'm fortunate because they're doing exceptionally well. They've been doing well in the STAR testing, probably because I'm their biggest advocate, fan, whatever, because I'm always pushing them, but I

can see that being an issue for other parents that struggle, because it's such a high poverty level.

But the STAR testing is such a demand there, and it's standard in what they learn on that, it's not what's familiar to a student. Like my child, you know, he comes home, and he's like, well, who is Christopher Columbus? So we talk about it. But then he's like, well, why don't we celebrate it like all of the other schools? You know, well, what's Indian Day? You know, and so I'm -- and, you know, how come other schools don't celebrate that? So there's that gap between there that they're not understanding, but they're having to know and learn about things that they can't relate to, you know, so that's been an issue.

And then, again, the transportation issue has been huge because from Willow Creek to Hoopa it's like maybe a 15-minute trip, but then there's all the stops. So they don't have that bus ride any more to Willow Creek, and that was providing services to some of the children in Hoopa Elementary. So now Hoopa Elementary -- or, I mean, Hoopa Valley, and so they were transferring up there. So now that they don't have that transportation, Hoopa Elementary is just overcrowded and understaffed. And understaffed, of course, from lack of funding, which they're understaffed of specialists, too. They don't have the right specialists for like -- I think they have one speech therapist and maybe a head speech therapist. He

comes out every so often, like once a week, but he actually goes to each of the Klamath-Trinity schools. So for like over 400 students, I mean, for one speech teacher -- I know they don't have like a --

MR. MCKINNON: (Indecipherable)

MS. COLEGROVE: -- yeah. Yeah, so it's a big -- it's a huge problem with the lack of specialists that are -- that we don't have for our school. That, I would like to see, especially the transition with the IAPs from the Early Head Start on.

You know, we have talked about, like, having like a tribal liaison for our students and families, but there's no funding for that. But I think it would be good to follow those kids and have them, you know, assess -- like even if we have to bring -- you know, I mean, I know there's people that come in from the Coast, but I think just for the amount of students that we have there, there's just a lot that lacks.

Another thing that's lacking, too, because the staff is so low, that's where things create problems for the children, because there's always the issue of bullying. Bullying -- and most of the bullying happens on the playground, just from personal experience as a parent, because of the lacking of -- well, obviously, a groundskeeper is not paid very well. They're only paid for so many hours a day, so kids are just kind of on their own, really. But that's where a lot of

like injuries happen and affect -- like, kids don't want to go to school.

I personally have one of my friends, she took her child out of school and put him on home stays because he was being bullied so bad. And, I mean, it was not that there was nothing being done. It was the lack of support of staff. They just didn't have the staffing to be able to develop or deal with that many students to try to maintain that.

Also, I know they were talking about the language. Language has been -- it's only Hoopa, and there's only one teacher for 400 children, so, you know, my kids do come home and speak Hoopa, but, you know, they don't get a lot of it, either. And I don't mind them speaking Hoopa or any other language, but they don't get a lot of it, so they're just getting like bits and pieces. They're not getting like a full load of like emerging language. They're not getting what they should get, like, from those teachers.

And just historically, the classroom hasn't been a safe, like, nurturing environment to our area of students. So, I mean, most students don't want to go to school, but I know of like, you know, other schools where the kids are all excited to go to school. Like, personally, my kids love to go to school, but we've had our issues, too, like the bullying and just, I think, the lack of staff in the classroom.

Another problem we have seen, too, we have couch

surfers in our program. I don't know if you guys know what that is, but it's basically a student that doesn't have anywhere to stay, so he goes from friend to another friend to another friend every other week. So, basically, I would love to see at some point in time, like, some kind of funding for -- I don't want to say boarding school, but like a dormitory, you know, like on campus, where it's like a safe house, where if they didn't have somewhere to go, they could go there and have a warm meal and some kind of, you know, consistency, like tracking home, somewhere safe, like on campus. Because it is like they are walking miles and miles, and they could just be right there on campus. That could be like an opportunity for them. Thank you.

(Applause)

MS. VENEGAS: The next person up is Tammy Maynor.

MS. MAYNOR: I'm kind of a lot taller than she was. My name is Tammy Maynor, and I am representing the Lumbee Tribe of North Carolina. I'm the Director of Governmental Affairs for the tribe. And my concern is with the interpretation of the term "reservation" as it relates to the Vocational Rehab Program.

You know, one of the things, standing, listening, and being here today, is whether you have reservation land or you don't, it doesn't make you any less Indian. And we're all suffering from the same issues, same problems, no matter where

we're from. You know, we're -- there's lack of funding.

You know, I heard you and people laugh, but -- when you said, you know, my little grandson is coming home speaking Hoopa and you want him to speak Yurok, you know, you're exactly right.

But as it relates to our Vocational Rehab Program, you know, I want to say, first and foremost, we commend the Department of Education for the past six years that we've received this funding. I don't know what our tribal government did before we were able to receive the funding, and we've had the funds for six years and have done a tremendous job. We do have hard, fast measurables and determinables that we can present on a screen and say, this is what we've done with these funds, and this is how it's impacted our community.

Do we need more money? Yes. But are we happy with what we were getting? Yes. Do we want to continue to receive those funds? Yes. But if this interpretation is as narrowly interpreted as the GIO Report has indicated that it needs to be, you will devastate a southeastern part of North Carolina.

We serve four counties, and those counties make up most of the people that live within my tribe. When we're able to put people back to work and to help them to attain job security someplace where they're able to come home and provide for their families, they don't want to live on disability or they don't want to have to beg for assistance. Our

unemployment rates are high, but they surely don't -- they're not accurately reported. We know that lots of times American Indian people don't even go down to their local ESC offices and even report. They don't get that their statistics aren't there. They're not going to go there. Why? Because they can't relate. Those people there do not relate to us.

And, again, I'm from a state-recognized tribe. I don't think that we're any less important than anybody else, and we -- because we are all suffering from the exact same problems. Whether we're state recognized, federally recognized, on reservation land, off reservation land, the issues are all the same, and the government does have a responsibility to us. And, you know, when we woke up this morning, we seen that a billion dollars was sent to Egypt today. A billion dollars. And I'm thinking -- I've sat here, and I've heard these concerns, and it devastates you that -- a billion dollars, what could that have done for Northern California?

You know, I'm not from here. I've listened, and this has been enlightening to me. At first I thought, wow, we're going to Northern California, you know, for this conference. And this is a long ways from North Carolina, a long ways, but this meant a lot to myself, and it meant a lot to my tribe, and we wanted someone to hear what our concerns are about, this Vocational Rehab Program, and what it means to

not just Lumbee.

I think it means the same thing to most people who provide these services, because if this definition changes, there will be federally recognized tribes who can't implement this program as well. It doesn't just affect a state recognized tribe. And, as I think Dr. Finch said it so well, this is not an issue about whether you're federally recognized or state recognized. And I think the tribal council in here are beginning to ask, if that money goes back into the pot, will it just be redistributed? No, I don't think it will, because I think that pot is going to get smaller as we take tribes out of the -- as we lose tribes. They're looking for ways all the time to pull money back to go to other things. The pots never get better. Whether it's for housing money, if it's education funds, it seems to always shrink when it gets to Indian tribes. So we better be careful about these definitions. We better be mindful of what they're taking away and how they change.

I think that the GAO Report, it did what it was supposed to do, but I think the Department of Education has done it better. They implemented a program for the past six years that's been successful. And I think that -- when I've sat here and I've heard, and I've listened to the people here who implement the Vocational Rehab Program, across this country they're doing a good job with it.

They said there's 85 tribes receiving this assistance. We need to have another 85 added onto the top of that, because we were told that's just the tip of the iceberg. We know that we've got people with severe disabilities who need to go back to school, who need to have good jobs so they can provide for their families. That's what we all want.

And, you know, we just beg of you and plead that you can take back this message to, you know, the people that need to hear it and definitely voice -- you know, be our voice for our tribal members. Okay? Thank you.

(Applause)

MS. VENEGAS: The next person is Celeste Hunt.

MS. HUNT: My name is Celeste Hunt, and I am also a member of the Lumbee Tribe of North Carolina. I am the Program Director for the Vocational Rehabilitation Program.

I worked for the state of North Carolina Vocational Rehab for 12 years before writing a grant for my people and having our own American Indian Vocational Rehab Program. With receiving my bachelor's degree in my home town in North Carolina, I have a master's degree in vocation and rehabilitation counseling. I felt that using my education, I could be in my tribal service area and give back to my community with an American Indian Vocational Rehab grant.

Receiving this grant, we have been very successful in putting lots of our tribal members to work. We are the

largest tribe east of the Mississippi River, with over 40,000 tribal members in four counties. The average tribe, at least 22 percent, have a disability in the American Indians across the United States.

In North Carolina there are at least 120,000 American Indians. There is two tribal vocational rehab grants. One is six hours away, in the mountains of North Carolina, and then we have our grant near -- we're about maybe one hour from the ocean.

Looking at the statistics for the fiscal year of 2012 with the North Carolina Vocational Rehabilitation, 463 American Indians applied for vocational rehab at the state level. That was across the whole state. Seventy-six of these individuals exited the program before -- at application status. Eighty-seven exited without employment after services. One hundred and sixty-four exited after eligibility was determined but before an IPE, which is an individual plan, was done on them. That left 136 American Indians across the state of North Carolina working in the state VR Program. One hundred and seventeen of them received a successful employment outcome. That was 1.7 percent of American Indians in North Carolina that received vocational rehab during that year.

Our program, we are in a tribal service area, and our people with disabilities will continue to have cultural sensitivity issues, and we'll just do without in reference to

successful employment outcomes and move unemployment rates in this rural poverty stricken tribal service area even higher. Let's move forward to continue to provide services for our American Indians with disabilities and continue to support the Department of Education's interpretation of reservation. Thank you.

(Applause)

MS. VENEGAS: Next in line we actually have a comment that was submitted through email, so I'm going to read that comment. This is from Mary Wilbur. She is part of the Western Washington Native Education Consortium.

And she -- her comment is: "In July, Title VII funding was in danger of being eliminated. What can we do to be proactive to make sure Congress understands the importance of Title VII funding and the need to keep it separate from Title I funding?"

And the next speaker on site is Debra Pizzuto.

MS. PIZZUTO: Hi. My name is Debra Pizzuto. I am a Vocational Rehabilitation Counselor with Hoopa/Yurok Vocational Rehabilitation Program. The office is in Hoopa, California.

I wanted to thank you for being here today for this consultation. We really do appreciate you being here. We're particularly concerned about the AIVRS designations and definitions.

We had a few comments to make. We wanted to note that our service area is really large. There are two vocational counselors that service our group, and we figure that it's about 150 miles long, dirt roads and all, and about 80 miles wide, mountainous ranges, and we look forward to keeping our funding, if not extending it to more.

We support disabled Native Americans who need to enhance their skills through training, so we work particularly with Native American adults, so we're not involved in the child programs, but they do impact adults getting additional training, education, and including university training.

A major concern of ours, especially in Hoopa, is hope that Mr. Obama will continue working on decreasing the digital divide, if that's the correct term. We notice all the time, because our campus is small, people satellite out and do online courses or IT screenings, and we need to have those services available and working.

The last point that I would like to bring up is that we act as a catalyst for additional social service and education and mental health services, usually through MOAs or MOUs, and we network with over 20 other social service agencies, so we'd like to keep that collaboration going. And we know that we're productive. Our numbers speak to that. I'm not going to go into those today.

The other counselor has mentioned that he is

particularly concerned that reducing the number of AIVRS dollars in programs by definition of reservation will leave many Native Americans without VR services completely, and he would say that AIVRS services are providing all services that they can, and that we need to continue to do so. If we lose program services, these will be taken from consumers, and they'll be given to -- these monies will be taken and given to other people, and services will not expand, they will just be spread thinner. Thank you.

(Applause)

MS. VENEGAS: The next speaker is Jolene Gates.

MS. GATES: Hello. My name is Jolene Gates. I'm a Karuk, member of the Karuk Tribe, and I am also the Program Director for the Hoopa Career and Technical Education Program. I am the Site Manager for College of the Redwoods Klamath-Trinity instructional site in Hoopa, and also Interim Board Member on the planned tribal college for Hoopa.

So I come to you -- and I thank you for coming to hear our concerns. This is my first consultation session, so this is a new one for me, but I've really enjoyed hearing all of the concerns that are going on in other programs.

With our program we have been funded since 1994. We're one of two programs in California. Since then we've graduated over 300 students with AS degrees and little bit more than that in certificate kinds of programs, and over 60 of our

students have gone on to higher education and graduated in university programs. So our program has had pretty good success over the years.

In the past granting cycle -- we're in our final month of a six-year funding cycle, so -- and we've funded over 500 students in our program this past five years. We have been notified by the Department of Education that we needed to redo a budget modification to reduce our budget by \$50,000 for this upcoming grant year.

I also received a call from my project manager, saying that we're looking at another additional \$90,000 cut when the grant comes in, and more within the next year. So, I mean, that is a tremendous hit to the HCATEP Program in Hoopa and the successes that they've been able to have in the past.

What our program does is we offer certificate programs based on the tribe's economic develop plan. We have many, many certificate and degree programs over the years that we've offered right in Hoopa. The nearest campus to us, main campus, is over 65 miles away, and again, transportation is a real issue for our students. So having the program in Hoopa has been a tremendous asset to the community.

Recently, the president just attended -- the president of the college just attended a commission for the future workshop. What she came back -- and I'm just going to summarize it, in that President Obama has requested -- I have

to look at that statistic for a second, because I don't want to quote it wrong.

"President Obama's graduation initiative set a target of graduating five million more Americans from college by the year 2020. California's share of that is one million additional graduates. The California State Legislature has narrowed its educational focus on completion rates and student success indicators and is moving toward new funding mechanisms, which pay colleges not per student but per success."

So what that means is FTEs are -- it's not going to be done by head count but by the success of your programs and your students. That's why HCATEP is so important. Because of the student services that we provide to our students, our overall retention rate is approximately 78 percent retention rate. And what we do for our students is a lot of one-on-one contact, and reducing this dollar amount is going to significantly impact the amount of services we're going to be able to provide to our students.

Also, we just came from a six-year funding cycle, which allowed us a lot of flexibility in completions, you know, in doing our programs with our students, because many times our students -- we have a 30 to 40 percent identified disability, which means that these students are not going to be full-time students if they're going to be successful. We have to take them at a much slower rate. So when we have a two-year funding

cycle, what does that mean for those students?

Also, NAVTEP has in its regulations where it doesn't include students that need remedial. Where are we going to find Native American students that come into the program without needing -- with testing into college level classes? It's rare. So that's been an issue that we've been dealing with all along, trying to find services prior to them coming into the NAVTEP program. So if we only have two years to do that, we're going to be very short about how we can offer the services to those students.

My other comment is in regard to tribal colleges. We've been working as a planning group for nearly six years trying to get a tribal college going to address the needs of our -- you know, dealing with public education is difficult at best, but I think tribes should be in charge of their own educational destinies, and I don't think that there's enough dollars out there to help non-gaming tribes, struggling tribes, to try to get those efforts off the ground. So that's the other thing that I wanted to bring to your attention. Thank you.

(Applause)

MS. VENEGAS: The next person. Okay. The next person up is Jim McQuillen.

MR. MCQUILLEN: Don't start my time till I get up there.

Thank you. Jim McQuillen, from the Yurok Tribe.
I'm the Education Coordinator Director.

I want to say, also, thank you for having this listening session here in Northern California. This is the first time I've ever seen it in Northern California in my career, so thank you for coming this long ways.

A couple of general comments. I've been around the Title VII Program for a while, too, when it was Title IV, Title V, Title IX. The program used to provide something called the Best Practices Report. And it really wouldn't cost that much money for someone to go out and select promising practices or best practices for other programs to learn from and share that we could read up on. That would be great to reinstate that.

I like the idea of an annual report required by school districts on the Title VII Report, I really like that, with some input on what would be measured there, what report card issues, so that tribes would have a better sense, and that we don't always have to ask the district, please give us a report card on how our students are doing. It should be something -- we all have to go after grants and have to do an annual report on those grants. It seems like school districts would be required to do the same thing.

A comment on the service area, the change on the vocational rehab service area. My concern is that we don't just focus on natives on the reservation, that we keep the

flexibility for tribes to define their own service area. For our people, many of you know our history, where floods in this area -- there have been tremendous floods that have pushed our people off the reservation. You know, at first we gave up our aboriginal areas to stay on the reservation, and then the floods came along and have pushed us into the cities.

And then, of course, our modern times require us to become educated, go after employment, and find proper housing. That also requires you to leave the reservation and go to the cities and larger areas. So the vocational services need to follow that, too, to continue to be provided off the reservation to those qualified for the service.

And then my last plug is for additional culture and language to be offered at the K-12 school levels. You know, it's not really that hard to have kids who are learning to write a story. If they're writing about Jack and Jill going up the hill, there's no reason why they could not write about a traditional story of how the eel lost his bones in a gambling match or some of the traditional stories could be woven into that lesson on how to write what the kids are learning about and reading about, to integrate the culture into the required lessons. We think it's a good way to stay in school. It gives kids another reason to go to school and attend school if they feel comfortable and feel the curriculum is relevant in one's own culture and history. So a plug back in there wherever we

can to include culture and history from our tribes in the curriculum.

And I know many of us have worked over the years to develop curriculum. It also needs to be used. The shelves are lined with curriculum that's collecting dust. Many districts have gotten grants to write that curriculum at universities, but to get it used is another challenge. Sometimes it's a fad for teachers to teach or talk about Indians for a year, or even a day, but for consistent education to occur about our culture and history.

And I have to go back to -- I think the answer is to have our own people in the classroom. Because, you know, if you're raised around the culture and you're in the culture, you're more apt to teach about the culture. So, again, I'm worried about that same thing. So many of our people are retiring and moving on, and we don't have too many native teachers coming up through the ranks to replace them. And I think that's really where the answer is, to have our own people in the system. Thank you.

(Applause)

MS. VENEGAS: The next person up is Andre Cramblit.

MR. CRAMBLIT: Hello. Thank you for the opportunity to speak today. I can echo the sentiments of our Lumbee representative about the money going to Egypt. I was on the White House conference on Indian education in 1991 where

300 educators throughout the country got together for three days, produced a wonderful report on the status of Indian education and best practices, what we needed to go forward, and that's sitting in somebody's office on a shelf. And they said, well, we have no funding for it. On the same day they released a billion dollars for housing on the west bank to Israel.

Education is a treaty, trust, and moral obligation of the Federal Government. As such, education programs should be exempt from sequestration, as these are components of a majority of treaties throughout the country.

California has unique needs because of the sheer number of tribes and native people that live here. Some of the key issues are integrating language and culture into both common core state standards and into the main component of curriculum, not just as an add-on.

We need additional research and funding to address visual learning disorders, which impact 50 to 70 percent of our students.

We need increased financial administrative support for native language instruction.

We need greater efforts to eliminate Native American mascots.

We need funds to identify and disseminate programs that develop and utilize best practices.

We need the development and use of culturally and

linguistically appropriate curriculum across the board.

We need increased financial administrative support of higher education, student financial aid, recruitment and retention services and programs.

We need acknowledgment of tribal sovereignty by treating tribal departments of education as a 51st state educational agency and directly contract federal funds to tribes.

We need improved and increased financial aid grants, not loans, for college students.

We need an updated funding formula for Johnson-O'Malley and Title VII Programs.

We need a reduction of the general divide issues.

We need to provide training to district personnel at the superintendent and principal level on the administration of Johnson-O'Malley, Title VII, and Impact Aid Funds. Make this training mandatory as part of their grant receipt.

We need to use the definition of California Indians from the United States Code 25, Section 651.

We need a specific memo to districts clarifying eligibility definitions of Title VII.

We need training and mailings to tribes and districts on the availability in administration of Impact Aid Funds.

We need comprehensive training materials on the

unique cultural and linguistic and educational needs of American Indian students, so that we can use this in our public schools.

We need to have an advocate for funding a tribal college here in California.

We need to require all states to produce an annual report card on American Indian student achievement and progress and then specify funds to reduce the achievement gap.

Thank you.

(Applause)

MS. VENEGAS: Laura Lee George.

MS. GEORGE: Yes. Laura Lee George, retired school superintendent, public school in the valley, which also encroach -- it encompasses Yurok and Karuk territory.

I've got a few comments. One is on the definition of reservation. We've heard that California is unique. I don't know if you know why it is unique. Back in the 1850s, 94 percent of the California Indians were decimated between 1850 and 1900. That's a genocide rate higher than Germany, and yet it is not talked about in public school, even though there is a genocide curriculum.

But what happened then is there were 18 treaties set up, and those treaties never made it to congress for ratification. They were hid in the basement of the building in Washington, D.C., and didn't come to light until 50 years

later. What happened was the 18 treaties that were signed by California tribes were never ratified, therefore, no good, but the people were never told of that in California. Basically, tribes woke up in California, they were landless.

Andre has talked about U.S. Code 25, Section 651, under "Miscellaneous California Indians." That section of the Federal Code identifies who the Indians are in California, and I think everyone should read that, because through no fault of their own, they became landless.

The Federal Government did set up four reservations in California for all California Indians, and the history has evolved from there, tribes trying to get their aboriginal lands back. There are many federally recognized tribes in California who are still landless. That is the uniqueness of California you don't see in other states. So the definition of "who is an Indian," especially the "reservation" part really bothers me, considering the history of this state.

The second thing I would like to talk about is the curriculum. We've heard a lot about curriculum, the need for culturally relevant curriculum. What can be done at the federal level that would go across all states? And that is, deal with curriculum on federal Indian relations that is consistent across all states. Encourage local school districts to implement the cultural -- linguistic and cultural curriculum that has been developed in local areas. There is no incentive

for school districts to implement it.

Also, one of the things that I've seen as a school superintendent is that funding comes down in funds, and you have to spend it on that, and you can't spend it on something else. There was always textbooks. In this day and age, we're trying to train our students across the United States to be proficient with the computers and going into school, going into business knowing how to use a computer.

I have also looked at the failure of whole group instruction. In our areas there's a high rate of absenteeism for numerous reasons, being sick, transportation. Why do we not give each child a computer, instead of a textbook? There are computerized programs out there that meet the scope and sequence of not only language arts but math, that -- we had piloted that when I was superintendent of Klamath-Trinity in our continuation high school. Each student that came there was given a laptop that had earphones, and they went at their own pace. Those student with special needs loved it. All students loved it. It worked. The rate of -- I'm searching for my words here. It cut down on a lot of the problems in the classroom, and the students learned. They learned at their own pace.

Currently, what I see with whole group instruction is a student misses, this student misses this day, that student -- it's like popcorn. How can a teacher -- how can as

many aids as you put in a classroom ever catch every student up on what they missed? If they're on their own individualized track, which language arts and math is very scope -- the scope and sequence is already there.

I used a program out of Florida. They have surpassed the United States -- all states in their instruction, and it matches the standards. So why are we spending more money, when the students need the computerized instruction? They need to know how to use a computer. We have the technology. We're spending money on textbooks, which is like putting a student coming from a multi- -- they know how to use text -- cell phones and all of the modern gadgets, and we sit them in a classroom. We might as well give them a rock and a chisel to chisel their lessons on. I think it would save a lot of money, and we would see a lot more successes.

Also, the professional development grants that come down from the Department of Ed to train teachers, I have looked at that grant, and we have had to say, no, we're not going to subject our students to it. We cannot guarantee that each student that gets a professional grant to be a teacher can be hired. We can't guarantee that. And we're putting them in a situation if they can't get a job right out of the chute, then they have to pay the money back.

There is a shortage of those professionals, the speech therapists. There's a shortage of voca- -- special ed

teachers. There's a shortage of a lot of that, but something needs to change with those grants to make it more friendly for and encourage more Indian people to go into the teaching profession. At the university level right now, hardly anyone wants to go into teaching. We're begging. And the mechanisms aren't there like they used to be.

I think I hit what I needed to talk about. I was just -- somewhere along the line I did hear, though, that California has more Indian people than any other state, yet the equity of funding coming for the California Indians does not match. There's no equity cross the other states.

(Applause)

MS. VENEGAS: Karen Skoglund.

MS. SKOGLUND: Hi. My name is Karen Skoglund. I'm a member of the Hoopa Tribe, and I work for Northern Humboldt Union High School's Indian Education Program. And I didn't want to come here to talk. I came here to listen, so I'm kind of off the cuff here.

One of the things that I -- what I understood, you were going to talk about the -- review the Title VII Enrollment Form for the Indian Education Program. And I did get a copy of the proposed draft of it, and one of the things that I don't see on it -- it's written on here, but it's not part of the type -- is that under "Membership or enrollment number," the old form had "if readily available." Will that be included in

this new form's draft?

MS. SILVERTHORNE: Yes, it will.

MS. SKOGLUND: It will. Okay. Because that is an issue sometimes with families, when they're filling the form out, if they don't have grandma's enrollment number, they're reluctant to complete the form.

The other thing that comes to mind to me with this, and I don't know if it's something that can be included on this form, is that with our Indian Education Program grant applications, we're required, as part of that grant, to provide statistics as to how students are doing. And my program that I work for, we are a consortium, so we have nine different school districts that are part of our program. So what that requires me to do is -- I don't just have one district, like some schools do, to be able to gather the material or the statistics; I need to go to every one of those districts to get that information. So I get detailed information about each student. So I know if a student is proficient in math or they're proficient in their language arts.

What I do see happening, though, in many of the feeder schools that we have that are part of our consortium is that at the school district level they indicate and identify those students as not being Indian. Maybe when the parent enrolled the child in school, they marked that they're white, which, you know, a lot of our students are mixed. Or they

identify those students as being multiple ethnicity. So what happens then is those students don't get identified as being Indian. Because I can go to a school district, and I can say, okay, I need information on this one and this one and this one, and they have four fourth graders, where I could say, no, there's eight; I have eight enrolled in our program; their parents signed that this student is Indian. So I think that happens on a large level.

We have -- in California we have Data Quest, which if this is happening in our area, I'm sure it happens all across the state. I don't know if there can be a mechanism or language somehow in this enrollment form for Indian ed that would indicate to the school that this parent wants their child identified as being Indian. Because I can go to the school and I can say, hey, Johnny is -- Johnny's Indian, you know, he's enrolled in the Yurok tribe; and unless there is something from the parent, they're not going to change it in their records.

So that's just one of the things that I've noticed that maybe could be included in this. Because all of our Indian ed grants require that we provide statistics, and it's broken down by each of the districts, it's broken down by grade, how many students are tested, how many students are proficient, or advanced or proficient. So that might be a way to get some better statistics across the board.

I guess that's really all I have to say.

I know -- I, also, do want to say that I know the state of the economy has hurt our program. We have had many of our families in our area move away from the area because of jobs. That hurt our program because we lose students, and we're funded on a per head count.

Also, the sequester hurt us. We lost funding. We used to have several staff members to assist our students in our programs, and we have -- you know, we have students that are many different tribes, not just the local tribes here, but we have students from other areas that are part of our program. I do encourage that tribes have representations on the parent committee, because that's a good way for the tribes input on that. Our parent committee, we are very lucky. We have a cross-section. We actually have one of the staff members from the Yurok tribes educational department that's on our parent committee, so that, I think, is something that can be encouraged across the board for other tribes to do that, too. And that might be happening. I don't know. There are other tribes in our area. I would love to have their representatives there, also.

So I think sometimes some of the statistics that you get through places like Data Quest are not really the most accurate statistics. And that's all I have to say. Thank you.

(Applause)

MS. VENEGAS: Again, apologies if I'm not reading

the handwriting correctly. The next person is Briannon Fraley.

MS. FRALEY: (Indigenous greeting) Briannon Fraley. I'm a self-governance instructor here for the Smith River Rancheria, and I'm a rural tribal citizen here as well. I'm a graduate of Humboldt State University, Class of 2009, in the Indian Teacher Education Personnel Program as well. So I'm happy to be home working for my tribe and representing them on multiple levels.

This morning before I came here I was working on the tribe's Title IV Self-Governance Compact Annual Reprogramming Request and Funding Agreement, and there's a couple of line items in there for education and Johnson-O'Malley, and it wouldn't even pay for one travel to go back to D.C. to advocate or do anything for my people. So I'm just wondering how do we, as a tribe, get Bureau of Education -- Bureau of Indian Education dollars directly to the tribe to figure out a way to use a self-governance model with the Bureau of Indian Education to reprogram dollars.

I heard other people in the room talk about those line items were directed towards those line items. We can't represent our people. It's difficult to get information from the Department of Education or the district who our children are going to school through.

In the time that I have been doing self-governance, it's been a successful way of reprogramming dollars to meet the

needs of our people, and today I'm hearing that the needs of our people, our youth and our disabled, or anybody in the education field, are not getting their needs met because they're being serviced by an outside entity. So I would like for the Bureau of Indian Education to look toward the self-governance model on how we provide services and educational resources to our people.

So my question is to the people representing the Department of Indian Education, for having a deliverable of this consultation session on outcome, I'm requesting that if this does not already occur, how can we go about using 638 Contract BIA or Office of Self-Governance to meet with the Bureau of Indian Education to look at successful models to get resources on the ground to our people so our tribal leaders can direct and move the issues of our people forward.

So that's my request. I'm asking for a deliverable out of this meeting. I don't think anybody has done that, and I would like to see a meeting between the Department of Indian Education and either the BIA or Office of Self-Governance to meet, to talk about the self-governance model, to get those dollars to flow to our tribal leaders to produce successful models of education for our people, because I hear that it's the butting heads with the Federal Government, the State Government, with the local school districts on getting information and resources, and how do we educate our people?

And I think self-governance is the answer, as a self-govern instructor. You know, I have to say that.

So I'm looking forward to having an invitation to this consultation or this meeting that will be happening at the request of the Smith River Rancheria. If there's any way that we can help facilitate that happening, I would love for that to happen through the Office of Self-Governance, Bureau of Indian Education working together. I think that that is a way to meet the needs of the people that have come here today to express their concerns. I'm all about looking for solutions, and I think that that's a possible solution, is to bring those departments together to look at the holistic approach for education of our people and how we can provide those services in a collaborative approach. So thank you very much.

(Applause)

MS. VENEGAS: That's everyone who signed up for public comment, so I want to do a quick check to see if anyone else had wanted to just --

MS. UNKNOWN: (Indecipherable)

MS. VENEGAS: On the other sheet.

MS. CARMELO: My name is April Carmelo. I am a Wintu and Maidu and Joczamen and Tongra. That's on my parents' side. I'm a product of boarding school. I am a Title VII Indian Education Coordinator for Shasta Union High School District, which is four hours. I go up into Oregon and back

into California to come over here.

I have to say that I'm here advocating for funding. I've been a Title VII coordinator for -- this is my 15th year with the same district, which is highly unusual for anyone in our family to hold a job for 15 years (laughter), so I'm really happy just about that.

But the Title VII Program in the 15 years I have worked for this district has been cut every single year. We are a formula grant, as you know; however, we run into many issues, and one of them is the educating of our district.

Approximately about 2000- -- between 2005 and 2007 a whole panel from the Office of Indian Education come over and met with our district and kind of evaluated our district. And they did it throughout the north state. I don't know how many other schools they -- or districts they went to in the north state, but our district was one of them. And they evaluated us, and they gave us -- critiqued on different parts of our program, stating about the Title I Program and things like that.

And one of the things that our district was kind of dinked on was that we did not have enough minority teachers in our program, whether it was staff, ESP, classified, or certificated personnel in our district. The comments that came from the Office of Indian Education at that time was that "we'll be back." And they haven't come back until today. This

is the first time I've seen Office of Indian Education since 2005 in the north state.

I received the invitation from a nonprofit organization that we collaborate with. So I just wanted you to know that my program -- I can't speak for anyone else's, but my program collaborates with nonprofit Indian organizations, tribes, other businesses and entities that are non-Indian within our community to provide services because our funding is so low.

So I'm glad that you're here, but I didn't receive -- and I'm a Title VII Program, so I did not receive an invite to be here via email or anything else, and I've been with Title VII for 15 years. I didn't receive an email or a phone call. And I do check my email -- because I am a ten-month employee, I do check my email away from work weekly. I received the email from a chairperson from a nonprofit Indian education center about this, cleared my schedule -- because today is actually my first day back at work -- cleared my schedule and went to work yesterday on a non-work day to do what I was supposed to do today so I could be here.

So I can only say that I advocate for more funding for our Title VII Programs. Some of your money that is being spent, we run into many issues with our students, trying to provide them with a competitive edge to be in our AP classes, because we all know, as I've heard many people state, that our

Indian students at -- whether they're middle school or high school level, are not able to -- or are not being placed in the AP or the honors programs classes. Once we get them in there, our program -- you know, they have a test when you finish in the springtime in a AP class. You go in the fall, and then you go in the spring, and then there's this nationwide test. Ours say AP English or AP history. However, that test is anywhere from seven to eight hours on up. And then a majority of our students out of 523 -- a majority of those students are under the free and reduced programs in our school districts. So to pull money from a family to pay for -- if they just had one test, one AP class, you're talking \$70, plus. If you're lucky, you'll get that student into two classes. Then you're talking about \$140 or more so that they can take the AP exam to be competitive and knock out some of those credits, so we can get them into college.

So your money is being spent well, and, you know, I account for every penny. I try to put a majority of our funds back into resources and tangible things that students are able to use in their classrooms or use at home.

One of the things about the funding is that we used to have the JOM Program. However, as many of you know who run JOM Programs, the funding was -- what do you call it? Anyway, it was stopped at a certain level many years ago, and you have a quarterly report, a mid-year report, and then an annual

report. And for our program we were only receiving just roughly \$6,000. I spent \$6,000 yesterday on school supplies for my students. It's a lot of work for \$6,000 when we can try and go for bigger money to be able to do and provide more services for our students.

We only have two people in our actual staff. Because of the funding cut, I have to rearrange and move funding, so that we can collaborate with other agencies and entities to provide tutorial services to our students. And with the help of Washington, D.C., we have narrowed it down to reading and math as our main focus, but we truly do need more funding for our program. Thank you.

(Applause)

MS. VENEGAS: Actually, I've signed up to make a public comment, so I need to say I'm going to switch hats. I'm going to speak in my official capacity as the Education Director for the Hoopa Tribe, if I may.

MS. VENEGAS: My name is Kerry Venegas. I am the Education Director for the Hoopa Valley Tribe. And, again, I want to echo the appreciation for you guys to come out here and hold a listening and consultation session. To my knowledge, this is the first time in this area for us to receive this, and it's very important because a lot of times California, for whatever reason, is overlooked when it comes to tribes and the Indian students that we serve.

There's been so many good comments made. I don't want to necessarily repeat anything, but I do want to highlight that every tribe runs some type of an educational program. If it's scholarship money, BIA grants, a JOM Program, or other grants that we receive, it's -- every tribe has a deep investment in education. And for the tribes to have education departments, I think one of the struggles that we have is that we cover everything from soup to nuts. So, for example, in Hoopa we have everything from prenatal services all the way through to adult and voc rehabilitation. So, really, we serve life-long learning that never ends.

And what we do is so incredibly important, but the information about what tribal ed departments do, what tribes do within their own education is sorely lacking. I think a lot of times when we work with school districts, school districts have a misunderstanding of exactly how deeply tribes are involved in the education of their tribal members. They may not know that we run million-dollar grants. They certainly do not always understand that a tribal education, department for a tribal nation, is the equivalent in some ways of the U.S. Department of Education or a State Department of Education, because we carry the same responsibilities for our tribal nations that anyone carries for the United States, the State of California.

So in making this comment, I guess that acknowledgment of the responsibility that we carry, the amount

of work that gets done, as you've heard, with very small funding amounts. With federal grants -- I like to say this to all of the managers of our programs -- with federal grants comes great responsibility. The recording alone takes up a major portion of time. We run 12 independent programs. Most of them are grant funded through federal grants. That means that we are responsible for 12 different reporting cycles; we are responsible for meeting all of those needs; and we are responsible for serving not only our tribal members, but all federally recognized Indians, and that's the grant that we run.

So having that acknowledgment and having that conversation, too, from the federal level out, that tribes as nations are the equivalent, that we are running these services, that we are deeply involved with their students, and that we are knowledgeable. I think you heard many people come here today and speak about their own educational background as council members, coming with master's degrees, doctorates, bachelor's degrees, who are deeply invested in the success of our students and our tribal members.

So to echo everyone else, language, culture, the funding, the obligations just because of budget cuts don't end. There is a federal trust and moral responsibility for us to the people that we serve within the tribes but also from the Federal Government to all of our tribal membership. And I thank you again for being here today.

(Applause)

MS. VENEGAS: I'm going to switch hats again and come back to you facilitating.

So is that the close of the public comment, or was there another person who had signed up?

MR. CRAMBLIT: I don't have a comment. I just have a housekeeping question. I wanted to make sure to request that the transcripts of today's hearings be emailed or mailed back to each of the participants.

MS. VENEGAS: Thank you.

We have one more comment.

MS. KICHEN: Good afternoon. My name is Karen Kichen, and I'm a citizen of the Osage Nation of Oklahoma. I am the Program Manager for Portland Public Schools, Title VII Indian Ed Program, in Portland, Oregon. And I'm really happy to be here. It's been a wonderful discussion.

I feel like I'm much more informed as to the many issues that you folks down here in Northern California are facing, but I just wanted to echo, first, my colleague Mary Wilbur, who emailed the question about how can we do the work in our communities to make sure that Title VII stays as a separate entity.

I know this summer when we heard that, you know, it might go away, I was able to put together some informational sheets to send to my families and urge them to call our

Congress representatives and lobby on behalf of Title VII. I think our parents can really testify to the integrity of our programs, especially those parents who are involved and whose children have received some of the services. They can do a much better job of telling it, telling the story.

But I also want to echo, I think, Karen -- is your name also Karen? Because in an urban district like mine, you know, this year when I submitted my count, it was around 756. I had 119 -- oh, excuse me, 115 federally recognized tribal entities and four state recognized tribes representing my population.

And like Karen had said, you know, the district is always surprised. We have that many? Because like the policy paper that NACIE addresses, the issue around race and ethnicity, when a family enrolls their child in the Portland public schools, they have to check the boxes, and a lot of our families check more than one. And if they check more than one -- if they check "American Indian Hispanic," they're automatically Hispanic. If they check "American Indian white," they're multi.

And so of those 758 students I submitted, I did my own little numbers, and I looked at what they were indicated on the paperwork, and, gosh, there were just a little over 300 that were showing up as native, whereas I had 70 Hispanic and I think like 286 multi. So I've been telling families, just

check one box, you know, because otherwise we're going to be invisible. And we already are invisible in almost all of the data that is broken down by school, and so we do have a problem. When we're trying to get out the good word, when we're trying to shine that spotlight on student academic success, we're not getting the full picture if we just pull the data that the states has or that our district has.

So anything that can be done around that area of looking at the definitions that the National Center for Educational Statistics put together, without any kind of tribal consultation, if we can somehow change that, I think it will be a tremendous step towards getting a more accurate picture. Or if there will be some provision in place on the grant application that we could showcase Title VII achievement as a subset of American Indian Alaskan Native. Because it's not -- we have a lot of kids in Portland that are in a foster care situation, and unless that foster care caseworker, you know, is helping to guide that foster parent to properly fill out that form, they might just check, oh, that child is white, or that child is Hispanic. So we need support on a lot of different levels just to make sure we're capturing that accurate data.

I also would like to thank any kind of technical assistance support that the Office of Indian Ed has given. I know I try to make it to the National Indian Education Association Conference every year, and I really appreciate your

office taking an extra day around that conference time to make sure that we're staying as close to current policy as possible.

One of the things I just learned in this last year is how we can maybe leverage some support through Title III. And when I first read through Title III, I didn't see how some of our urban kids could qualify for that, but now I realize, though, there are ways that they can. So that's something I want to take on this next school year, is how to make sure all my kids have that opportunity that's afforded through Title III.

And I guess the other thing I would just like to point out is in the urban area we're always trying to make sure children are connected to their own tribes. And, you know, we're trying to do -- like in my summer program this summer we tried to get the kids to all learn about the nine federally recognized tribes of Oregon, some of the historical implications that led to that, because there are a lot of tribal peoples in Oregon that don't have that recognition, but then also connect children to their own tribes. The Langton Year Curriculum is really good framework for that. I applaud states like Montana and South Dakota for their Essential Understandings Frameworks, and I also want to just give a shout out to my state of Oregon, because in the last month or so we have -- our state has set aside funding to bring back a state level Indian education specialist. And I don't think we've had

one of those since Robin Butterfield left back in the day, so that's a huge step forward for Indian education in the state of Oregon.

And then, lastly, I would just like to ask that people at your level in D.C., because we're always trying to make sure kids and their families understand that we have this connection with the Obama Administration, with the Office of Indian Ed, and each year many of our programs do an honor day celebration, where we recognize all of our high school graduates, we recognize our eighth graduates, kids going from kindergarten to first grade, and just generally celebrate achievement. And I would very, very much appreciate if there could be some sort of congratulatory message that's on video, and it could be very generic, but all of our programs could share that and play that at our event to just, you know, celebrate the fact that nationwide, you know, as Indian people we continue to achieve and go forward.

So thanks again. I appreciate having the time to share my sentiments here, and thank you for all of the hard work that everyone in this room is doing. I appreciate it.

(Applause)

MS. FORD: Hello. (Indigenous greeting) My name is Cynthia Ford, and I'm here actually signed up as a parent today. I also work for Smith River Rancheria in the language department.

So there's just a couple of things. There's been a lot of great things said today that I absolutely agree with, but a couple of things is, we have three language teachers here at Smith River Rancheria, and we talked about the AB 544. Our last funding cycle allowed us to implement a tribal credentialing program, rights and teacher's standards, and start working on learner's standards. But three teachers have to cover our Head Start Program, all of the middle schools, and the high school in Del Norte County. Our funding cycle is up September 30th, and we no longer have funding for that. So I don't know what's going to happen. It's very important. It's something that needs to be there, and I don't know. We'll see what happens.

Also, I just wanted to say that we have great early childhood education programs here. They are wonderful, the model works. And then we move to elementary, high school, college, and it changes. There's a big gap between the ECE world and the rest of education.

I started ten years ago at a tribal Head Start, teaching preschool. I now have two of my own kids, and one is starting first grade in a couple of weeks. I don't want to send her to school. I try and figure out every day how I can stay at home with her and educate her myself. It's scary. She's got a great foundation, and I don't know what to know what's going to happen next.

So I would like to see more quantity -- or quality, not quantity -- the quality of programs, and I would like to see things modeled more after the early childhood education. It works. It really, really works. I've got another one coming up, and that's what I do, I try and figure out how I can stay at home with them.

We live in a multi-generational home. We live with grandparents, parents, kids, so we have, what, three generations? Three generations in our house. And we're lucky. We sit at the dinner table every night, and our kids call it "meeting time." If we skip dinner at home, my daughter asks, why didn't we have our meeting tonight, mom? And I realize that they learn so much sitting at that dinner table, listening to their grandfather, listening to their grandmother, listening to their parents, and we're lucky to do that. And I'm scared what public education is going to do to my child and how it's going to undo what she's -- the good start she's been given.

So those are the two things. Definitely, you know, educators, native educators, more culture, more relevant curriculum, but let's look at early childhood education. It's worked. It's worked well. The Head Start Programs are great, and I would like to see the rest of education modeled more after that. So (indigenous tongue spoken). And thank you guys for coming here. It's a big deal, and we're happy to have you.

(Applause)

MS. VOORHEES: Linda Voorhees, Manteca, Title VII.

I would like to know if it's possible to get a list of the Title VII Programs in California, possibly even Oregon. We need to be doing more collaboration. We've got good things going. We've tried for three years, several of us in the central valley, and have not been able to get a list, to get a group. There are so many great things going on out there that we could share.

I have 431 students from 108 different tribes. We have no tribal lands, so we have no tribal assistance. And I know some of the other people -- we've worked with Maryville, Yuba City, Nevada City, we work a lot with Stockton because we're close, but we really need to collaborate. And there are several of us that would be willing to help put that together if we could get a list. Is that something that could happen?

MR. MENDOZA: We'll follow up.

MS. SILVERTHORNE: We'll check.

MS. VOORHEES: Thank you.

MS. VENEGAS: Are there any other public comments?

(No response)

Okay. At this point we'd like to close the public comment session and move into our closing. And if I may turn this back over to our distinguished representatives.

CLOSING CEREMONY

MR. MENDOZA: Thank you so much.

Every time I participate in the consultations, I mean, you -- one, it's validating; and two, you think you've heard it all, you know, and yet you're exposed to so much depth, so much difference, and really the substance behind what it means to have 566 different nations. I think in those respects it's just a tremendously humbling and eye-opening -- you know, the amount of diversity that's represented just in this room alone, not to mention in our country.

I can't possibly touch upon all of the concerns that were raised today and be able to describe what we're trying to do in response to a lot of these issues, but I want to highlight a few things here.

I'll try to keep it short to make sure we have ample time for my colleagues to offer their insights in the conversations today, but I just want to validate the fight that you all are engaged in. And I think it's accurate to be able to characterize it as a fight.

We know that there's a lot of important partners in this work. There's a lot of strength and collegiality, if you will, in how we're trying to work together on these issues with anybody within our own nations, within our own communities, and across what amounts to us as nations and communities. And that's not easy. And, you know, I just really express my encouragement, I express my gratitude for the important role that you're playing here on the ground, so to speak, and so

close to the very real circumstances that we only see in numbers. We see in, you know, presentations at different levels, so that's why we're here. We're connecting those dots.

The initiative itself deals with six primary components. The initiative itself, we're the point of accountability for the President's Executive Order. Looking at this cradle to career, looking at life-long learning, establishing mechanisms for that kind of accountability that you all are looking for, and to create that infrastructure needed to address the lack of continuity around this issue.

But we need assistance from there, and we do not operate in a vacuum in that respect. I would also point you to the work of the National Advisory Council on Indian Education. And I would be remiss if I did not acknowledge the fact that we lost a member of that council just two nights ago, if you will. Alice Spottedbear, who hailed from the Mandan, Hidatsa, and Arikara Nations in North Dakota, passed away. She was a staunch advocate of the very issues that you talked about around native languages, history, and the cultures. And so it's a huge loss for our small but mighty in terms of the voices that they represent. It's a loss for us, and so I just wanted to acknowledge her.

They release annually a report to congress and have a very broad charge regarding education and the jurisdiction that the Secretary of Education has, and so they interact with

the Secretary through formal and informal mechanisms. And so we're really looking at revamping their activity. They, themselves, have taken that upon themselves to exercise that charge. And some of the very issues that you talked about are spoken to in that report on an annual basis, and we really point you to that. That's why we've provided them in your packet, to examine exactly the issues that you brought up today, how they relate to their recommendations.

They're but one aspect of accountability. The initiative being one, us being the other. And, of course, as we move and we look -- one of the speakers today brought up interagency coordination and collaboration. I touched upon this a little bit in my opening remarks, but we are striving for accountability there. The President has called for four-year plans and annual performance reports that deals with education. One part being cradle to career infrastructure, the continuum, if you will, early learning, K through 12, higher education, career adult vocational and basic education.

And so, you know, now we're trying to create that universe, that network of systems, if you will, one of the toughest aspects of what we're looking at right now. We have tribal col- -- I mentioned the Bureau of Indian Education; I mentioned the tribal colleges and universities. Beyond that we know very little about what amounts to a native-serving local educational agency, a native-serving state educational agency.

We have not given that a label for a whole host of different reasons, but the effect is dramatic for us, as we grapple with these issues, to not create definitions in those areas.

The very question of establishing lists, I think, is most readily apparent in what the last speaker asked for. A list of Title VII organizations for what? Or Title VII grantees for what? Collaboration and coordination, sharing of practices, mobilization around these issues. And so we're trying to create that.

The issue of invitations for this. You know, I know for a fact that we sent out invitations to this year's Title VII grantees, on a regional basis at the minimum, and what we've worked really hard through this -- development of this consultation process has been the development of what we're calling a Directory of Indian Education, where it was recognition to us that nobody really owned that within the department, intergovernmental or grantee coordination and collaboration. So we have taken the lead through Joyce's office to develop that type of directory, and so that list has swelled just in the past two years to 3,000 unique contacts that we want to communicate with on a regular basis for purposes of not only accountability but engagement and outreach. So we want to follow up and make sure that you're on that list. That's why we've requested your information in the registration here today, and so we're looking at other avenues

on how we could do that better.

The other aspect of this is state and tribal accountability. We are really working hard in the definition of those continuums to look at how we can increase that coordination and collaboration. And it's a two-way street there. You know, we all know the sovereignty dynamics. We know the responsibilities that are ironclad in legislation. And trying to incentivize those activities, trying to bring awareness to where they're happening is our -- you know, among the top priorities when we're looking at improving outcomes, expanding experiences, and giving it that quality, not the quantity. You know, we all know we need these activities happening at the appropriate scope and scale, but we are especially interested in the quality of them. And there's a lot of room for growth there. I mean, I'm speaking to our educators in the room. You know, the principles of differentiation relate immediately to us selecting resources, of exercising strategies, and developing the standards, the benchmarks, and everything in between to get the kinds of outcomes for our students that not only answer the added value aspects of education -- math, science, English, U.S. history -- but take us beyond that to engaging with our own unique ways of knowing and being.

So I just, you know, really impress upon you the validation of that. It's not absent in pedagogy.

Differentiation is the path towards this more complex education. And it is complex.

Lastly, the absent voice in a lot of these conversations -- well, no, it's not absent. Some people have touched on it. The private, philanthropic, and nonprofit participation. How are we engaging that fourth point of accountability, you know, commerce, enterprise, in these conversations? You know, that's a part of connecting that pipeline that we're striving for.

And so we work within those six areas, and we've developed some tools around this, some vehicles, if you will, memorandums of agreement with specifically the Bureau of Indian Education. I'm very interested in the conversations of connecting self-governance to the work of BIE and how we can better leverage those resources to prioritize educational activities among those tribes who utilize that as a vehicle. That's but one facet, you know, those tribes that receive those funding, Smith River being one of them. And, you know, there's a vehicle for that.

We have our 2012 Department of Interior and Education Memorandum of Agreement where we outline commitments to not only the President's Executive Order but we highlight some specific activities that the two agencies are wanting to engage in. We met that joint committee on Indian education, which will have tribal leader representation on there. This is

a perfect topic to bring to that committee. And that's designed to establish more continuity, because we suffer the same type of rotational lack of continuity between those two agencies, which have a large stake in Indian education. And so we're trying to establish that institutional memory that you all are striving for here. So those multiple levels is where we're trying to engage.

Sedelta heads up our coordination and collaboration with our inter- -- the President's interagency working group on Indian education. That's where we're going to really generate activity around these four-year plans and the accountability on the performance report side. So we need your ideas across the board how USDA is affecting you, how commerce is affecting you.

And I just want to touch, lastly, just to, you know, make sure. We have a lot of Title VII representation in here. The identification issue is not just one that we can influence from our vantage point. It goes back to the Office of Civil Rights and Education and our race guidance that we put out to schools and how that is consistent or inconsistent with the U.S. Census, which is housed at Commerce. And, you know, the fact that it's in Commerce should tell you right away it's connected to jobs, connected to dollars, and that's going to take coordination and collaboration beyond our realms of influence.

So your engagement at the local level with your

congress members, with your representatives, with your mayors, with your tribal leaders, you know, saying, how many education meetings did you have when you went to D.C.? Did you meet with the Director of Bureau of Education? Did you meet with the Director of the Whitehouse Initiative? Did you meet with Title III? Whatever your area of influence is, that is the level of accountability we are really encouraging around all of these issues.

But I just, again -- I hope I have addressed some of the concerns. I just want to look at my list here and make sure I've touched on some of the highlighted issues that I saw coming up. I think I'm good.

But thank you, again, to our hosts, Smith River. Beautiful facility. Even more beautiful people, except for this guy. No, I'm just kidding. (Laughter) But so humble and so grateful for having you here.

And thank you to our organizers. These are tough -- you know, the second you bring people together, it's really hard to not have some things not come to fruition or, you know, some things not to be fully engaged in, so I just really thank you all for taking the time to come to us. And we do -- I do promise to be that voice and promise to continue this level of engagement.

This is the fourth time we've been to California -- L.A., Stockton, Pala, and now Northern California. And we're

going to be back in September to coincide with the Secretary's bus tour down in San Diego, and so look for communications from us related to those events, but we want to continue to engage the Department of Education and our partners as we build them across the federal agencies, especially the Department of Interior. But thank you.

(Applause)

MS. SILVERTHORNE: This has been an interesting day, and thank you all for everything that has been brought forward. I know that a lot of this is extremely challenging, and it gets to be very complicated when we try to untangle multi-department, multi-agency, multi-policy kind of endeavors.

I would echo Bill's sentiments on the kind of information that we've received today. There is so much, and we have a lot to go back and work on some more. But we appreciate this opportunity, we appreciate your time, and we will be trying to get information back to you.

A moment ago there was a request for the transcripts. The transcripts -- remember, the last page with the resource page on it, the transcripts are all housed in the ed.gov site for Indian education under the Tribal Consultation. And so past transcripts are already there. As soon as this one is transcribed, it will also get there.

We do not at this time have somebody to assist us in pulling together the information and the vast variety of

information that we've received over these past few consultation sites, and we will be working to try to find a way to resolve that, so that we can bring -- produce reports back to you about the questions you've brought forward.

I left cards over on the table. I don't know if there still are cards there. I know that you have my address and the information for the PowerPoint document. And keep in touch with us. That's the only way we can improve that communication.

Thank you very much for today, and thank you, Kerry. Thank you very much.

(Applause)

MS. OOSAHWEE: I just want to thank you all again for coming out, and your comments. These are very helpful for us, and, as Bill said, they're very, I guess, confirming of what we have heard and what we believe in our experiences as well, and it's good to hear that and good to hear that we're not off track when we're talking to people in D.C.

I'll keep my comments short, basically to that, because I know that we've gone over time here, but I want to thank you again. And we are a resource for you. If you have questions or concerns, we're here to help and try to connect you to the right people, or to provide answers for you. So thank you, guys, very much.

(Applause)

MR. GIOVANETTI: I would like to go ahead and make a -- they can all just bring them. Thank you.

The Smith River Rancheria Tribal Council and Staff would like to thank the leaders from the Office of Indian Education, the White House, the President's White House Initiative on the American Indian and Alaska Native Education and the AIVRS Representative Finch for coming today and helping facilitate this consultation and listening session. We're grateful for you to come all the way to this part of the world. It's beautiful, so I'm sure there's some value for you for having come in that way, too.

I want to also like to thank our Smith River Rancheria staff that helped pull all of this together today, all of our technical people, and our kitchen, our hotel, our events manager, Brian Spicer, all of our staff who came, and all of the participants who are still here, who gutted it out all day, for their heart, for their inspiration.

And I also want to acknowledge and thank the leaders of the Del Norte Unified School District that were here. I'm not sure if they had to leave, go back to prepare for their school year that's coming up in a few weeks.

MS. VENEGAS: I'd also like to thank, on behalf of the Hoopa Tribe, we've really appreciated working with both the federal representatives, the consultants, and of course, Smith River Rancheria. So the next best place to being in Hoopa,

right here in Smith River, so ...

Also, just some housekeeping things. If you have your comment cards that you would like to leave, please feel free to leave them on the table where you signed up for public comment, so we can collect them from you. And, also, I believe that Director Silverthorne actually has her business cards on the table. Their contact information, of course, is available on ed.gov, and we'll make sure that the transcript page is also linked on the consultation page, so ...

Again, much appreciation. Thank you so much for having the session here, and I'm going to turn it back for our closing blessing.

CLOSING BLESSING

MR. GIOVANETTI: (Indigenous tongue spoken) Thank you for this day you've given us for this collaboration. So many people with good hearts to bring together and offer solutions and to share our passion for Indian education to help our tribal children, all of our people, to build better tomorrows, to have better experiences in education. This precious gift of education.

We pray for protection for all of our people as they go back to their homes in the next 24 hours, the next couple of hours.

(Song by Mr. Giovanetti)

(Proceedings adjourned at 4:35 p.m.)