

U.S. DEPARTMENT OF EDUCATION

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NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

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PUBLIC MEETING

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MONDAY
JUNE 1, 2015

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The Public Meeting met at the Department of Education, Room 3C100, 400 Maryland Avenue, Southwest, Washington, DC, at 9:00 a.m., Deborah Jackson-Dennison, Vice Chair, presiding.

MEMBERS PRESENT

- DEBORAH JACKSON-DENNISON, Vice Chair
- ROBIN BUTTERFIELD
- THERESA AREVGAQ JOHN
- SAM McCracken*
- WAYNE NEWELL*
- S. ALAN RAY*
- VIRGINIA THOMAS
- PATRICIA WHITEFOOT

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ALSO PRESENT

KAREN AKINS, Office of the Secretary
MORRIS BARREN, Department of Education
BERNARD GARCIA, Office of Indian Education
JOHN CHEEK, Department of Education
TINA HUNTER, Designated Federal Official
KRISTIE JOHNSON, Kauffman and Associates
JO ANN KAUFFMAN, Kauffman and Associates
RON LESSARD, White House Initiative on American
Indian and Alaska Native Education
ALFRED LOTT, Director, Impact Aid Program
WILLIAM MENDOZA, Director, White House
Initiative on American Indian and Alaska
Native Education
JENELLE LEONARD, Office of Indian Education
JOYCE SILVERTHORNE, Office of Indian Education
KRISTEN WALLS-RIVAS, Impact Aid Program

* via telephone

T-A-B-L-E O-F C-O-N-T-E-N-T-S

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

(9:07 p.m.)

MS. HUNTER: Well, good morning. My name is Tina Hunter. I am the interim DFO, and we're going to go ahead and get started. That way we're not running too far behind time, okay?

MEMBER NEWELL: Hello.

VICE CHAIR JACKSON-DENNISON: Can you hear us?

MEMBER NEWELL: I can hear you.

MS. HUNTER: Okay, wonderful. So I'm going to pass around the agenda since I'm sure everyone hasn't brought it with them.

And my sole purpose is, of course, to support the NACIE board here throughout these next two days. And I am going to have someone here tomorrow. The person that was supposed to come today to make sure that you have all of your administrative issues or administrative items addressed called in sick today.

So she will be here tomorrow, and that's so that we can make sure that your travel

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is all taken care of for your trip out. You're here, so for your trip out. And to make sure that anything else you need addressed with your stay is addressed.

The restrooms are right out to the left out the door. And the cafeteria is on the first floor, okay?

So I'm going to turn this meeting over now to Dr. Dennison and she'll take over from there.

VICE CHAIR JACKSON-DENNISON: Good morning, everyone. I'm glad that we were all able to make it. Theresa had a two-day trip in and some of us came in in the wee hours of the morning, but it's good to be here and see you all again. And I'm excited to at least be here, and we do have a lot of work ahead of us. And welcome, Tina to working with us, and nice to see the rest of you here. And, Joyce, it's good to see you again. It's been a while.

MS. SILVERTHORNE: Yes.

VICE CHAIR JACKSON-DENNISON: So, I

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guess we just -- we'll do roll call. It says roll call on the agenda. So, we have five people physically here. I think we need to know who's on the speakerphone. So I know we have Wayne, right?

MEMBER NEWELL: Yes.

VICE CHAIR JACKSON-DENNISON: Who else do we have on?

MEMBER RAY: Alan. Alan's here.

VICE CHAIR JACKSON-DENNISON: Alan, good morning.

MEMBER RAY: Good morning, Debbie. How are you?

VICE CHAIR JACKSON-DENNISON: I'm good. Oh, Jenelle is here. And Jenelle Leonard just walked in.

MS. HUNTER: Hi, Jenelle. Welcome.

MEMBER MCCrackEN: Sam McCracken's on the phone.

VICE CHAIR JACKSON-DENNISON: Oh, Sam. So we have seven. Eight, I'm sorry. Eight. Is that a quorum?

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MEMBER WHITEFOOT: Yes, it is.

VICE CHAIR JACKSON-DENNISON: Okay, that's a quorum. So, who else? Do we have anyone else on the phone?

MEMBER MCCRACKEN: Just so you know, it's 6 o'clock in the morning here where I am. I may have to get ready to go to work, so I might have jump off eventually.

VICE CHAIR JACKSON-DENNISON: Okay, thanks. Okay, well, we're waiting on Bill. He's first on the agenda to do an update for the program activities. And I guess we can welcome and, for the record, acknowledge who's here. Oh, okay. We'll do a prayer.

MEMBER NEWELL: Was I under the misunderstanding that we could do this with video, like Skype or something? Or did I just dream that?

(Simultaneous speaking)

MR. CHEEK: Yes, we do have WebEx connection and I circulated the email with the instructions about --

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MEMBER NEWELL: You did but I lost it apparently. I've been looking for it. If somebody can call me on my cell phone I can take down the number.

VICE CHAIR JACKSON-DENNISON: I think he's going to email it out to you again.

MEMBER NEWELL: Oh, wonderful. Thank you.

VICE CHAIR JACKSON-DENNISON: We have a few minutes here.

Let's introduce who else is here. We have some guests. We have Jenelle and Bernard. They're in the background.

Okay, I'm going to ask Patsy if she wouldn't mind opening up with a prayer for the beginning of our meetings here.

MEMBER WHITEFOOT: (Native language spoken) Department of Education, Office of Indian Education here in Washington, D.C.

Good morning. I just greet our dear heavenly father with a blessing and just want to share a short blessing song this morning as the

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sun comes up this morning and be mindful of our people that are, you know, in other parts of the United States and throughout Indian country and wherever they may be.

(Song sung in Native language.)

On this beautiful morning, dear heavenly father, (Native language spoken) thankful for this beautiful day and ask for blessings for all of our family members wherever they may be this morning.

Especially ask for prayers for our tribal leader who is being put to rest this sunrise at home. Ask you to be with his family and all the children and their grandchildren.

Especially ask for the lives, the blessings, the beautiful blessings of our children as they prepare themselves to go to school this morning.

Ask you to be them as they struggle, you know, the challenges that they have, not only in our tribal communities but also challenges that they have of just being here on this earth

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as young Native children, you know, open to learning and getting to know their peers and getting to understand who they are as young people.

Especially ask you to bless them in their daily walk of life and inspire them with a quest for learning and to do well. Ask you for blessings especially for the parents, family members, and extended family members wherever they may be. And bless the ones that are here, you know, to do the work on behalf of our children and our grandchildren in our communities.

Thankful for this beautiful day once again. (Native language spoken). Thank you.

VICE CHAIR JACKSON-DENNISON: We do have some guests that are also here that we'd like to acknowledge. And you can introduce yourselves for the record of who's been here today. Yes, Bernard, do you want to introduce yourself?

MR. GARCIA: Bernard Garcia, Office of

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Indian Education.

MS. LEONARD: Jenelle Leonard.

MR. LESSARD: Hi. Ron Lessard, chief of staff for the White House Initiative.

VICE CHAIR JACKSON-DENNISON: Thank you.

MS. KAUFFMAN: Good morning. My name is Jo Ann Kauffman with Kauffman & Associates and we're contractors, subcontractors, through MSG to help support this meeting. Happy to be here.

MS. JOHNSON: And I'm Kristie Johnson. I work on behalf of Kauffman. So, Jo Ann's my boss and I'm here to help with note-taking, additional supplemental note-taking.

COURT REPORTER: And my name is Katherine Kolodzie. I'm the court reporter from Neal R. Gross recording this meeting.

MR. CHEEK: I'm John Cheek. I'm with the Office of Indian Education.

MS. SILVERTHORNE: Joyce Silverthorne, Office of Indian Ed.

VICE CHAIR JACKSON-DENNISON: Okay,

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and then --

MR. MENDOZA: Bill Mendoza, director for the White House Initiative on American Indian and Alaska Native Education.

VICE CHAIR JACKSON-DENNISON: Oh, Karen.

MS. AKINS: Hi. I'm Karen Akins. I'm with Office of the Secretary and I'm the Committee Management Officer for the Department.

VICE CHAIR JACKSON-DENNISON: Okay, and then the rest are Council members. I guess, for the record, we can say who's all here and start with Robin.

MEMBER BUTTERFIELD: Robin Butterfield, Winnebago-Chippewa, living in Oregon.

MEMBER JOHN: Theresa John, Yupik Eskimo from Toksook Bay, Alaska.

MEMBER WHITEFOOT: Good morning. Patricia Whitefoot from White Swan, Washington, Yakama-Navajo.

VICE CHAIR JACKSON-DENNISON: I'm

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Deborah Jackson-Dennison, Navajo.

MEMBER THOMAS: And I'm Virginia Thomas from the wet and soggy Oklahoma.

(Laughter.)

VICE CHAIR JACKSON-DENNISON: Okay, I'm going to turn the presentation over to Bill Mendoza, Executive Director of the White House Initiative.

MR. MENDOZA: Great. I wanted to maximize the use of this time this morning. Unfortunately, I'll need to take a hard stop today at 9:40 to join the Secretary over at Department of Interior with Secretary Sally Jewell to celebrate approval of a waiver for the Miccosukee Tribe on their alternative adequate yearly progress and the supports that make up that construct, certainly history-making in reaching this milestone for tribes.

We have Navajo Nation, who is fast on the heels of Miccosukee in the same consideration. So we'll be there this morning to make sure that we acknowledge their success in

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this area, as well as, you know, bringing yet another important milestone to the work that both of these Secretaries have done to address the needs of American Indian and Alaska Native students.

So I think, if I could, Madam Vice Chair, is just open up for some questions. There were a few questions that were circulated to me prior to our convening here, and maybe we can start with those.

VICE CHAIR JACKSON-DENNISON: Yeah, since you don't have that much time, I think that would be the best place to start. And I'll go ahead, and you have the questions already with you, so you can start.

MR. MENDOZA: I think one of the first questions of priority was what is happening in the way of the appointments for National Advisory Council. There are currently five vacancies -- or actually six vacancies.

And so we've worked very closely with Presidential Personnel Office to not only process

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those who were nominated in the course of April of last year, and have worked with them through February to refine those considerations for nominees according to both composition of NACIE, as well as the charter, the charge of NACIE. And they are processing those as we speak.

The second question related was the status of now former-Council member Derek Bailey.

As of mid-May, I did not bring that date with me, Council member Derek Bailey was informed that he no longer is in service of NACIE. And that was by the Presidential Personnel Office.

That, of course, opens up the need for consideration of a sixth vacancy for NACIE and we have been working with PPO to identify how we need to address that.

The most feasible would be to draw from current considerations for NACIE, of which there are a number. And so I understand that that process is imminent. We have been working with them very closely, so I know it's been a long time coming.

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As you know, the Senate confirms candidates typically for the Administration. This is a high priority for the Administration and so these have been something that our office and the Department have worked really hard with the White House Liaison Office to prioritize amidst all of the, you know, considerations for presidential appointees.

The third question that was presented to me was, you know, in terms of the input of NACIE, a sentiment that NACIE felt, you know, why send a letter, why send recommendations if those recommendations and those feedback aren't acted upon?

It's something that I feel we may not have adequate time to discuss today. We have worked hard with the Office of Indian Education, the Office of Elementary and Secondary Education to solicit response from the appropriate offices.

I have had meetings with various levels of leadership within the Department to address the importance of needing to be

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responsive to NACIE's letter. And I'm going to continue to be committed to that proactive response.

And so I would encourage you to continue to send the letters, continue to -- you know, obviously you have a statutory requirement to send your reports. And I will continue to raise that importance, that we need to address not only your recommendations that you make to the Secretary, but the concerns. And the Secretary shares these sentiments.

And I think, in terms of the substance, I can speak with confidence that, even in my young tenure, I don't think there's ever been as high a level of importance placed on Native youth and Native education.

Quite frankly, the visit to Standing Rock has not only overwhelmed, but has brought substantial, if not historic, consideration of the plight of our Native youth and the opportunities that they experience and face.

And in the wake of that visit, as well

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as building up to it, was the President's Generation Indigenous initiative. Many of you have been involved in different forms.

One, the Cabinet Native Youth Tour is a critical component of that. The development of a national network to be activating these youth through a series of challenges to get this activity and inertia implemented into the field with youth leading the way is another component.

The other pillar that I want to highlight for you today is the Tribal Youth Tour which will be happening July 9th here in Washington, D.C. And so youth from across the country who have taken the Generation Indigenous Challenge will be participating in that first of its kind, first ever White House Tribal Youth Tour.

The policy side of this runs really deep, which is another pillar. Certainly, strategic partnerships is related to that in terms of collaboration. Similar initiatives, such as My Brother's Keeper, have taken this

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strategy.

There have been a series of funders convenings, both at the White House, and just the other day led by National Congress of American Indians, to bring organizations to kind of a tiered approach to address the philanthropic community as well as the important work that Indian organizations have in this space.

And in terms of the policy it's, of course, rooted. My colleague will expand more on it, Director Silverthorne. The Native Youth Community Projects, the importance of those grants, not only in its current capacity in the way of what came out the door as \$3 million, but we have found an additional \$1 million to get as many grants out of this opportunity as we possibly could. And that came directly from the Secretary's office to prioritize dollars to add to this important grant.

We also have on the table as part of the President's budget request a \$50 million increase to that, to expand this important

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program into the future.

It's not a new program, and Joyce will walk you through the nuances of that, but it's one that was rooted in not only response to what NACIE was telling us, but also tribal consultation, that we needed concrete dollars that were not only community-based, but flexible. And by community-based, trying to strike a balance between what is happening within our most challenging contexts and in all matters of those students' experience.

The high mobility speaks to not only a reservation experience but the suburban and urban experience, and so making sure that we're bringing partnerships together was essential. So this is a grant that is structured in that way.

I think another priority of NACIE was consultation. It's been a tough row to hoe in terms of getting the Department to a place as a vanguard of what meaningful consultation needs to look like in our community, such as, you know, making sure that we are consulting

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comprehensively to the needs of Native students. It's been tough and yet we've gotten to a real critical point within the notion of consultation responsibilities for the Department of Education.

We released our consultation, draft consultation policy for tribal leaders to react to, and for others as well. That is currently out for consultation and closes at the end of June, I believe.

MS. SILVERTHORNE: July 13.

MR. MENDOZA: July 13th. The next opportunity for face-to-face consultation will be in St. Paul in conjunction with the annual mid-year conference of National Congress of American Indians. And that will be on June 28th, I believe, if not the 29th. Edtribalconsultations.org will have the accurate date for that.

Once that process concludes, we will then be in accordance with that policy. Much of the principles laid out in that policy Ed has adhered to.

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One of the key points of consideration we've heard from stakeholders has been the need for as much advance notice as is possible. And that has been really challenged with trying to address some of the opportunities around the funding cycle as well as when we consider the important reauthorization of the Elementary and Secondary Education Act.

So, you know, in terms of, you know, how some of these priorities of NACIE's, you know, and, of course, this one's derived and stems from that interest and meaningful consultation. Native languages was also highlighted as importance of NACIE and a component of the recommendation.

And, again, not only the Department of Ed, but the White House Initiative has taken a leadership role in this space to work to fully implement the 2012 memorandum of agreement between BIE and the Administration for Native Americans, Interior and HHS respectively, to hold an annual summit on Native languages and to

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continually drive considerations for the barriers and the opportunities that face Native languages.

There are some core pieces to this work that we have seen come to fruition. One is, you know, the work that we've done under Director Silverthorne's leadership within the Office of Indian Education to not only emphasize Native languages.

Related to the importance of what Ed could do more in this space was the Secretary incorporated a supplemental priority into his annual priorities for grant structures for Native youth. That is, of course, rooted in the importance of Native languages.

Director -- or Chief of Staff, Ron Lessard -- I just promoted him almost --

(Laughter)

MR. MENDOZA: -- heads up our Native Languages Working Group, and he has navigated us to a very strong partnership with the Association for Tribal Libraries and Museums to elevate these issues.

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We've heard from NIEA, NCAI and AIHEC that these are great efforts and we need to take this to the field, because it's difficult to get to D.C., both in cost and we need to know what is happening on the ground in the way of Native languages.

So we're currently exploring that with them about how this kind of opportunity can be brought to the far reaches of Indian country in a meaningful and appropriate way.

One of the advantages, of course, in D.C., is we get to partner with a lot of the national repositories for this work, whether it's the National Endowment for Humanities, you know, the National Museum of American Indian, others like that, the Association for Tribal Libraries and Museums. They have all opened their doors on stronger coordination for this effort.

I'll close with elementary and secondary education. We've made some tremendous milestones in terms of bringing policy in alignment to NACIE recommendations, including not

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only Native Youth Community Projects and State Tribal Education Partnership grants and the important role that they play in the future of Indian education, but also, you know, there's been a tremendous amount of work happening in the way of Senator Franken, Senator Tester to create a standalone Native languages bill or Native language program within Department of Education. And that is now consistent with Department policy to have such a program be here to support Native languages.

And I think the policy of assessments, in kind of relationship to that, is that students will need to still be tested in English, but, you know, as far as the other assessments, could take an alternative assessment to that testing.

And this is about literacy. This is certainly about dual language as a catalyst to the immersion that some tribes are, all tribes, are wanting and only some are ready for. And this is, again, a very empowering policy position that the Department has taken.

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The other piece is strengthening consultation for those students in public schools. And, you know, the proposal within Title IX of the House bill is consistent with Education policy in the sense that those local education agencies with 50 percent or 50 students threshold, that those LEAs would be compelled to consult with tribes in their area.

Of course, this is a policy proposal by Congress and, you know, there is still a lot of work to be done in this area, but these are kind of three key pieces that we've been working on.

There's a litany of other considerations regarding the Bureau of Indian Education-funded schools and BIE itself consistent with the Blueprint. And I'll just continue to refer you to that document for some of the large-scale things, namely the budget requests, some of the consistent testimony that you've heard from the Bureau of Indian Education.

We are working closely together. As a

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matter of fact, tomorrow I leave out to the Council of Chief State School Officers to accompany not only our Deputy Chief of Staff, Joy Silvern, who, if you guys get the pleasure to meet, is working tremendously hard on your behalf as representatives of Indian country, as well as a key person from our Secretary's office, Brad Jupp, and Director Monty Roessel, to begin to plan with Chief State School Officers what a more strategic approach for Indian country looks like and the emphasis that the President and Secretaries have placed on this.

Of course, related to that is the important investment by NACIE to the Regional Comprehensive Centers. There's really exciting work going on there that I hope Director Silverthorne could talk a little bit more about.

And it's just a really exciting time in that space.

With that, I'll stop, and I'd be glad to take any questions. Again, I have a hard stop here at 9:40, otherwise Secretary Duncan will

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leave me. He will.

VICE CHAIR JACKSON-DENNISON: Do we have any questions for --

MR. MENDOZA: And I'll be back this afternoon, Vice Chair. Sorry to interrupt you.

VICE CHAIR JACKSON-DENNISON: Yeah, I think that's great that you can come back, because I know there's always that feeling that there's never enough time for us. We make this trip out here and we don't get to see you, Bill. So, any other questions now?

MR. MENDOZA: If I could be so bold, you guys should schedule more time on your agenda for us. I react to the time that you guys give me.

MEMBER THOMAS: I do have questions but I think because of the time we can wait till this afternoon. I've got a long list.

MR. MENDOZA: Yeah, I will make as much time today to be here. I know you have a busy agenda. And so as soon as I can get back here this afternoon I will be back in here.

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VICE CHAIR JACKSON-DENNISON: Any questions now?

MR. MENDOZA: Anything pressing? Okay, I'll be back. Thank you.

MS. SILVERTHORNE: Before Bill leaves, I really want to comment that the weight he is assuming about the report and the response to you folks is one that he has gladly assumed.

And it was a question for us about how to respond, and what we have found out about all of this is that our process needed some work. And so I'm grateful to Bill and his assumption of that role.

We had some struggles in trying to determine how that was going to be responding, and an assurance to you that we intend to continue working with you and trying to make sure that there is a quicker response in this next year.

MR. MENDOZA: Thank you.

VICE CHAIR JACKSON-DENNISON: Okay, moving right along, we can go into Joyce.

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MS. SILVERTHORNE: And 15 minutes is probably not quite enough either way, but I do have a number of things that I'd like to at least touch on. And at your pleasure during the next two days, will be happy to come back with greater detail in anything that you would like.

I did not pull up a PowerPoint for you. However, I'm going to refer you to a couple of sites. This is the site that has all of the information, past and present, on the tribal consultations.

Within that site, down at the bottom, we have the tribal consultation policy, which is still open and open to comment until mid-July. And then we also have the information that is going to be each of the sessions for the consultation series. We have had a variety of opportunities in those consultations to take a look at the policy and the work of the Department of Education.

This is not a consultation policy only for the Office of Indian Education, but for all

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of the offices within the Department of Education. And so I have a couple of side comments here because there are some carryovers and some new items that are coming about.

It's a challenge for our consultation process to be able to have the right information before you folks in your far-too-few meetings during the year at a right time when it's relevant and to have the opportunity for the input that we want from you.

So, this is the place where this is ongoing information. If you refer back to this at any time, you can see the topics that are coming up, and we address them.

Some of the challenge between FACA and our office are undue influence, trying to make sure that you have access to it and yet that I'm not trying to influence you into what you need to take a look at.

Two items that I would like to touch on. Tom Finch from the OVAE office was one of the consultation items about a year ago, and the

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topic had to do with the Government Accounting Office and the review of their services and to what kind of tribes they were addressing their services.

From the GAO report, there has been a review of -- a call out for comments. There was a document put on Federal Register for comments. During that time, he came with us to a couple of our consultation sessions and now those comments have been solidified into changes in rule, that the rule now is out for renewal again.

And I have a website that you can access that on. This is like the end-point of this long process. There is the reason to review, the review itself, the opportunity for comments from the public, and then it comes back and they have to incorporate all of those comments. Those comments then develop a new modified rule. The modified rule is where the OVAE office is on how they establish the grants.

And I will get this copy out to you.

The other area is a new one that has

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just come to our attention within this past several weeks, and the Impact Aid Office is here and would -- is here to be able to at least give you a little bit of information about what's coming.

There is not a document that we can put before you today, but they are in the process of revising their Impact Aid rules. And part of it is statutory and is simply getting the rules to catch up with the law. Alfred.

MR. LOTT: Thank you, Joyce. I really appreciate that. Good morning, everybody. My name is Alfred Lott. I'm the Impact Aid program director.

We are in the process of updating our regulations to bring them more in line with the statutes that govern Impact Aid.

And, of course, the reason this is relevant to NACIE is that, in the Section 8003 program, we own about a \$1.2 billion still in cash. Nearly \$600 million goes to districts in Indian country, so I'm sure you know that, but so

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here we are. We're going to talk to you a little bit about that.

Kristen Walls-Rivas is coming. She's my subject matter expert and she's going to give you, like, a really short, a little briefing on what this rulemaking and stuff is about.

MS. WALLS-RIVAS: Hello, everyone. It's nice to be here. Joyce, I did bring the --

MS. SILVERTHORNE: The summary. Okay.

MS. WALLS-RIVAS: The summary. So if you just want to take one and pass one around. This is our summary of the invitation for consultation.

We are looking at making changes to our regulations 222.90 through 222.126. That's in Subpart D of our regulation. And this has to do with our Indian lands children, Indian policies and procedures and waivers.

And we would really like your help in helping us strengthen those IPPs in particular, but anything else related to Indian lands children, we welcome your comment on that as

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well.

We are hoping to be at the June 28 consultation and we are also accepting written comments until July 13th.

We do have some time pressures in this because, with the administrations changing, we want to make sure we get this done before we have to deal with inside administrative changes. So we are trying to really get this through, but we want to make it the best that we can. So we're looking to you for your help.

I understand that you are some of the best and the brightest on this issue and we really, really, really looking forward to seeing what you guys can help us with, alright?

MS. SILVERTHORNE: We appreciate this opportunity. Thank you. We know this is just a brief information, but it will give you an idea of some up and coming --

VICE CHAIR JACKSON-DENNISON: I have a question. On your summary, it says, "Please send written comments by July 13th." Is that June or

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--

MS. SILVERTHORNE: No, July.

MS. WALLS-RIVAS: July. We're trying to give you as much time to be thoughtful and creative as we can and still work within our time pressure.

MEMBER WHITEFOOT: So, did this just come out then?

MS. WALLS-RIVAS: Yes. Today is the first --

MS. SILVERTHORNE: You are the first to receive this.

MEMBER WHITEFOOT: Okay, thank you very much. I think it's important and I really appreciate it, because there is a lot of work that we do at our tribal community level with Impact Aid in our school districts.

MS. WALLS-RIVAS: Great. We're also always looking for models for ways that we can improve those relationships between the tribes and the school districts. We have some that have very easy relationships and then have some that

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don't have such easy relationships, but any input that you can give us to help strengthen those relationships as well is very helpful.

MEMBER WHITEFOOT: It sounds like you have to leave. It would be helpful to know if you have a list of some of those relationships. Do you have that kind of organized?

MS. WALLS-RIVAS: I don't. It's just from experiences, just empirical from talking to school districts and talking to tribal leaders.

We do a lot with dealing directly with the tribe in relation to certifying Indian lands --

MEMBER WHITEFOOT: Right.

MS. WALLS-RIVAS: -- properties as well as Native Alaskan ANCSA lands. We do a lot of that as well. That's in addition to the Indian policies and procedures and the source checks that I'm sure some of you deal with.

VICE CHAIR JACKSON-DENNISON: Okay, Virginia has --

MS. WALLS-RIVAS: And I can stay as

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long as you need me to.

VICE CHAIR JACKSON-DENNISON: Virginia has a question over here.

MEMBER THOMAS: I know. I'm the opposite end over here.

VICE CHAIR JACKSON-DENNISON: Maybe I should have sat on that side so I could see you.

MEMBER THOMAS: You were talking about the issues that you were asking for consultation for the clarification. What are your main issues that you see that need to be refined?

MS. WALLS-RIVAS: This is an opportunity for us. We haven't been reauthorized in a number of years, as you know, and this is an opportunity for us to -- because this is going out for public comment, so not only do you get input on the drafting side, but you'll also get input on the comment side when you see what we come up with.

But we are just looking at it in general. What can we do? This is an opportunity that we have. Let's grab it. Let's take it.

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Let's make it stronger.

MEMBER THOMAS: Is there any specific area that you think that really needs to have improvement on right now that you see?

MS. WALLS-RIVAS: Alfred, you were at the --

MR. LOTT: Well, in general, the biggest issue here -- you know, I've been to New Mexico and talked to tribal leaders there. The biggest issue is people not understanding -- in particular, parents and tribal leaders -- just what rights, if I can use that word, that they have regarding IPP.

I discovered a lot of unawareness on the part of, in New Mexico, with some of the leaders, that the school districts are required to communicate, cooperate, and they seem to be discovering that. So I think that's -- and many didn't know it.

And so we want to -- I think we need to get more tribal leaders educated as to what authority they have within the IPP statutes to

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demand cooperation, demand the collaboration that the eight standards of the IPP require. So that's a big thing. That's what I've noticed so far.

Now, with regard to -- we conduct about 200 in-detail reviews of IPPs each year. That means we ask the districts to send us their plan and prove that they implemented the plan. And so far, it looks, from our perspective and the laws, that about 95 percent of the districts are making the effort and are in compliance. You have about a five percent situation where people have to be told to do one thing or another and required to modify their plans. That's what we see so far. And we control that.

However, like I said, the biggest thing I've noticed is the lack of awareness that the IPP empowers the parents and tribal leaders and gives them the authority to ask for certain things, to ask for, "Let me see your curriculum. Let me see your education plan." And then and, "Oh, by the way, I want to comment on that plan."

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And many didn't know they had a right to do that. And so that's one of the things we got to do, is do a better job somehow of communicating that.

MEMBER THOMAS: Well, we're getting ready to do our annual report about this, but what would you like for us to put into this report on your behalf that we could, you know, help you with? Because obviously, you know, there are tribes that have no input with the Impact Aid. You know, they just don't know it's there, that they can do this. And like you say, you need to get the word out.

MR. LOTT: Well, I think a lot of it is, I think we should tell or communicate to the tribal leaders that they should become familiar with the Impact Aid Indian Policy and Procedures standards so they will understand what the law, what authority the law gives them and the parents, and the fact that the law requires the districts to communicate with the parents and the tribal leadership in each case.

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And in each case, if Indian land children are involved, they simply must have a plan and they must communicate it with the people. They can't just -- and they also have a right to, that if they don't think the plan is effective or they're not in compliance, they have a right to call me and call Ed and make a complaint.

MS. WALLS-RIVAS: So we're looking to tighten the IPPs up as well, to really make it a meaningful document.

MR. LOTT: More meaningful.

MS. WALLS-RIVAS: More meaningful. I don't know how many of you have ever seen your district's IPPs. You know, for the school districts are having no input, how can we make this document work for them as well?

VICE CHAIR JACKSON-DENNISON: I'll just add that a lot of the disconnect comes -- you state New Mexico, but a lot of it comes from the equalization versus the non-equalization.

States that are equalized, like New

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Mexico, have, seems to me, from what I experience, is that there's less involvement from tribal community because of the disconnect.

Then there's this other issue that's - - where it's tribal control of schools, they misunderstand that the funding is in lieu of the taxes. So the tribal leaders sometimes think that that funding is Indian Ed money. So it really gets confusing for them there. So that's where a lot of the technical assistance is supposed to happen.

MR. LOTT: Yeah, I spent some time working with Secretary Clark when he was there just clarifying that point. Because they thought that .25 or the 1.25 was specifically for Indian children, and we had to -- he wanted me to make sure I got that point clear.

And that's where I found the need to further educate. And I can only speak for New Mexico in particular like that, but it may be the case elsewhere.

MEMBER WHITEFOOT: Can you speak to

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the statement you made about Impact Aid working with our tribes on the Indian lands?

MR. LOTT: Well, in particular, what we do is --

MEMBER WHITEFOOT: Who do you communicate with?

MR. LOTT: We work with the districts, with regard to --

MEMBER WHITEFOOT: So, you don't work with the Bureau of Indian Affairs?

MS. WALLS-RIVAS: We do. We work with BIA.

MEMBER WHITEFOOT: Who do you communicate with?

MR. LOTT: We communicate, coordinate directly with the districts. However, when we're verifying whether the land is eligible or not, as it relates to Indian lands, we do communicate with the BIA because they have all the records regarding the lands, when that's applicable.

Some cases the BIA doesn't have jurisdiction. Then there are some tribal realty

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organizations that we work with who have the records, but those situations are few.

MS. WALLS-RIVAS: We do encourage the school districts to work through the tribes, instead of us going around, to try to encourage that discussion between the school districts and the tribal leaders to get that information.

MR. LOTT: All right. I've got to go. I'm getting the hook here but --

MEMBER THOMAS: Just leave her out there by herself. Just go ahead and leave her by herself.

(Laughter)

MR. LOTT: But you all have to get back to your agenda, I believe.

MS. SILVERTHORNE: Yeah. And I think that this is a relevant topic. I was very pleased when I was approached about being able to have Impact Aid as part of our consultation topics, and I think it's one that's ripe for good conversation and information sharing.

So, as we continue, I'm sure there'll

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be some more opportunity. If you should find that you have questions as we move through some of the documents that further warrant this, I'll relay it back and try to get the information to you within this two days.

MR. LOTT: If you need me to come back, I will, all right? Just let me know.

MS. SILVERTHORNE: Appreciate that. Thank you very much.

MEMBER THOMAS: Thank you. Thank you.

MS. SILVERTHORNE: And already we have over-consumed the time that we have allotted for Bill and my presentations to you this morning. But I will be here for the whole two days, so if you would like to set aside some of that other conversation so that we can spend some time looking at what the new grants are doing, where they are as of this point.

We have two competitions that are open right now and we have survived rulemaking for two different grants. And it is a tremendous learning experience, one I'm really glad I don't

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have to do again.

MEMBER THOMAS: Well, could we, you know, kind of get more into it at the 1:00 to 1:30 if we don't have, you know, too much public comment?

MS. SILVERTHORNE: We can do updates on where the grant status is for our formula which has just closed. We'll be having those grants out by the end of June.

MEMBER WHITEFOOT: I know you're trying to end your discussion here. I just want to make certain before we move ahead in our agenda that we also address the need for data, because that's something that we've been lacking in our reports to Congress.

And I'm certain you have some data that NACIE can be using in our reports. Because our issues out in Indian country that we're addressing with regard to data, Native student identification is a major issue that we have to deal with with the Office of Indian Education, and that still has created some tension. So I

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want to talk about that as well so any data that you have, would like to have it here as soon as possible.

MS. SILVERTHORNE: Absolutely. We have some information that just came out of WestEd. As one of the contracts that NACIE authorized for our national activities, we have a contract with the WestEd, and they are the entity for content and assessment standards. And that area has done some research with their region. And within that region of Arizona, Nevada, and Utah they have come back with some analysis of Title VII usage.

It arrived on Friday. I've had just barely a chance to look over the information that is in it, but it is a public document and I will share that with you. I'll get copies for you today. And in that there is relevant information as to part of our whole frustration.

We know that our Title VII programs address a lot of students across the country. We know that there are a lot of students that we

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don't serve. And how can we raise that number? We know also that, if we raise that number, the amount of money per child goes down because we have a cap for the monies. So, part of our challenge with that is how do we make the money that does get out to those schools actually do the best job for students?

When we first started looking at this, 85 percent of our Title VII programs were doing math and reading. Math and reading are core subjects of all the schools that are out there. That is not a supplemental process for a Title VII program. And certainly the \$150 to \$200 per child isn't sufficient to do math and reading.

What we were also seeing is that many of those programs were after school, outside of class, and were not necessarily connected with what the students were receiving in class, in school.

And so, yes, we were providing math and reading but we have not seen gains in math and reading scores. So, trying to make sure that

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the money that we do offer to the schools is serving the purpose that it was there for.

And so there's been some shifting in policy. There's been some shifting over the last couple years, enhancements that have been done, and we're trying to gather better records.

One of the areas of gathering better records is that all of our applications now ask for the coordination with other federal programs, federal programs like Impact Aid, Johnson-O'Malley, Title I, Title II, all of those other programs that impact American Indian students.

At the school level, how are they looking at all of those plans and doing a coordinated access to those same children? Because it's the same children. And how does that work better? So we've begun to ask for that information within our applications.

MEMBER THOMAS: I have a question on this. It says here that there's a hard copy attached of the regulations. Will we get that?

MS. SILVERTHORNE: We can get that for

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you.

MEMBER BUTTERFIELD: I have a couple questions. And I'm not sure this is the right time to ask it, but, first of all, it deals with the agenda and the amount of time we have to talk about certain issues that, I gleaned from what Bill said, that somebody has set the time.

And I don't know if you were a part of that, Deborah, but it just seems like, you know, two of the biggest areas that we would want to have conversations -- I mean, a half hour for both you and Bill is, like, totally inadequate in terms of information.

I've got a whole bunch of questions from, you know, grantees in Oregon and Washington just around Title VII alone. And the changing of the forms for how you document who's an Indian and, you know, there's a whole bunch of stuff there. So one question is, the time on the agenda, how can we carve out more time and where?

And the other question is that we, in order to do our report, we had a hearing in

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conjunction with the National Indian Education Association. And there was testimony provided which we've never seen a copy of.

Is there a way we can get a copy of that, and a copy of last year's NACIE report, so we can use those documents to update our recommendations? I mean, at a minimum, we need those.

VICE CHAIR JACKSON-DENNISON: Robin, to answer your question, I did purposely set it like this, because, as you know, in the past, we didn't hear from William last year. Mendoza.

MEMBER BUTTERFIELD: I know, so we need more time.

VICE CHAIR JACKSON-DENNISON: I know. Let me finish. So we left open -- because I don't know what people's -- and then we only got a day and a half to do all this. And if I remember right, last year we barely got through trying to structure everything.

And so then the other deep-rooted issue that I have is that, back to the question

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that, I don't know who asked it, but I know I've asked it several times, what's happening with our reports? What's happening with our letter to Secretary Duncan? Those are the things that I want to know.

And why are we coming here to Washington every so often to do this work when it's not going anywhere? I mean, it seems to me it's not. We review these reports but we don't get any information back to us.

And so I pretty much, if you look at the agenda, it's open for -- it's not structured to the point where -- we can maneuver. And if we need someone back and we need to give more, additional time, that's why it's open that way. And it just says "business work," because Joyce is here and I was hoping that Bill would be here for more time to sit and work with us.

I'm the kind of person myself that likes to roll up my sleeves and work and not have to give report and then go through this whole process. Maybe that's the difference between me

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and others.

But that's why we left it open that way. And I had this conversation with Tina when we were setting the agenda. So it's open to be able to discuss things and give information back and forth.

But the real underlying issue, and why I feel like I want some answers as to what's happening with the update on our membership, is because we seem to be losing people left and right and we don't have the numbers that we are supposed to have at this point. And to even have a quorum we have to have people checking in, and out on the phone and we don't even know if that's happening. So it's important to address that too.

But why is that? Why is that the case? Why are people -- I mean, there are individual reasons, but at the same time, I mean, we need people's input. And so that's where I left the agenda open and so I know Joyce is going to be here for the whole --

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MS. SILVERTHORNE: I'm here for --

VICE CHAIR JACKSON-DENNISON: -- the whole time.

MEMBER THOMAS: And Bill said he'd come back. That's why I asked if he could this afternoon because --

VICE CHAIR JACKSON-DENNISON: Yeah, I do have some questions for him too. I mean, I just really would like to have that type of an approach to our last -- I guess our next -- not last, but our next letter to the Secretary, as well as the recommendations. At least we could get a response back to our letter.

I know that, historically, it's never been much to expect from Congress to write anything back, but at least something from the Secretary as to, "Yes, I got your letter," you know, kind of thing. So that's the reason why the agenda is what it is.

MEMBER WHITEFOOT: We're almost half an hour over on our time. Are we going to move towards Barren?

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VICE CHAIR JACKSON-DENNISON: Yes, he's here.

MEMBER WHITEFOOT: Oh, okay. So, yes, so we can get to what we just discussed, "establish work agenda."

VICE CHAIR JACKSON-DENNISON: Okay. Oh, go ahead. We'll move to the ethics overview.

MR. BARREN: Hello, everyone. I'm Morris Barren. I may have communicated with many of you via email.

And what this is, it's a brief overview, just to hit a few different points that concern ethics. If you have any questions, feel free to jump in, but I think all of this information has been in front of everyone before. There's nothing new.

MEMBER NEWELL: Could you move a little closer to the --

MEMBER THOMAS: They can't hear you.

MEMBER NEWELL: I'm having trouble hearing you.

MR. BARREN: Oh, okay. I didn't know

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we had people on the phone. Sorry about that.

MEMBER NEWELL: Thank you. It's much better.

MR. BARREN: What I'm going to do, I'm going to pass around just a sign-in sheet for everyone here to sign. For anyone on the phone, could someone note on here just who those individuals are and that will be fine.

But this is going to be is just hitting the highlights, some ethics points. Sometimes it'll just be some of the items that come across our desks in ethics most often. This is a reminder, an annual review, of the ethics laws that are applicable.

And as you all know, NACIE members are SGEs, Special Government Employees, so some of these rules apply to you. NACIE is also a FACA committee. Some of these rules apply to you resulting with that as well.

So where I'll start off on, we'll start with the conflict statutes. They're the ones that come up most often. And as you may

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already know, we have several, two conflicts, one statute and one's a regulation.

208 is a statute which basically pertains to conflicts concerning your financial interests. So it basically states that, you know, you cannot work on a matter here on the committee if you have a financial interest in that matter.

And it's not only yourself. There are persons' financial interests that are imputed to you such as spouse, minor child, a partner in a business organization you may have, so financial interests of those individuals are imputed to you as well.

So the most common one we always bring up is stock, so if you have stock in an organization, you know, if there's something pertaining to that organization before the committee then you would just need to recuse yourself from that because it could affect the financial interest of that organization in which you have a financial interest.

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The next one I mention is a regulation, which is provided through the standards of ethical conduct for federal employees.

And this one is what we call our impartiality so this one right here basically has to do with, you know, is a person from the outside going to look at this, is a reasonable person going to think that there's a conflict right there, that you have a conflict in this particular matter? So basically are they going to question your impartiality?

So say you're an active participant with an organization or say there's someone living in your household with you and say that person living in the household if they have a, if they're affiliated with an organization that has a matter before the committee or, again, if you're on a board with an organization and that matter is before the committee, so that one right there would also have the financial interest as well.

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But say you're not on the board and you're just what we call an active participant. Say you're not a board member but you help with organizing the meetings for that organization. That would make you an active participant.

So you may not have the financial interest but an outside person can look at that reasonably and say that if this organization has business before a committee, then maybe, you know, Member X should not be working on this matter.

So those conflict restrictions, I mean, are pretty straightforward if you have any sort of affiliation. If you're not sure where one fits in, then always feel free to give me a call and we can see whether you need to recuse yourself or not recuse yourself.

Let's see another point that we like to hit at the annual training. This one pertains to, it's a representation statute. It's another criminal statute. This is 203 and 205. But for SGE members it's not as strict as it is for

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regular government employees.

Basically what these statutes do is it doesn't allow you to represent another party before the federal government because you're a federal employee, in this case special government employee. So you wouldn't be able to represent Person X, as an example we like to say before the IRS.

However, again, with special government employees, restriction is not as strict as it is for federal employees. You just would not be able to represent a party before a federal agency on a matter in which the committee has worked on.

So if you've worked on a particular matter here on the committee, then you couldn't represent say an individual pertaining to that matter linked back to another federal agency on that same matter, so it's pretty narrow.

If you've worked on it here on the committee, then you know you can't work on it, you can't represent another party pertaining to

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that same matter.

Another one here is post-employment restriction. This one right here, it's a lifetime prohibition but, again, that sounds worse than what it is. It's narrow in itself as well.

And what this has to do is just you may never represent a third party before any officer or employee of the government but, again, it's in connection with a matter that you participate in personally and substantially and here on the committee.

So, again, if you worked on a matter here on the committee, then you couldn't, when your time on the committee is completed, you couldn't represent another party on that matter back to the federal government.

So, again, it's just post-employment particularly, has to do with even for full-time government employees. Basically they all come down to not switching sides on a matter.

So if you were working on it as a

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federal government employee, the government doesn't want you to leave and then come back and represent, basically switch sides on that matter.

Another point we like to hit is fundraising and this right here, it says that you may not use your government or committee title to solicit funds or fund raise.

So it basically pertains to using, you know, your title, your position, your authority as a NACIE member, using that to fund raise for, you know, for an organization, yourself or whoever it may be, so remember that.

And then secondly it's just you may not personally solicit funds or other support from persons whose interests may be affected by your work here on the committee.

So, you know, if someone has an interest before the committee, then, you know, obviously we wouldn't want you going to solicit funds from that person because of, you know, the appearance issues there.

Another hot one, not a hot one as in a

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bad but it comes up often is acceptance of gifts.

So the two things to remember here is that the prohibition on accepting gifts is twofold.

One, it has to do is if the organization or the person is what we call a prohibited source of the Department.

So the most obvious ones for the Department of Education are schools and universities, employees of those universities because they all accept federal student aid so that makes them a prohibited source because they do business with the Department.

Another one is a gift that is given to you because of your official position. So if someone's offering you something because of your NACIE position, then that makes that gift prohibited.

But with that said and those two instances, there are exceptions and one of them is being that, you know, everyone here is, you know, has other duties and responsibilities, you know, careers outside of NACIE.

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So if a gift is given to you, you know, clearly because of your outside professional status, then, you know, this right here wouldn't apply. That's one of the exceptions.

Another exception is what we like to call the 20/50 rule which is very common because you can accept a gift as long as it's \$20 or less but no more than \$50 in a calendar year from that same source.

So this often maybe comes in if you're having lunch with someone and you're discussing, you know, business, you know, and if the lunch is \$10 or less, I mean, \$20 or less, say it's \$10, then there's no issue with that prohibited source, you know, paying for your lunch.

However, you just want to be mindful we always say of appearance issue. Just because you can do something, doesn't always mean, you know, you should, so that's just one thing to keep in mind.

Any questions so far on anything? I

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think you've probably all heard a lot of this before.

The next one we like to mention is misuse of position and this one, again, is just basically not using your authority or your stature, your position as a NACIE member to benefit, you know, your self-interest.

So basically just using your position in a manner in which -- you know, if you're representing NACIE, anything you do is to benefit the committee and not your own self-interest financially or whatever it may be.

So that's very broad but that's just a general, you know, thing to keep in mind whenever you're thinking, whether it be, if you're looking at getting into an outside, you know, doing something, another activity outside of NACIE or, you know, a speaking engagement comes your way or something of that nature.

Again, a lot of these things will come your way because of your other professional stature but just be mindful of that.

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Another one which doesn't apply as much to FACA committees, SGEs, is not being able to, you're prohibited from being paid for teaching, speaking and writing that relates to your official duties.

But, again, here for the committee members it primarily pertains to not being paid for performing duties that you're doing in your official capacity.

So if someone here at the Department for instance, you know, asked you to, they get a request for someone to speak and you're requested to speak somewhere on behalf of the committee, since that would be a speech that is done in your official capacity as a NACIE member you wouldn't be able to receive compensation for that because that's something that you're doing as far as your duties as, you know, as a NACIE member.

However, again, if you're speaking in some other capacity, if it's in your own professional capacity, then that restriction wouldn't apply. So it pertains particularly to

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when you're doing something official.

You see other ones that come up. Another one I bring up is lobbying Congress. The Anti-Lobbying Act is what is applicable here and so basically this Anti-Lobbying Act is appropriation statutes.

There's several laws and regulations that prohibit grassroots lobbying, you know, while you're on official duty as a NACIE committee member so keep that in mind.

But also keep in mind that in your personal capacity none of that is applicable. So, again, if you're not wearing, we like to say, like, what hat are you wearing? So if you're wearing your NACIE hat, there's things you can't do.

If you're wearing your hat in another capacity, as president of X organization or teacher of X school, then, you know, then you are allowed to partake in, you know, any lobbying of Congress or whatever it may be as long as it's clear that, you know, you're doing so not as a

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NACIE member or in that capacity.

And one thing we always like to bring as a note, to the extent in which a committee wants to communicate with Congress, that's not an ethics issue.

You would just need to speak with the appropriate people within the Department as far as any communication. It's not lobbying but it's just some sort of communication you want to make. That wouldn't be an ethics concern.

You know, the Office of Legislative Affairs or someone like that would be able to provide some guidance on if the committee wanted to have some sort of communication to Congress as a group.

And I guess finally it's not a last one to speak of is always going to bring up which has to do with political activities and, again, this one right here really pertains in your official capacity, you're not involved in any political activity, in particular partisan political activity, while you're on official

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NACIE business or if you're in the government building or in a government vehicle, anything of that nature.

So even, like, while you're here at the meeting, you're, you know, you're being in a building for a few days, you couldn't participate in any partisan political activity, whether it be, you know, speaking to other people about, you know, political campaign, whether it be sending out emails, tweets, you know, whatever it may be.

That activity would be restricted, particularly, as an example, here in the building.

So with that said, any questions on anything in particular from anyone or does it all sound familiar, pretty self-explanatory?

All right, if not, I thank everyone for the time and I've heard you have a lot of this to get back to so --

You're welcome. Thank you.

VICE CHAIR JACKSON-DENNISON: Joyce.

MS. SILVERTHORNE: I think this would be a good person to ask some clarification about

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how we can request NACIE people -- Wait, Morris, please.

MR. BARREN: Oh, that's for me?

MS. SILVERTHORNE: How we can request NACIE people to be able to be speakers. The last couple ones here have some points.

We made an attempt earlier this year to have Patsy as a speaker outside of NACIE, not as a NACIE role, and we wound up -- Actually I don't even know if you ever were able to speak.

MEMBER WHITEFOOT: No. No.

MS. SILVERTHORNE: And part of that was how long it took us to get clarification on that, and could you elaborate just a bit more about the way that they can speak on their own behalf?

MR. BARREN: I can give you some but what happens, I particularly deal in ethics so there are ethics concerns there and there's a few concerns but the one primarily would be in, like I said, for what hat you would be wearing.

Are you, you know, are you going to be

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speaking on something that is dealing with, as far as a board, I guess board material or board topics and then you're speaking as a board member? Or are you going as a board member but maybe speaking on information that is really pertaining to your outside professional expertise? So that's where kind of ethics would come in, like what hat you're wearing. That would be our concern.

However, there are other concerns which is not my area. I mentioned earlier this is a FACA committee. There are FACA laws and regulations that I think Karen Mayo-Tall is the - - Not this Karen. Karen Mayo-Tall would be the expert in that area. So there are concerns.

And I believe we sent out, I believe the appearance you're speaking of, we sent out the guidance on that I believe.

MS. AKINS: We did, Morris, and it went to Bill Mendoza. Joyce, you may not have received it because Bill Mendoza made the request and initially asked for the guidance about Patsy

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attending a speaking engagement.

And it went out to all the executive directors that have presidential boards and commissions and so there wasn't really a link or lack of time that took so long for the responses.

It was just that our division that deals with FACA committees and the Ethics Office asked a number of specific questions to staff that wasn't sent back to them in a timely fashion.

And as you know, you were at the meeting, we fleshed out and asked some more questions and so from, I can ask Karen Mayo-Tall to send something to Tina as the DFO that she can send out to members if there needs to be additional clarification.

But what came out of that is because Patsy, as we were told, was going to go on behalf of NACIE, that she would have to speak on NACIE's business only at the conference.

And so between the Ethics Office and OGC, DBAL and the directors of all the

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presidential advisory committees, it was determined that staff would attend that particular conference you were speaking on.

MS. SILVERTHORNE: I appreciate that.

I was involved in a piece of it but not in the beginning or the end and so I appreciate that and I think it would be valuable for the other members to have that compilation of information because it was --

MS. AKINS: Absolutely.

MS. SILVERTHORNE: -- it was critical.

MEMBER WHITEFOOT: Thank you for asking that question and helping to clarify that because I didn't know what was going on but it was based on some of the research that we've been doing. I think that's why I was probably asked.

MS. AKINS: Yes. And I'm sorry if the staff didn't get back to you but that was the end analysis, is that if the board, any board member that was asked -- there were other members that were asked on other boards and commissions for the other initiatives.

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And so the challenge is when you're on a FACA committee, if you are a board member speaking you can only speak on commission business that is public information. That's the other caveat to all of that.

And so, again, our understanding from the information we received once we got all the information back from the initiative staff was that the particular conference was a town hall setup.

So one of the challenges was how would members only be able to speak from a scripted kind of deal if it was going to be a town hall meeting?

So that would put you in a predicament where, you know, you would probably say unfortunately I can't answer that. Unfortunately I'm not able to address that.

And so, again, I think OGC DBAL in consultation with Morris and some of his staff decided that, you know, what would be the benefit to the member and the group I guess that would

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attend this particular session if all they were able to ask you was things about the commission and that was it and not allow you to freely, you know, speak about any of the other items that you might want to.

And there was some kind of, I think, confusion about what the organizers of the conference might have wanted as well. But I think, again, guidance went out to all of the directors as to what the decision was from our general counsel's office.

VICE CHAIR JACKSON-DENNISON: Thank you. Any other comments on --

MR. BARREN: Any other questions?

VICE CHAIR JACKSON-DENNISON: Thank you.

MR. BARREN: You're welcome. Enjoy the two days.

VICE CHAIR JACKSON-DENNISON: Thank you.

Okay. Anything else, Joyce?

MS. SILVERTHORNE: No.

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VICE CHAIR JACKSON-DENNISON: All right, thank you. I think we'll go ahead and take the, what is it, a 15-minute break. It's now 10:26 and we'll go to, what, just before quarter till.

MEMBER NEWELL: Quarter to 11:00?

VICE CHAIR JACKSON-DENNISON: Right.

MEMBER NEWELL: Okay.

VICE CHAIR JACKSON-DENNISON: Okay, thank you.

MEMBER NEWELL: I guess those of us on the phone will just stay on the phone then.

MS. HUNTER: Yes, unless you want to hang up and call back but --

VICE CHAIR JACKSON-DENNISON: No, you better stay on.

(Laughter)

MEMBER JOHN: Maybe put us on mute or something.

VICE CHAIR JACKSON-DENNISON: Okay. We'll put you on.

(Whereupon, the above-entitled matter

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went off the record at 10:27 a.m. and resumed at 10:53 a.m.)

VICE CHAIR JACKSON-DENNISON: We're going to go ahead and call the meeting back to order. And I know that they mentioned earlier this morning that we left the agenda pretty open.

Because I know we have so much to work on that I wanted to leave, with those of you here, some chance to say what you want to have on the agenda and what we need to discuss.

And being that Bill will be coming back this afternoon, I'm sure that we can save some time for him as well to do more, and then Joyce as well if she needs more time.

But the main thing that I really think needs to happen, I know we all agree on this, is the two items, the proposed plan to do the report to Congress. I did get an email from Alan, and I know he's emailed Tina as well, letting us know that he's not able to do the editing portion or the pulling it together like he has the last couple of years.

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So we're going to have to re-form some strategies as to how we're going to approach that. Same thing with the Secretary's letter, the letter to the Secretary. So we're going to have to have --

MEMBER RAY: With that one, I'm sorry, I won't be able to do that.

VICE CHAIR JACKSON-DENNISON: Yes, I just said that, Alan. I just reiterated what your email was and why it was. I sent this urgent email to Tina a month ago. And I said what are we doing, because we're running out of time. And we really need to get going on this.

And I know each of us has our own different views on this, but like I said earlier, it seems like we're just doing the same thing over, and over and over every year. And we're not getting anything back. And then we're losing members. So that's what I just came up with.

Okay, an update on the membership. What's happening with that? But we've really got to crank out this report to Congress again. And

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we only have a few days to do it. So no time for calling in and trying to see who's going to add changes.

And I think we need to get it out between today and tomorrow. That's why I left the agenda open if anything else -- I know we need to, what did you say? How do we want to do it? Tomorrow you're going to have an update on--

MS. BUTTERFIELD: Well, just some logistical questions and financial questions about board operations, I guess, like how do we get reimbursed for expenses. And we have not gotten an honorarium since maybe the very first year.

MS. HUNTER: I'm sorry?

MS. BUTTERFIELD: Yes, we haven't gotten anything.

MS. HUNTER: You haven't gotten any of your honorariums?

MS. BUTTERFIELD: No.

MS. HUNTER: Okay. So what I will do, I can tell you about the payment. The person I

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was going to have come in and speak was sick today. So I can go over that with you. It is out of my office. All we need for you to do is submit your receipts for your hotel and --

MS. BUTTERFIELD: Is the hotel not --

MS. HUNTER: -- for those of you, did you have any additional expenses?

MEMBER WHITEFOOT: So the dates, what were the dates so we can be clear on the dates that we claim?

MS. HUNTER: Okay. So, and the dates that you can claim are Sunday, today and tomorrow, for those that came in on Sunday.

(Simultaneous speaking)

MEMBER WHITEFOOT: -- October. Because there was really no communication about that.

MS. HUNTER: Oh, for your last meeting?

MEMBER WHITEFOOT: Yes.

MS. HUNTER: Okay. So you can claim the dates that you were here, and we will take

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care of your honorarium. That should have been done. So none of you got paid your honorarium for October?

MEMBER WHITEFOOT: No, ma'am.

MS. BUTTERFIELD: Or the board meeting

--

FEMALE PARTICIPANT: Or a year before.

MEMBER NEWELL: Or the year before.

MEMBER JOHN: Or a year before, never.

I don't think I've ever gotten any honorarium.

MS. HUNTER: Okay. And it wasn't brought to anyone's attention?

MS. BUTTERFIELD: I have emailed requests a number of times.

MS. HUNTER: Really? Everybody across the board?

MEMBER WHITEFOOT: So it would be helpful if you could go back and look at those dates and look at the recordkeeping for that time. Because, you know, I've lost track.

MS. HUNTER: Okay. But I need to know the time. Because, as you know, Jenelle is no

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longer employed here. And she --

MS. SILVERTHORNE: We have all of the dates.

MS. HUNTER: So, you have the dates.

MS. SILVERTHORNE: We have all of the dates.

MS. HUNTER: Okay. So no honorarium.

MEMBER WHITEFOOT: Reimbursements.

MS. HUNTER: Okay. Did any of you pay for your hotel out of pocket? No. Okay, so we paid --

(Simultaneous speaking)

MS. HUNTER: Not this time, you say.

MEMBER JOHN: Right, not this time.

MS. HUNTER: Okay.

MEMBER JOHN: In Anchorage I did, but not this time.

MS. HUNTER: Okay. So then we need to look at everything.

MEMBER NEWELL: Well, thank you.

MS. BUTTERFIELD: Well, I finally got reimbursed. I submitted in October, and I think

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I got it a couple of weeks ago.

MS. HUNTER: Okay. So we will do an audit of every month. Okay, just so that everyone gets paid what they are due.

MS. BUTTERFIELD: Right.

MS. HUNTER: Okay?

MS. BUTTERFIELD: Sounds good.

MS. HUNTER: And that will be done this week.

MEMBER THOMAS: I think there should be interest.

(Laughter)

MEMBER THOMAS: I told you that you --

MS. HUNTER: That will be done this week. And everyone will get what they're due. And we will itemize it for you so that you know what you're getting paid for.

MEMBER JOHN: Okay. I need verification on the honorarium. Is that \$200 for the food as well as for whatever costs?

(Simultaneous speaking)

MS. BUTTERFIELD: No, no. That's per

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diem.

MEMBER JOHN: And we're supposed to get per diem on top? Oh, okay.

MS. HUNTER: Yes. Any time you travel, you're supposed to get per diem.

MEMBER JOHN: Okay.

MEMBER NEWELL: But not honorarium.

MS. HUNTER: You are supposed to get honorarium as well. They're separate though.

MEMBER NEWELL: It says that we would not be compensated, according to the rules that I read anyway.

MS. BUTTERFIELD: No. At the very first meeting, we were invited to declare whether we wanted to get the honorarium or not. Like, I remember Sam said, oh no, Nike takes care of me. I don't want it. But a number of us did sign up for it. But we never got it.

MS. HUNTER: Oh, good. Karen's back.

MS. AKINS: Yes.

MS. HUNTER: Karen, question. I'm understanding that no one has gotten paid for the

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last few meetings.

MS. AKINS: So that's on the --

MS. HUNTER: And have you --

MS. AKINS: I'm not involved in it.

MS. HUNTER: -- worked with anyone?

Okay.

MS. AKINS: No involvement with that.

And your office, I know before you came on as DFO the Executive Office was checking into that.

And I guess time sheets --

MS. HUNTER: That's what they just told me.

MS. AKINS: Yes. So that's my understanding of it.

MS. HUNTER: Okay. So you don't know anything either.

MS. AKINS: Not since the last --

MEMBER NEWELL: Well, my telephone bill would not be eligible for that. Am I correct?

MS. HUNTER: Not for the travel, because you're not traveling. But you still get,

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for your time, your honorarium.

MEMBER JOHN: So even the summer phone call?

MS. HUNTER: Yes. Anytime you're working.

MEMBER JOHN: I mean, at the meeting.

MS. HUNTER: Right.

MEMBER JOHN: The official meeting.

MS. HUNTER: Okay. So we will do an audit of everyone so that we can find out who's gotten paid, who has not gotten paid, who we owe. And we will take care of it this week.

VICE CHAIR JACKSON-DENNISON: All right. Anything else that you want to establish as far as on the agenda besides what we know we have to do?

MEMBER THOMAS: Well, the 1:30 that I think we were going to set aside for Joyce and Bill again, we had no public comment.

VICE CHAIR JACKSON-DENNISON: Okay. Joyce, we'll have you back on at 1:30 to 3:30, at that point.

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MS. HUNTER: I'll send Bill a note to make sure he's aware too.

MS. SILVERTHORNE: Okay.

MEMBER WHITEFOOT: To help with our report, I wanted to have some data. And I think it would be helpful for the report to be able to determine what that would be.

Ray says one of them is the number of grantees that we have under Title VII. And I know Joyce usually has a report already on that.

But I'd also like to include, you know, the per pupil amount, even if it's an average, as well.

And also because of the issues that we have around, you know, what determines a Native student, something on that, something in writing, because that's a major issue that's come up in the Northwest.

VICE CHAIR JACKSON-DENNISON: Yes.

MEMBER WHITEFOOT: And another one has to do with the GPRA measure. Because we have no control of that. What is the role of, is it OMB that established the GPRA measure? What was it?

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The GPRA measure's been used in the office that established that.

For now that's, you know, what I can think of. And then also in the new application it speaks to the coordination. And I understand that. But for the other federal entities, do they have that in application as well. Or is the burden only on Title VII?

MS. SILVERTHORNE: It's on the LEA.

MEMBER WHITEFOOT: Okay. But depending on who you are, it's up to the Indian Ed program instead of the LEA. So, you know, if you're asking for coordination with Title I, Title III, et cetera, homeless, is there any provisions that the others are required to do that too? So for now the burden's on Indian Education. So that's something we need to address as well.

MS. SILVERTHORNE: Right.

MEMBER WHITEFOOT: And of course, and I fully support the role of our parent committees and our tribes, of course.

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So for now, that's a beginning point for just some basic data to get us going. Because I think that's something that we've lacked in the report. And we need to include that information as well as the role of -- there's another advisory committee out there with the test scores. And I know people like Robert Cook are on that committee. I get support --

VICE CHAIR JACKSON-DENNISON: The NIES?

MEMBER WHITEFOOT: Yes. I think it's important to reference that as well, with regard to the report I just did as a matter of arranging it a little bit. And, you know, there's several of us who've been writing different pieces. We could organize that. But I'll just continue to follow the data requests.

MEMBER THOMAS: Also the regulations for impact data, if we're going to get started on the annual report we need to at least review that to put some recommendations in there.

MEMBER WHITEFOOT: Well, I know the

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new initiatives, the demonstration grants, all of these new initiatives as well. Because I can't keep up with them all. I don't think any of us can.

MS. SILVERTHORNE: Well, the Step and the NYCP are open competitions right now. Both have Federal Register notices that are current and active. And both have open application process. And so those are in progress now. The Step will close on June 15th. And the NYCP will close on June 28, 29.

MEMBER JOHN: And NYCP stands for Native --

MS. SILVERTHORNE: Native Youth Community Project.

MEMBER THOMAS: Do you have last year's report on, something visual like we did last time?

MS. SILVERTHORNE: From last year's report?

MEMBER THOMAS: Yes.

MS. SILVERTHORNE: Yes. As a matter

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of fact, I sent it to John, to his email, and to Tina. That was where it was local.

VICE CHAIR JACKSON-DENNISON: Are we getting some hard copies --

MS. HUNTER: You're getting hard copies. They should be here.

MEMBER THOMAS: And that way we could look at it and go from there too.

MEMBER WHITEFOOT: And can we get them on flash drives in Word? You know, some of us are the writers.

MS. HUNTER: Sure.

MEMBER WHITEFOOT: It'd be helpful.

MS. HUNTER: Sure.

VICE CHAIR JACKSON-DENNISON: We should establish that right now.

(Simultaneous speaking)

VICE CHAIR JACKSON-DENNISON: We should establish who's going to do the work now, because we can --

MEMBER WHITEFOOT: In a timeline.

VICE CHAIR JACKSON-DENNISON: In a

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timeline, I'd like to do that. So we would work backward from our due date. When's our absolute due date?

MS. HUNTER: The 30th.

VICE CHAIR JACKSON-DENNISON: We usually like to keep it like a week ahead, right? Isn't that what we've done in the past? We've always had it here, at the office here by the week before the absolute due date.

MEMBER THOMAS: It seems like this was the sub-committee from last year.

VICE CHAIR JACKSON-DENNISON: Exactly. This is the sub-committee.

VICE CHAIR JACKSON-DENNISON: Yes, that's what I was really anxious about.

MS. HUNTER: Yes, she was.

MEMBER THOMAS: Well, I'd like to move that to the, somewhere in the agenda this afternoon, to get started on this.

VICE CHAIR JACKSON-DENNISON: Okay. Because right now, we're on it now. So we're establishing the timeline right now.

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MEMBER THOMAS: But we don't have that information in front of us right now.

MS. HUNTER: It will be here in a few minutes.

(Laughter)

MS. HUNTER: I told him to expedite it. So --

VICE CHAIR JACKSON-DENNISON: We should have it here to this office by the 23rd of June which is exactly two, three weeks from now, three weeks from tomorrow.

MS. BUTTERFIELD: Well, I can't be on the committee. I'm gone for two weeks starting the 8th, camping.

MEMBER WHITEFOOT: I'd like us to move it then to the 19th. If we can shoot for the 19th, that'd be great.

MEMBER THOMAS: Well, let's see how far we can get today to get it out.

VICE CHAIR JACKSON-DENNISON: We might be able to do that today.

MEMBER THOMAS: There's no men here to

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hamper us.

(Laughter)

MEMBER THOMAS: Did they warn you that we're a happy group?

MEMBER WHITEFOOT: Yes, I'd like to be done by the 19th.

MEMBER JOHN: Yes.

VICE CHAIR JACKSON-DENNISON: If we can agree to get the majority of it done --

MEMBER JOHN: Get as much of it done now.

VICE CHAIR JACKSON-DENNISON: -- between now and tomorrow then we can -- I think it's just a matter of if any editing. I think what we've done from year to year, but of course Alan was really our person that did a lot of the editing.

MS. BUTTERFIELD: Well, if we have a point person, you know, we assign sections. And I can do whatever section probably. But I'll have to do it before I leave.

VICE CHAIR JACKSON-DENNISON: Right.

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I want to bring up something that -- and I can't remember the young man's name that advised us of this last year. He said, especially to the letter to the Secretary, even to the report, well, the report to Congress is going to be detailed. But the Secretary's, he said just ask for one or two things. We didn't do that. We didn't follow that.

MEMBER THOMAS: We tried, but we got lengthy.

VICE CHAIR JACKSON-DENNISON: We started getting lengthy again. And perhaps that's a reason why, I mean, I'm not trying to make excuses or anything, but when you have a long, all these recommendations to the Secretary, it's less likely to get answered.

In fact, he strongly advised that we not do that. And we did it. So I would like to recommend that we just stick to that advice that we received last year, one or two items.

And the one item that we've been asking for since I've been on this Council has

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been to elevate that position to Assistant Secretary. Whether we ever get it or not, I mean, that's really the number one thing that needs to happen in order to -- this disconnect I keep hearing about has to be looked at from some angle.

And there's the BIE that seems to get all the -- and then there's the public schools that, and I was reading a link that my sister sent me a couple of weeks ago, or a week ago or so, and this is what I wanted to ask Bill, where they both he and Dr. Russell met with Congress.

And they seem to be, again, misunderstanding Indian education at the grassroots level. And my question would be whether or not our report to Congress or the letter to Secretary Duncan was ever brought up. Because it addresses what these Congressmen are asking of them.

There was a question about can BIE kids just go to the public school, kind of like, and that was so, like, bluntly put out there in

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the article that I thought, wow. But if you had somebody that was coordinating from the top, it would be what we've been asking for, for at least the last five years that I've been on this Council.

I don't know, that's kind of a simple way to do it, is to get that letter out and just ask for that one thing or maybe one other in addition to it. But it just seems that we're just going around, and around and around. And we're not getting any answers. And maybe that's why. I mean, maybe that is why.

And when you put yourself in the other person's position as to getting all these recommendations, well, you know, we can't please everyone all the time. And so what's something that's possibly more doable to do between the timeframe of now until when the election happens and new people come onboard?

MEMBER NEWELL: Has there ever been individual responses from individual representatives?

VICE CHAIR JACKSON-DENNISON: Nothing.

MEMBER NEWELL: Nothing.

VICE CHAIR JACKSON-DENNISON: In fact, didn't we put a timeline on that, didn't we put some dates on there?

MEMBER THOMAS: That was my idea. It never came about.

MEMBER NEWELL: Not even from our own home constituents?

MS. SILVERTHORNE: Their letter, to the end of their letter. Go to the letter to Senator Kline and get the content of their letter. Because that's where it was, wasn't it?

MEMBER JOHN: Yes. I think so.

MEMBER WHITEFOOT: So I think, after giving this some thought, last week I spoke with our Northwest tribal leaders about education. And I know that we have all of these asks, however I kind of narrowed it down to about three points with regard to Indian education.

And I don't think, in our report, that we've expressed that the primary funding source

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that we deal with is Title VII. And what I've been seeing at home is it's a supplemental program.

When people think of Indian education, they think Indian education does all of these wonderful things. And we do with limited resources, but we have to piecemeal the work that we do.

So I prioritized, of course, for tribes, you know, the role of tribal education authority. And I would like to see us speak to tribal education authority, not only to elevate the position but also, having been on Tribal Council, the role of tribal governance, tribal education authority aligned with just tribal authority trees, et cetera, which is what we say in our document, but we don't really highlight that.

I recognize we also have urban issues too. But I think, in the long run, what's going to help us is the role of tribal education authority because of the movement that's going

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on, particularly with tribal education departments, native language revitalization, and the list goes on.

So tribal education authority and then also somehow addressing the role of Indian Education and Self-Determination, perhaps bringing that back in. Because we're, you know, we're moving towards, like, the 50th Anniversary of that legislation. And everything else that would fall under that.

And I think we still need to improve our list. Because what we're doing is we're working to build whole children. And we have to have that holistic approach. But a strong statement needs to say that we are under-funded, you know, lack the resources. Because that's what we do in our tribal reports.

I used to go to the Tribal Leaders' diabetes Initiative, and it's the same message that we gave over and over. And it was the data that helped us to make those increases. We have to keep developing a dataset that we can see

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progress being made over the years.

And so far our major ask is Title VII.

We're going to continue to go after Title VII to Title VIII then, meaning to show that we are making some small increments along the way.

So that's the approach I would like to do but also emphasize the fact that these are supplemental resources because of the community, you know, the tribal councils, et cetera, I've been working with them so many years, you know, they don't know.

And they always ask me to help educate them. Because they only know that in tribal councils that it turns over. And so there's a constant education going on.

But really, the authority is going to be at the tribal level, that are coming back to Congress and are, you know, speaking to members of Congress.

And some of the tribal leaders have just expressed such frustration with education. And I, you know, don't blame them. Because it is

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very complex. If you've not been at it, you don't understand, you know, the depth of it, and the breadth and the fact that we are the ones that are, I think, the more aggressive ones.

Because we've been at it for so long we know what we need to do. We know how to build, you know, whole programs. But we also need to make certain that we have the data. And also, in my case, I've been doing research with the University of Washington. And that has helped us to be able to make longer term goals.

Often we can only do short term goals.

So we need to talk about the short term and long term goals of the work that we're doing. So three things, tribal education authority, primarily along with communal education and self-determination, you know, whole children, whole families, healing and then the data and the research.

So just kind of reorganize our information, because we already have the information. We just need to simply add in some

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of the data.

VICE CHAIR JACKSON-DENNISON: Do you want to make that a motion?

MEMBER WHITEFOOT: I'll make that a motion.

MEMBER THOMAS: I'll second that.

VICE CHAIR JACKSON-DENNISON: Okay. And we have a motion from TEA, from Patricia, to reorganize the, you're talking about the report to Congress?

MEMBER WHITEFOOT: Yes.

VICE CHAIR JACKSON-DENNISON: To have the heading of, you want to call it Tribal --

MEMBER WHITEFOOT: Education Authority.

VICE CHAIR JACKSON-DENNISON: -- Education Authority to oversee the other parts of the report that go into the report to Congress. And then it's been seconded also by Virginia. All in favor say aye?

(Chorus of aye)

VICE CHAIR JACKSON-DENNISON: Any

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opposition?

MS. BUTTERFIELD: I think we're supposed to have --

VICE CHAIR JACKSON-DENNISON:
Discussion.

MS. BUTTERFIELD: -- time for discussion.

VICE CHAIR JACKSON-DENNISON: Okay. I'm sorry.

MS. BUTTERFIELD: Without having the document in front of us, I thought we had a really strong statement about, you know, tribal sovereignty and authority.

And if we're talking about, you know, the education of Indian kids, and because 75 percent of our Native population are now living off reservation, I feel like so much of the frustrations that I'm hearing from grantees, you know, currently I'm overseeing about eight projects in Oregon that are focused on using Native language and culture to improve student achievement.

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And the consistent message from those communities is that we offer ideas, but the districts aren't necessarily supporting us on that.

And I think that refers back to sort of the whole purpose of NACIE. It's not just to oversee Title VII, it's to oversee all of the funding that goes out that could support the improvement of Native student achievement.

And so within Title VII, that vehicle was the Indian Parent Committee's having authority. And what bothers me is that so many of those parents don't know what their rights are.

And back when we had the resource centers, they got a lot of information about what they could ask for and what they could say, no, we're not in support of that. And it felt like there was a stronger compliance aspect of it.

So I believe that Native people in general need more authority over those funds, Title I included or Title III. So I don't want

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to undermine tribal authority, but I also don't want to neglect the fact that so many of our kids have to rely on, like, parent committees in the urban centers.

So if we could expand that language to, say, tribal authority and Native parents in the community. Just so that we have more control over, you know, what happens.

VICE CHAIR JACKSON-DENNISON: And I think that's where IPP comes in, that they're talking about from Impact Aid, is because that really does -- and it really goes back to demographics, like, your different demographics.

And I learned that from sitting in the meeting with the tribal leaders a couple of years ago where you're sitting there and they're talking about issues that are pertaining to their demographic which don't necessarily reflect on another Indian education community that's total different demographics.

So it really needs to be clear, because maybe in the opening statement, that the

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demographics are, you know, there's this many, whatever that statistic is, percent of students that are now urban.

And then there's so many that are, within that how many attend public schools versus how many attend BIE schools. Because I think that, to me that might be one of the key things that's missing to understanding what we're talking about when we make these recommendations.

MS. BUTTERFIELD: Well, and then it's, just to add to that, I think it's been frustrating that NACIE has been mentioned in, you know, the White House Initiative on Indian Education. And yet we've had absolutely no input, you know, on those initiatives.

And most of the work has been with that cooperative agreement with the BIA which, of course, we don't want to undermine that level of work. But to put all the eggs in that basket, and then the 93 percent of Native students are getting almost no time and attention, it just doesn't seem right.

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It's like they aren't looking at the big picture of where our kids are, the issues that they're facing, you know, in public schools.

VICE CHAIR JACKSON-DENNISON: And then that goes back to why we have that number one recommendation year after year.

MS. BUTTERFIELD: Yes.

VICE CHAIR JACKSON-DENNISON: Because if you have someone understanding at that level what those percentages are and what the demographics really are, they're going to be more apt to understand, because it's not just Title VII.

I know that from working in the role that I held for many years, that it's not just Title VII, it's the whole piece of the conceptual base of education that you're looking at that impacts Indian education.

MEMBER THOMAS: That was one question I wanted to talk about with Tom Finch. Is that his name, Tom? When he was talking about consultation and --

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MS. SILVERTHORNE: Impact Aid?

MEMBER THOMAS: Yes.

MS. SILVERTHORNE: Alfred Lott.

MEMBER THOMAS: Oh, Alfred? I couldn't remember his name. Anyway, what my concern was is that he was talking about compliance and the need to educate. Well, we don't have a plan of education. You know, he said it's a good thing to do it, but there's no plan to actually do it.

And back to Robin's statement, back to Robin's statement is that you may have one school district or one tribe doing it one way. And they're maybe doing it right. And the other one's doing it maybe different, but not in compliance.

So it's not across the board, is my concern. So you've got kids here and kids here that are not getting equal in the services, because there's a difference in how they're being treated that I think that we need to have some kind of a plan if we want to educate tribal

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leaders, or parent committees or to have their impact.

There has to be something in place that we could recommend and say this should be a plan of action and not just say we need to do it but how, in the planning of this, to get this done. I mean, we're at the end of our terms here. So we need to make some kind of an impact.

MS. SILVERTHORNE: We'll go knocking on doors, no matter what they have to say.

(Laughter)

MS. SILVERTHORNE: Sorry, Karen.

(Laughter)

VICE CHAIR JACKSON-DENNISON: Speak into the mic.

MS. BUTTERFIELD: Providing information only, not lobbying.

VICE CHAIR JACKSON-DENNISON: That's right.

MEMBER THOMAS: And I hear what you are talking about. And I agree wholeheartedly. It has been a very challenging process to have

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education about programs affecting Indian students and the consolidation of all of the different programs that do touch our students.

And I think that we're trying internally to look at gathering some of that data. And yet, it's difficult for us to get the opportunity to share that data with you. And just presenting you in a quick PowerPoint doesn't give us the opportunity to absorb it and really discuss it.

And so part of that issue is how we build that time. It could very well be that what you're asking for, because you don't have the support for this staff, we don't have the opportunity to spend time with you. So part of this is looking at it another way of communicating between NACIE and the offices in Ed, not just the seven but all of us.

And so part of that is something -- there could be an overarching process that you're asking for. And maybe that's where you could spend your attention in how the Department

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responds back to you.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER THOMAS: I forgot how long this was. You're right.

VICE CHAIR JACKSON-DENNISON: Well, it is very lengthy.

MEMBER WHITEFOOT: I just also wanted to add to the discussions that we had earlier this morning, the discussion was on Impact Aid, but also this pertains to Title VII and all of the other programs, special education in particular.

I think what we're talking about for Native education has to do with also civil rights issues. Because when Indian Education and Self-Determination Act, you know, first began, that was also the Civil Rights Movement as well.

And I think we can't forget the role of civil rights, because we still face discrimination and racism that were subtle, that it may be the systems that we're working with. Because it's a real challenge to be able to, you

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know, address the needs of Native children depending on your situation.

So it's not only, you know, Indian education, but it's a civil rights and social justice issue. And so I think we need to include that, you know, with tribal education authority and Indian Education and Self-Determination, that we spell that out as well. What does that mean?

And for where I'm at, that's what it means, is the social justice issue. Because we're not able -- there are such needs in our community, and with the limited resources that we have we can never address the full needs of our children.

And so we have to go the extra mile to be able to address the health needs of our children, diabetes in our babies, you know, and just obesity is an issue we're addressing, historical trauma, we're working with families and children living trauma today. That's a part of our lives.

So there's a number of issues that

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need to be addressed. And so that's the reason that I'm, you know, saying the whole child. And so all of the work that we've done, I feel, is that we've added that in here. But that is our attempt to be able to do that and that we could just reorganize this and be able to address some of these issues.

MS. BUTTERFIELD: So, Patsy, in your motion, I don't want to lose track of that, what were you recommending, that we just focus on three things?

MEMBER WHITEFOOT: Well, I'm trying to keep everything that we have, but trying to organize --

MS. BUTTERFIELD: Organize it under --

MEMBER WHITEFOOT: -- under tribal education authority and Indian Education and Self-Determination. That includes parent involvement, et cetera, tribal leadership, education leadership, et cetera. So one was tribal education authority and Indian Education and Self-Determination.

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The other one was around holistic approach, you know, working toward the whole needs of children, but also we're doing this with supplemental resources, so something along that line.

And then the other one has to do with making certain we're incorporating data and research in working towards short and long term goals.

MEMBER THOMAS: I was under the understanding when I seconded it that we were trying not just to reorganize it but make it more condensed.

MEMBER WHITEFOOT: Yes. See, I would not support that. Because I think, because of the mass misunderstanding about issues, I think it's really important to have the detail that we have in the report. I thought you were talking about the letter to the Secretary as being condensed to two or three things.

MEMBER THOMAS: That's what I'm talking about.

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MEMBER WHITEFOOT: So maybe we need to clarify that.

MEMBER THOMAS: Okay. See, I don't have a problem with that if that's to the Secretary, if that's just, you know, the Secretary and Department of Education.

VICE CHAIR JACKSON-DENNISON: Yes, I think that's what I meant, the letter to the Secretary. But what I understand from Patsy is that she's saying, and maybe perhaps the answer to this, if I am right about what you're saying, is that in the overarching, or the letter could be put into a, that we start out with these are given to you under the name of, what did you call it, tribal authority over education of Indian children.

MEMBER WHITEFOOT: Right.

VICE CHAIR JACKSON-DENNISON: Something of that nature. So that would change in the cover letter. And then we could go into the same, then we would reorganize, if we need to, how they support that overall theme.

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MEMBER WHITEFOOT: Right.

VICE CHAIR JACKSON-DENNISON: I think that's what you're saying. Am I right?

MEMBER WHITEFOOT: Yes. The holistic approach with data and research to meet our short and long term goals.

MEMBER THOMAS: Okay. Now that we're clarified then, my second is clear then.

MS. BUTTERFIELD: Okay. Well, I'm still not clear. So the letter is going to have fewer focal points. But the report is going just be reorganized?

MEMBER WHITEFOOT: Right.

MS. BUTTERFIELD: Got it. Okay, I would support that.

MEMBER WHITEFOOT: Yes.

MEMBER THOMAS: Now, I call for the motion.

VICE CHAIR JACKSON-DENNISON: Okay. All in favor say aye.

(Multiple ayes)

VICE CHAIR JACKSON-DENNISON: All

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right. Wayne, we didn't hear you. Anyone opposed, I guess, or need more clarification or whatever the case may be?

(No audible response)

VICE CHAIR JACKSON-DENNISON: Okay. The motion passes. And right here is the timeline that we did give. I was trying to look at this. Any of our recommendations --

MEMBER NEWELL: I did have a question on that motion a little while ago. Are we reorganizing, simply reorganizing material that already exists?

VICE CHAIR JACKSON-DENNISON: That and changing it so it has a theme approach to why it's organized as such, is the way I understand it.

MEMBER NEWELL: Okay.

VICE CHAIR JACKSON-DENNISON: That's going to be our goal.

MEMBER NEWELL: Theme approach, would you explain that a little bit please?

VICE CHAIR JACKSON-DENNISON: Right

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now, you probably don't have it in front of you.

You might have an electronic version of the, we're talking about the report to Congress.

MEMBER NEWELL: Yes. I don't have it in front of me.

VICE CHAIR JACKSON-DENNISON: Okay. Well, in years past it's just been a general, we've been saying pretty much the same thing, changing it a little bit here and there.

The approach is going to be a little different this time in that we want the report to Congress to have an overarching theme where these recommendations are made, or the rationale recommendation and the rationale with the data made that it's geared toward supporting the ideology of tribal control or tribal authority over education throughout.

And so I think right now what we're going to look at is the actual report and what needs to happen with the areas that we recognize, I think there were 22 areas in the last report that we submitted, and which ones would go in

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what order and then the data that we may need to have to support that tribal authority theme that we're working toward. So we're right there right now.

MEMBER NEWELL: Okay. I'll look over an old report later.

MS. BUTTERFIELD: And just a point of clarification, on the agenda you have us, it says proposed plan to work on the fiscal year. It's 2015 report to Congress.

MEMBER THOMAS: This says '14.

VICE CHAIR JACKSON-DENNISON: All I did was update the last year's agenda to this year. And last year it had '13, so I just made it '14.

MS. BUTTERFIELD: Oh, well, it should be '15. And it would be for this --

VICE CHAIR JACKSON-DENNISON: No, it's for FY '14, because we're in '15.

MS. BUTTERFIELD: But it's submitted in 2015.

VICE CHAIR JACKSON-DENNISON: Okay.

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But it's over the '14 year.

MEMBER THOMAS: Yes, it's over the '14 year.

MS. BUTTERFIELD: But this one says 2/13 to 2/14. So the other one would say 2/14 to 2/15.

VICE CHAIR JACKSON-DENNISON: Okay, but we're submitting over last year's for --

MS. BUTTERFIELD: Yes. But I'm following the report label. So just to be clear.

VICE CHAIR JACKSON-DENNISON: Okay.

MS. HUNTER: That's because the fiscal year began October 1 of last year.

VICE CHAIR JACKSON-DENNISON: Yes.

MEMBER NEWELL: It was FY '14, right?

VICE CHAIR JACKSON-DENNISON: Right.

MS. BUTTERFIELD: It should say 2/14 to 2/15.

VICE CHAIR JACKSON-DENNISON: Okay 2/14 to 2/15. Okay.

MEMBER THOMAS: Well, before we go any further, the people that are online, I think it's

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going to be difficult for them to work in detail with us on this.

So I would like to, I guess, put a motion on the floor that allows the people that are here to be the subcommittee so that we could start working and not, you know, leave them hanging. Because they don't have copies or if they have other input they can let us know.

But I'd like to put that out so that we can officially establish the group that's here as the sub-committee and just start working on it.

VICE CHAIR JACKSON-DENNISON: Is that okay to do from a --

MS. AKINS: Yes, that's okay.

MEMBER THOMAS: Go ahead, try it then.

VICE CHAIR JACKSON-DENNISON: As long as you all agree. So do we excuse the other people or --

MEMBER THOMAS: No. We're just asking for a motion that they accept this as the subcommittee.

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VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER THOMAS: Whoever is still on the line.

VICE CHAIR JACKSON-DENNISON: So Virginia made a motion --

MEMBER NEWELL: The ones that are there in Washington, right?

VICE CHAIR JACKSON-DENNISON: Yes. Virginia made a motion that the five of us here are the sub-committee for this. And you all will just review what we do and give it a nod of approval.

MEMBER THOMAS: Well, no. They can have input in it --

MEMBER NEWELL: If there's no second, I'll second that motion.

VICE CHAIR JACKSON-DENNISON: Thank you. Any more discussion on that?

(No audible response)

VICE CHAIR JACKSON-DENNISON: Okay. All in favor say aye.

(Multiple ayes)

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VICE CHAIR JACKSON-DENNISON: Anyone opposed.

(No audible response)

VICE CHAIR JACKSON-DENNISON: Motion carries. Okay. Now we need to establish a subcommittee chair that's going to make certain this --

MS. BUTTERFIELD: Well, it can't be me. I just --

MEMBER THOMAS: I'll go for Patsy.

MEMBER NEWELL: Who are your candidates?

MEMBER THOMAS: Patsy.

VICE CHAIR JACKSON-DENNISON: Would you mind, Patsy?

MEMBER WHITEFOOT: I am so overwhelmed, but I'll give it a shot. Yes, I don't mind getting it started. If we could decide how we're going to organize it today, that'll be fine.

VICE CHAIR JACKSON-DENNISON: Okay. And that's what we're doing right now, who's

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going to do what.

MEMBER WHITEFOOT: Right.

VICE CHAIR JACKSON-DENNISON: So Patsy's going to, oh well, we've got to --

MEMBER WHITEFOOT: I'll do it.

VICE CHAIR JACKSON-DENNISON: Okay, so then a motion for Patsy. We don't have to go through the process, do we? We just can appoint her?

MS. BUTTERFIELD: Yes, you can appoint her.

MEMBER THOMAS: Unanimous consent.

VICE CHAIR JACKSON-DENNISON: Okay, someone that would --

MEMBER NEWELL: Chair it with authority.

VICE CHAIR JACKSON-DENNISON: To edit.

MEMBER WHITEFOOT: Right. I don't mind doing that.

VICE CHAIR JACKSON-DENNISON: Who will do the editing?

MS. BUTTERFIELD: Everybody will do

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the editing.

VICE CHAIR JACKSON-DENNISON: When you do that though, you've got to have someone that goes through it and then sends it for the final.

Otherwise, everybody gets different places. As we leave this tomorrow, everyone has their own -- from my experience, it's hard to get people --

MEMBER THOMAS: That's true.

(Simultaneous speaking)

MEMBER WHITEFOOT: Let's see where we're at in the morning.

VICE CHAIR JACKSON-DENNISON: Okay. We'll decide that.

MEMBER WHITEFOOT: About 10 o'clock.

MS. BUTTERFIELD: You know, and I was looking through this report from last year. And I remember in a previous report, maybe it wasn't this one, we had a whole section on tribal sovereignty. And I don't see it in here.

MEMBER WHITEFOOT: There was a report before.

MS. BUTTERFIELD: Yes. I don't know

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why we're not looking at that.

(Simultaneous speaking)

MEMBER THOMAS: It was the report before.

VICE CHAIR JACKSON-DENNISON: Yes. So I think we need to add that back in and that would be the -- we could use that same language to use in our -- can we get the '13 report? Or who could get that for us?

MEMBER NEWELL: Is Alan still online?

VICE CHAIR JACKSON-DENNISON: Obviously not. He's not defending himself.

MEMBER NEWELL: What happened to your sovereignty, Alan?

(Laughter)

MR. MENDOZA: Tribal sovereignty, what is that?

(Laughter)

MEMBER NEWELL: I don't remember taking that out though. I thought it was still in there.

MS. BUTTERFIELD: I remember. I

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remember. It was like at the very, it was like at the preamble or something in that earlier report.

VICE CHAIR JACKSON-DENNISON: I'm trying to look for it.

MS. BUTTERFIELD: I think it was in the report before.

VICE CHAIR JACKSON-DENNISON: It might have been.

MS. SILVERTHORNE: Madam Chair, I understand that by statute you're required to do the report to Congress by June 30th. You don't have the same restrictions or date requirements for the report to the Secretary?

VICE CHAIR JACKSON-DENNISON: Okay.

MS. SILVERTHORNE: So if that helps as you're planning this.

VICE CHAIR JACKSON-DENNISON: Okay. We should just concentrate on the report to Congress for now.

MS. SILVERTHORNE: Right.

VICE CHAIR JACKSON-DENNISON: Okay.

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MEMBER THOMAS: Patsy, when you were talking about, you know, dividing this, like in the three major sections, did you have something already planned up that you were thinking?

MEMBER WHITEFOOT: No. Well, I'm just thinking about the reports that we've done from tribal leadership is, you know, trying to focus on the legislation that created it and of course treaties.

And so that's where the Tribal Education Authority is coming from. Because we're all here because of our tribes, and regardless of where we live. And so it's just seeing that need but also, because the misunderstanding about Indian education and trying to explain the role of being a supplemental resource and trying to build the whole child, so it was just a holistic approach.

MEMBER THOMAS: Did you bring your computer?

MEMBER WHITEFOOT: It's at my room, right.

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MEMBER THOMAS: Maybe if we could get that on a flash drive so that we could start working on that after the lunch break.

MEMBER WHITEFOOT: Right.

MEMBER THOMAS: And maybe we can, you know, brainstorm the beginning. I think once we get the beginning, the outline done, then we'll be able to plug all the rest of this in really fast.

MEMBER WHITEFOOT: I agree, I agree.

MEMBER THOMAS: You know, we can do that. But I think it's the initial breakdown first that we need to get that in there.

MEMBER WHITEFOOT: And then the data to go, you know, put some of the data that we do have and then include it somewhere. Because this report is for Congress. Because Congress doesn't know either.

We are educating them like we do our own communities. It's a constant education for state officials, for people that run our communities, school board members, the general

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public.

MEMBER THOMAS: In the middle of this report, I think, we should put down if you are reading this call this number for a prize.

(Laughter)

MEMBER THOMAS: Really. I mean, we get all these calls. I'm reading it.

MEMBER THOMAS: Call Virginia Thomas.

MEMBER RAY: She is really reading it.

MEMBER THOMAS: Alan, be sweet.

VICE CHAIR JACKSON-DENNISON: This is a test, you will be tested on this at a certain point.

MEMBER THOMAS: Oh, remember those tests. They said to read the whole thing before you write. And then everybody starts writing, and they're trying to erase everything.

VICE CHAIR JACKSON-DENNISON: Under the, with the Title 34 that we got, Impact Aid --

MEMBER THOMAS: Did we get the Impact Aid?

MS. BUTTERFIELD: Yes, that's what you

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got.

VICE CHAIR JACKSON-DENNISON: Okay.

MS. BUTTERFIELD: You need to pass one down.

(Off the record comment)

VICE CHAIR JACKSON-DENNISON: This is where it would help us. What we'll need to do is change Number 12. I don't know what order it would come in. But that's where a lot of the questions are from tribal leaders, that they're not involved.

I mean, when you think of it from a statistical standpoint, if 80 to 90 percent of Indian children, no matter if they're rural or they're attending public schools, and they're from Indian reservations or lands that are on federal properties, and they're following the rules of, they're obtaining money from the land that they live on or the land that their parents work in, that's where it goes, to the school system, the school district, the public school district that supports their education.

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And that's where we need to somehow -- to me that's where a lot of the control issues, because if you have that many students attending public school systems and the tribal leaders are, whether they're from a community like where I worked or whether from an urban community, the message was pretty clear at the one meeting we were at, Patsy, that they're feeling like we don't have a say in what's happening.

And that's where this comes into play, where the new IPP. So we need to make reference to that on their Number 12 of our last year's reports. That the IPP, we should make recommendations to that being a part of the work that we're recommending or the changes that need to happen.

MEMBER WHITEFOOT: I think that's helpful. And then as we look at this report to Congress, because we're going to concentrate on that, we have seven categories, 23 recommendations.

So if there's a way we can organize

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that possibly in, you know, like three overarching themes that we would have around maybe a tribal education authority.

I was looking at, you know, early childhood. Adequate funding is a major issue just in Indian country in general, and overall in trying to meet the needs of the whole child.

So if we could just break it down into about three, you know, the TEA authority, holistic approach and short term/long term goals, I mean, that would be very beneficial, I think. So if we have scissors, we could start tearing these apart, I think it would be helpful to have.

VICE CHAIR JACKSON-DENNISON: Go ahead, Joyce.

MS. SILVERTHORNE: I have some information in the other room. I've got poster board we can put up for you.

MEMBER WHITEFOOT: Oh, okay.

MS. SILVERTHORNE: We can put one of each of these on a poster. Have you ever worked with the strengths, weaknesses, threats and

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opportunities, the SWOT Process?

If you take a look at that with each of these and decide what you want to do with each of the ones that you have proposed, we can provide some input into some of the reasons that you're not getting responses and information, where we can find some responses.

MS. AKINS: Madam Vice Chair?

VICE CHAIR JACKSON-DENNISON: Sure.

MS. AKINS: Joyce, I want to respectfully say to you though that this is the subcommittee. And so if that's the approach they would like to take, the subcommittee would need to agree to that and then the full board.

So I just want to caution you that we don't want anybody from the public to read this transcript and feel as though we've influenced the Council in any way.

MS. SILVERTHORNE: I'll leave the room.

(Laughter)

MS. AKINS: I didn't mean that. I

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mean, even the approach, if that's the approach the committee would like to take, the SWOT, I think you mentioned.

But I think I want to just ensure that we don't have any backup issues, that I'd like to see the Council devise the method in which they'd like to construct the skeleton or framework for the report. So I just respectfully ask that if you, you know, maybe you want to, I just would like to caution you on that.

MEMBER THOMAS: I'd like to put a motion on the floor then, for the whole advisory, not just the subcommittee, that we utilize the advice from Joyce.

And then maybe we could take an early ten minute lunch, because we're just discussing now, but get everything ready by the time we come back, have it all up here.

We can cut and paste, devise what we want, start with our major theme of the letter and how we're break it down. And then we can just work from there, and just turn it over to

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the subcommittee.

If the other committee members want to stay on, they can assist. But we can at least develop this. So that's my motion, that this is how we do it. Go ahead and do our cut and paste session and break it down into categories that we want.

VICE CHAIR JACKSON-DENNISON: There's a motion and a second. Anymore discussion on the motion?

MEMBER WHITEFOOT: I'd like to just follow up to make certain that we have the inclusion of the Indian education director providing support.

MS. BUTTERFIELD: Just informational support that we need for --

MEMBER WHITEFOOT: Yes, right.

VICE CHAIR JACKSON-DENNISON: There's a motion and a -- do you accept that?

MEMBER THOMAS: Yes.

VICE CHAIR JACKSON-DENNISON: Okay. And there's a second. All in favor say aye.

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(Multiple ayes)

VICE CHAIR JACKSON-DENNISON: Okay.
So that's how we'll flow with the direction that
we'll go with this.

MEMBER NEWELL: What documents are we
referred back to? Last year's report?

VICE CHAIR JACKSON-DENNISON: We're
only referring to the report --

(Simultaneous speaking)

MEMBER NEWELL: -- electronically. So
we can have something to look at.

VICE CHAIR JACKSON-DENNISON: Yes. I
think they sent that to you. Yes, they did send
that to you. Check the email. It's probably in
there right now.

If it's not in there, let us know and
we'll -- we're only going to work on the report
to Congress.

MEMBER NEWELL: Oh, that one, the
report to Congress --

VICE CHAIR JACKSON-DENNISON: Right.
We're not going to worry about the Secretary's

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letter for now. We're going to spend our time on the report to Congress, okay?

MEMBER NEWELL: Yes.

VICE CHAIR JACKSON-DENNISON: All right. It's ten minutes until noon. Is that when we're --

(Simultaneous speaking)

VICE CHAIR JACKSON-DENNISON: Okay, Alan?

MEMBER RAY: I'll text you guys in the morning. I'll be on in the morning.

VICE CHAIR JACKSON-DENNISON: Okay. Thank you, Alan. You're off the hook. Although you're making us feel really bad that you're not included with it this time.

(Laughter)

MEMBER THOMAS: And the spelling is bad, and everybody's blaming you.

VICE CHAIR JACKSON-DENNISON: Alan, before you go off, we all know that Jenelle Leonard retired. And we're very appreciative for all of the work that she has done on behalf of

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Indian education in her role that she has been in for, I know since I came on in 2010 onto this Council. Virginia has gone out of her way and found a little gift for her. And we just wanted to --

MEMBER THOMAS: From the NACIE members.

VICE CHAIR JACKSON-DENNISON: -- from the NACIE members, to present her with a little gift from us, if that's legal to do.

(Laughter)

MS. AKINS: We're adjourned.

VICE CHAIR JACKSON-DENNISON: Okay, we're going to adjourn for lunch before we do this. But I just wanted to say that before you get off the phone. Because I know you wanting to hang up and go have lunch too.

MEMBER RAY: Well, thank you very much.

VICE CHAIR JACKSON-DENNISON: So we do have a motion to adjourn for lunch.

MEMBER RAY: I make a motion to

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adjourn.

VICE CHAIR JACKSON-DENNISON: Second?

MEMBER THOMAS: Yes.

VICE CHAIR JACKSON-DENNISON: A second. All in favor?

MEMBER NEWELL: So do I go off and call back or what?

VICE CHAIR JACKSON-DENNISON: No, no, no. Just stay on. We have a motion to adjourn for lunch. Somebody went off.

VICE CHAIR JACKSON-DENNISON: Okay. All in favor?

(Multiple ayes)

VICE CHAIR JACKSON-DENNISON: Okay. Now we'll go ahead and recognize Jenelle.

(Whereupon, the above-entitled matter went off the record at 11:50 a.m. and resumed at 1:16 p.m.)

VICE CHAIR JACKSON-DENNISON: Okay. We'll call the meeting back to order. It is 17 after 1:00. And I don't believe we need to take roll again. We'll all back, the sub-committee, I

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guess, at this point. If anybody calls in, they'll be part of the going through our --

MEMBER THOMAS: Working session.

VICE CHAIR JACKSON-DENNISON: -- working session, part of the agenda. We did it open, so you know. We do have --

MEMBER THOMAS: Bill and Joyce.

VICE CHAIR JACKSON-DENNISON: -- Bill and Joyce back with us. And thank you for returning, Bill.

MEMBER THOMAS: In the minutes, Bernard fell over.

(Laughter)

MEMBER THOMAS: We have on the agenda public comment session. Are we going to do that?

(Off the record comment)

VICE CHAIR JACKSON-DENNISON: No, I think --

MS. AKINS: No one signed up.

(Off the record comment)

MS. HUNTER: No one RSVP'd for comments, okay.

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MEMBER NEWELL: They brought my elderly meal to me, so I got busy eating.

VICE CHAIR JACKSON-DENNISON: We're glad you got something to eat. We're on the public comment section. We don't have any public comments. No one responded for public comments.

MEMBER NEWELL: Oh, gosh. I usually like to hear those.

MS. HUNTER: Jenelle RSVP'd.

MEMBER NEWELL: I guess everybody's okay with that.

MEMBER THOMAS: Jenelle, you're going to do the public comment? You did RSVP.

MS. LEONARD: Not for comments.

MEMBER THOMAS: But we give the floor to you. You've got to talk in front of the mic.

MS. LEONARD: Oh, I haven't checked it.

VICE CHAIR JACKSON-DENNISON: Okay, we do have Jenelle Leonard here. Give her some time, she can speak whenever she wants.

MS. LEONARD: So let me just -- do I

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state for you my name? Jenelle Leonard, J-E-N-E-L-L-E, L-E-O-N-A-R-D.

MEMBER THOMAS: With our in front of it.

MS. LEONARD: I did RSVP, but not necessarily to come in and make public comments.

But since I am here and I do have the opportunity to do this, I would like to make some public comment.

And my comments are mainly directed to the NACIE board, or to the NACIE Council, I should say, as well as those people who work very diligently to support the NACIE Council, meaning Joyce Silverthorne, and Bill Mendoza and their respective staff people.

But my comment to the NACIE Board is, in my former life I was your DFO. And I just wanted to take the opportunity to express to you what a privilege and an honor it was to serve as the designated federal official, often known as the DFO.

And I proudly pass that torch to Tina

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Hunter who will equally do a very good job for you. But it was my pleasure in that position to be, I'm going to use the term your servant, to be of service to you, to be your voice to the Department.

And I can say to you that I did tell Dr. Ray at my departure that I carry you with me.

I carry the cause with me. And in every opportunity that I get, every time I get to be a voice, I speak on your behalf.

I internalize the struggle, I internalize the challenge, the mission. And it's a passion with me. And I just wanted you to know that and to say it to you publicly.

And I certainly, for each of you, appreciate the work that you do. I respect the work that you do. And I know that, away from coming to these meetings, that individually you're in the communities, you're part of the community, that it is a 24/7 job. And that the passion, the commitment is there. And I appreciate that and respect that.

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And for members of the board and for the Council, I know you speak well. And oftentimes it seems as if your voice is not heard. But it is reflected in the work that Ed does.

So Tina will be your voice. Joyce will be the voice. Bill, of course, will be the voice. And in everything that the Department does, it really listens to you.

Oftentimes it may be a little unnoticeable or invisible, but there is a voice. And they take that with them to every meeting, with policy decisions, budget decisions, all of these things are being considered, that your voice is being heard. And that's the role of the Department, is to hear and be present when you're not here.

But certainly for -- I think Deborah mentioned that we first met in 2010, five years ago. And so for five years, I mean, we've worked really kind of tirelessly to make things happen as a Council.

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And I just want to acknowledge publicly the hard work that you do, given the other kind of demands that you have on your time as well. So you are appreciated. Your voices are heard. And they work tirelessly to make sure that that happens as well.

So I just wish you a lot of success going forward. And keep up the good fight and bring to the table the issues.

And I can remember when Arne Duncan presented before you. He said push us, push us.

So those words still ring in my ears. And I think he meant it, and I still think it's standing. And I think the ball of the responsibility rests with you to push hard, to push hard, to make it happen, okay. So with that, I'll close my comments.

VICE CHAIR JACKSON-DENNISON: Thank you. Thank you, Jenelle. Thank you. Any comments or can we --

MEMBER NEWELL: Yes, I'd like to say something.

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VICE CHAIR JACKSON-DENNISON: Okay, go ahead, Wayne.

MEMBER NEWELL: Jenelle, number one, I miss you already. I think Jenelle, and I don't know if it's common knowledge or not, but I'm quite ill. That's one of the reasons I haven't been able to make these meeting personally.

And she has been so, you have been so accommodating with the schedule, and everything and understanding. And I really, really appreciate it.

And I wanted to publicly thank you for all of the -- I don't call you a slave, I call you an accommodator, because you make things happen yourself by making things easier for us as we attempt to do a difficult job. So on behalf of myself, anyway, thank you so much.

MS. LEONARD: Thank you.

VICE CHAIR JACKSON-DENNISON: Thank you. Anybody else? I too want to just add a little bit, Jenelle. I don't know where I missed the email that you were retiring, but I missed it

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somewhere. And everyone's laughing at me, because I claim that I didn't get it. But I really didn't know you retired. And it was a shock to me when I heard about it.

So I do appreciate the work that you've done as well. And it's a belief of many of us that things don't happen without reason, so I'm glad that we met, and I'm glad that our paths have crossed as they have. And thank you for all the years that you've put in.

MS. LEONARD: Thank you.

MEMBER THOMAS: I have just a short comment and that's, I think, it's because I'm the old timer here. So I was here at the administration before, and I was the other administration within the Department here, that how difficult it was. It was very difficult to get through, to feel like we were being supported.

And when Jenelle stepped in, things started changing, you know, the atmosphere changed, the work changed. We had, you know, a

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larger voice than we did before. So thank you for that, Jenelle.

MS. LEONARD: You're welcome.

MEMBER THOMAS: And we all expected a present, but nothing came.

(Laughter)

VICE CHAIR JACKSON-DENNISON: Okay. Well, thank you.

MS. BUTTERFIELD: Well, she can still make it up to us. She's got up to \$50 per person.

MEMBER THOMAS: Oh, yes, yes.

(Laughter)

VICE CHAIR JACKSON-DENNISON: Okay, moving right along. We don't have any other open comments, so we'll go ahead and move on to, as I explained this morning we just have it down as establish working agenda. And so the Council has left it pretty much open.

Before we came back and this morning when we left, we kind of narrowed down the direction that we were going to go with the report. We're only going to focus on the report

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to Congress, given the short period of time that we have to get that out.

And so we left it open. We actually narrowed the focus down to be -- and I don't know, Patsy, you're going to have to help me with what we called it, tribal -- we want the focus to mainly be, the structure of our letter or our report to Congress is going to be under a theme of --

MEMBER WHITEFOOT: Well, tribal authority in Indian Education and self-determination, the legislation around that, meaning that we really want to take a look at that approach.

Because we know that's where our tribal leaders are going as well, so we want to make certain that we're in alignment. So if they see a document that we've produced, then they have something to work with too, because that's what they want. They want, you know, some kind of document to help lead them.

And I've been involved with different

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tribal reports as well, so, you know, I got to thinking, you know, it's overwhelming with our 23 recommendations. And so we have to align ourselves.

So starting with that as kind of the umbrella, but also recognizing the fact that we really, you know, while we are supplemental education programs, we also are challenged with addressing the needs of the whole child.

It's not just academics, but it's also health. And you'll see that in our report. But we want to be able to organize ourselves around a holistic type of approach but also acknowledge the fact that we're dealing with a piecemeal approach.

And people don't know that when they're in the field. They think that we're doing, you know, that we have all of these resources. Even our own educators out in the field and tribal officials as well think we have all this money. But we don't have all this money.

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And so taking a look at the holistic approach to being able to achieve our short term and long term goals, and then we also want to make certain we have data, some research language in here as well. So just reorganizing, just continuing to maintain what we have but just reorganize it a little bit.

MEMBER THOMAS: Before we get into the report, you know, I was hoping to have a few moments, you know, because I know you can't stay the whole afternoon with us. Because I know you want out of here. But you can't leave until we have questions. I do have some questions I want to ask --

MR. MENDOZA: If I could spend all day here with you guys I would. I think you want me out there too.

VICE CHAIR JACKSON-DENNISON: No, we want you here.

(Laughter)

MS. BUTTERFIELD: I want you here, I don't know about anybody else.

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MEMBER THOMAS: Okay, so you just made a commitment to me.

(Simultaneous speaking)

VICE CHAIR JACKSON-DENNISON: No, I really do think it's important to have the two of you that have been out there and doing this work. And that's where the questions probably come from --

MEMBER THOMAS: I do.

VICE CHAIR JACKSON-DENNISON: -- to put in our report. And that's been my frustration, is that we'd like to have, like I said this morning, the approach that I'd like to take is let's really get down to the nitty gritty instead of just doing reports to us and then trying to put it together in a document that never gets read.

Tell us what you've experienced and what are the things that you're hearing. What's going on? And then from our experiences where we've been, we can put this report together based on the theme that she just talked about earlier.

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So that's the way I look at it.

MEMBER THOMAS: One question.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER THOMAS: I do have some things, just two things, and this is one of them. And I know there's a lot more. But, Bill, in your report this morning, maybe it's three things, about the vacancies, you know, I don't know about anybody else here, but I was not aware of Derek being removed. No one told us.

You know, we had no communication. So it was kind of a shock. Because we didn't have that. And that's part of the thing that I think that Debbie is talking about.

We need more communication between us, you, Joyce, whoever this is. Because we should have known instead of just reported that this has happened. We should have been, at least Debbie should have been informed. So that's my one concern.

Then you were talking about for the input for NACIE and that our recommendations

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should be acted upon. And I know that you've really pushed for our reports, you know, trying to be read and trying to be understood. I know this, I know this of you. I know that you're a voice for us. I know this, because I raised you that way.

But we're still not getting it, you know. And I don't know what else that we could do, or help you or whatever it is to get these things done. Because you could keep reiterating over and over, you know, they need these answers.

Where's the letter, back to communication to NACIE, where are you standing on this? What is this?

Is it that your position isn't high enough, that we need to advocate for a stronger position, you know, to say that this is going to be done, because it's not being done. We get no communication back.

And I know that you, and Joyce and the whole Department advocate for us, you know, to get back to us. But even through the Secretary,

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we got nothing. We went through Congress, we got nothing, well, maybe one, one. No, not even one?

VICE CHAIR JACKSON-DENNISON: I don't remember one.

MEMBER THOMAS: Okay, not one. But this is my issue, is that, you know, we take time. And you see how serious we are about these reports. And to us, you know, this is our only chance to be the voice. This is it, you know, because we don't get a whole lot of public comment. And so this is our only chance to do this.

So if we're doing all this, we're still not being heard. They're not reading it, you know. And I jokingly said let's put something in the middle there that said if you're reading this call this number. Because, you know, really, who is actually reading this? Who's actually going to follow through.

And I know that you, I know that you advocate for us. I know this. But it's not going anywhere. So what can we do, you know?

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And it may be not us for the next term, you know, when the new administration comes in, you know, we won't be here. It may be someone else that comes in, you know. So we need to set a foundation for them who follow us. Because it hasn't make any difference yet.

We're better than we were before, but we haven't come far enough. We haven't come far enough, not to the expectations to when we signed those commissions to follow through on this. You know, we can't do it.

I know that I was really vocal at the first meeting we had in this administration about doing it right. And look who we got, we ended up with Joyce. You know, these are the things, you know, we fought for our voice to be heard, and we did it. We're not being heard anywhere else.

So that's my concern with this, about the input from NACIE that we have. I'm really concerned that we haven't done enough. I mean, not that we're not working on it, but we're just not being heard enough.

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MR. MENDOZA: Okay. I hear two questions out of there, and I can definitely respond.

On the first question regarding Mr. Bailey, it's my understanding that he's engaged in a personal matter, Presidential Personnel Office is where, you know, his role and involvement with NACIE had an open, as I reported this this morning, he was informed that his service was no longer for the National Advisory Council.

In terms of the timing and notification of the Vice Chair or any of the other members, maybe I misinterpreted. And I take full responsibility for that.

The email that I received, you know, areas of interest from NACIE and where they wanted to hear from me and report for them, centered on those three questions that I addressed this morning.

So I interpreted that as you wanted to know, in the course of NACIE proceedings, the

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status of those three issues. And so I didn't think that advance notice prior to the meeting was necessary.

And then I wouldn't even be sure of how to handle such a protocol in terms of an advance notice. I would have to seek advice and input from our FACA advisor in that. But then I think there is a way to handle those kind of things moving forward.

The next opportunity for such a notification would probably be the appointments.

And so we can explore, you know, making sure that you're not caught off guard if that's something that you would want to know in advance.

And so I apologize for that.

And just by way of explanation, not excuse, I took the three questions to mean you wanted to hear from me on the record, in the course of NACIE proceedings, the status of Councilman Bailey.

MEMBER THOMAS: Yes. Just a point of clarification, she's our chair. After Tom

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stepped down, she was co-chair, and now she's just chair.

MR. MENDOZA: Having missed some of the proceedings from this morning, I'm using language from the agenda. So I apologize if I'm speaking out of turn. Again, I try to track what's on paper and --

MEMBER THOMAS: We're trying to teach you right. We're trying to raise you right here.

MR. MENDOZA: All right. So Ms. Chair, to expand on Councilwoman's previous, or her second concern in terms of the advocacy, I laid out this morning some very high level key initiatives to address opportunities and outcomes for American Indians and Alaskan Natives.

And all of these align with the Council's advisement to the Secretary, as well as the report, which I know you leak those very purposefully. And, you know, although we have progress on many fronts in that sense, we of course agree that there's still a lot more work to be done in this area.

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I've communicated on a number of occasions in front of all of you to seek more input from the folks who advise you on ethics and the Federal Advisory Commission Act in terms of what more the Council can do as a body.

We have to present information to you in that sense and then inform appropriately. Beyond that, your report is your report. And so, you know, I don't know how much more than that I can advise on.

Without going into too much detail, we have navigated response to your letter within the Department and obviously to a disappointing fashion. And as I communicated this morning, I'm not going to give up on that. I think we need to respond as a Department.

The Secretary thinks that as well. And we're going to continue to identify a process that we can do this more efficiently, and certainly respectful of NACIE's role and ensuring that you have a response in an expedient manner.

Beyond that, there are a number of

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areas across agencies as well as on the Hill, you know, that these issues navigate. And we follow all the processes to make sure that NACIE recommendations are, in navigating those processes, the NACIE recommendations are a starting point.

Tribal consultations, what we hear from you all as an advisory council, are the basis of what is the direction that Indian Country would like to inform this issue.

And just as Ms. Leonard spoke to, that has been my experience and will continue to be experience from the standpoint of my role as a policy actor within the Department.

And so beyond that, I couldn't speculate what more could be done. But I think the experiences that I have had with you all are ones that I think have gotten us to where we are now, which I firmly believe is not only historic but contingent upon enacting new law in this area, and are going to be even more meaningful than what we have been able to create movement on

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here.

And so I know that's very general, but we'd be happy to kind of discuss any of those activities and initiatives in detail and what we think and know about their impact.

You know, over a short period, as I recently testified on, graduation rates have gone up. And they haven't only gone up, they've outpaced any other ethnicity.

And this isn't something that the Secretary or the President takes credit for. This is due to the hard work of folks like yourselves who are in the field doing this work day in, day out. And we are supporting that work.

And so that kind of stuff needs to be brought to scale on a national level. And we've worked really hard to do that. I just recently came off testimony from the Health Education Workforce Committee in the House and emphasizing these issues with the new Congress, strikingly refreshing in the sense of genuine interest in

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creating bipartisanship around these issues from Chairman Cline and Co-Chair Scott.

And the rest of the Council members, you know, we worked through some conversations there that are really promising in terms of the willingness for bipartisanship in this area.

The Secretary, as I didn't get to mention this morning, just came off of the White House Tribal Youth level Cabinet listening session with Denver youth in looking at challenges on the urban Native side, making sure that those students are not only thought about but the opportunities that they are experiencing are also spoken to.

And so whether you're looking at it from challenges or opportunities, you know, we're really trying to strike the balance of what is happening right now in this space of continued investment and support of the BIE, and tribal colleges and universities.

So there's a lot of moving pieces to this. And so I just offer that as a way of

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explanation.

MEMBER THOMAS: Well, I personally appreciate your advocacy, you know, using our reports and concerns, you know, as part of your backbone to get things done. But my concern is that we still don't hear from the Secretary. We still don't hear from anyone in Congress. And that's what our concern is.

We know that your, you know, with your initiative, you're moving forward on our recommendations. We see that. We see what you're doing. But, you know, there's also, you know, according to our -- oh, what's it called -- not our Commission. What is it? The Charter, you know, that we are responsible for these things. But yet we hear nothing back from them, like, oh yes, we'll look into this. We'll make sure that this is happening. We don't get any of that. And we never have. We never have.

And that's our concern, because when we first started into this that was our biggest concern. I think Robin was the one that brought

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it up when we first met that we didn't hear anything from the last Commission. And, you know, now we're a new Commission.

And we were hoping that we would have a better communication. Not with you, or with the White House initiative or even with this Department, because I feel that we've got a good relationship here. It's beyond that, to the Secretary level and to the Congress level is my concern.

MS. BUTTERFIELD: Yes. Well, I'd like to add a couple of things, because it is really frustrating to be on this board. And a year ago we had asked for responses to our documents, and nothing happened. And the year before that we had asked for responses. So this is going on the third year.

So it's really difficult to sit here and say, well, we'll attend to that. I mean, we were supposed to have these positions filled last summer, as I recall, even before we went to NIEA.

So we're still waiting for positions.

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And now we're in jeopardy of not having a quorum, you know, because we have to use the original count of who's on the NACIE board, which seems ludicrous to me. So we're sort of hampered in every attempt that we're making to, you know, have our issues be heard.

So who is the vehicle who can get the ear of the Secretary if it's not you, or if it's not Joyce or if it's not our DFO? I mean, what other avenues do we have to get some response? Some of the stuff is just basic, you know.

MEMBER THOMAS: I really swear he said trip him.

MS. BUTTERFIELD: What?

MEMBER THOMAS: I said trip him instead of push him.

MS. BUTTERFIELD: Yes. Well, that was another thing we requested, was just to have a conversation with him, which we haven't had, you know, in the last, what is it, three or four years? We have not even had a conversation. And we've asked for that.

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The other thing is that NACIE is referenced in the White House initiative on Indian Education. And we went to that one interagency meeting, and there was supposed to be follow-up to that. We never got any feedback on what happened with that and if that's moving forward.

Another major issue that has been expressed multiple times is that a lot of time and effort has been put into bolstering the relationship between the Department of Ed and the Department of Interior.

But that represents, you know, less than ten percent of Native children, you know, attending those schools. And it's not apparent, maybe there's things that I'm not aware of, of what efforts have been made to, you know, strengthen the public education system for the other 93 percent of Indian kids.

I mean, yes, they get Title VII funds, you know, working at the State Department, you know, over decades, both in Oregon and

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Washington, we know how difficult it is to get access to the other funding sources, Title I, Title III.

And I think that, you know, we've asked for comparisons of data. What is the per pupil expenditure for Title III? It's like three or four times what Title VII gets. What is it for Title I?

I mean, we get such a small, small amount of money and are expected to make a big difference for our Indian kids when the basic system that they're attending is failing them. And it's failing them because we don't have the access and opportunity to interact with the system as it stands.

Now, earlier Patsy brought up the notion that, yes, in the grant applications for Title VII we're sort of admonished to coordinate with other federal programs. But in their funding applications, they're not admonished to work with us.

So we're always knocking at the door

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and nobody's answering at the district level. I'm not saying nobody, I shouldn't say that. That's an over-generalization.

I work in a district where we had very good collaboration. But when I'm out in Oregon talking to a lot of the Title VII directors, they're isolated. They don't feel like they're included in the conversations in terms of utilizing all the resources that a district has to bear to support the needs of Indian kids.

So you know, we put in our recommendations that in the comprehensive plans, both at the state and the district level, that there be some accountability for how those districts coordinate, you know, services for Indian kids.

That's a very concrete thing that it seems like the Department itself could support. You know, it's just stuff like that that there are things that can be done that continue to strengthen, you know, the work that we're trying to do. Not just at the national level, but at

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the state and the local level as well.

VICE CHAIR JACKSON-DENNISON: Thank you, Robin. I want to also add, like the two ladies have said already, we know you're out there. We know you're pounding the roads, and getting out to people, and talking, and meeting, and learning and sharing your knowledge back and forth. There's no question about that.

I think the frustration, as Robin has said and Virginia has said, is that it's the communication, and how are we going to include that and then also the question of whether or not our report is really used.

I was just reading on the Indian Country News about the May 13th hearing that both you and Dr. Roessel were at. And the first thing in my mind, because I was reading the questions of what was asked of you all there about the very issue of the public schools versus the BIE schools, and why can't BIE just join the public school system or something of that nature, and so my question was was our report ever brought up at

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that hearing as to our number one recommendation that we've been making for the last four years about elevating the position of the -because that is where there's a huge disconnect that starts.

And I've felt it ever since I've ever been involved with this level of work. You get in here to Washington, if you talk about Indian education, no matter who it's been to, no one in particular in general but I remember thinking this way back, and all that's thought of when they refer to Indian education is the BIE, or the BIA back then, not BIE.

And to this day it's still like that.

And when you refer to the public school sector of Indian education, the only thing that seems to be talked about is Title VII. So there's this huge disconnect in that, and we go around, and around and around for centuries now of Indian education looking at reports, looking at information.

Well, it's not working, it's not working. What can we do better, what can we do

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better? And yet we're missing that factor right there. And so it's almost as though, well, we'll just worry about what we do know, and that's the BIE. That seems to be what's happening.

And so I think it's a good opportunity now because if we're taking this approach with our next report to have the both of you sitting here with us, and that's why I'm saying don't leave us, because we need your knowledge.

We need what you've experienced out there in the field, and the meetings that you've been in, the hearings that you've participated in, to help us to back that up and then, again, take that further and go back and, okay, this is what NACIE -- I guess what I'm saying is there's a huge disconnect.

Because of the disconnect, there's a huge disconnect about our roles. And I'm leery, I'm really worried that that might be why we're, besides other reasons, we're losing members of the Council. Because it's starting to feel like, I know I feel the frustration. We've all felt

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this.

What do we exist for if it's not to be any good. Because no one wants to be a part of an organization or a group that's doing work that doesn't ever result in anything.

And although we're hearing good things, it's these type of meetings and hearings that go on that we'd like to say, okay, we played a part in that. Oh, good, they're using our information. We're taking to a serious level of what we've put together and what we've spent hours and hours working on.

Phone calls, what we've done over the last year is we get together by phone. And we work these things out. And it's very difficult with a phone to do that kind of work, but we do it. And we get in contact with our person that edits everything. And then we get it to the office here, and then they generate it from there.

It feels like it's taken lightly, that's what it really feels like from our point

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of view. And so I guess just to help us to feel a little bit more interested in doing it again, to be here with us and share with us what you've experienced so that it should go into the report of this nature. So it can be significant, if that sense. And that's what I share with you. Robin?

MS. BUTTERFIELD: So I have two very specific questions. Who is the point person, you know, to take our letter through the Department? That's one thing.

And the second one, what is our role on the White House initiative? NACIE's referenced in there but, you know, I don't like my name being on a body that is supposed to have some recommendation authority and know that I'm not being heard or involved, you know.

Because I know how Indian County is. Well, you're on NACIE, you know what's going on.

And I'm going, like, no. I don't know what's going on. It doesn't feel good, you know.

So the two questions are, you know, I

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guess they're both related to how do we improve communication. If things are happening that, you know, NACIE should know about, it seems like there should be some way to communicate to us. You know, as a result of NACIE's recommendation, this is happening, go to the website on X.

I mean, I don't know if there's an assumption that we're all perusing the Federal Register every day, because that's not true. Like, I didn't even know where this meeting was.

Because I didn't know the announcement had gone out.

Of course, in Indian Country, you get things through the back door sometimes. But, I mean, it's just sort of basic information that I would like to feel like I was prepared to share with, you know, my constituents out there, that they're being heard, that we're being heard, that we're getting information back. So, you know, how do we become better, more cooperative collaborators on stuff?

MR. MENDOZA: So now to the first

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point, what is your role with the initiative, second point, how do you become better collaborators?

MS. BUTTERFIELD: And who is responsible for carrying NACIE's stuff forward, once we leave, in the Department. What are the channels of communication? I don't know that. Does it go now to Tina? But you're on the White House initiative. I thought you would be more involved with us.

Joyce does Title VII, so it gets kind of, I started copying everybody sometimes when I want something. Because I don't know who's in charge, you know. And I don't mean to be a pest, but I just feel frustrated I can't get an answer sometimes.

MR. MENDOZA: Well, I mean, there's certainly a lot of back and forth of your points to draw off. The White House initiative, in collaboration with the Office of Indian Education has been that voice of comprehensive approach to Indian education.

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And to not only recognize the critical nature of the work that is happening with the BIE and its impact that it does and will have on public school students as a result of some of the investments and the energy that have been put into that reform, but also saying not just that but both/and, you know.

And I have said this before on the issue of either/or, it's an issue of both/and. You know, we need to be looking and acting on behalf of all Indian students, regardless of where they're attending.

And NACIE has shared that concern for nation rebuilding in that sense and what that means to the President reaching his 2020 goal for being first in the world for graduates by that time period.

And in the course of that, those activities, and I'm taking responsibility. And just how I don't hold either of you, NACIE members, accountable for informing Indian Country, you're an accountable decision making

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body that I need to be responsive to.

But I don't hold you accountable for certainly communicating with every tribal leader in your region or your area of expertise. You know, that same case is held for Joyce and I. And I think we need to develop -- I'm looking at Ms. Hunter here --

MS. HUNTER: Yes.

MR. MENDOZA: -- perhaps regular check-ins on the NACIE schedule. Because we come to you when you call us.

If you have lapses in your convenings for large periods of time, you're missing a swath of information that we could otherwise keep you updated on.

I would like to explore, through our FACA advisor there, perhaps quarterly check-ins and updates with NACIE, at the minimum. I don't know why we haven't done it. But I know that we can sure fix it moving forward.

If the communication is, as I'm hearing from you all, that you need regular and

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constant communication, that would require, I would imagine, commitment from NACIE to attain a quorum in some fashion for these regular updates, which is probably, before I get too far along the line, there's probably a process that limits that.

I know I ran into that in certain situations in the course of our work where we would like to further involve you, whether it's an interagency convening, or in events or, you know, that we always have to follow for the public trust and good, the Federal Advisory Commission requirements.

And those are designed to protect you all, designed to keep the public informed and yet can be challenged to navigate in some of the quick turnaround time constraints that our work is affected by. So that's in terms of collaboration.

The White House initiative, the role, I think, you know, I would have to seek advisement on how I can guide NACIE in terms of

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what structure I think is effective, to be able to articulate what it is we pursue jointly and what NACIE can do on its own.

I've had trouble figuring out what it means in our role to seek your advisement and to act upon it. And so in the absence of clarity of my understanding, I've tried to do my best to take each of your recommendations and implement them into the work of Ed.

And whether it's the technical assistance investment that you guys made in 2010, early on when I just came in, I knew that that was important. I knew that that needed to be, that execution was as important as its prioritization.

And we've worked hard to carry that out, to hold those regional comprehensive assistance centers accountable for meaningful activities under those efforts.

And Joyce and I have been steadfast on that effort. And it's made a sea change as indicated by the momentum that we have in

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partnering with the BIE to collaborate more at the ESEA level.

You take that and couple that with the investments that we've made in building tribal capacity through the state Tribal Education Partnership grants, ensuring that tribal colleges and tribes have a pathway to further provide protective information and data, you know, that now we have, where we didn't have in 2010, a composition of tribes that are expanding their interest beyond just the Bureau of Indian Education.

We have popularity in the webinars introducing these new series of compositions that we know there's going to be more competitions than there are resources.

So, you know, we're really excited about that. But that's going to, in and of itself, even if there aren't resources, are going to bring a sea of change of understanding among tribes about what more they can do in this space.

As we've always kind of held all

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along, Step incentivizes what is already something that can be accomplished under current authority.

We have brought, in terms of the Department, ESEA proposal consistent with this mandate, the consultation mandate for a school/life plan for states to consult with tribes, for those local education agencies that reach 50 percent or a 50-student threshold.

It doesn't get us all of Indian Country, but a large swath of Indian Country in a meaningful fashion that empowers tribes at the center of that authority, if you will, and need for collaboration.

You know, grant by grant the supplemental priorities was a prioritization of the Secretary to say Native youth mattered. And now we're going grant by grant and trying to incorporate that supplemental priority to be able to be utilized.

That would, at the very levels of where we can get that inserted, is competitive,

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absolute, competitive, invitational. And I don't want to raise expectations around this, it's where it's appropriate and where it has, you know, acquired that we're trying to advance these.

Just developing that, within the scope of the priorities specific to Native youth, was an accomplishment in and of itself. And that's all anchored off of the Native Youth Community Projects which are, again, in response to what NACIE has called for, place-based, community-based investments into Indian Country that centralizes this work not, solely in the hands of one of those factions, a school district, a Bureau-funded school, a community-based organization or a tribe.

It says we need to have all of them as collaborators, we need to provide a mechanism that isn't a top-down constricted grant structure but that has that flexibility to operate among the diversity of tribes.

And through other initiatives where we

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have not been able to make movement in terms of what is currently being considered for ESEA, we've tried to scaffold with initiatives to bring awareness, to use the pulpit, to try to address things like Native languages that apply to boys and young men of color.

And we still have a lot more work to do, science, technology, engineering, even math, you know, we're partnering with the Department of Energy now to go about an initiative that takes an interagency structure.

The White House Council on Native American Affairs, which I didn't get to expand on this morning, is very active in terms of, you know, what Gen I is currently infusing into tribal policy where we get at some of the whole student concerns that Ms. Whitefoot talked about in trying to address things like suicide prevention and restoring the unity, the environment for those youth in those situations.

And so through that working group, you know, the interactions between the initiative is

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being hammered out right now on a new levels. So I feel like we are institutionalized. We do carry the voice of NACIE.

And I agree, we can do better on strengthening those communications and making sure that you all are connected in a more consistent timeline, if not real time, what is happening at the federal level.

Because I assure you, just as everybody has probably echoed here today, that what you say matters, what you say influences policy. And that's, you know, to put as much burden as myself, on Director Silverthorne, that's or job to make sure that that's understood throughout the Department.

So if you're asking for that point person, I think you have him before you. And I think we can do more in terms of clarity around some of these other areas. And I will come back.

I will get advisement from FACA, I will get advisement from our DFO on how to proceed in terms of strengthening clear action items from

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NACIE.

MEMBER THOMAS: Well, it was really good to hear you this morning when you said that you try to stay on top of things, and you keep advocating and wanting answers.

Because this morning you were saying, you know, I get after them. You know, when are you going to do this? And what about this and what about this? And, you know, advocating for us, for our response, you know, when are you going to do this? When is this going to happen? And we really are appreciative of that.

But we're still not getting an answer, you know. So it doesn't look like even your words are being heeded. So, you know, to whoever it is that has this responsibility to get back to us.

Because, you know, I remember you telling us this morning that you were speaking on behalf of us saying, you know, we need to get this out, we need to let them know about this. And you stay on top of it. And I'm really

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appreciative of that. But we're still not being heard, even by the people that you advocate us for.

MR. MENDOZA: If I could be so bold, what more, where are we falling short. And, you know, if you could give that thought in terms of what you're developing, you know, I think that is where we need to focus these conversations. You outlined some areas for us --

MEMBER THOMAS: But my first concern would be with the Secretary, to tell you the truth. My first concern is Congress, you know, they're out there, you know, we've all lobbied, we've all done this thing with Congress.

MS. BUTTERFIELD: We haven't lobbied. We've informed.

MEMBER THOMAS: No, for other issues. I've lobbied a lot over my life. But the Secretary, you know, I know that he talks to everybody and does this. But we wanted to hear from him personally. We want to hear the response back to us.

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Because we felt like, even though it's acted upon and you have our recommendations, because I know that you guys have read this. You know, I know that Jenelle has, because she's corrected some it.

But, you know, we would like just that response back, at least for the Secretary to say I've read this, I've taken this under consideration. I've asked so-and-so to do this, so-and-so to do this, and we're moving forward. That's all we're asking for, is to be confirmed that it's being read.

MS. BUTTERFIELD: Well, if I could just add to what Virginia said, if it was me in your shoes, or somebody at the Department, I would have taken that letter, Items 1 through 23, or however many is in the letter to the Secretary, and the next time I had a chance, I would number it, I'd say this one's done, this one's in motion, based on this meeting that's been had.

It's a checklist. That's what we

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want, is has anybody gone through it and said, like, we have to assume that some of our recommendations are imbedded in initiatives that you're talking about. We don't know how that directly ties in.

I mean, like you said, we've been working heavily with the Bureau, and that's going to benefit public schools. How? I don't see it in my part of the country.

Oregon has one BIA school, that's Chemawa. It's an off-reservation boarding school. So virtually every other student in the state is not connected to the Bureau.

And even the nine tribes have maybe one school district that they interact with on a regular basis. We've got what, 23 Title VII programs. So nine from 23 means that there's 14 communities that have a high enough population to be working on Indian issues. And others have more, but they don't necessarily have a program.

So that means all those kids, I don't see anything that's impacting them. That's what

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I mean. It's not to point fingers at anybody, but can we just go through the recommendations that we made and say this one's not even possible? Forget it. This one, we've done this, this and this on. You know, this one we've delayed until next year. I mean, just a simple go through the list and tell us what you think.

VICE CHAIR JACKSON-DENNISON: Yes. To follow-up on that, I hope that you can understand what --

MEMBER THOMAS: We're not yelling at you guys.

VICE CHAIR JACKSON-DENNISON: No, no. We're really not. But I was feeling really frustrated a month ago. And I called Tina. And I said, Tina, when are we having, don't we have an obligation to do this report?

And I told the ladies at lunch how I felt. Like, well, I could just let it go. And they're not calling us, we're not calling them. I guess, you know, it's not important. We haven't heard back.

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So then I thought to myself, oh, but our names are on there. We'd be the first, we'd be really bad if we didn't, so I kept bugging Tina. And I said when are we going to have a meeting. It's been, this is due June 30th. And is it just something that we do for the sake of getting it done?

So I like the idea. And I was actually thinking this, that maybe we could, while you're both here, could go through the list, so we're not just repeating it. Just so it's not for the sake of checking it off.

Because, as an educator for a long time now, I've always felt like education becomes just a check off. Okay, you got that done, okay, go to the next on. Check off, check off. Pretty soon, okay, give her the diploma. It doesn't mean anything, you know, Really, how does that diploma at the end of the line of education or whatever, formal education that is, what does it really mean?

And so our role on this NACIE Council

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is really to help whatever that diploma's going to mean for various schools across the country that serve Indian children.

So going through that report, it's so important to not just -- so I even said to Tina, maybe we just change the date and submit the same one. They probably don't know anyway. And I actually said that. I was so frustrated.

Because, you know, it was like, it's always one reason after another, after another. But as far as the communication, I think it's simple. She's the DFO, you go through her, communicate to us. We go through her to communicate back and forth.

You know, it's like to me it's simple.

I don't know, if it's something major, I mean, sure there's sensitive stuff like what we're talking about with Derek. But still, it goes to the DFO to reach out, at least to me, because I can have a heads up on those type of situations.

But in any other thing, it's just, you know, communicate to the DFO, come back, and say

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we do need to have a meeting. Let's put that meeting together and get something so that the Council knows what needs to happen.

But as far as this report, and the significance of it and the reason why we do it, I'm sure it's not just for a check off reason, as we're feeling, because that's the way we feel. We say, okay, we've got to go to Washington to just check off the box and go back home and get on with our lives again.

But it really to have -- the substance in it is what really matters. It should be making a difference. So with the both of you, I'd like to just at least go through this report from last year and tell, I mean, and you do a really good job of that, Bill. You really tell us, and it sounds so good, we go, oh wow, it's so neat.

But to be able to include that as part of our information back to Congress, well, this is what they did in here, here, here. So we still want more to Congress or whoever it is that

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we're talking to that's going to read this report. This is what's happening, but we still need help, and we still need to do this, this, this and that.

That's what we need your help with, I think. I don't know if the rest of the Council agrees with me, but that's why I left it so open in this way, hoping that you would be able to do that with us.

MEMBER THOMAS: Did you get a copy of the report?

MR. MENDOZA: Last year's?

MEMBER THOMAS: Yes.

MR. MENDOZA: I have it.

MEMBER THOMAS: You have it with you.

MR. MENDOZA: Yes. Not, with me but -

-

VICE CHAIR JACKSON-DENNISON: So other than the new theme that we came up with --

MEMBER THOMAS: Because we're going through it.

VICE CHAIR JACKSON-DENNISON: Which I

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really think that you would appreciate, because I hear that from you over and over. And I know that you have that philosophy about working with tribal systems to control education. That's really important.

And then again, the demographics are different, like, Oregon is way different from what you just described. Whereas, where I'm from, there's so many BIE schools and then the public schools are a big factor too.

So it's been better lately, but there are still issues with working together and that nature. So I know that that's where this report comes in very, very helpful to those Congress people, Congressmen and women that really do want to help us, I guess, I really should say.

And we know it's changed, so we need to, I need to know because I haven't been, I know there's been some changes in Congress since I've been really involved. So I need to know too. And I'm sure that's the same way.

Because it changes, and we need to be

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kept informed, okay. Well, this is different now, it's not the same, stagnant Congressman that we had when I was really working with Congress a lot in my job previously.

We do have it electronically up here, if you want to just go through it real quickly. It doesn't have to be a long, we don't want to labor you to death. But we can understand.

MR. MENDOZA: I just want to express kind of, it's not a qualifier, a disclaimer that we have to be cautious in the advisement too in terms of breaching, I need some language help here, Karen, in terms of our appropriate role.

MS. HUNTER: So your role is to provide information. We do not want to breach any FACA guidelines by getting too involved in the work of the board. Absolutely, they are requesting information, and you can share information with them. But you just cannot provide them with direction.

VICE CHAIR JACKSON-DENNISON: Right.

MR. MENDOZA: Yes.

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VICE CHAIR JACKSON-DENNISON: We're just asking for that. That's all we're asking for, is some -- you've given it to us verbally, like, you talk so fast and we go, okay, well this pertains to Item Number, your first recommendation was such and such. This is how we approach that as a practitioner here in D.C. This is how we approached that.

And then we can go, okay, we're the Council, we're getting ready to write a report. They said they did this, so we won't need to include that. Maybe we do, maybe we don't. And that's just an example.

MEMBER THOMAS: Maybe it's been accomplished and we don't know this.

VICE CHAIR JACKSON-DENNISON: And we don't know it, yes.

MS. BUTTERFIELD: And then direct us to know whether something had been done.

MS. AKINS: So just to, I guess, piggyback on your comment that, if for some reason as we move through the meeting, if you and

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the Council see fit, there's nothing that precludes Bill and/or Joyce to send Tina, as DFO, additional information or data that you request.

So as long as the information goes through Tina, as the DFO, and disseminate it out to you all, that's fine. A request for the Secretary, again, if the Council votes, makes a motion and deems that as something they would like, as long as DFO, Tina, you know, sends out a request internally or however that needs to happen.

But again, just piggybacking off what you said, just to be clear, that Tina, as the designated Federal official, by law is the liaison between the Department and the Council.

So there's nothing that precludes Bill or Joyce outside of a meeting -- sorry, Tina, if it gets to be labor intensive, I'll help you -- but they can send information, they can send updates to Tina.

And then, as Bill mentioned, he and Joyce, you know, maybe they will come up with

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some schedule. But again, there is nothing in the FACA law that precludes Tina from not communicating with you, Madam Vice Chair, you know, to decide how you want to move forward, whether it's a meeting, a conference call.

If the Secretary, if the Council deems it necessary and wants the Secretary by conference call or something like that, one time I think there was a big a tribal consultation meeting. But again, that's up to the Council to work out and work with Tina as the DFO to do so.

So just to add that. And I'm 100 percent sure that our OGC attorneys would second or concur.

VICE CHAIR JACKSON-DENNISON: Thank you.

MEMBER WHITEFOOT: So I'd like to just add these before we go on. Because I'm mindful of the time, I'm a time watcher too, because I'm going to be responsible for facilitating, helping to facilitate this report. So for me the pressure is partly on me, but all of us.

(Telephonic interference)

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VICE CHAIR JACKSON-DENNISON: Hello?

MEMBER WHITEFOOT: Is there no one on the line?

VICE CHAIR JACKSON-DENNISON: No, someone is there.

(Simultaneous speaking)

MEMBER WHITEFOOT: Someone is there?

VICE CHAIR JACKSON-DENNISON: Wayne's there. Wayne you still there?

MEMBER NEWELL: Yes. My telephone messed up for a minute.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER WHITEFOOT: So, I just want to clarify from you what I heard. And I've been taking notes here, so going with for now until we you know, we massage it as Tribal education authority.

And to me Tribal education authority also means government to government relationship and communication. There's that responsibility having been on my own Tribal council, for Tribal council to also be communicating with the federal

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government. It's not just a one-way street. It's a responsibility on both sides.

And so I think an advocacy point for me is to make certain we also have Tribal leaders on this Council as well. We have had meetings with Secretary Duncan. We've been invited and I've come on behalf of our tribe, to attend the Department of Education meetings with Secretary Duncan during the Tribal leaders gatherings that have been held annually in December.

There have been six that I think I've attended the majority of them at the invitation of the Secretary. But also attended some of the federal government's other youth initiatives too.

And so partly that responsibility is on us as well. And that communication is on us too.

So the Tribal education authority under, you know with regard to fulfilling our treaty responsibilities, there's that responsibility for that government to government relationship. And that consultation and also communicating with the various Congressional

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offices.

That includes not only the health committees, you know Health, Education, Labor, Pension, but also the Bureau of Indian Affairs because we are so dependent upon the Bureau of Indian Affairs and the Natural Resources Committee. All of those committees that are part, the setup committee on Indian Affairs, House Committee on Indian Affairs as well, so it's much bigger than just the education committee.

Because back at home in our American Indian/Alaskan Native communities we're dealing with those entities. And so we have this responsibility to continue that communication and collaboration with them. Whether we agree or disagree, that still is our responsibility in addressing the needs, and it's still falling under these three themes that we have going here.

And then in terms of you know, just the comprehensive -- and to me that's the communication too -- but in terms of the

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comprehensive approach, I think we all pretty much agree on that. That we are responsible. We have this mission. And we have this need to be able to support the whole needs of our children and our families. And help heal our families.

And so that's that holistic approach and moving forward with the data, and the research, and the support that the Department of Education is able to provide.

And when it comes to achieving, you know our outcomes and goals, it's a matter of reconciling our report. So you'll see in the report it says second recommendation, third recommendation like Robin said, it's a matter of just reconciling those reports where we can add another layer that says, this has been achieved.

There's more we need to clarify. It sounds like each one as we go through our report, and so you've already started to answer some of those. But I think what we're looking for is this communication, also I think we expect something in writing. We've said we want the

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communication, but we want it in writing.

And I don't know if FACA needs to help do that, but perhaps Bill, as you said, perhaps quarterly written reports. We want to be more concrete about what it is that you know, we need.

And then we have these various initiatives that are going on there, so many initiatives that the Obama administration has you know, begun. But I also like to think it's the result of some of the work that we've done over many, many years. Not just during the time that we've been on NACIE.

Because we have been advocating for support for Native students. We recognize the fact that there's this whole systemic failure on behalf of public education. And those of us in our programs can't do it alone. Therefore we have to work with higher education folks for language revitalizations.

We need to just acknowledge and validate the important work that we're doing. We need to acknowledge the hard work that we're

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doing. And like other groups of people don't necessarily have to do that, but because we have this responsibility to fulfill the treaties, and you know the legacy of our ancestors, and to see our children, our grandchildren moving, you know successfully in the future.

You know when I walked in this morning, I looked at the mission statement, and I said that mission statement does not fit me. It does not fit our experience with NACIE.

You know, we want our children to succeed and we have these high expectations for all of us. It doesn't fit the challenges that we deal with on a daily basis. And we want to be real. And maybe that's something we need to start with us also, addressing the mission statement.

What's the reality of our Tribal communities, what's the reality of our -- my nieces and nephews that live in Seattle that I have to also support some way or another?

And so those are the challenges that

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we deal with, but still to me it's still fitting under those themes of Tribal education, and self-determination, holistic approach. And what are the outcomes that we have?

So that's where I'm at.

VICE CHAIR JACKSON-DENNISON: Okay, so let's get busy. Because I don't want it to get too -- I think the best way to approach it is just let us know. And we can check it or not check it, so that we're not spending a whole lot of time, so we can get busy on reorganizing off the theme that this morning.

MEMBER WHITEFOOT: I have a question before we get started. I want to start writing the pieces. So if people can do that, I'd like us to just start organizing.

VICE CHAIR JACKSON-DENNISON: Do you have your computer ready?

MEMBER WHITEFOOT: Yes, I do.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER WHITEFOOT: Because I want the data. I want the data at some point so we can

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start taking a look at that.

And I made a list, and we said graduation rates, meet the ESEA dollars, the comparisons of those dollars that's allotted to the community. The Title VII grantees, demonstration, the new initiatives, per pupil count, and budgets, GPRA measures, OMB, where are we in elevating the position, assistant secretary, Tribal education, agency's reports, those kinds of things.

I mean if there's a group that could start taking what's been done, I'm fine with that, but I want to get started on just, starting to frame some of this because we've --

VICE CHAIR JACKSON-DENNISON: You have, are you, want write-off like we did in the past? I have it up on -- yes, we can talk --

MEMBER WHITEFOOT: A group can do that, I'm fine with just getting started on Tribal authority.

VICE CHAIR JACKSON-DENNISON: That's what I mean. I mean go back through, it's right

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there and then we go back through and one's for Secretary Duncan.

MEMBER THOMAS: I think we should go through the listing here. And get this out of the way first.

MEMBER BUTTERFIELD: Because I know there's some in here that speak to, for example, sequestration. That's no longer an issue. So that one we might just set aside and not even put it in the report.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER BUTTERFIELD: So it might be a way to get rid of --

VICE CHAIR JACKSON-DENNISON: But what you would do under Title VIII --

MEMBER THOMAS: Wait a minute, let's don't get off of this. Start from the top, and go down.

MEMBER BUTTERFIELD: That's what I mean.

VICE CHAIR JACKSON-DENNISON: Okay.
Let's do it.

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MEMBER THOMAS: And just start from Number 1, down.

VICE CHAIR JACKSON-DENNISON: Okay, I'm fine with that then, I'm fine.

MEMBER WHITEFOOT: Are you guys okay with that? Do you need to take a break? Oh. take a little break?

MR. MENDOZA: I don't need it. I'm good. I would say if you're pressed for time, we should start going and your folks can slip in and slip out if they need to.

MEMBER WHITEFOOT: I agree.

VICE CHAIR JACKSON-DENNISON: Do you have some of the data? We can take a look at it.

(Off the record comment)

VICE CHAIR JACKSON-DENNISON: Okay, Number 1 is.

(Off the record comment)

VICE CHAIR JACKSON-DENNISON: We have under the theme of elevate the importance of Native education, the first one that we made was, that NACIE recommends that members of Congress

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and their staff meeting regularly with NACIE to review and discuss the recommendations in NACIE's annual report.

This is the second request. And then you have the rationale there.

MEMBER THOMAS: What's your interpretation, Bill, for this?

MR. MENDOZA: I think some things that come to mind is of course the initiative itself, as to continuing network, and then this --

VICE CHAIR JACKSON-DENNISON: Which initiative are you talking about?

MR. MENDOZA: The White House Initiative culminating with the President's visit in 2014 at Standing Rock where we met directly with Native youth to talk about a whole host of issues, comprehensive, as well as education was a central part of that conversation.

And as a result of that, we launched the Generation Indigenous Initiative.

MEMBER BUTTERFIELD: So do you feel that we need to keep this in, or could that be

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something we can check out?

VICE CHAIR JACKSON-DENNISON: I think that is where you get --

MEMBER THOMAS: I don't think that's a question I can answer.

MEMBER BUTTERFIELD: Yes, I was just going to say, that's not for him to say.

VICE CHAIR JACKSON-DENNISON: Yes.

MEMBER BUTTERFIELD: It's for us to say. And I would say that this says, Congress meets with NACIE, they haven't done it. So that one --

MEMBER THOMAS: But what he saying is they've applied our report, you know of using Standing Rock as an example in the White House Initiative.

MR. MENDOZA: So if I could just keep talking and just real quick. You know another thing that we really point to in terms of elevating the importance, is the change, the president's change in cabinet level, the Secretary's visiting Indian country as well.

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On the report itself, the White House Native Youth report is another way that we've been trying to create more transparency and awareness around the plight of Native youth.

That's also been reflected in reports like, "My Brother's Keeper" progress, and annual report as well. And then we're currently working on a draft report for the Native student environment, "Listening Tours", that we did in 2014 as well, and I can expand some thoughts there.

Another initiative has been the president's fiscal year '15 supplemental priorities. And then the foundational Memorandum Agreement 1, with the Department of Interior.

And then another with the Department of Interior implementing ESEA programs respective of the interior, to strengthen the coordination between DOI and Ed. And then a Native language is an MOU that I also spoke about as some of those efforts.

MEMBER THOMAS: Maybe I can make a

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recommendation of this, under Item 1. Knowing what Bill has just said, maybe instead of the rationale that we have there, is that instead of asking them to meet with us and regularly attend our meetings. Is to say, okay, at least one face-to-face meeting that there will be a staffer here, or someone here as part of our agenda, our agenda item.

Instead of saying, they will meet with us regularly. Maybe we need to be more concise, and say that at least the meeting before the annual report. You know the meeting before the annual report that they should attend the meeting so that they can have some input and let us discuss with them the way we were discussing it you know, with Bill, and Joyce, and Tina?

MEMBER WHITEFOOT: I think we need to say when, not --

MEMBER BUTTERFIELD: Well, can I make a proposal? I would say, that this one has not been met, and that we want to rewrite it. And then we move onto the next one. I don't think we

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want to rewrite it now --

(Off the record comment)

MEMBER BUTTERFIELD: -- or we'll never get through it.

So a lot of the things that Bill just shared with us, don't fit under here. Like the Native languages one. There's one that refers specifically to language, that's where I would put it.

Or the one with the youth, there's one that talks about more comprehensive services for youth. I would put some of those initiatives under there.

So in terms of meeting with someone from Congress, basically it hasn't happened. And we may want to rethink what we've requested. So I would --

MEMBER THOMAS: That's exactly what I'm saying.

MEMBER BUTTERFIELD: I would put, no, rewrite. But not rewrite it now and come back to it.

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MR. MENDOZA: So, I think one consideration is, we can't compel Congress to meet with you.

VICE CHAIR JACKSON-DENNISON: I remember our idea of putting it down like this, was to see, okay, this is something we wanted to step it up a little bit. And this is our way of stepping it up a little bit. Putting it down and seeing what they do with it.

They didn't do anything with it, so now we'll rewrite it again? Actually we put, first request, second request on some of these areas. That was a second request that we made. And it didn't happen so, we either put third request, or we rewrite it a different way. And take a different approach.

So let's just do down through it and -

-

MR. MENDOZA: Could I ask a broad question?

VICE CHAIR JACKSON-DENNISON: Sure.

MR. MENDOZA: Clarity around what is

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meant by elevating the importance of Indian education? Do you, does what you have here accomplish what you all are feeling right now?

MEMBER BUTTERFIELD: Yes. What it means is that having our Indian education issues moved more to the forefront of the entire department's work.

So the first one deals really with Congress, but the rest of them deal with the Department of Education. So that the Title I Director, and the person that's doing the Technical Assistance Centers, and Impact Aid and so forth.

Each one of those individuals understand you know, what their role would be to supporting, improving Native education. So it's not just falling on the shoulders of you and Joyce.

And elevating the position, is an Assistant Secretary. Has been something that NIA, and NACIE have been requesting for decades now. So it's not a new recommendation, but we

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can't quit asking just because nobody's listening. Because when Vicky was in the office, she actually did get elevated for a temporary period.

MEMBER THOMAS: And then she was de-elevated. That's the first time I'd ever heard that term.

MEMBER BUTTERFIELD: So that's what it means, is we want it to move to a, you know the fact that we haven't had you know, Secretary Duncan meet with us, is an example to me, that he doesn't see or has not made the time to come and talk to us about all the issues that we've raised. So it doesn't feel very important to him even.

MR. MENDOZA: I think the Secretary has met with you.

MEMBER BUTTERFIELD: Not NACIE. He's meet with the tribe, some Tribal representatives when they come in for the meeting with the tribes. But he has never met with us.

MR. MENDOZA: I think, I can't

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remember the substance of the conversation and what is meant by met. But I know that he's addressed NACIE at least across the street, right? If I'm not mistaken, 2010?

MEMBER BUTTERFIELD: That was five years ago.

MR. MENDOZA: So I mean, I just want to make sure that I speak to, and the Secretary's engagement on the number of levels. You know, meet with, he's certainly invited us as Member Whitefoot has eluded to while she spoke, to the White House Interagency convening, as well as the Tribal Nations Conference.

All of those are the points of meeting, not only with Tribal leaders, but that NACIE had been invited to, and their participation.

VICE CHAIR JACKSON-DENNISON: We don't want this to sound like we're, you know we're -- I think it goes back to the charter. Of how it says we advise the Secretary.

MR. MENDOZA: Yes.

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VICE CHAIR JACKSON-DENNISON: All we're wanting to know is if our advisement is taken seriously. And whether he meets with us, and at least give us some kind of indicator that, yes, this can be done. I know that can't be done. Or yes, this is done, and this how.

That is really what we feel like. I mean it's not like we're -- but it would be really great to --

MEMBER BUTTERFIELD: If you look at Number 3, it says that the third request, means that we've written, you know worked on three different letters and we've gotten not a single word in response.

MEMBER THOMAS: Maybe we should rewrite this one and put down something like, on a yearly basis? To meet person-to-person on a yearly basis. Because we haven't met yearly.

MR. MENDOZA: So I don't want to come off as defensive either. I'm completely, I think what I'm trying to say is, clarity by what is meaningful in terms of meeting, to you all.

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It's a letter of response. I shouldn't speculate, but you know, just clarity in that area.

VICE CHAIR JACKSON-DENNISON: Yes, I think a letter back to us, at least saying, okay, NACIE's is going to be, when is NACIE going to be in town? And not schedule any other thing, but be able to come in and say, okay, even it's just 15 minutes or 20 minutes of meeting with us. And saying, okay, here's what we did, Ms. -- I mean I would appreciate that, I know.

Everyone, we make the trip out here and it's important. We do this work and then we want to know that it's not for nothing. That it's really -- other than just telling us, okay.

We did this, we did this, this, it would be really nice to hear it from the Secretary himself.

I want to go back to your question about what we mean about elevating. And again, I'm coming from my own experience as a, in the field of where I've worked for 14 years as a

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superintendent.

And it has over the years especially, I haven't been up on the Hill in the last year, but I know up to the time a year ago or so, it was very difficult to work with Congress on anything that had to do with education of Indian children in my area.

There was this lack of, not caring about it in depth, that I often felt as a leader of a school system that was pretty large. And trying to explain the significance of, in this case, it was mainly about Impact Aid back then.

And you'd try to explain to these Congress men and women why it's important not to cut there. And yet it's not that important to them. It's almost like don't come to me, kind of attitude in it.

So you think about it from that perspective, and you think that elevate -- remember this is to Congress -- so in order to elevate the importance of Native education by having someone regularly on the -- gets -- on a

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continual basis day by day, by day, talking to Congress whenever they're in town.

Or whenever they're, whatever is going on, that they talk about. Okay, this what NACIE is -- making those connections back to what we exist for, as well as what people out in the field are trying to do to make education, make it so that it's really important. Because it is really important.

But in their minds, there's a lot of, I have found out, my experience, that it's just a lack of education, is really what it is. You have to educate so many different areas of people that don't really understand that there's a difference in Native education versus the larger society. And their education systems. That's a lot of it.

But that's where that's coming from and I know that it's just been -- this is probably -- the gridlock was so bad that we couldn't even get across anything I know for a few years there. And I don't know if it's

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changed.

I hear it's getting better, but hopefully it's going to get better, but still there's always that need to elevate that. The importance of it at this level of Congress.

To keep on, to keep on pushing that because it's adult learners. It's slower than it is for children. So that's one of their reasons.

But that's the reason I just wanted to go back to that question that you had. What's the meaning of elevate. It's a good question.

MEMBER THOMAS: But just to stop you there, knowing that's a question, maybe we should clarify the titles? We need to clarify, if I mean, if Bill didn't really understand the concept, how can we expect Congress to understand the concept? So we need to explain what our divisions are.

MEMBER BUTTERFIELD: Well, but this title may go away with Patsy's reorganization.

MEMBER THOMAS: Well that's what I'm saying, even the one that we're going to have, we

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should have an explanation to why we titled it this, and why it's here under this.

Because Bill brings up a perfect example.

MEMBER BUTTERFIELD: But the whole purpose of the White House Initiative was to elevate the importance of Indian education. And even some of the components of that initiative, have not come back to NACIE in terms of what our role is. I still don't know what our role is, and why we were put into that initiative?

MEMBER THOMAS: But what I'm saying is that I'm talking just logistics here, not the concept. But to make sure that we explain what these topics are. And if we're going to change them to the three major ones, explain the three major ones, to why? Why it's in there.

Because he brought up a good example, well what does that mean to you? And then we had all different interpretations. So we should make one stable interpretation. Say this is what NACIE says, and this is why this topic is here.

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So I think we do need to keep moving though.

VICE CHAIR JACKSON-DENNISON: Okay. Let's go on.

Do we go Number 2, NACIE recommends that Congress support and fund the position of Assistant Secretary.

MEMBER THOMAS: I vote for a rewrite, right on that one.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER THOMAS: To add a schedule.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER THOMAS: And I think without --

MEMBER WHITEFOOT: Back on communications?

MEMBER THOMAS: Pardon? What?

MEMBER WHITEFOOT: We need communication going on?

MEMBER THOMAS: Just a recommendation.

VICE CHAIR JACKSON-DENNISON: Okay. Reasons?

MEMBER WHITEFOOT: Yes, not on that

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one I don't think that's --

MR. MENDOZA: No. I think the only thing that I can, that I'm authorized to say, is that the request is under consideration. We're examining the legal and policy options to elevating the Director of Indian Education, as an Assistant Secretary.

MEMBER WHITEFOOT: You're examining the what?

MEMBER BUTTERFIELD: The legal and policy recommendations.

MEMBER WHITEFOOT: Thank you.

MR. MENDOZA: Options.

MEMBER WHITEFOOT: Options.

VICE CHAIR JACKSON-DENNISON: Okay. The third one, NACIE recommends that Congress allocate additional funds --

(Simultaneous speaking)

VICE CHAIR JACKSON-DENNISON: -- to the Department of Education to support NACIE in performing its expanded obligations under the Executive Order.

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This is the second request.

MEMBER THOMAS: I think we should let it stand. Keep that one in standing.

VICE CHAIR JACKSON-DENNISON: Is that at their request? Well do you think there needs to be said anything more as far as, this hits you all, especially you, Bill.

MR. MENDOZA: Where are we at?

VICE CHAIR JACKSON-DENNISON: Number 3.

MEMBER THOMAS: Number 3. So what is our current budget?

MR. MENDOZA: Not being prepared to answer line by line considerations, I'm going to have to --

VICE CHAIR JACKSON-DENNISON: We could get back to Tina with this, on that?

MEMBER WHITEFOOT: No, no, no. What's our current budget?

MR. MENDOZA: I only just went through this yesterday. Let me see if I can't get that information, and so I don't misspeak on our

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allocated funds for FY14, and then our FY, yes FY14.

MEMBER THOMAS: That'll help.

MEMBER WHITEFOOT: Do you know what the current budget is, which, and our funding comes out of which office?

MR. MENDOZA: Office of Undersecretary.

MS. SILVERTHORNE: And your tribal comes under the Office of Indian Ed.

MR. MENDOZA: And your designated federal official is under the Office of --

MS. HUNTER: Elementary and Secondary Education.

MR. MENDOZA: Endearingly referred to as the Front Office.

VICE CHAIR JACKSON-DENNISON: So if we get sent to the Front Office, we're in trouble?

(Laughter)

MR. MENDOZA: I knew I'd get educated

--

VICE CHAIR JACKSON-DENNISON: Okay.

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Let's go on to Number 4. NACIE recommends that Congress direct the Office of Indian Education to require all grantees, under OIE discretionary and formula grant programs, to disseminate broadly information on promising practices that could be replicated elsewhere in Indian Country.

Does that need to stay in or is it happening, or?

MS. SILVERTHORNE: When we have the information on promising practices, we have such a variation in the type of Title VII programs due to this. A few moments ago you were talking about your experience with Title VII as compared to Robin's experience with Title VII, and if we talk to Theresa, it will another experience.

So it's difficult to have something that fits all of those. However, we are looking at some generalities. And I have a report that's beginning to tear down some those differences. And it's a brand new report that I'll be giving to you in a few minutes.

But you're right, we haven't had the

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information on what is promising practices. In spite of the fact that we have had a number of folks talk about what promising practices were to them. Unfortunately, they were not generalizable over the vast majority of the 1300 programs.

And so we've struggled with that. We had a research contract that was in place. The research contract had challenges in what it required to carry out the research. And what were clearing house criteria, and we withdrew the contract.

VICE CHAIR JACKSON-DENNISON: So does that need to stay in there as is, or?

MS. SILVERTHORNE: I would leave it in as is.

MR. MENDOZA: Don't make her into recommendation.

MS. SILVERTHORNE: Don't make a recommendation. That's your choice.

(Laughter)

VICE CHAIR JACKSON-DENNISON: So we want to just let it stand?

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MEMBER WHITEFOOT: Yes.

MS. SILVERTHORNE: Yes.

(Off the record comment)

MEMBER THOMAS: And put down there on Bill's recommendation, is not to make a recommendation.

MR. MENDOZA: Under the Native Languages Working Group, we are currently engaged in an information request from all federal agencies, including Department of Education, that will identify promising practices, if not best practices for future analysis. And devoted to Native language preservation and the revitalization.

I distinctly recall under our Technical Assistance Centers update, that they are also engaged in dissemination of practices that's been identified through their advisory groups. You know what more could be done in that space, and so we can get back to on what are the details of that initiative.

Just again, remind you, it's an

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investment of NACIE through our combining technical assistance efforts for the Native Youth Community Projects, as well as STEP. We've also engaged in discussions there about what are promising practices around agreements.

And then Joyce can expand on some things that haven't been in all those Webinars, and I know that was a goal to be able to share practices for those interested in cross jurisdictional partnerships. And how to think through those kinds of agreements.

MEMBER THOMAS: Before you go any further with that, if Joyce had to elaborate on that, the request here was to expand the funding.

So are you telling us that the funding has been expanded? That this is why you really want to do all these different things?

MR. MENDOZA: I --

MS. SILVERTHORNE: Indirectly.

MR. MENDOZA: I would say the purpose, there has been the re-purposing of funds.

MEMBER THOMAS: Did you see our last

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sentence on there?

MR. MENDOZA: Yes.

MEMBER THOMAS: So how has it been re-purposed in the way that we've requested, or not?

MR. MENDOZA: This is where we would have probably have to consult with our budget services for, to make sure that Joyce and I aren't misspeaking here. For example, the I shouldn't expand further, but I think you all have been a part of the history of how we funded the group known as the Technical Comprehensive Assistance centers.

And so you know that has been a way that we've looked at our discretionary grants, the demonstration grants, in order to stand up the Native Youth Community Projects. And the technical assistance side from that, is the one that you might want to consult with budget services on for a greater explanation.

MEMBER THOMAS: But has that been to your benefit to have this re-purposed because you're taking away from other programs?

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MR. MENDOZA: In this instance, for the Native Youth Community Projects and STEP, not only has NACIE and Tribal leaders called for technical assistance for those STEP grantees, they have themselves -- and then it was a principle that we knew -- in any kind of partnership grant, necessitated a greater technical assistance. And so it was an essential component that we needed to consider in designing this type of grant.

MEMBER THOMAS: But what about those programs that you took it from, to have them re-purposed?

MEMBER BUTTERFIELD: Well actually, Virginia, my understanding with the Technical Assistance Centers is that they had that pot of money that went to expand the work of the Technical Assistance Centers, the four of them I think, or were there five?

That got extra funds to focus on Indian Ed work. And I know in the northwest that there have been a number of meetings with Ed

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Northwest. They've been very involved in working with our states.

I don't know what reports they're producing, but I think, Patsy, you were at the joint meeting of the centers?

MS. SILVERTHORNE: Yes.

MEMBER BUTTERFIELD: So the money, back to the money issue, the money was I think it came from your office, and it beefed up what the centers were already getting. And then the STEP money was additional funds that came from Congress to do the STEP programs. So the purpose of the resource centers was just to record how it went.

MEMBER THOMAS: Okay, then my question is, that was a one time thing. So what's going to happen in the future when we're asking to expand the funding for the Indigenous Language Program. It won't be there again. You know that was a one time thing that we were able to re-purpose. That's my concern.

MR. MENDOZA: For which one? NYCP or

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which?

VICE CHAIR JACKSON-DENNISON: In general. Right.

(Simultaneous speaking)

MR. MENDOZA: In general.

VICE CHAIR JACKSON-DENNISON: Number 5, I think is the one she's looking at.

MEMBER THOMAS: Yes, Number 5.

(Simultaneous speaking)

MR. MENDOZA: -- president budget requests early, prioritizes NYCP, increases it by the 50 million. And so that would be on top of the currently identified 3 million. It's not clear if the other million at this point, I don't think I've been able to look into that, if that would go away at some point. Or if we continue to have it so, it would be the total of 54 million. And in terms of the STEP grants, in the same way that request is consistent, and I can double check those numbers.

MEMBER BUTTERFIELD: So it seems to be we keep it in there, because it's been requested,

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but not necessarily approved yet.

VICE CHAIR JACKSON-DENNISON: Some progress has been made but not --

MEMBER BUTTERFIELD: Yes.

VICE CHAIR JACKSON-DENNISON: -- not at the level that we would want it.

MEMBER THOMAS: Put a big keep besides it.

MR. MENDOZA: I think with that understanding, clarity on what more we would want.

MEMBER WHITEFOOT: It would help to clarify a little bit more on the Native Language, similar to what you did with the Native Youth Projects. So how do -- you know, we talked about Native languages?

MR. MENDOZA: So, on the Native language side, there's a Congressional proposal in ESEA for a stand-alone program. And so there's currently not any dollars being talked about there. I know that just from you know, just what I read in the paper, you know that the

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Tester Bill, at one point, was talking about \$5 million for this said grant program. But I would just know that's not -- it's more of the programmatic side.

MEMBER BUTTERFIELD: But there was a lot of controversy in Indian Country because there was a fear that if it was taken directly out of Title VII, it might mean taking money from another --

MR. MENDOZA: -- formula or discretionary?

MEMBER BUTTERFIELD: Right. And so as long as, maybe we need to be sure our language is clear. As long as it doesn't you know, take money from one program, that it be additional funding.

MEMBER THOMAS: We need that last sentence in, then?

MEMBER BUTTERFIELD: Yes. We need, it requires additional funding.

MR. MENDOZA: I just realized that head nods don't come up -- I'm just kidding.

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VICE CHAIR JACKSON-DENNISON: Number 6 is, we recommend that Congress clarify the requirement of the NCLB, that teachers be highly qualified, should not be used in a manner detrimental to Native language teachers. And again, that was a third request.

MEMBER THOMAS: Has this been accomplished? Is it happening, not happening?

MR. MENDOZA: So, one of the successes of the Regional Technical Assistance Center model has been in places like Oklahoma, to achieve alternative certification processes for Native language instructors. And so that's on the TA side. In some of the legislative proposals, the implications of what we're talking about here for highly qualified teachers is non-existent. You know, so I think that this is something of importance to you know -- where that will come out versus current law and the proposals from Congress, I can't speak to right now. I don't know, and that would be a crystal ball thing. And, so --

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MEMBER THOMAS: But Oklahoma would be a good example of success. That it's happening, so there's already been a precedence, is what I'm saying.

MEMBER BUTTERFIELD: Well there's a number of states --

(Simultaneous speaking)

MEMBER THOMAS: -- and maybe we should list those, you know, saying that this is already happening, and that it should be legal to be across the board.

MR. MENDOZA: What we've heard from Oklahoma is that it's still an alternative process. It's not the highly qualified teacher exemption, or -- that you're talking about.

MEMBER BUTTERFIELD: Well, I would just recommend that we sort of rewrite this because we need to take out the, No Child Left Behind language anyway, and talk about in the reauthorization of ESEA, we want to be sure that Native language teachers are you know, valued the same way as other teachers are.

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MEMBER THOMAS: Okay. I agree.

VICE CHAIR JACKSON-DENNISON: Okay.

Let's go on to: support early childhood education. NACIE recommends that Congress support lifelong learning for Native peoples from early childhood through adulthood.

To that end, Congress should support the administration's promising Early Learning Initiatives that call for preschool for all, boosting the policy of childcare, empowering parents, raising the bar for early learning, and reform in expanding Headstart, and early Headstart. Congress should support language programs directed specifically to Native Americans, especially programs aimed to educate children and families. This is a second request.

MR. MENDOZA: So in terms of the preschool development grants, the president has included in his budget, for beyond not only BIE, but Tribal education agencies, territories and outlying areas. And I think --

MEMBER THOMAS: Tribal education what?

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MR. MENDOZA: Tribal education agencies. So currently tribes and Indian organizations are included in the definition of the early learning providers, and thus eligible to receive the professional development grant and subgrants from states. And additionally Tribal areas are included in the program's definition of a high-need community, and thus may be served by the states under the professional development grants. But as I mentioned, in the president's FY 2016 budget request, that they would be expanded beyond that to include BIE and Tribal education agencies.

MEMBER THOMAS: Well it sounds like at least it's being attempted. Am I clear about that? It's being attempted? So maybe this might be one that we could --

VICE CHAIR JACKSON-DENNISON: We could allude to whatever was just said, and then we'll keep it in --

MEMBER THOMAS: Maybe combine it with something else?

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MR. MENDOZA: Those points are expanded on in the budget proposal as well.

VICE CHAIR JACKSON-DENNISON: Okay. Go on to the next heading then.

MEMBER WHITEFOOT: Under HHS?

MR. MENDOZA: Under here, Ed.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER WHITEFOOT: That's the other data we'd need, is the Department and budget.

MR. MENDOZA: Who is getting you all of these data pieces? Is that, are we taking stock?

MEMBER WHITEFOOT: Joyce is.

MR. MENDOZA: Okay.

MS. SILVERTHORNE: I did that.

MEMBER THOMAS: You were.

MEMBER WHITEFOOT: So she's already provided --

(Simultaneous speaking)

MEMBER WHITEFOOT: -- she's provided some of it already.

MR. MENDOZA: Okay.

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VICE CHAIR JACKSON-DENNISON: Next heading is, preserve existing and adequate funding sources for all programs. NACIE recommends that Congress support reauthorizing Title VII, and JOM, and encourage the Department of Education to maintain the separate identities of both programs. Again this is a third request.

MEMBER THOMAS: While we may not have heard back from Congress, or with the request, or with regards to the request, at least it's still there. It's still separated, that's the best part, it's still separated.

MR. MENDOZA: I think if you referred to my testimony in front of the House Committee, we reiterated what we've not only heard from NACIE but from the National Johnson O'Malley Association and Tribal leaders about the separating and distinct nature of that program. And so we spoke to that in our testimony.

And as to dedicated formula and discretionary funding, the president's budget outlines how we not only preserved that funding

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in his request, but have also called for increases in some key strategic areas. Native Youth Community Projects being one of them. Professional development as well, and so you know we'll have to send you those numbers for those, the exact numbers.

MEMBER THOMAS: Well it's not up for reauthorization again, is it?

MR. MENDOZA: Johnson O'Malley?

MEMBER WHITEFOOT: No.

MEMBER THOMAS: Yes.

MR. MENDOZA: I'll have to check on that.

MEMBER WHITEFOOT: I haven't seen anything on it. What's the date of that Committee report?

FEMALE PARTICIPANT: May 13th.

MEMBER WHITEFOOT: About when?

MR. MENDOZA: May 13th.

MEMBER WHITEFOOT: Oh, okay, that one. Okay. And you said you also need to provide us with budget information on that?

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MR. MENDOZA: Yes.

MEMBER WHITEFOOT: Okay.

MR. MENDOZA: I could either send you the Department's budget request or a synopsis of the Native American, Alaskan Native, Native Hawaiian programs.

VICE CHAIR JACKSON-DENNISON: And move on to Number 9. Recommend that Congress amend Title I language to emphasize again that under no circumstances may any other funding sources, such as Title VII, be used to supplant Title I funds.

And expect that technical assistance be provided to the state educational or LEA leaders to clarify the difference between Title I and Title VII funds and the appropriate uses for each. Further Title VII should be amended to underscore the importance of parent committees in determining the use of Title VII funds. Again, third request. Would that be a Joyce question?

MEMBER THOMAS: Or both.

VICE CHAIR JACKSON-DENNISON: Probably both of you, yes.

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MEMBER THOMAS: It seems like we spoke to that earlier. We said we'd combine that, didn't I hear that right? Where was that?

VICE CHAIR JACKSON-DENNISON: To some degree.

MEMBER BUTTERFIELD: Well this goes back to the issue that Patsy talked about earlier. Is that you know, in the applications for Title VII, it says you need to coordinate with federal programs, but it doesn't say that in Title I, or Title III, or the others. So I use the analogy of knocking on the door and nobody's answering it. So I think it should remain.

And I think there's an issue here that might be added, to clarify. And that's really more about compliance with the you know -- and what brought that to mind was that the parent committees in a lot of our communities in Oregon are just ignored. Or they are just asked to cursory, a stamp of approval for what the district writes up. So they really don't have legitimate say in what those programs are doing.

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MEMBER THOMAS: Because the District treats it as if it's theirs. And are not worried about the regulations to follow.

(Simultaneous speaking)

MEMBER BUTTERFIELD: Yes. And then we've had --

MEMBER THOMAS: Whoever spoke earlier about informing more, more communication to let them know.

MEMBER BUTTERFIELD: Yes. That was in the conversation around Impact Aid, but I think the same thing is true about the Title VII. The role of the parent committees is not really valued in a lot of districts. But I don't know who attends to that. But if you could --

MR. MENDOZA: So I think a couple things I know. Joyce, the shop has made changes in the work that, Title I -- and they have made changes to ensure that, as much as you can without changing the law, that supplanting doesn't occur. And so Joyce, if you can expand on some of that work?

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And then I think overall, the purpose and importance of Title VII grants in the sense that they're supplemental to meet academic and cultural needs of Native students, how we are trying to create greater understanding about those funds, and their purposes, is through communications with the Regional Comprehensive Centers. Through communications, you know, with those state Tribal education partnerships that are building out that understanding. And although that doesn't get to all of the challenges, you know, that's where the strategy is the strongest. To try to be able to create more accountability on there.

And then beyond that, if Joyce could talk about kind of our monitoring and enforcement efforts that have happened and are department wide, not just Title VII, risk mitigation services.

MEMBER THOMAS: We do need to enter that language in here, compliance, like Robin said earlier.

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VICE CHAIR JACKSON-DENNISON: I got it.

MEMBER THOMAS: The compliance towards this as part of the language in this section.

MS. SILVERTHORNE: It is an ongoing process in order to be able to identify programs that are truly working well with their parent committees. And those that are not. We have a number of incidents where we have had reports. And when we do, we are trying to follow up on each of those. We monitor approximately, about 25 of the formula programs every year.

VICE CHAIR JACKSON-DENNISON: Randomly? Is it random?

MS. SILVERTHORNE: That's a really tiny number. Yes.

VICE CHAIR JACKSON-DENNISON: Is it random?

MEMBER BUTTERFIELD: You monitor 25?
(Simultaneous speaking)

MS. SILVERTHORNE: They're random as much as possible, and then you add to that those

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where we give reports.

VICE CHAIR JACKSON-DENNISON: Okay.

MS. SILVERTHORNE: And so if you wait only for the reports, that's the only ones you hear about. Where we have to have a squeaky wheel to be able to get that information.

(Simultaneous speaking)

MS. SILVERTHORNE: Pardon?

VICE CHAIR JACKSON-DENNISON: -- a complaint to you?

MS. SILVERTHORNE: A complaint report.

And where we do the random monitoring, we -- and there's no warning. And so they are much more open or much more candid about where they stand. So there's certainly a good value to both of those kind of reviews. In the process of trying to look at how well the parent committees are working with each of the grantees, every grant that is submitted, is reviewed for the upload of the parent committee, and signatures.

It is truly difficult to know if signatures are representative of the parent

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committee or not. But we do look, and if they all look too similar, we question them. And we have that every year. Somebody has signed, and they've written in the names, not the signatures.

And so we have sent those back and every year between the end of the application period and the time when we make awards, we review, I believe the list this time is over a hundred grantees that we are doing separate reviews. Either there is an adjustment to budget that they need to make, or there is a question on their parent form. And so with that, that's part of that review process.

MEMBER THOMAS: So there is a compliance check?

MS. SILVERTHORNE: There is a compliance check. There is always the requirement that the parent committee sign and submit that they have reviewed the application. And we have had incidents where parent committees have said, no. We didn't get a chance to review this.

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And in one case, they choose to not even submit that application. They blocked the school from being able to submit. We don't encourage that, but I think school districts need to know that that is an option.

MEMBER THOMAS: Do you require the parenting committee to submit the minutes of approval of that contract? Not just their signature?

MS. SILVERTHORNE: No, we haven't.

VICE CHAIR JACKSON-DENNISON: How do the --

MEMBER THOMAS: Like at a public meeting?

MS. SILVERTHORNE: Yes.

VICE CHAIR JACKSON-DENNISON: Your process --

MS. SILVERTHORNE: They have a public meeting and the signature page.

VICE CHAIR JACKSON-DENNISON: The IPP process for Title VIII and your process for Title, not your process but the process for Title

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VII, is there anyway to -- I know one is for Indian Ed, but they're very similar in having parental involvement. Is there a way to merge those? Or has it been discussed anytime?

MS. SILVERTHORNE: Yes, and certainly it is an idea that keeps coming up again, and again. And both statutes were Impact Aid. And for Title VII parent committee approval process require the involvement of parents.

They are not the same, but the funding is not the same either. And where the Impact Aid dollars go directly to school board to spend at their discretion, in lieu of taxes. It is very different from the parents reviewing and approving the objectives or expenditure of the Title VII program. So with -- we wanted to see how we could make them more similar, and yet the difference in that requirement makes it difficult to make them the same.

MEMBER BUTTERFIELD: You know I've got a suggestion under, on Number 9. You know when I was in Washington state we got a survey letter

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from the Title III Office. And it was asking the Department Title III person to respond, how many Native students were being served by Title III?

And it seems like, it forced everybody at the SEA level to get together and talk about, oh, what is going on with Native students around Title III. And then it sort of rolled out to meetings with Title VII programs, and then at separate meeting with the Title III Directors in the state.

And I'm wondering if something like that could be done, that comes out of the Title I Office. And say, you know it is really important that Title I be collaborating with Indian Ed Offices. And just a series of questions was all we had that was sent back so that you could actually take a look at you know, how the people who get the information out to all of those grantees are thinking about it.

Because in our conversations around Title III we found some very resistant Title III Directors, that said oh, Native kids don't

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deserve these funds. And that was at the local level. That they were resentful that they had to do certain kinds of activities and paperwork. So I think just even a survey that goes out and asks for initially what's happening between Title I and Title VII? Would be a way to sort of create a conversation around the issues of collaboration.

MR. MENDOZA: That sounds really concrete and clear.

MEMBER BUTTERFIELD: It does. And it works.

MEMBER WHITEFOOT: I would take the steps further though, from just Title III. Because of the new you know, requirement in place for the application is the collaboration with other federal resources. Take it beyond typically --

MEMBER BUTTERFIELD: Well that's what I was saying. Yes, Title I.

MEMBER WHITEFOOT: Title III, Title I, so it's timely because of the application

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process.

MS. SILVERTHORNE: In your packet of information, you have our most current information about what is taking place within the Title VII program.

MEMBER THOMAS: I don't think she passed it.

MS. SILVERTHORNE: I did.

MEMBER THOMAS: Okay.

MS. SILVERTHORNE: It's in that. You folks have asked for a number of different things. And I've been making notes during the morning. And this was the morning pack. Looks like there will be an afternoon pack as well.

(Laughter)

MEMBER THOMAS: Oh, you did. I falsely accused you.

(Laughter)

MS. SILVERTHORNE: On the back of these, this is the new part. This didn't exist on maps that you've seen before. And what it is, is trying to identify some of the basic

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information that was coming out in the reports, and that information is part of the new information that we're collecting.

The description of how those programs are collaborating with others within that, is also a new piece in that Title VII application. And so we're hoping that this year we'll have more of a report with that.

But this gives you at least the beginning of information that's coming from changes that have been made in the Title VII formula program. And several years now we have been enhancing the program each year with the annual performance report that we'll be pre-populating from the application that was submitted in the spring. And the District -- hopefully it will be a minimal impact in the fall to say, yes this did. No, it didn't. Yes, it's a check-off, again, but it's information we've not had before.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER WHITEFOOT: I would just add to

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this one, I don't know if it's you know, suggested elsewhere, but I would add the role of the Office of Civil Rights Reports on School Environment Listening Session, as well. Because I do get complaints from Indian Country, because I was in Technical Assistance, and I sent them to Office of Civil Rights.

MEMBER THOMAS: Is this still under Number 9?

VICE CHAIR JACKSON-DENNISON: Ten. Oh, no. Nine, nine.

MEMBER WHITEFOOT: And it might be elsewhere under Title VII someplace. And I'm going to put in Office of Civil Rights.

VICE CHAIR JACKSON-DENNISON: We should move on to ten. NACIE recommends that Congress maintain current levels of funding for Tribal colleges and universities. And increase funding to TCUs where increasing student enrollment and other needs of the institutions are demonstrated.

Congress should support the higher

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education of American Indian/Alaskan Native students attending institutions that are not TCUs, by reinstating the Federal Fellowship Program for qualifying Native Americans and maintaining current levels of financial support for Native Americans serving non-Tribal institutions and non-Native institutions, where a significant numbers of AI/AN students attend.

In addition, Congress should gather data in collection with community colleges and other entities that serve high numbers of AI/AN students to assess their total cost of attendance, including debt burden on graduation, job, or graduate school, placement rate and other indicia of their mission effectiveness. Tough read, long winded.

MEMBER THOMAS: Is it, has it been reinstated? The Federal Fellowship Program?

MR. MENDOZA: No. Again, I think on a number of these, and I think I can say this, being really understanding of what levers we could --

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(Telephonic interference)

MEMBER THOMAS: Don't stop, it's him.

MR. MENDOZA: I thought it was your phone. What levers we have that are, to affect this, and I think that it's not so much the relevance to this one, but to some of the other areas. Where again, we can't compel Congress to do this, but if there is a specific request for the budget, that, I don't even know if I can say that much, so I'll stop there.

We have not only fought to maintain the funding levels of Tribal, college, and universities, Alaskan Native, Native Hawaiian, and then I've worked hard to create identification of NEA serving institutions beyond Tribal, college, universities, I have thought about you know how, the important role that they've play.

And I feel like there's a lot more work that needs to be done there. And we currently have an effort, through the Office of Career, Technical, and Adult Education, to not

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only begin organization among those university systems, pairing Tribal colleges with Native serving institutions. And trying to look at the positive practices, but bring more awareness to the partnerships that exist in terms of workforce development and others.

Office of Career, Technical, and Adult Education is leading this, so this is emerging. But I think the foundational one that you all are probably aware of it the America's College Promise proposal which would provide for two years paid, and a new Pre-K to 14 program. And so this would be a 60 billion in mandatory funding over ten years into the new program. And I don't know if I need to expand any beyond that, but we can send you more information on that budget request, but that would be obviously huge.

It's not a one-to-one you know, immediately frees up money there to Tribal colleges right off. Hundreds of thousands of dollars a year annually, you know, that they absorb into their budget. So you know, just

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thinking through those.

MEMBER THOMAS: It says in here, is to maintain the current levels. Well by now, the current levels are going to be inadequate. True?

Because you just said that you've been fighting to maintain, you know the funding level. So obviously it's not, the current levels are not going to make it. So on our letter here, maybe we should ask for an increase, instead of maintaining?

MEMBER BUTTERFIELD: Well, if you read the whole sentence it says, and increase funding where increased student enrollment and other needs are demonstrated.

MEMBER THOMAS: Well then we need to change it because at the beginning it says that Congress maintain current levels of the Tribal colleges.

MEMBER BUTTERFIELD: And increase --

MEMBER WHITEFOOT: And increase funding.

MEMBER THOMAS: But we don't want it

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to maintain do we? See what I'm saying?

MEMBER BUTTERFIELD: Well, we don't want it to drop. That's the reason, I mean that's part of the language is that you want it to maintain at current levels, and increase where it's appropriate.

VICE CHAIR JACKSON-DENNISON: But students aren't increasing.

MEMBER BUTTERFIELD: But what you're saying is if it's maintaining, last year's, this is last year's report. Maintaining for last year is not going to be maintaining this year's because it'll be dropping --

MEMBER THOMAS: Exactly. Thank you for the Navajo interpretation.

MR. MENDOZA: I think it's you know cost increases, enrollment trends, you know things like that. If you have a perspective on that. It sounds like you do.

VICE CHAIR JACKSON-DENNISON: Yes.

MR. MENDOZA: That would be important to articulate.

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VICE CHAIR JACKSON-DENNISON: We'll go back to that one.

MEMBER THOMAS: Okay. I'm circling the word, maintaining.

VICE CHAIR JACKSON-DENNISON: Yes.

MEMBER THOMAS: See I'm on your side, Bill. I'm on your side.

MR. MENDOZA: You guys always are.

MEMBER JOHN: I have a question. I mean I don't know. In Alaska we only have one Tribal college, at the highest village of Alaska, and the furthest north. And that, the Director says the volume this is increasing, which is good. They are outreaching to more parts of Alaska like southwest, south central.

And so therefore the other student, Native students that are in enrolled at UAA, UAS, UAF. Do they, do you -- I know they get FAFSA. Does that apply to this? Like federal --

MEMBER THOMAS: Like for the Tribal college?

MEMBER JOHN: -- enroll in student

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loans?

MR. MENDOZA: Yes.

VICE CHAIR JACKSON-DENNISON: Do you mean the America's College -- are you talking about --

MEMBER JOHN: The Alaskan Native students.

MR. MENDOZA: Yes, student aid.

MEMBER JOHN: You on Number ten?

(Simultaneous speaking)

MEMBER JOHN: I'm just trying to think of the other students that are attending the state universities.

VICE CHAIR JACKSON-DENNISON: Yes, they get --

MEMBER JOHN: The same program?

VICE CHAIR JACKSON-DENNISON: Yes, they have the same eligibility as any colleges or universities that they go to, right?

MR. MENDOZA: Yes. But I think one important thing to understand is you know when you talk about institutionally, and whether it's

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formula, or competitive discretionary, and then student-based aid. And the implications of grants, loans, you know et cetera, for funds. And so you know on both of those fronts we've maintained institutional aid in many ways. We have a proposal on the table for America's College Promise that would provide for two years to community colleges.

And then on the student aid, we've really worked hard to not only address loan default rates, in terms of an interest rate that those borrowers take. And we've made investments as a result of those efficiencies and student-based aid as well, in the form of the Pell grant.

So for Tribal colleges alone, from a period of about 2009 to 2011, we increased 52 percent of that aid to Tribal colleges, and so, you know through the use of the Pell grant. So I think you know being real clear about what you want for each of those is important.

VICE CHAIR JACKSON-DENNISON: Let's go on to Number 11. Thank you, Bill. NACIE

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recommends that Congress grant eligibility to tribes, consortia of tribes, and the BIE to apply and compete with states or Districts, for funds awarded under the, Race to the Top, or similar initiatives.

And further that for states or districts of five percent or more AI/AN population as a requirement of fund eligibility, states or districts must demonstrate meaningful consultation with their federally, or state-recognized tribes. And this consultation must be subsequently and meaningfully incorporated into their plans. This is the second request. Does the Race to the Top, is it still going? Is there still funds for that, or is it gone?

MR. MENDOZA: Yes.

VICE CHAIR JACKSON-DENNISON: So this should be gone then, right? Are there any other type of competition competitive initiatives out there that, similar to that?

MR. MENDOZA: Well, I think one of the key things is, in terms of accountability, you

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know the president's budget request really looks at equity and school district level funding. And so calling upon school districts to address inequities from district to district.

I think your principle of having Tribal involvement, in you know, those matters, is one that is not only consistent with current policy for reauthorization, but one where we want to do more through the consultation policy to encourage as current law allows us to do. Encourage states to consult more with tribes, to collaborate and partner with tribes more in that area.

So you know, on trying to put us towards a path, towards access of tribes, or Tribal education agencies as appropriate, you know we point to the preschool development grants as a step in that direction. We've also taken that Tribal authority lens that Patricia talked about, and talked about how that's important to NYCP, and STEP continuing from a pilot to a program. So that you see the sequence there.

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Just what I mentioned this morning in terms of consideration of tribes taking a more meaningful role in the formula activities, from you know the accountability structure, alternative definition, AYP. We've been diligent on navigating tribes through that process and partnership with DOI. The Miccosukee announcement also spoke to Navajo's commitment to this area. And so we're working with them on more of that activity. And that's a meaningful step.

So I think those are just some of the pieces here, but I'd like to come back to this one in some form of being able to expand on some of our budget proposals and how the new role of generating reforms needs to have Tribal input involvement. That's hitting all those points.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER BUTTERFIELD: And one of the areas where I think this could really be strengthened is in the area of priority school identification and development. Because in many

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of our states, our Native schools are some of the lowest performing, and should be priority schools, but they aren't necessarily picked. And then when they are picked, the district develops the plans.

In a couple instances I know specifically in Oregon, without any involvement with the tribes. They just do their own thing. In fact, there's one school that's a priority school and they just hired an administrator that doesn't believe in community involvement. So, I think that, this --

(Simultaneous speaking)

MEMBER BUTTERFIELD: -- we could redo this. Hey, I'm on it. I've complained to everybody in the world.

MEMBER THOMAS: Well just for my clarification then, Bill. Are you saying that when we recommend to Congress that grant eligibility to tribes, and consortiums, and all this, hasn't -- you're telling us that it's been taking a positive step towards that?

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VICE CHAIR JACKSON-DENNISON: I think what you're saying is, under the lens of the Tribal authority, this is a good thing to keep in there, but to reword it?

MEMBER THOMAS: Yes.

MEMBER WHITEFOOT: Right, just reword it.

VICE CHAIR JACKSON-DENNISON: Because I think where we're going even with Number 12, in that direction, under the IPPs that he just spoke about this morning, when Mr. Lott came in and talked about the IPP changes that they're undertaking in the laws, and how they're changing.

MR. MENDOZA: Yes.

VICE CHAIR JACKSON-DENNISON: Kind of going toward that. Where you're increasing, if you want these funds, you're going to have, you have no other choice. You can't sidestep the parent involvement, or the parent control arm.

MEMBER WHITEFOOT: In our state we're also doing -- the philanthropy community is also moving toward the tribes. Because the tribes,

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our tribes are very active, talking not only to the state officials, but also the philanthropy community too. So the philanthropy communities is starting. So people that want to seek funding have to learn to align with the tribes. And the visions of the Tribal authority.

VICE CHAIR JACKSON-DENNISON: So we would keep in, I'm going to answer for you, but you're wanting to keep this in there but take out, Race to the Top, and maybe put examples of what you talked about, the early childhood, what did you call it, the early childhood?

MR. MENDOZA: I'm trying to follow what you're -- what the goal is. But I'm hearing from you all, and to be useful, I think if the goal is to address access and equity for state level, LEA level, or you know distribution of great teachers and leaders that's equitable, you know those are kind of how these initiatives are speaking to those priorities from the Department.

And family engagement is huge. I wish Vicky was here, maybe she can come back and talk

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about some of our family engagement framework. We had partnered with Dr. Karen Mapp in development of a dual capacity parental engagement framework where it looks at kind the dual responsibility of schools being more responsive to the context of where parents are coming from.

And in that sense, all of that is being folded into some of the challenges that we've heard in Indian Country in terms of you know, ESEA flexibility. You know and the waivers, you know. Of course everybody is holding their breath on reauthorization, because waivers might not need to be a thing in the future.

And then some of the house proposals, the Secretary's role is dramatically limited. So you know we're ensuring now, more so than ever, as a catalyst of consultation, and what we've heard from you all and Tribal leaders, that tribes and Tribal communities need to be involved in these decision making, at all levels. So

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that's how we're trying to address access and equity.

MEMBER BUTTERFIELD: Well and I think one of the issues, and I actually brought this up with Arne years ago, was that often times our lowest performing schools don't get resources. Because I've been told, they don't have the capacity. And I thought well, but that's the whole point of the resource, is to build capacity. So there needs to be you know some support system for planning years, or capacity building years, or whatever it is. Because they often can't write a competitive grant. So the have nots continue to have not.

So I think this one deals with, and that's what this, Race to the Top issue was about, is that often those communities can't compete with some of the professional grant writers to get the big dollars for those grants. But yet they are the ones that need it the most.

And so it continues to be an inequitable system, because there's no mechanism for those that don't

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have capacity to get it, and run an effective program.

MR. MENDOZA: So I think that's, you bring in an important aspect of the Native Youth Community Projects and why technical assistance was an essential support to have accompany those grants, which is not to write the grants for them, but to help them get through the nuances of budget agreements, needs assessments, evidence base, and what an effective, you know, logic model means to implement and execute all of that.

So just the grants themselves, works to address the fact that you're trying to compete alongside high capacity school districts, community-based organizations, tribes, whatever. But at the same time, we know that we have tribes out there that can compete at that level, and we've incorporated that thinking into the notion of promise zones. And what we've done there. Pine Ridge being the most recent addition to that. At least I think three more rounds of that coming.

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And so in that sense, we're trying to inform every level of that. The unique academic and cultural needs of Native students necessitates and extenuates considerations.

MEMBER WHITEFOOT: So kind of what I'm hearing is this kind of is that comprehensive approach addressing and maybe build-off from this particular statement here. Just reframe it, rewrite it, to a comprehensive, holistic approach. Because you know just all of the models that are out there. And we can begin to use this as a model to work from.

VICE CHAIR JACKSON-DENNISON: Okay. We have what, 20 more items to get through, so let's go on. NACIE recommends that Congress adopt the following proposals that pertain to Title VIII, Impact Aid. And this is the second request. Someone said that Impact Aid was no longer under the sequester. Is that true?

MEMBER BUTTERFIELD: There's no sequestration going on.

VICE CHAIR JACKSON-DENNISON: Okay.

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MR. MENDOZA: So I'd want to defer to some budget services for an explanation on this. Ms. Hunter or someone who can make sure that we get a response back from budgets services.

MEMBER WHITEFOOT: Can we put that on the agenda for tomorrow?

MR. MENDOZA: And Impact Aid.

VICE CHAIR JACKSON-DENNISON: Okay.

MR. MENDOZA: I don't know where sequestration is -- we are still hearing from Tribal leaders and programs the effects of sequestration.

VICE CHAIR JACKSON-DENNISON: I imagine it's still under. Yes.

MR. MENDOZA: So I'd want a have a more developed response for you.

VICE CHAIR JACKSON-DENNISON: Yes, okay. But the part that I was going to say, earlier on, about the IPP, that is really -- I really want to learn about that and how to include it in our report. Because I think that's where a lot of the connection can be made with

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the Tribal authority, if you get them more involved in the IPP process.

Especially for schools that are more border town, like in my area, Gallup-McKinley County. They're always wanting more, there was always this, there's always this misunderstanding in their thinking that they're not as involved as they want to be.

So considering those type of school systems that are out across Indian Country that serve Indians students that I've heard about. And in the meeting we were in a couple years ago, leadership of tribal leaders, saying that same thing about, they pretty much came right out and said their superintendents are not good in public schools, because they're ignoring the request of the Native children throughout their areas.

So that's what the message was that I got, so this is where it lies, that IPP. That's why I was asking Joyce about the Title VII, if there's a way to connect them or merge them somehow? But the IPP process, the IPP revamps

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that they're going through are going to be really important too. I guess we need to acknowledge that in this section right here of our report.

MS. SILVERTHORNE: Have you all looked at the eight points that are required under the IPP?

MEMBER THOMAS: No. We just got it, so.

MEMBER WHITEFOOT: Well I don't, at this point, can't support, you know, merging them. Again having worked with this process, because they're two, they're distinct. They're very distinct bodies and we need to kind of, I think we need to reaffirm you can utilize Title VII, but when we're working with our Tribal you know councils, that's different. And so you have different protocols.

VICE CHAIR JACKSON-DENNISON: Maybe that wasn't the right word, merge. But I'm talking about how it's asking for the same thing, parent involvement to be increased.

MEMBER WHITEFOOT: Yes, somehow we

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just to reword it a little bit.

VICE CHAIR JACKSON-DENNISON: The process of how you go about getting approval. Getting the more involvement. Seeing what happens in some of the areas I've been in, is that you have, because there are Native board members that are past, they think -- there becomes a power struggle between whether it's the IEC, or a board that's Native, one over the other, they start this power struggle that happens. And that's what I'm talking about how, somehow there needs to be more collaboration between the two bodies.

Yes. That happens and that's probably where the complaints come from some days, I imagine. Okay, let's go on to, since we'll wait to hear about where we are with the budget. Can we get that tomorrow then?

MS. SILVERTHORNE: Yes. Will you get that?

FEMALE PARTICIPANT: Fortunately I ate.

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VICE CHAIR JACKSON-DENNISON: We'll go on to Number 13, under technical support. I think that you talked a lot about that.

MS. SILVERTHORNE: Yes.

VICE CHAIR JACKSON-DENNISON: A lot of technical support that we, technical assistance. I know Joyce, you've been doing that quite a bit haven't you?

MS. SILVERTHORNE: The PowerPoint, not PowerPoint, the website that you had up here on this morning that looked at Tribal consultation, also takes you to the list of technical assistance activities that have been conducted over the past month and a half. And that has --

MEMBER NEWELL: Can you speak up a little bit, please?

MS. SILVERTHORNE: The website that we listed this morning, that has the information on the Tribal consultation, also has a reference, a link, to the technical assistance offerings that have been made over the past month and a half. And those are under a new modification to a

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contract to expand technical assistance. In conjunction with the Native Youth Community Project, there is a new contract that will be let sometime in July or August.

It's still under development. And that technical assistance contract will be for the next four years with these two grants. So those are two efforts at trying to get to that assistance, in particular for those Tribal communities that may not have grant writers available.

VICE CHAIR JACKSON-DENNISON: So do we need this in there, thirteen?

MEMBER WHITEFOOT: We'll update it.

VICE CHAIR JACKSON-DENNISON: We'll just update it, okay. And fourteen's kind of the same thing. That Congress support the Department of Ed and its efforts to improve technical assistance by including --

MEMBER BUTTERFIELD: Let me ask a question, though. When is the next time period where the labs and centers would compete, and

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they'd be sort of given some priority areas to focus on? Would that be after reauthorization, or is it coming up like every so many years?

MEMBER WHITEFOOT: And they are currently waiting because it's a different authority. It's a whole another authority.

MS. AKINS: The next competition is in 2017. And I think the group that is working on that is going to try and establish advisory committees in Indian Country to help inform program competition in 2017.

MEMBER BUTTERFIELD: So my question is about the funds that we got to sort of expand their outreach to do more in Indian Country, when would those funds run out? Or will they be folded into ongoing labs and center work?

MS. SILVERTHORNE: Madam Chairman, the funds that are currently affording the supplements to the comprehensive centers have been coming out of National Activities and their office. And it is an annual fund.

MEMBER BUTTERFIELD: So annually, you

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have to --

MS. SILVERTHORNE: We have been able to do that annually under the supplemental award.

MEMBER BUTTERFIELD: Oh, okay.

VICE CHAIR JACKSON-DENNISON: At least there has been some progress made.

FEMALE PARTICIPANT: That's right.

VICE CHAIR JACKSON-DENNISON: So that's goes all the way through 15.

FEMALE PARTICIPANT: So this talks about technology programs, so this is annually, though.

MEMBER BUTTERFIELD: So that's what I'm asking. Is our recommendation then to --

MS. SILVERTHORNE: Noncompetitive.

MEMBER BUTTERFIELD: -- to continue the support for this activity. I mean, coming out of your office? Is that the only place we can get those funds?

MS. SILVERTHORNE: It's the only place that the supplemental awards are coming from at this time. It is based on a recommendation from

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NACIE, and is ongoing until such time as the whole contract for the comprehensive centers is recompeted. And that's not until 2017.

MEMBER BUTTERFIELD: Okay, well I think that we definitely keep this, but that we should maybe add in some language that says we continue to explore other funding streams to support this activity. So that it doesn't just draw down from the Indian Ed office. That our kids are part of all kids. So they should already have a lot of those activities going on.

But they don't, so I just think we should expand that, to include that.

VICE CHAIR JACKSON-DENNISON: Same for 15? NACIE recommends that Congress support the Department of Education's school support and technology programs and technical assistance programs to identify how current technical assistance is being targeted specifically for AI/AN students. This is the second request. Technology programs.

MEMBER WHITEFOOT: Oh, we did. Did we

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skip 14?

FEMALE PARTICIPANT: Yes, we skipped
14.

VICE CHAIR JACKSON-DENNISON: I
thought we were talking about both of them
together.

MEMBER WHITEFOOT: I think we just
keep those in there.

VICE CHAIR JACKSON-DENNISON: Yes, I
think, 14.

MEMBER WHITEFOOT: 14, yes is okay.

VICE CHAIR JACKSON-DENNISON: 15 as
well? What technology programs are out there
that --

MEMBER BUTTERFLEILD: Yes, this is one
that I don't know that I know even what's going
on in this area.

VICE CHAIR JACKSON-DENNISON: I know
a couple years ago we had some programs, but I
don't know if this will exist anymore.

MEMBER BUTTERFIELD: Is there a
department here that focuses on technology

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support?

MS. HUNTER: Yes. School support and rural programs has funded technology support.

MEMBER BUTTERFIELD: So maybe we could request just some information on this, because we don't know what to recommend if we don't know what's going on.

VICE CHAIR JACKSON-DENNISON: Can we get some tomorrow? Add something about this on the agenda? We'll go on to the next thing. Support standards and assessment tools appropriate to Indian Country.

NACIE recommends that Congress cooperate with the Department of Education to begin immediately to work with the Office of Management and Budget to revise the definition of American Indian or Alaskan Native to all levels to remove the indigenous inhabitants of South America and Central America from this category. And further that the Department and OMB engage in consultation with American Indians and Alaskan Natives concerning the appropriate scope of this

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critical definition.

MEMBER BUTTERFIELD: I think it's inhabitants, not inhibitants, although it feels like an inhibiting, inhibitant.

(Laughter)

VICE CHAIR JACKSON-DENNISON: Okay. I have a habit of saying inhibited.

(Off the record comment)

VICE CHAIR JACKSON-DENNISON: Break that habit.

MEMBER BUTTERFIELD: Is this inhibiting you?

VICE CHAIR JACKSON-DENNISON: This is ongoing. We have to keep this one going. And it goes on and on, so we've all gotten there.

MEMBER BUTTERFIELD: It's huge.

(Simultaneous speaking)

MEMBER WHITEFOOT: At the higher Ed level, maybe we just need to clarify it a little bit, because it's at the K-12 and higher education level as well.

VICE CHAIR JACKSON-DENNISON: Some of

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this we plan --.

MEMBER WHITEFOOT: I think that's what we wrote.

VICE CHAIR JACKSON-DENNISON: Yes.

MEMBER WHITEFOOT: So this one would come under the research and data theme right?

FEMALE PARTICIPANT: Yes.

MEMBER WHITEFOOT: Okay. Yes. Okay, I got it.

VICE CHAIR JACKSON-DENNISON: And moving right along ladies and gentlemen.

MEMBER WHITEFOOT: We're almost there. Oh, yes, 17.

VICE CHAIR JACKSON-DENNISON: Okay under the same heading. NACIE recommends that Congress support the Department's efforts to direct or work with the Chief State School Officials and National Governor's Association to include cultural relevancy in the formation of the Common Core state standards and assessments.

Native languages should be classified under World language instead of foreign language, and

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allowed to satisfy non-English language proficiency requirements. This is a second request.

MEMBER NEWELL: You classifying them as rural languages?

VICE CHAIR JACKSON-DENNISON: World.
(Simultaneous speaking)

FEMALE PARTICIPANT: World.
(Telephonic interference)

MEMBER BUTTERFIELD: What is the Department's ongoing work with the Common Core? Because the standards are already in place, pretty much. It is really more around assessments isn't it?

MS. SILVERTHORNE: It is. The Common Core is already out there and available. The assessments they were working on this year, and to varying degrees of success. And so that is ongoing implementation.

MEMBER BUTTERFIELD: Yes. This one to me doesn't make much sense. I mean, I understand the importance of the integration of cultural

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content in the assessments. But if I look at the processes that were in place like in Washington state, when they were developing the -- we had Smarter Balanced as our assessment. And all the test items that were being developed by teachers were not culturally responsive, I guess is the word people are using now.

Mostly because most of the developers weren't of any different ethnic background. They weren't chosen for that diversity background. So I'm not sure you know, how we get involved in that process when the states themselves weren't picking you know that kind of group to even develop the items.

So I don't know, that's what -- I'm searching for what is the role that the Department of Ed could play in that process? Because it isn't the Chief State School Officers anymore, because they're not involved in that. It was you know like 95 teachers in Washington that were working on all of those items for the digital library and then they were going to

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develop the assessments using those.

And all the states that had Smart, I just know Smarter Balanced, you know the process that they were using for that. So yes, so I don't know how we get more culturally responsive items in there unless there's some sort of special task force or something that looks at it to find ways to integrate. Is there somebody from the assessment department that could talk to us a little bit about what's going on?

MS. SILVERTHORNE: There are folks in assessment.

MS. HUNTER: Do you want to add them to the agenda tomorrow?

MEMBER WHITEFOOT: Yes, I agree.

MEMBER BUTTERFIELD: I think we need to. It's a major area of concern. Just ask the question on how could we get more Native embedded culturally responsive assessment items?

MEMBER THOMAS: Who would that be that would be coming in to discuss that?

MS. HUNTER: Well, I'd have to find

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out who can come tomorrow. I don't know yet from that area.

VICE CHAIR JACKSON-DENNISON: Okay. Let's move along. We only have a hour to go. Okay. NACIE recommends --

MEMBER NEWELL: Can I ask a question?

VICE CHAIR JACKSON-DENNISON: Yes.

MEMBER NEWELL: Deborah is it? Are we talking about public schools assessment here, or reservation schools assessment? In terms of the languages.

VICE CHAIR JACKSON-DENNISON: We're talking about the Common Core, whoever adopts the Common Core in their assessments.

MEMBER NEWELL: Okay. I know what it means, yes.

VICE CHAIR JACKSON-DENNISON: Okay.

MEMBER NEWELL: All right. Thank you.

VICE CHAIR JACKSON-DENNISON: Number 18, NACIE recommends that Congress support the Department of Education's responsibility to see that the president's Memorandum for the Heads of

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Executive Departments and Agencies, dated November 5th, 2009 on tribal consultations, be adhered to within the Department of the Office of Management and Budget in matters that pertain to the development of performance measures, policies and standards.

Further, consistent with Executive Order 13175 of November 6th, 2000, coordination and consultation with tribes is warranted especially for these policies and standards that have tribal implications.

This is a second request.

MEMBER WHITEFOOT: So consultation is currently underway?

MEMBER BUTTERFIELD: So this is what you were reporting on, Joyce, was the process that you've gone through to get the Department of Ed involved the whole consultation process.

So I think --

VICE CHAIR JACKSON-DENNISON: Do we need to leave that in there?

MS. SILVERTHORNE: There is a

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consultation policy that is out for public comment right now. And that consultation policy is looking at clarifying and expanding where we have been. And we've been doing these since 2010. And this is the next step, another step in the policy.

MEMBER BUTTERFIELD: So why don't we just shorten it to say that NACIE recommends that we continue to clarify and expand the Department's consultation policy and practice?

VICE CHAIR JACKSON-DENNISON: I agree. Let's shorten that.

MEMBER BUTTERFIELD: Yes.

VICE CHAIR JACKSON-DENNISON: Okay. Let's go on to 19. NACIE recommends that Congress support the Department in making extraordinary efforts to include Native expert and reviewers for special initiatives, competitive grants, request for waivers, and similar undertakings where the well-being of Native peoples is concerned.

I think this is one that --

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(Simultaneous speaking)

MEMBER THOMAS: Has anything ever come of that?

MEMBER WHITEFOOT: Well yes, they're requesting us to be engaged. That comes out all the time.

VICE CHAIR JACKSON-DENNISON: It's been asked, I've been seeing things.

MS. SILVERTHORNE: In our request for reviewers for the STEP and the NYCP, we were able to draw on other offices within the Department. Because they have also been soliciting American Indian expertise in their reviewing process.

And so --

VICE CHAIR JACKSON-DENNISON: This is a, to continue.

FEMALE PARTICIPANT: Continue, yes.

MS. SILVERTHORNE: Ongoing, but good, moving that way.

FEMALE PARTICIPANT: Yes.

VICE CHAIR JACKSON-DENNISON: Number 20, NACIE recommends that Congress support the

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Department in strongly encouraging the OIE to maintain the overall size and scope of the 2009 NIES and strongly encourage the National Center for Education Statistics to include BIE schools and staff within all future --

MS. SILVERTHORNE: Iterations.

VICE CHAIR JACKSON-DENNISON: -- iterations of the national Schools and Staffing Survey, to continue oversampling public schools in which American Indian and Alaskan Native students constitute high percentages of student enrollment and to analyze the data and publish the results.

Is that happening?

MS. SILVERTHORNE: NIES is currently oversampling and working on their NAEP assessments from this spring to be able to do the 2015 NIES study.

I can't respond on the schools and staffing survey. I actually haven't heard anything more on that.

MEMBER THOMAS: So it is being

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accomplished?

VICE CHAIR JACKSON-DENNISON: So continue working on this, which we should leave it in there as a continuation. It goes into detail on the back. We'll have to go through that.

MS. SILVERTHORNE: Our office has funded their principle investigator to visit with the BIE schools. And I don't understand any change, or diminishment of BIE schools in that NIES study.

MEMBER THOMAS: In that study does it give any data? As in how many schools have been

--

MS. SILVERTHORNE: Oh, yes.

MEMBER THOMAS: On the students?

MS. SILVERTHORNE: Oh, yes.

MEMBER THOMAS: Maybe we should put some of that into this?

MS. SILVERTHORNE: Would you like --

VICE CHAIR JACKSON-DENNISON: Can you get some of that data?

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MS. SILVERTHORNE: Would you like the 11 report copied for tomorrow?

VICE CHAIR JACKSON-DENNISON: Yes, that would be a good.

MEMBER THOMAS: I think so.

MEMBER BUTTERFIELD: So do you know how many public schools are sampled? Is it, does the report say that too?

MS. SILVERTHORNE: In 11 states, they are oversampling what would normally be the process for the NAEP assessments. They are oversampling to be able to have enough American Indian students to be able report back on those students.

Yes, the number of schools are in that report.

MEMBER WHITEFOOT: And that's the number that they've been using anyhow for ten, 11 states for the, many years.

MS. SILVERTHORNE: It's been that same number as long as I've been tracking the actual report.

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VICE CHAIR JACKSON-DENNISON: We'll probably just have to reword this based on the data that we get.

Okay, we're on 21. Advance Intergovernmental Collaboration. NACIE recommends that Congress amend federal laws to require that when state plans are submitted to the federal government, reviewers must closely examine a plan's service to parents and their indigenous communities.

And further, that state plans that include Native students must have Native reviewers. Legislation reauthorizing the ESEA should include stronger language that clarifies the support states can provide in serving Native students.

This is a third request. This is the one that I know I've been harping about forever.

MEMBER THOMAS: Well, Bill mentioned something earlier, that this was kind of in place but it's not -- we were asking Congress to implement a federal law that would say this.

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But I'm -- Bill you said something earlier about that you were finding that some of this is already being done?

MR. MENDOZA: So I think you know, I spoke to the proposals that we are aware of in the House, around the schoolwide. And the reason why I think the schoolwide plans is meaningful is that right now approximately 75 percent of the school districts consolidate their Title plans under the option to either approach them in separate fashion or consolidate them.

And in the future we see that being 100 percent under those current proposals. So you know there would be some pretty grand exceptions to not have consolidated and that's the 50-50 threshold to require. And that you know, one of the, kind of models, that this is you know kind of being shaped off of, is the private school consultation. Where there's affirmation for the consultation.

So there's an opportunity for consultation, but the affirmation supports it's

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being afforded the opportunity to do that.

So what you want to interpret of that in terms of how you're speaking about, and stronger language that clarifies the support states can provide in serving Native students. Basically it's up to you.

MEMBER THOMAS: I mean so far it's been not to our benefit to ask Congress to amend federal laws. But maybe there's something else that we could strongly encourage?

MEMBER BUTTERFIELD: Well, I think that we need to be clear on what these state plans are. I think you need to use the word comprehensive plans. Because that's what's required of states and school districts.

And in my understanding, in Oregon, they don't pay any credence to consulting with tribes on either of those. Either their district plans, or the statewide plan.

MR. MENDOZA: I think you raise some great points about clarity around which levels you would want these plans to be enacted on, if

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not options. And the comprehensiveness of those.

What I hear you saying is that, and we've heard this from others, is that the tribes on the school district, near the school district, or all tribes in the state. That that would impose implications for states like California, you know, Wyoming.

MEMBER BUTTERFIELD: Well, when I was working in the compensatory Ed section of Oregon, we developed a statewide comprehensive plan. And in that plan, we didn't even mention anything about Native education. Other than that we had Title VII programs, something like that.

So there was not really much of a focus on really the integrity of addressing those unique needs of students in the state. And in looking at, because I've been working specifically with Pendleton, and they're one of the STEP grants.

They didn't even know how to begin to work with the tribe around their Title programs.

The STEP grant sort of forced them to do that.

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So in their state, in their district plan, they didn't have anything in there either, initially.

So that's what this is trying to get at. Is actually requiring the districts, if you're serving Indian kids, why aren't you talking to Indian people about what their needs are and what the strategies are to address those needs?

VICE CHAIR JACKSON-DENNISON: Where I really, I can remember harping on this like I said, in the beginning, was because in Arizona you have certain laws, like English only.

And so you submit your plan to the state from the agency to the LEA, to the state for approval. And you're going off with all these good ideas, research based initiatives that we had going, and everything goes to them. And then they sent me up to the federal government, and no one at the federal level really looks at it and determines whether or not why English only can't work in this plan because it's an immersion school. That type of thing was going on. So

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that was what we were, what I was concerned about at the time.

But since then things have somewhat simmered down, but I don't know if, I still see that the reason why I felt like mandate would be necessary, is a federal mandate would supersede a state law for Indian children, because it was so, they were so hung up on this English only at the time.

Like I said, times have changed a little bit but it's still a law out there that exists that we don't really. It's not as pushed on us as much but back then it was pretty bad when we first were, this was about maybe, I don't know how many years back it was, but it was really hard to convince the state that we needed to use our Title funds to help fund our immersion school.

We ended up just using our Impact Aid funds to do that because they were just, they were threatening to take them away from us. But if there were someone at the federal level that

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said, hey, this is an indigenous tribe here, and this is what through the reauthorization process we were hoping that that would be rectified.

But as times went by, it kind of took care of itself. But it was a big uphill battle there for a while.

MEMBER JOHN: I think that this is very important to, add our strengths and our clarifier work, but because even in our school district, regional school district, they did away with the Indian Education Department. And they established a general department to throw on the related Native student grants there.

Sort of like washed away the importance of their role, or the purpose of why they received the money. And so you know, this kind of recommendation would, kind of hopefully prompt them to identify and to establish a more defined agency for the students.

VICE CHAIR JACKSON-DENNISON: I don't know if you've heard anymore on that since those times that are, we should leave that in or?

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MEMBER BUTTERFIELD: I think you definitely leave it in. Because you got reauthorization coming up and it's talking about when it's reauthorized it should include stronger language that clarifies the support states can provide.

VICE CHAIR JACKSON-DENNISON: All right, two more people.

NACIE recommends that Congress support the continued coordination of the Bureau of Indian Affairs operations and maintenance program and the Bureau of Indian Education on school construction to increase alignment between the two Departments and resolve the current school construction backlog. Collaboration between the Departments of Education and the Interior should be the norm.

This is the third request.

I think this is what part of your hearing was on the 13th, right?

MR. MENDOZA: I think there was a succession of hearings from both Director Roessel

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and myself that kind of speak to not only the budget but the activities meant to work to achieve this.

And those are all derived from NACIE's recommendations and consultation, and that being an important facet to influencing education not only for tribally controlled schools, but beyond.

MEMBER WHITEFOOT: But there are dollar amounts attached to this, as we heard last week with tribal leaders and I think it was in the billions for the 60 schools. I can't remember the billions but I think we need to add that to this report.

MR. MENDOZA: Yes. I mean the number that Director Roessel puts out there is that it was over a billion dollars.

VICE CHAIR JACKSON-DENNISON: Okay. The last one. NACIE recommends that Congress support the Department of Ed and the Department of Justice when these agencies conduct joint listening sessions in Indian Country to address school discipline, disparities, and the school-

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to-prison pipeline that disproportionately affects American Indian/Alaskan Native students.

Same there I guess, I would leave it.

MR. MENDOZA: So I think you know, there's been agency level collaboration on certainly providing educational services from Bureau funded schools, Bureau operated I should say, juvenile detention centers.

And so there are conversations right now not only around -- and we've put out as consultation topics to hear from tribes about civil rights implications within tribally controlled schools. And you can imagine it's an area of deep concern, not only from the protection of civil rights and liberties, but also tribal sovereignty.

And the appropriate role of quote, "Department Interior's civil rights, Department of Justice and the U.S. Department of Education".

So I think they'll be more activity in this space, in the future.

And it not only relates to school-to-

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prison pipeline issues, but just overall opportunity and access for, opportunity and equity for Native students.

And all of the issues that I talked about with the student environment, listening sessions, school disciplines, stereotypes, and Indian symbolism are all being framed by the victims of those circumstances as harm, as limiting their opportunities, as affecting their outcomes. And so that's a broader part of those conversations as well.

MEMBER BUTTERFIELD: You know I was going back through here, because I think we're missing something, or maybe it could be embedded a number of places, but just the increased funding to create parity between Title VII and the other Title programs.

Our amount of per pupil expenditure is minuscule compared to Title I and Title III. And our kids are facing such severe, you know, achievement -- or they want to call it opportunity gaps, but it's still, they're still

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not learning the way other kids are learning.

And I think that requires greater funding as opposed to less funding.

MEMBER WHITEFOOT: And that's where the data will also be helpful in the budgets that we've requested over the past two, three years.

MEMBER BUTTERFIELD: Yes, so that somewhere we -- I think it would be helpful to show the cost comparison.

MEMBER WHITEFOOT: Right.

MEMBER THOMAS: What areas were you thinking of for the comparison, what programs?

MEMBER BUTTERFIELD: Oh, I said, Title I and Title III specifically because they, I know they have I think it -- I'm trying to remember in Washington state Title III funds were almost triple what Title VII got. And I don't know what the comparison was for Title I.

But instead of what, \$126 it was like 3 or \$400 for Title III per student. And Title I is way more than that.

MEMBER JOHN: I have a question. Is

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there like a cost of living, like for in Alaskan students? You know that travel from my village to Bethel is \$500. It's 15-30 minutes, 35 minute trip. And to take a bunch of students is going to be \$500 per student. Just to get from A to B.

And it, you know the cost of living is skyrocketing. It's ten dollars a gallon right now. To take a boat out, a day trip is \$100. Just to survive that day, per family, per household.

And for any parent that has up to three children, and to take them into a hospital for their health needs, it's \$500 times four kids is \$2000 for a parent to take them to one hospital trip. It's outrageous.

So my question was if there was a cost of living allowance or whatever per student? Because in rural Alaska, you know we can't even afford to have internet. My family doesn't have internet. There's four high school kids in the house. It's impossible.

The only internet access they have is

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during school hours. And I don't know how much the school time gives them that time to have internet access. So we have to think of those realities for them.

MEMBER THOMAS: So you're saying there should be formula based instead of fixed base?

MEMBER JOHN: Yes, the geographic, the cost of living expense per student.

MEMBER THOMAS: Formula based.

MEMBER JOHN: Yes, yes.

MEMBER THOMAS: Instead of fixed base.

MEMBER JOHN: Yes.

MEMBER THOMAS: Fixed base across the board, it's formula based on the cost of living break down per state.

MEMBER JOHN: Yes.

MEMBER THOMAS: Because there are some states in the south that fall in the same category. The same category, but just on the opposite end.

MEMBER JOHN: My college students, they can't even call from home because they don't

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have internet. They have to call from, if there's teacher aid from the schools, or if their tribal office counselors, or employees, they have to beg for their council to open the door for them. So they can have internet access to call to their -- attend their college class.

So you know the reality is it's so expensive out there even to get internet access, that a lot, you know that's really enhancing their learning opportunity.

MEMBER WHITEFOOT: So under the Alaskan Native part of the law, does it speak to that?

MR. MENDOZA: So I think we need, on all these budget questions, we need clarification from not only the respective program offices, Title I, Title II, in regards to how the team should really respond to these. As well as budget services because those formulas get pretty complex when you're talking about you know how they're applied across areas and states, circumstances.

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And then on the, but I think you raise a great point, is understanding again the purpose of those funds and to whom they go to. Are they LEA level, are they at state level and then they're subgranted to the LEAs? You know all of that has implication as to that, I mean that measure of analysis, the per pupil expenditure analysis. You know how problematic that is in comparison to the BIE.

The same holds true for public schools across the country in different contexts as well.

So it might be better served to understand more about the implications of those formulas and how they affect different regions around the country.

And make recommendations based off of that.

MEMBER THOMAS: Is there an indirect level --

(Off the record comment)

MEMBER JOHN: Can you tell him --

(Simultaneous speaking)

MEMBER THOMAS: Is there an indirect

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level or a cap per se?

MR. MENDOZA: I want to say that there is, I would need to get more information as to --

MEMBER THOMAS: Because that's a real variance too, for the indirect you know. So I know some, when I was in Alaska, one of the non-profits there, didn't accept indirect, they just did it. And they you'd have another tribe that says, we're taking 22 percent. So that makes a big difference on what they provide for the students. So that's why I'm asking if there's a cap or is there something?

MR. MENDOZA: Yes. It's set, and Joyce can expand further. We know that there are differences from what the BIE does and the tribe, and et cetera, so.

MS. SILVERTHORNE: The cognizant agency for the tribes is the Department of Interior, and how they establish that is a negotiated legal process that they do. And there's no opportunity for us. We're working with discretionary grants.

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And so the indirect cost rate is a point of discussion. And there's no opportunity for us to negotiate a different rating. As long as that has been negotiated, worked through the Department of Interior and that is their rate. We can't do anything about that.

MEMBER THOMAS: But it varies from school to tribe, it varies.

MS. SILVERTHORNE: That's the Department of Interior, that's with tribes. With the Department of Education, there is the possibility of doing a rate that is established by the Department. But that would only affect the local education agencies, the state education agency. It doesn't affect a tribe.

And so, part of this is that there are different rules for the type of agency that it is. And so we've had to look at some of that as we're trying to describe how we will be negotiating with our potential grantees for our discretionary programs.

And so in our frequently asked

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questions, we've tried to address that. And then for an entity that doesn't have a negotiated rate, there is a de minimis rate that can be used. That is a ten percent rate, and that's another option. So it depends greatly on the individual applicant and who is receiving the funds.

MEMBER BUTTERFIELD: And there's a huge variance even within BIE schools. I was out working with 14 schools over 4 states, and I mean the amount of money that each of those schools had to operate with, were totally different.

I mean like some teachers got \$14,000 a year in a real remote isolated community, versus others that were getting you know salaries commensurate with local public districts that were like 50, 60,000.

I mean there's that much of a disparity in the system. And some of it depends on you know, what the tribe is charging, you know, versus you know whether it's a -- well there's just a lot variance. I'll just say that.

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MEMBER THOMAS: Well, that just brings to the point too, there's such a disparity. You know both with funding, indirect costs, you know cost of living, all of that, you know applies towards this. So I think it's a good point, but we need to reword things.

MEMBER BUTTERFIELD: Well, I'm talking about what comes, each state establishes there per pupil expenditure amount for Title I, Title II and Title VII. That's what I'm focusing on, is yes, at the local level they may do some other things with it, but the state establishes based on some kind of formula, their per pupil amount.

And it varies from state to state also. So Oregon may give \$136 per Title VII student, Washington may give \$116 or something. So, but there's still that disparity between those three programs in terms of the dollar amount. That's what I'm talking about, is that it's not even close to providing for the needs that the students have.

MEMBER THOMAS: Of course if they got

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coordinated services from all three of those programs, an individual student might benefit from it. But they don't coordinate either.

MEMBER WHITEFOOT: Well and just along that line, I was going to be bringing this up. Some tribes are able to provide financial resources. Those who are doing very well, are wealthy and smaller tribes, as compared to other tribes. And then some of us are having to do fund raising and out of pocket expenses.

(Off the record comment)

MEMBER WHITEFOOT: It's the tribal, the White House Initiatives, you know they put this stuff out there, they don't realize the work we have to do to get students to participate in these White House gatherings and the fundings we have to submit.

It's above and beyond and a lot of it's volunteer time. I think we should speak to the volunteers, and we haven't even talked about you know fund raising, school expenses, volunteer

--

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MEMBER THOMAS: We're not adding to this Patsy. We're trying to --

(Simultaneous speaking)

MEMBER WHITEFOOT: -- high advocacy, we do an inordinate amount of volunteer time. And we need to be recognized for that work that we do, with parents, communities, students are there, side by side with us --

MEMBER THOMAS: That could be a closing statement, you know, volunteers. And before give the closing thing about who NACIE is, it could be a closing statement down there to bring it all together.

Because it is unique among Indian programs, you know. It's unique among Indian women to get it done. Did you notice I went like this?

VICE CHAIR JACKSON-DENNISON: Yes.

MEMBER THOMAS: I can't hear me. Or see me when I go like this.

MEMBER WHITEFOOT: And to go with that, you know reimbursement from NACIE.

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(Laughter)

(Simultaneous speaking)

MEMBER JOHN: Talking about cost of living, in schools, they're going to close the whole Village school of Adak, Alaska.

Adak, Alaska is going to shutdown the school, so all the families are going to have to be relocated I bet.

MEMBER THOMAS: Who, where?

MEMBER JOHN: Adak, Alaska.

MEMBER THOMAS: Why?

MEMBER JOHN: I don't know. Maybe they can't afford to run it.

(Simultaneous speaking)

MEMBER THOMAS: The last village they closed there was King Island. When they took the BIA school off the Island.

MEMBER JOHN: -- Alaska peninsula. They're going to shutdown the whole school.

MEMBER THOMAS: Oh, my gosh.

MEMBER JOHN: So, I'm assuming the families are going to have to pack up and

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relocate, either to Anchorage or the nearest schools that have room for the children.

MEMBER THOMAS: See that's what happened to King Island. They took the BIA school out of King Island and they just shut it down. So everybody had to move off the island.

MEMBER JOHN: That would seem to be the issue. And in my own village, they collapsed elementary with high school, so all the kindergartners are there with the 12th graders, in one building.

And it's because of the asbestos issue with that elementary school. They don't break them down, they don't rebuild, they just collapse the seniors with the first graders. They're in the same space. They're using the same recess space, the gym. Can you imagine? Twelfth graders with first graders all day long.

MEMBER THOMAS: Do you have something written up on --

MEMBER JOHN: It doesn't make sense, and we're talking about a community of 900

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people. And those kids are breathing the same air. So what's wrong with this picture?

I mean I wouldn't want to sit there with a first grader when I'm trying to decide those, wonder who's what? You're probably baby sitting --

(Simultaneous speaking)

MEMBER JOHN: You know that's reality. So one school is being shutdown. And the schools are being collapsed.

MR. MENDOZA: Does that qualify as elevating the importance of Indian education?

MEMBER JOHN: There you go.

(Laughter)

MR. MENDOZA: You tell me what Indian education means and what Indian education looks like.

(Simultaneous speaking)

FEMALE PARTICIPANT: Getting on one of those little tiny planes, it goes all the way up there, huh?

FEMALE PARTICIPANT: Go up in the mail

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plane.

MEMBER WHITEFOOT: Can you write some of this down? I think it's important to point out Alaskan Native issues because we have a --

MEMBER JOHN: It's real, it's real. I mean we're having hard times.

VICE CHAIR JACKSON-DENNISON: Is it in the budget?

MEMBER JOHN: I have no idea. But when was it we got \$13 million dollars? Isn't that what the report says? Where's all that money going? To the urban side?

(Simultaneous speaking)

VICE CHAIR JACKSON-DENNISON: No, on your side, the other states are getting more. You're be getting less.

MR. MENDOZA: Well, I think one thing is in the course of our reporting, Director Sylvia Lyles, would be useful to come maybe report to, the NACIE as well, given that that program is not housed within Department of Education.

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Neither is the Native Hawaiian program under Title VII.

MS. HUNTER: It is Department of Education, just --

MR. MENDOZA: Well, under Office of Indian Education, so what I mean is Office of Indian Education.

(Off the record comment)

VICE CHAIR JACKSON-DENNISON: It's under OIE, right?

FEMALE PARTICIPANT: No.

VICE CHAIR JACKSON-DENNISON: No, it's not. Where is it?

MS. HUNTER: Academic improvement. The Office of Academic Improvement.

VICE CHAIR JACKSON-DENNISON: What's the issue behind that? Has it ever been?

MS. HUNTER: No, the Office of Academic Improvement.

MS. SILVERTHORNE: Hasn't been as long as I've been here.

MR. MENDOZA: Hasn't been from the

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start of Indian Education. It's always been separate.

MEMBER BUTTERFIELD: So it's funded out of the same legislation, but it's located somewhere else?

MS. SILVERTHORNE: Yes.

MR. MENDOZA: Yes.

MEMBER BUTTERFIELD: What is the reason for that?

VICE CHAIR JACKSON-DENNISON: That is strange.

MEMBER BUTTERFIELD: And I sending her our messages. You don't want all those indigenous people that might be around together.

MEMBER WHITEFOOT: So Alaska Native and Native Hawaiians are in the Office of Academic Improvement. Right.

VICE CHAIR JACKSON-DENNISON: Interesting.

MEMBER BUTTERFIELD: I just had one quick question on the professional development grant graphic. I love these maps by the way,

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they're very helpful.

FEMALE PARTICIPANT: Thank you.

MEMBER BUTTERFIELD: How come Alaska has one program and no money?

MS. SILVERTHORNE: It should have money.

MEMBER THOMAS: It doesn't. On the map it doesn't. It doesn't.

MR. CHEEK: I think they were, they were in there last year, an extension year? Right.

MR. MENDOZA: On the grant?

MR. CHEEK: On the grant.

MEMBER BUTTERFIELD: No, right on the map, it says --

MR. MENDOZA: Which grant is that? Is that for education?

(Simultaneous speaking)

MEMBER BUTTERFIELD: No, the important part, the professional development.

(Simultaneous speaking)

VICE CHAIR JACKSON-DENNISON: It's

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funny but I know what you mean.

MEMBER JOHN: I know it's drastic. I mean it's going to have to have traumatic effect on our ability.

MEMBER BUTTERFIELD: Well, sort of related to that, you know, on the New Smarter Balanced assessments, I have been stunned at the amount of time that's it's taking kids to take those tests.

They're all the computers, they take like five or six sessions. On computers, five or six sessions, so the kids are testing all week long. Because they, a lot of those schools only have so many computers, so they have to rotate the kids in for an hour or two, then rotate another group of kids.

I mean the technology needs of those schools is so great. But I just think that's -- to spend a week testing kids.

MEMBER JOHN: Some of my master students you know they have to take their break time to get the get the right --

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(Simultaneous speaking)

FEMALE PARTICIPANT: Are we done?

VICE CHAIR JACKSON-DENNISON: Yes, we didn't take the break, so I think we can go ahead and adjourn early if you guys are okay with that.

MEMBER BUTTERFIELD: Well no, I wanted to the meeting to continue --

(Laughter)

MEMBER WHITEFOOT: What is on the agenda tomorrow? I want to look at that before we leave.

MS. HUNTER: So, I think now the agenda has been filled.

MS. SILVERTHORNE: Dramatically revised.

MS. HUNTER: Yes. So we want to --

VICE CHAIR JACKSON-DENNISON: We're going to have to probably find a time that we can get together by phone, and email out, and back to like we did last year. But it has to be really fast, a fair amount but it has to be fast, which I think it can be, it's just a matter of

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organizing it and getting it out.

MEMBER BUTTERFIELD: We'll sign somebody's name next to each section.

VICE CHAIR JACKSON-DENNISON: So --
(Simultaneous speaking)

VICE CHAIR JACKSON-DENNISON: Oh, Let's do an official adjournment. Do we have a motion to adjourn?

MEMBER JOHN: I can make a motion to adjourn for today.

FEMALE PARTICIPANT: Second.

VICE CHAIR JACKSON-DENNISON: All in favor, say aye.

(Multiple ayes)

VICE CHAIR JACKSON-DENNISON: Anyone opposed?

MEMBER BUTTERFIELD: Usually it's a recess.

VICE CHAIR JACKSON-DENNISON: Okay, a recess, okay, until tomorrow. And what time do we start tomorrow?

MEMBER JOHN: Nine o'clock.

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FEMALE PARTICIPANT: Ten o'clock.

MEMBER THOMAS: Eight.

MEMBER JOHN: We adjourn early tomorrow, right, 1 o'clock?

VICE CHAIR JACKSON-DENNISON: Right.

MEMBER JOHN: Do we meet at eight?

VICE CHAIR JACKSON-DENNISON: Nine.

All right, we're adjourned.

(Whereupon, the above-entitled matter went off the record at 4:33 p.m.)

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