



Office of Elementary and Secondary Education (OESE)

Office of Indian Education (OIE)

NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION (NACIE)

PUBLIC MEETING

February 8, 2013

The National Advisory Council on Indian Education (NACIE) convened in the Discovery II Meeting Room at the Holiday Inn Capitol, 550 C Street, S.W., Washington, D.C. 20024, at 9:00 a.m. with Thomas Acevedo, Chairman, presiding.

NACIE MEMBERS PRESENT

THOMAS ACEVEDO, Chair

GREG ANDERSON, Member*

THERESA AREVGAQ JOHN, Member

DEREK BAILEY, Member*

ROBIN BUTTERFIELD, Member

DEBORAH JACKSON-DENNISON, Vice Chair

SAM McCracken, Member

STACY PHELPS, Member*

VIRGINIA THOMAS, Member

PATRICIA WHITEFOOT, Member

*Participating via teleconference

FEDERAL PARTICIPANTS

KAREN AKINS, OC Committee Manager

MANUEL BUENROSTRO, Planning, Evaluation, and Policy Development

LAURA JIMENEZ, Office of Elementary and Secondary Education

JENELLE LEONARD, Designated Federal Officer (DFO)

BILL MENDOZA, Executive Director, White House Initiative on American Indian and Alaska Native Education

JOYCE SILVERTHORNE, Director, Office of Indian Education

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(Proceedings began at 9:12 A.M.)

CHAIR ACEVEDO: I will open the National Advisory Council Education council meeting.
I'm going to go ahead and call the roll. Derek Bailey?

(No response.)

CHAIR ACEVEDO: He was here a minute ago. Sam?

MEMBER MCCRACKEN: Here.

CHAIR ACEVEDO: Robin?

MEMBER BUTTERFIELD: Here.

CHAIR ACEVEDO: Virginia?

MEMBER THOMAS: Here.

CHAIR ACEVEDO: Theresa?

MEMBER AREVGAQ JOHN: Here.

CHAIR ACEVEDO: Deborah?

VICE CHAIR JACKSON-DENNISON: Here.

CHAIR ACEVEDO: The meeting is officially open. We're missing one, we're one short of a quorum to take official action on things, but we can definitely conduct the public meeting.

With that, I would like to open the first morning's discussion with a report on yesterday's meeting at the Executive Office Building on the kickoff initiative initiated by the White House with Bill Mendoza as the Executive Director. I'm open to having any one of you who'd like to talk about it since I was one of those who spoke. So anyone who would like to give us your impressions of yesterday's session?

MEMBER THOMAS: I do.

CHAIR ACEVEDO: Virginia?

MEMBER THOMAS: Obviously, it was the opening meeting, just a discussion of, hello, how are you, this is what we're going to do. And the dialogue just started when it was ending. And I know that NACIE is supposed to be part of this or aware of what's going on. Is there a possibility that NACIE could bring in either our chair or co-chair to attend whatever meetings they have so there would be some input.

MS. LEONARD: That I'm not sure. I can ask.

MEMBER THOMAS: Because I think it would be valuable if they get the opinion of NACIE, either by the chair or co-chair that comes in. And we can relay information to them that we see pertinent because, if we don't have someone there, we don't have a voice because we couldn't allow, I mean we couldn't, you know, depend on other people to provide it back to us.

MS. LEONARD: I'm going to say this, but I am not absolutely 100-percent about the way that it works. But, typically, when you have interagency groups, the people who sit in that committee come from the federal agencies. And what they do is they tap their advisory boards to bring input, so they become the voice of the council. So whatever -- it's a back and forth. The Ed person or the federal agency

person sits on the committee. When issues come up, they take it back to and get input from the advisory councils because each one of those agencies that's represented has some type of advisory council in place. And so it's just that in the exec order it named NACIE as being the council that would provide input that would work in collaboration with the Ed on this.

So, typically, that's the way interagency groups work. It's the federal representation that makes up the committee, and then they tap into the advisory councils for --

MEMBER THOMAS: So is our person Joyce?

MS. LEONARD: Yes. Oh, it would be Bill because I think Bill is sitting on the council.

CHAIR ACEVEDO: Bill is the Executive Director.

MS. LEONARD: Right. So it would be Bill.

MS. SILVERTHORNE: It's actually a combination, and part of it is it's a need for clarification of the role for NACIE because the MOU spelled out a different relationship than the other agencies, and I don't think that's quite clear yet. It certainly -- the executive order, the executive order and then the MOU. It was mentioned, referenced in both. I'll look and see if I can find them for you.

MEMBER BUTTERFIELD: Which MOU are you talking about? The one between the Department of Ed and Interior?

MS. SILVERTHORNE: The executive order that created this agreement between the two agencies.

MEMBER BUTTERFIELD: Okay. So that's not the MOU. The executive order.

MS. SILVERTHORNE: The executive order preceded the MOU that was just signed.

MEMBER BUTTERFIELD: Right.

CHAIR ACEVEDO: I believe we have a copy of that in our packet, the MOU between BIA, or the Department of Interior and Department of Ed. I think we have those.

MEMBER BUTTERFIELD: I understand that. I know which -- I just wanted to be sure that was the MOU you were referencing because our role is described in the executive order, so that's what was confusing me when you used the word MOU.

CHAIR ACEVEDO: Robin? Just for the record, Stacy is now on the call, as well. Welcome, Stacy.

MEMBER BUTTERFIELD: My impressions of yesterday are these, and I hope I don't sound too critical. But for an initial meeting, it was okay. With that many, I think, significant players, it was frustrating not to have, even to have gone around the table and had people introduce who they were and who they were representing. Not all of us could see the placards. It was difficult to hear when people were speaking. I felt that -- I agree with Virginia. The opportunity for the voices around the table to be heard was very diminished. It was too much talk-at, so I think the time should have been extended to allow for more back and forth. I know they needed to set the context.

I was a little frustrated that -- you know, maybe I'm just kind of a by-the-book person, but I like to start a meeting with you're here because boom, boom, boom; these are the objectives, this is what we expect out of you. It was a little too rambly for my own personal taste, so that I wasn't sure, and I was watching people's body language around the table, if everybody from all the other agencies was on the

same page. They may have read the executive order, but I think it would have been much better to be clearer in terms of why are you here, what do we expect of you. I also think that, in Education, we have our own brand of jargonese. And even when we were giving our report, Deborah and I had talked about this, we referenced things like the title programs. Well, there's other federal funding streams for these other agencies that may have something called a Title I, so it's not clear unless we say Title I that deals with high-poverty students. So, in the future, when we give our report, I think we need to be aware of how we couch our information so that we recognize there's a real diverse audience.

And then, finally, I was extremely disappointed that both of the secretaries got up and left. And maybe that's the way of D.C., but this is a presidential executive order. And for the secretaries not to even sit long enough to hear the introductions of who was in the room with them, I feel, was disrespectful. You know, yes, we want to be respectful of their time and their importance, but other people, you know, should be valued. And I think, in Indian education, we need to set a different tone. This is in response to a tremendous need out there. One constituent group across the country is historically left behind, and this executive order is acknowledging that and is asking for greater participation on the part of everybody. So it was a historic moment that I think kind of missed the punch line.

And so I'm glad it started, I'm glad it's launched. I'm grateful for that, but I just would hope that we sort of learn from, you know, our initial efforts and move forward in a little stronger way in the future.

CHAIR ACEVEDO: Other comments? Virginia?

MEMBER THOMAS: I agree with some of the things that Robin said, but I, for one, was grateful that the secretaries even showed up because they could have sent their second, their assistants. At

least they were there at the beginning and they actually spoke. It would have been nice if they'd stayed, but that rarely happens. It was nice to see the Secretary from Department of Ed, you know, there and mingle with the people. Salazar, I thought he was exceptional. He went around and shook everybody's hand and made it a point to do that before and even after.

So at least they were there. I hope they had their assistants there taking notes on what was going to happen. I don't think they'll probably ever come to another meeting. They probably just made this opening, and that was it. They leave the work to the worker bees. But I was grateful that they even showed up.

CHAIR ACEVEDO: Other comments or impressions?

MEMBER AREVGAQ JOHN: I concur with the impression of the previous two council members to a point where I could not identify who was the true -- there was one lady that was texting all the way through, so I don't know if she was the staff or not. So, for me, it would have been better to see exactly, you know, who was who. It was hard to detect if they were staff members sitting there with them or not, so.

CHAIR ACEVEDO: Deborah?

VICE CHAIR JACKSON-DENNISON: I guess the question is whether or not -- well, two parts to it. First of all, our first recommendation in our annual report and also to the Secretary is that position of elevating the position of the Assistant Secretary of Education. If we have that position, I think we would have more direct contact. But then the purpose of the meeting yesterday was mainly on the

executive order, I guess. And so where we fit in with that is what I was trying to understand: where do we really fit in with this. It wasn't really our meeting, but we're a part of the meeting.

So that's where the confusion was coming in, as far as I could tell. But I saw a lot of glassy -- I was feeling tired by the time we got to our presentation. I was feeling exhausted. I don't know if it was the room temperature or what, but I felt the same way: that people don't really know. There wasn't enough time, but it goes back to whether it was our meeting.

And I felt the same way that Robin felt that, you know, if it's really important, then maybe we need to ask if we can have some time with the Secretary, other than what we had at the beginning of our organization here, because I think that is really where we're missing the boat.

And maybe that wasn't the right time there. Maybe he did have other things to do that were more pressing than meeting with us, but there's got to come a time when we, as a group here or council, need to have some discussions with him where it's not just a few minutes, that we really get into the detail of why we're doing what we're doing and why we're asking for what we're asking for because, although I do understand and respect the fact that he is more -- stronger in his working relationship than what other NACIE groups have had or NACIE or NACIE councils have had in the past, we heard and we see it from the President that they're more connected. But I guess it just needs to be, we're doing all these recommendations and we're putting it now into a letter format, and now we need to really have some time with the Secretary and a little bit more in-depth. And maybe that wasn't the time yesterday.

We didn't really know what we were getting into, to be honest. I didn't know. And I don't know, to this day, I keep thinking that there needs to be some sort of foundational work done with our group so we have more understanding of the direction that we're going and that we know our mission

and what, besides the -- I can't think of the word for it -- besides the, not the bylaws, but what am I talking about? We just need to do some more formation of our purpose and our roles and responsibilities with the executive order, as well as with the charter, I guess, everything about the charter and everything that, what is it that we can accomplish? Because until then, there's 15 of us on this council, plus we have Joyce and we have Bill and we have Jenelle. We have people that come to us, but all of us have a different idea, I'm sure. To some of us, we're all in the same direction, but many of us, you know, we have different ideas. And that's where the confusion comes in, and that's where, I guess, in my view, that a lot of the confusion was yesterday. What really are we doing?

We were trying to ask Bill from the beginning what is it, and I don't know if maybe he didn't really know, but it just felt like we're all over the place and we don't know really what our purpose is. I don't. I mean, we did the report yesterday. I thought that went really well, other than the little conditional things that we're talking about now. But I think, overall, we need to do a little bit more groundwork on our part and what is our focus. Besides putting it on paper, what really are we, like a short-term strategic plan type of a groundwork that needs to be done to help us. Thank you.

CHAIR ACEVEDO: Just a second before we go -- Stacy, did you have something to say? I thought I could hear you wanting to queue in.

MEMBER PHELPS: Yes, thanks. Can everybody hear me okay?

CHAIR ACEVEDO: Yes, we can.

MEMBER PHELPS: Okay. The question I have in terms of that assistant position, and I say this with the most amount of, you know, respect to Jenelle and Joyce, but would there be, is there

more, I don't want to say power, but I know, as employees, your guys' hands are sort of tied sometimes, and it seems like, you know, the political appointee groups are the ones who sort of set the tone and the pace.

So my question is, is it something that we should be asking for, maybe for an appointee to kind of oversee this whole Indian education process? You know, maybe somebody who resides over that executive order or somebody, instead of an assistant position, because the reality that I see is that there's all these kind of silos of things happening with education, whether it's at the pre-K or the K or the tribal college or the justice or social services, you know. I mean, I know this interagency is sort of the start of bringing those together, but it seems like, you know, from just my observations of the process, you know, the political appointees seem to be the ones who are able to kind of set an agenda and get into the rooms when nobody else can. So I guess, from a clarification standpoint, is that an accurate statement on my part or no?

CHAIR ACEVEDO: Jenelle?

MS. LEONARD: Let me just respond by saying that Bill Mendoza is a political appointee, and my understanding is that he is the person that you're talking about.

CHAIR ACEVEDO: Virginia?

MEMBER THOMAS: I can understand your difficulty, Stacy, about trying to understand this. The workgroup, in the title it says The Interagency Working Group on Indian Education, and, yes, there are a lot of people, there are people from all different departments that maybe have advisory committees, but we are the only Indian education national advisory committee. So it is -- and I understand that Bill

Mendoza is our person. And if we can't do the way that we want to do it, my father always taught me this, there's always a backdoor to something that we can get in and get our voice heard.

So if we have to do this, we need to stay on top of this as NACIE, get our opinions maybe in writing and get it to Bill, and tell Bill that this is what we want you to approach with because we are the agency that overlook the Indian education. All these other ones, you can tell that they were kind of just departmental, you know. There was people from the environment, there was people from -- they were all different agencies that were really not inclusive on Indian education but in a small, minute way. That's why they were there.

But I think, if we have a concern, our voices should be heard through Bill Mendoza if we can't get our leadership there, one way or the other, at those meetings because it was just an opening meeting yesterday. There wasn't any work done because the work was just starting when it was over. The comments started coming through when it was over.

But I think we need to make it very clear. And Robin made a good point the other way that we need to follow the executive order. They're the expectations of this council. And if it's not being done, then we need to bring it forward to this interagency, you know, we need your help to get this completed, we need you to know that this is what we're aiming for, so that we're all on the same page.

And yesterday we weren't because, obviously, everybody saw that there were people getting lost in there. They didn't really understand the scope or really didn't understand what was going on. They were lost. And that wasn't any fault of Bill's or anybody else's, but I think it's very important that we get our voice heard and get the issues to Bill Mendoza. And if there's any way that we can bring in, if there's possibilities of having our leadership there -- I remember the old NACIE before. Lenny was always here. He

was always local and we could always depend on Lenny, can you show up, and so he was there representing NACIE. We don't have that right now, someone that's within a distance that could make it there and back, you know, without causing a whole red tape trying to get you here because of what we have to go through. But that doesn't preclude us from getting our voices heard and our issues to Bill Mendoza.

And some of the issues, I agree with Robin, we should go through the executive order and say this is what we've completed, this is what we need help on. If there's other agencies that can help do this, that's what we need to outline. I agreed with Robin the other day on that issue.

CHAIR ACEVEDO: Sam? Okay.

MEMBER BUTTERFIELD: Just one other observation. When the group did start to offer some of their own ideas, it was not apparent to me that there was a formal way of recording what they were saying. And just given the response yesterday when I asked for a summary of the roundtables, you know, I'm nervous that if there's not something set up, you know, it won't get captured. And that's really the whole point of having those groups get together is, you know, how are you going to capture that input.

So having a formal recorder or, I'm just the old school, you know, put it up on a flip chart so that everybody can see that there's something that we've decided or have, you know, heard, just some way for capturing the input that comes. I hope that that will be part of what happens in the future.

MEMBER THOMAS: Well, that's what's happening right now. I mean, we are being recorded here, but Bill's not here. You know, he's not here to listen to our responses or our concerns. And we have to make sure that he gets this information from us and that we provide him information. But, you

know, it would have been nice -- I'm not blaming Bill because I know he's extremely busy -- but a follow-up to what's happening.

But, you know, we really need to make sure that our concerns are there, that they understand them, because even when that presentation on the statistics yesterday, people were lost. I mean, you could just look around the room and they were like, "What?" you know. There was no question because they didn't understand how does this go with my department, and how is this affecting me, and we need to make sure that everybody who's there -- it would have been nice if we had a printout or something that says this is just on the interagency list so that we could do this. It wasn't provided, and maybe that's one thing we need to ask of Bill Mendoza, to ask him can we get a listing of those people that are attending this interagency so that we can direct some direct questions to them that why is this happening and why isn't this happening.

CHAIR ACEVEDO: Sam?

MEMBER MCCRACKEN: Mr. Chairman, if I'm not mistaken, didn't you have a list of who was there?

CHAIR ACEVEDO: Let me add a little different tone to the meeting. Some of the remarks that you all made I share with you, but I also had a little, I think the most -- it wasn't our meeting. It clearly was Bill Mendoza's meeting, and Bill, as the Executive Director, it was his obligation to set the tone. And attempts were made, I think, to set the tone. I agree with all of you that, had there been a memorandum, who knows why that wasn't done but we can't second guess that, but for those folks that were called to attendance.

I think it was, sitting next to me was Brian Drapeaux, the Director of the Bureau of Indian Education, who sat next to me. And I looked around and I said, "Well, we certainly have a full room," and he says, "Well, when you have two cabinet-level officers you get a lot of people that come."

So that was why they had the two members of the cabinet there to be able to get all of these people to attend the meeting.

I agree with all of you that I don't think that a lot of the people understood why they were there, but they knew that they were summoned. They accepted the invitation. They were designated to come. There were, I think, about three that spoke that really understood what this was all about in terms of it. There was also someone I heard make a comment about the fact that when we have these minority efforts in the past, here's what we had done. So there was some already, we've seen this before, this is a political meeting, and how long is this going to last, and what's the follow-through on it?

So I think that was a more telling comment from someone in the know who's been around Washington for a long time. And I can't remember which one it was when I looked on that side of the table where Deborah was sitting but made that comment, and I thought it was very telling. And so it really places the burden on both, I believe, Bill and, to the extent that Jodi Gillette from the White House is going to be involved. I mean, she seems to be going to have a hand in this based on her comments there, and I talked to her before and after the meeting.

So I think a lot of the direction rests with them. We clearly, and I try to make those clear when I gave our statement about us, our new role and our new responsibilities in there.

I agree with all of you that that's something that we probably should do as a memo from this group to Bill saying, as we read the executive order, these are the new responsibilities that we see that we've been couched with, and we would like some direction from you as to how we are to play out those new roles and responsibilities. That's one thing that we should do on behalf of the Council.

There was only one deadline set by Mr. Mendoza, and that deadline was in May, to have each of those members of the interagency group to come back with three items of recommendations on how they would fulfill the initiative that he's leading. That seems, to me, when those get back to him, sifting through those ones that he is going to then select as what he wants to accomplish with this interagency group is critical. And I think that Jodi is going to have a hand in making sure what those are and shaking those out of the tree from these various agencies.

It will be interesting to see, of all the agencies that were in attendance, how many of them come back with something because it's not a mandate, but it is a request, which is different than you must do this. So we'll see which one of those responded to them. And it's up to, I think, he and Jodi to pull that out of the invitees that were there. I'm not sure that it's clear to anybody in that room, including Bill, that the agencies are going to have the same people in the future handling this for them if they're going to act at all or react at all to this request from Bill and Jodi.

I think that it was good to have the two secretaries there. If you had the opportunity that I was able to take advantage of at the Tribal Leaders Summit, that is the way the cabinet-level officers are. They come in and they leave. They don't stay. They have numerous commitments. I'm not apologizing for them. I'm not forgiving them. I'm just telling you that's just the way Washington is. Even though they have tribal leaders from all over the nation there, you didn't have all those cabinet-level

officers, and I think there were nine of them that came to the Tribal Summit, there at all at any one time. They came in, said their piece, and left, came in, said their piece, and left. So they didn't even stay there and listen to the other cabinet-level officers that were speaking.

The only one that was consistent throughout the entire one, because he hosted it, was Secretary Salazar. So that's part of how Washington works. We may not like it, but that's the way it works.

The list is exhaustive that was there: Sherone Ivey, the Deputy Assistant Secretary for the University Partnerships, Department of Housing and Urban Development, was there; Evie Caldera, Assistant Chair for the Partnership and Strategic Initiatives, the National Endowment for the Humanities; Nadine Garcia, Deputy Assistant Secretary for Minority Health, Health and Human Services; Gail Demers, EEO, Program Manager, Office of Civil Rights and Diversity, Department of the Treasury; Chris James, Assistant Administrator, Office of Native American Affairs, Small Business Administration.

I had a chance to talk with Chris. Chris was very interested in this particular program. He gave me his card. We'll do follow-up with Chris. Because the company that I represent, S&K Technologies, we do business with the Small Business Administration, as well. So he was very interested in following up, so I'm going to make a direct contact with him since I have his card, as well.

The next person was James Hurban, Senior Examiner, Office of Management and Budget; Nancy Bosque, Social Security Administration, Director, Center for Cultural Diversity, Office of Civil Rights and Equal Opportunity; Jacqueline Johnson, not our Jackie Johnson, Jacqueline Johnson, Senior Technical Advisor, Office of Internal Enforcement Civil Rights Center, Department of Labor; Evelyn Kent, Department of Defense, Program Director.

That was interesting to see DoD there. When we did the Tribal Leaders Summit with the President, DoD did not send their representative. Obviously, Leon Penetta is busy, so he did not attend, but they didn't send anyone to that particular session with the tribal leaders. So it was interesting to see that someone did come to this particular session.

Patricia Durrant, MAIA, National Program Manager, Office of Small Business Programs for the Environmental Protection Agency; Gwendolyn Coggs, Senior Policy Advisor, Office of Civil Rights, Office of the Secretary, the Department of Commerce; Carol Walls, Office of Small Business and Nuclear Regulatory Commission. She spoke quite a bit in the session. She was hard to hear; I agree with you on that. But she was engaged in the process.

Gay Tenesco, Deputy Director, Office of Tribal Justice, the Department of Justice; Erica Treofilo-Artola, MSI, Program Manager, Agency for International Development. I don't even know what that one does. That was a new one to me. John Robinson, the Director of OCR, Chief Diversity Officer, Department of State; Yvette Riveria, Associate Director of EEO, Programs Division, Department of Transportation. Claudine Brown, Assistant Secretary for Education and Access Smithsonian Institution. This woman clearly got it. She's very smart. I was really impressed with how quickly she grabbed the full scope of that executive order.

Georgia Coffey, DAS, Diversity and Inclusion, Veterans Administration. That's someone who definitely understood everything and also gave some pointed comments on how to break that out into three categories to Mr. Mendoza. Very much on top of her game.

Lorna Strothers-Lewis, Director of EEO, Office of Personnel Management; Dot Harris, who is sitting next to you, Director of Economic Impact and Diversity, the Department of Energy; Arthur

Blazer, Deputy Undersecretary, the Department of Agriculture. He understood and spoke quite a bit, from the Mescalero Apache Tribe. He understood why he was there and said we have resources and we can connect the dots, when Bill asked for that, of connecting the dots. So he's going to be active on this, I would think.

Dr. Roosevelt Johnson, Deputy Associate Administrator for Education, National Air and Space Administration. And then you saw the ones across the front, the appointees. Brian Drapeaux, Director of Bureau of Indian Education; Kevin Washburn, Assistant Secretary of Indian Affairs; the two secretaries, Mr. Salazar and Mr. Duncan; and then, from the White House, Jodi and, of course, Bill as the Executive Director.

So that is our list. So it's an exhaustive list. The follow-up, I think, as everyone keeps talking about, the devil is in the details. How is Bill going to make this all work? How much clout is he going to have in getting these agencies to respond to his requests? That's really on his shoulders.

MEMBER MCCRACKEN: Thank you. I'll just give my brief synopsis. I had an opportunity to have a personal conversation with Secretary Duncan in quite detail, and his comment to me was, I want you to hold me accountable. And I said, oh, by the way, I just got appointed to be the chair of the Agenda Committee. I said, I will make sure that you are on the agenda and you get an invitation to every one of our meetings, and he said, please do.

So I will take that personally to make sure that every agenda he is invited to come. Whether he comes or not, that's up to him. But he will be invited. And I will talk to my counterparts who are on the committee with me to make sure that we're all on that same page, that he gets invited to every single meeting.

And I think we have a huge opportunity here because we can't really change what happened before but we can change what happens going forward. And I think, as we will learn today, and I think have tremendous clarity on kind of where we want to go, and it's our job now as a committee to bring our thoughts and our passions and our abilities to bring stuff together to do that going forward and then leave our legacy at the end of the four years.

So I feel very optimistic because I think there's tremendous passion in the room and knowledge beyond my expectations. So you guys are the experts. I think I'd just bring a different thought process to things, and I try to tap into my strengths that I can bring to this committee. Definitely acronyms and education aren't those two things, one of those things. But I think there's a process that we can put in place and an agenda that we can put going forward that will allow us to be successful. And I think yesterday was a first step that, once we get our head around what yesterday meant for us as a committee, I think that we can -- and welcome Mr. Mendoza to the meeting -- but we can help Mr. Mendoza accomplish a goal. At the end of the day, our constituents are those young kids who are going to school, and that's why I sit on this committee because I want to be able to help them.

So I just wanted to leave that for you guys to know that. I personally heard, the man looked me in the eye and said, you need to hold me accountable. So that's our job to hold him accountable. Thank you.

CHAIR ACEVEDO: With that, Bill, welcome to the meeting. We're pleased to have you here this morning. There have been several comments about impressions of yesterday's meeting. We're happy to have you here. I'd like you to let this council know what your expectations were in your kickoff session yesterday, if you would, please.

MR. MENDOZA: I appreciate it. And not being able to hear -- I should be active -- yes, okay. Good. I'll speak up. Not being able to hear your reactions to yesterday's meeting, I certainly value the input that you have regarding, you know, how things went yesterday for us at the initiative. We certainly felt like it was a successful event.

We wanted to have as much representation from the agencies there to be able to inform them of not only the initiative but the stakeholders that we feel are essential to this initiative, including the Council. And to be able to begin to put them on a path, a time line, if you will, to voice Ms. Butterfield's sentiments from her comments the other day, with the May 31st target to begin to formulate conversations that get down to the substance.

As you all know, we've been at this for about a year now. And trying to develop this new framework that we're going to be addressing these broader-reach. And as I was sitting there, you know, absorbing Mr. Acevedo's testimony, coupled with Ms. Jackson-Dennison's, you know, it really showed me, as well, that this is going to benefit you all. And so the expectation there for me were just that, and I hope that, through that process, you were able to see how your own recommendations, whether they're 12, it might be 24 by the end of this process because of the rich resources that we have at all the other federal agencies.

And so bringing those conversations together and this being a first step for them is what, you know, the idea was to say let's now put us in conversation with one another and then let's set up a structure for that. So the only way I think that we can do that in an efficient manner to address it expediently is through these subcommittees of this interagency working group. Talking to my colleagues across other agencies that have experiences, vast experiences with these interagency working groups, you

have to keep it simple. You have to be able to task these issues out, to make recommendations and to act upon them.

And so we're going to do the best that we can in that respect, but I don't want to suffer the pitfalls of, you know, their advice, as well, which is that, you know, when we get into these conversations that we just end up talking about them and wanting to study them. You know, we want to get down to concrete recommendations. And as much as the executive order helps in that regard, you know, we're all going to have to be looking at, you know, the consistency of what our priorities are to that executive order because I'm going to have to be working towards those objectives, as well as trying to employ the strategies that are spoken to specifically.

As Ms. Butterfield also mentioned, you know, the preponderance of our activities have weighed upon the two agencies, solidifying that kind of activity. And as you listen to Director Drapeaux yesterday, you know, you can still see how we operate with these lenses. And so we're trying to challenge the notions of those lenses and trying to ask the BIE, you know, how can you help us with the broader side of that. How can the PK to career side of that help you in this sense? You know, they have all their specific proposals for unitary systems, accountability for all of those resources, as well as garnering greater resources as an Indian education system. You know, they're very much on that track of a new identify for the Bureau and itself providing a viable alternative for tribes in not only the Bureau-funded schools, to use that broad term, but also for public schools, as well.

So that's where the nexus of those conversations really converge. And until we can get everybody educated up to point about those complexities, you know, I think we're kind of kidding ourselves about drastic change in that area.

So education was an expectation for yesterday. Bringing conversations together and exposing them to the new trajectory of Indian education, as the initiative is leading it, to strengthen those partnerships. And I feel we accomplished that, at least in exposure.

CHAIR ACEVEDO: Bill, thank you. I think one of the concerns or responsibilities that this council came away with from yesterday's meeting was on your May deadline. Between now and that May deadline, there isn't a role for us or is there a role for us? And assuming there's none between that, because the agencies are submitting responses to your initiative request, post that reception of those responses what you expect from us to help you in making this a successful initiative.

MR. MENDOZA: No, I appreciate the concern. And I see as much of a role as NACIE would like to have in that process. The subcommittee we envision to be open. You know, I would welcome and almost expect participation from NACIE in that subcommittee so the framework for how these four-year plans begin to shape and how engage in those conversations are a matter of intimate involvement of the Council. And so, you know, we want to be able to report to that subcommittee from NACIE in that fashion.

MEMBER THOMAS: That was my point earlier, our involvement in this. Two things. Are we going to be privy to these recommendations from the subcommittees, the agencies that were there, before they present them to you or when they present them to you? Are we going to be privy to their responses?

MR. MENDOZA: What is the communications between the subcommittee and the broader council in general?

MEMBER THOMAS: No, the ones that you requested from them, how they can assist. And May is their deadline.

MR. MENDOZA: Yes, so that's my question to you is what are the, before I respond to that, what are the communications between a NACIE subcommittee and NACIE itself on a regular basis? Do you guys exchange information --

MEMBER THOMAS: Maybe Karen can explain, but this may be our only face to face is my understanding. But we do have the conference calls that are coming up.

MEMBER BUTTERFIELD: I think what you're asking, though, is when you asked us to have a subcommittee do the presentation, we ended up just having our chair and our co-chair. So we don't really have a subcommittee at this point, so we can't describe that until if and when we create one. That's one response.

The second thing that would be really helpful I think for us, I heard when Thomas was summarizing his perceptions of the meeting, is that those reports that are coming from the interagency task force, I understood those are mandates. They're in the President's executive order. They're not just requests or recommendations. They are required to write those plans, according to the executive order, correct?

MR. MENDOZA: That is correct.

MEMBER BUTTERFIELD: And that's what's due on May 31st.

MR. MENDOZA: Yes. So the broad goals of those plans is what we're working towards for May 31st. So, you know, depending on what comes out of this subcommittee, you know, the realities of it are is that, you know, we set the date and we're going to work towards these broad goals. So we're basically telling the agencies, you know, that you need to be thinking about what it is you're going to

achieve under this executive order, respective of the objectives. And in the meantime, we're going to set these four-year plans and a criteria that we want to have within that and the accompanying guidance that necessitates, you know, their development of that plan.

And so what's going to come out of this subcommittee is the framework for those four-year plans. You know, now, when you take those goals and then we establish the framework, we may need to set an additional timeline for those goals that they want to accomplish in the form of a plan. I'm almost guaranteeing that the agencies will say we cannot develop a meaningful plan within that time period, but we do have these goals. And what we want to do is be able to provide feedback on those goals at May 31st to be able to say, this is great, you know, here are some other things that you might be able to do, or, this is unacceptable. This speaks to current efforts only. You're not setting measurable objectives within the scope of this or you're not even heading in that direction. And by that point, we will have, you know, I'm confident that we can have a solid framework for articulating what our expectations are around these four-year plans. You kind of were exposed to the dynamics between this unknown universe that we're talking about, PK to 20, and the minority-serving institutions, which TCUs are often encompassed in. They'll be the first ones to tell you because I know we're on public record that they're not minority-serving institutions. They're unique trust entities.

But for all intents and purposes, they are, for various reasons, consolidated for a matter of planning and reporting reasons. Most of the officials that were there yesterday are actually higher education or equal opportunity arms of the federal agencies. So they handle those, you know, minority issues, if you will. And so when those reports are requested annually, there's very specific criteria to that,

and I can share that with the NACIE group to let you know how we're approaching that from that standpoint.

It was made very clear in the conversations around the executive order that not only tribal colleges but the rest of the other universes of MSI institutions do not want that messed with because they feel that that's the strongest level of accountability for the federal agencies to report on really how they are addressing the existing statutes. So when we try to bring that all together, these subcommittees are going to build the criteria for the four-year plans. They're going to make the recommendations to the broader interagency working group, and then we're going to, you know, at some point, have to take something out of that and move forward with it. So it may be that, you know, we see some very positive things coming out of there, and we can work towards taking those to consultation at some point in the four-year plans. We say, okay, May 31st came and went, things look great, let's wrap this up in three months and take these to consultation, which we all know that whatever goes to consultation is pretty much where it's going to end up. There may be nuances here and there, but that's typically how it's done at the agency level. Whatever comes out for consultation is pretty much where the agencies are at. Does that help?

MEMBER THOMAS: I didn't get to finish my second point. Now it's another point to that.

MR. MENDOZA: Okay.

MEMBER THOMAS: You were talking about our subcommittee, you know, being involved with this interagency. How do you see whoever the subcommittee is, right now it's our leadership that we have here, to be actually involved, you know, taking forth what we give to them to this

subcommittee, to be part of this? How do you see them -- is it physically being at the meetings? Is it -- what do you see? What is your expectations?

MR. MENDOZA: We do run into issues, just as we do with these other -- take the MOA, for instance, and the executive order. There were timing considerations there, that you were either ahead of it or responding to it, you know. And that's the very real circumstance of this council. You choose to be, you know, as engaged or not, you know, by the necessity of the Council. The meetings are where the decisions are deliberated and made from the Council. And in the interim, you know, we have to talk to Karen and others as to how we can inform you about what is happening in between your convenings because that has to move forward because we're having all these other different conversations and collaborations in between there.

So, you know, there could either be representation from the subcommittees, that they meet and participate appropriately, consistent with FACA, consistent with, you know, anything else because you are essentially, at that point, a part of the interagency working group. So we want to encourage that, and that's, hopefully, where we land.

And so, in these subcommittees, you know, that could be either report out from that subcommittee that NACIE is aware of so that they can provide feedback. You know, I don't know. We need to determine from the interagency standpoint what that looks like. And because this is also involving tribal leaders, and they have an exemption, in many respects, to these kinds of activities, as well; but there's a level of consideration there about deliberation, you know, knowing that these are being deliberated that we're going to have to look at very closely.

MEMBER THOMAS: I just want to make sure that we meet not just our expectations but the expectations of the Council itself, that we're accountable for what was given to us to follow through on. So my concern is maybe, whoever our subcommittee ends up to be on this, that there will be some dialogue either by communication on the phone with you involved to let us know what's happening and letting the rest of the Council know what's going on so that we can get back to you our concerns and how to follow through on these different agencies that were represented yesterday.

MR. MENDOZA: I agree. And we're going to work closely with Karen to ensure that we stay to our P's and Q's on those interactions and stuff. And I don't want to raise expectations to you, but, you know, I hope you can recognize that being there with those federal agencies nurturing those relationships is going to get that level of responsiveness that I think you're striving for. And, you know, a lot of the recommendations are Ed-specific, and I think, you know, as we move forward, you're going to be really interested in the activities of those agencies and what to speak specifically to them, and that's how we see us being a channel of you in the absence of your ability to convene.

MEMBER MCCRACKEN: So, Bill, you spoke about a four-year plan.

MR. MENDOZA: Yes.

MEMBER MCCRACKEN: So I get to use a business acronym now, all right? So from a business point, when we build a four-year plan, we go through an RTP process: resource the plan. So as you look to do that, is that incremental budget to that plan, or is it existing budget that something will go away to implement the presidential executive order? So I'm just curious from that perspective because we have conversations around here around budget and dollars and we hear things that are going on. And, you know, in Deborah's community where she's got things going on there all relating to resources, right? So I'm

just curious, through the thought process, is this an exercise that will get resourced or is it something that you'll take from existing resources?

MR. MENDOZA: As you know and as the agencies will readily tell us, you know, that Congress makes the laws, they choose to appropriate what they want to fund in respect of those laws, but we put forth a budget, as well. And encompassed in that budget is our own priorities, our own mechanisms for, you know, what we think, you know, takes the government in the direction that we need it to go. And it's in those conversations that we want to inject ourselves by way of specifically educational services. And we know that there's a lot of other areas there, support services, if you will, that contribute to that educational mission that we have, the core mission of that.

And so when we're doing these strategic plans, it's saying what are your priorities, how are we visible in there? And that's why we're so strongly, you know, interested in the high-performance goals that are developed within the federal agencies that speak directly from their strategic plans that they develop for themselves. And so it's every major initiative within there that we think speaks directly to our population that we have an interest in.

And so it's both existing efforts that we've identified as primary resources for our communities, for our schools, whatever that angle might be, and protecting those if they're effective, and then looking at what it is that the administration is proposing otherwise and making the case for why our communities need to be included in that and/or targeted specifically.

And so we have a lot of conversations with agency officials where they have their own curiosities. One of the officials yesterday talked about parent and student engagement, a huge issue for us in Indian country to help contribute to the schools from the standpoint of STEM. And that is how these

conversations start out because, if they don't exist already, then it's something that we can mobilize around and look at incremental resourcing of that kind of initiative. But it has to start somewhere.

MEMBER BUTTERFIELD: In a need to be, you know, really focused on the role of NACIE, it would be helpful to get your thoughts about how many times this interagency group is anticipated to meet because I could see, if we had that, then we, as a subcommittee of NACIE, there could be a group that at least, if we couldn't physically be in the room, if the meetings are two to four hours, we easily could be on a conference call and listen in. I'm just trying to figure out how we can be value-added to this process because we have to have the information in order to make recommendations. And your point is well taken. You know, if we just have sort of arbitrary dates when NACIE meets, it's out of sync with what the activities are of the executive order, which is kind of a new overlay to the previous NACIE responsibilities.

Am I accurately sort of describing the universe in which we're trying to operate now? So for us to be value-added, we need more of a concrete schedule. And I know you don't have those exact dates selected, but say you were meeting four times a year, I mean if you're meeting quarterly, certainly you might want to meet after the 31st because you will have received these written plans. And at that point, you're going to want to have a conversation about what people's thoughts were in constructing the plans and how they somehow come together into some unified set of recommendations based on those plans, right?

MR. MENDOZA: Yes.

MEMBER BUTTERFIELD: So that would help me get my head around what is it you want, what is it that you need that we could offer that would be value-added?

MR. MENDOZA: Okay. I appreciate it. And, no, those times are not set right now, but I envision in this, you know, first year of interagency engagement that, at a minimum, at the designee level --

before you at the table there were senior officials from those agencies. In the periphery were the designees, the designated agency representatives who we work with on a day-to-day basis moving forward. Those individuals will probably meet monthly if we can accomplish it, and the larger body may meet even quarterly to discuss these issues, as we move forward.

So the work is going to be done on a monthly basis and maybe even more frequent than that, given that we need to -- the data subcommittee will be, you know, the body that moves those recommendations forward. So we're already moving forward with trying to schedule that next meeting. And as you can imagine, trying to find the best time for 29 individuals to convene or, you know, those interested, if the subcommittee is even half of that, it's going to be as arduous of a task to convene a 15-member advisory Council.

MEMBER THOMAS: This is Virginia. Does that mean that when they have these monthly meetings, or whatever you call them, that we would get the information immediately back over to NACIE so that we could look it over, digest it, and maybe do a conference call and speak back to you, because you are our representative on this task force, so that we can give our input back to you? You know, Robin is right, we're not going to be there physically. But, you know, at least we can hear, but we needed time to respond back because I feel that we have a responsibility of this interagency on Indian education to make sure that it's followed through with our oversight to make sure that those executive order issues are being dealt with.

MR. MENDOZA: No, I appreciate it. And, of course, consistent with whatever guidance Karen can give us on the FACA side of it, we want to be as responsive as we can be to those meetings. And these things will move fast at times, they'll move slow at others, and so your mobilization around what we

can get you -- I can make that commitment, you know, to communicate. If it's not in your absence, you know, where it's appropriate, you know, I can report back to you on what those activities are so that, as a part of this interagency working group, you'll have that ability to voice your feedback, a response to the trajectory of it.

MEMBER THOMAS: Don't worry about Karen. We can take her.

MR. MENDOZA: Yes, she's great. I totally appreciate Karen. She keeps me out of trouble. That's why I invoke her name often, kind of like mom. Any other questions?

CHAIR ACEVEDO: Stacy, on the line, do you have any? Or Derek?

MEMBER PHELPS: I'm on. This is Stacy. The only thing I wanted to clarify, so were we going to form a broader subcommittee of the NACIE group who might work with the executive order interagency group? That was the thing -- I heard the discussion, but I didn't know if that was finalized.

CHAIR ACEVEDO: Stacy, it has not been finalized. I think that's a discussion we can have today regarding the subcommittee we want to appoint and how many people would serve on that to make it responsive, I guess, and knowledgeable about what they're going to be doing on our behalf as the full Council. So we haven't done that yet. Thanks.

MEMBER THOMAS: Bill, I just wanted to make one point. You did a really good job. I know how difficult it must have been to get all those agencies there and to get the room set up and to get us cleared to get over there because I know Karen is a stickler to making sure that everything is done right, you know. And she usually doesn't let us walk out of here before five. But I appreciate what you did yesterday. It was a good effort, a very good effort.

MR. MENDOZA: Thank you. Thank you for those sentiments. And, again, you know, I have a commitment to you all. That's been the whole spirit. That's consistent through all of our leadership, all of our team. Everybody is a critical part of that. You know, the comments the other day, when you expressed, you know, just the gratitude for our efforts, you know, I can't stress that enough. You got a big event like this, and the next day you're reflecting on it and you're thinking, okay, well, we could have done better. You know, there were a lot of points where I think we could have made sure that it was even more. You know, it's rare that you get that kind of caliber of officials for two hours, and so you want to use your time wisely. And so we wanted to strike a balance between, you know, the uninformed individuals and representatives in the room and the sophisticated ones. And so it's always a difficult task, and so I really appreciate that you think we did acceptable in that area.

And, again, the reason why we were all there when Director Drapeaux, you know, expressed his sentiments, I have my own opinions. I don't think he did it too well, but he was grateful to be there, as well, and the organization that our team put into it.

I didn't do any of that either. I have a dedicated staff, a small but mighty staff. And one of them is represented here, the young lady in the back there, Sedelta Oosahwee, is really the reason why you all were there. So I just thank Sedelta. And the many things that I forgot yesterday, I didn't get to share this with the broader interagency working group, but my trusty briefcase here was actually left in the hustle and bustle, which had all of my talking points and everything that I needed to speak to directly.

So it was fun for about the first half hour, but we didn't expose you to any of that. But, yes, Sedelta is our steadfast organizer in that respect. Thank you all for those comments.

CHAIR ACEVEDO: Bill, thank you very much for coming this morning and also for going over the background for us again. What you're hearing from the Council is we definitely want to be engaged. We see this responsibility, and we welcome it. And we want to make it as successful as possible. I can't remember which one of the secretaries, but one of them expressed, you know, the need, I think it was Secretary Duncan, the need in our constituency are the children, and we want to see the best for them. And whatever we can do to make sure that we enhance those educational opportunities and growth of our young students is what we're all here for.

MEMBER ANDERSON: Mr. Chairman?

CHAIR ACEVEDO: Yes.

MEMBER ANDERSON: This is Greg Anderson.

CHAIR ACEVEDO: Greg, welcome. Good to hear from you. I know you're not feeling well, but we're pleased to have you on the line.

MEMBER ANDERSON: Oh, I'm feeling fine right now. Thank you very much. I've been listening in for the last, since the meeting started, but I would like to thank everybody for their efforts yesterday. I would like to thank Bill. It does take a great effort to pull that many people together from different agencies in one room to discuss the issues that are near and dear to our hearts.

Just an observation, from what I'm listening to this morning, is, you know, there was a good dialogue yesterday, but there needs to be a way to keep the momentum going, whether that be more meetings, more involvement by NACIE with Bill. Bill is providing good leadership, but I also think that, in his

leadership, he can utilize NACIE and its members to strengthen the agenda and what we're trying to do. One complements the other.

But I do think that there should be a way to keep the momentum going, whether that be more meetings, more conference calls, more information shared to the NACIE members so that we do have more input and not let, you know, the meeting yesterday just fade into the past and forget over time. I know the members who were there, they have a lot of things to do, from these different agencies, but let's not forget that they were there yesterday for a reason, and that's to move Indian education forward. Thank you.

CHAIR ACEVEDO: Thank you. Bill, do you have any last parting -- oh, sorry, Sam. Go ahead.

MEMBER MCCRACKEN: I just want -- thanks for coming out. How often would you like to update this group since, you know, I'm on the subcommittee for the agenda? I just want to make sure you get ample time each time we meet. So if you can, before you leave today, let us know how much time you would like to interact with this group as a whole and how much time do you need to do that.

MR. MENDOZA: I certainly don't want to say that a half-hour is enough or an hour is enough or anything. I think those issues will change as we move forward. You know, I hope to be able to find an appropriate way, you can see my qualifications in my comments that you have as much information in front of you on a realtime basis, as much as possible, and that these convenings are to address and update, you know, what we've talked about in between. And so I envision that changing.

Right now, my reports to you have largely centered around either 15 or half-hour increments. I imagine, at the level of engagement, you know, at least an hour moving forward regularly would suffice. But I want to be respectful of the agenda and other issues that may arise. You know, you'll be hearing from Assistant Secretary Carmel Martin today, and it's that kind of caliber of leadership that we're committed to having before you so that they can hear directly from those who know our communities best. And we want to continue to do that. And so in whatever way that we can be helpful in that respect, you know, we yield to you in what's appropriate.

CHAIR ACEVEDO: Thank you, Bill. Thank you very, very much. The action of -- we have a full quorum. Before we lose folks later throughout the day, I would request that the Council take action to appoint a subcommittee that will be responsible to the full Council on the initiative that Bill is in charge of. My suggestion would be that it be no more than three so that it is a manageable group and that they can correspond regularly. I know Karen will keep it within the FACA rules, and how they re-comment back to us as the full Council. Karen?

MS. AKINS: Mr. Chair, if I might, just so I can kind of connect the dots for this as people consider serving on this particular subcommittee. So I'm in agreement with you that it probably should be, you know, no more than three or four individuals. And because it is a subcommittee, in terms of FACA rules, we don't have to announce those meetings.

So in terms of what Bill said, if it needs to be monthly or things of that nature, that's totally possible, although a caveat to that is we must always, for FACA purposes, CC Jenelle. And a lot of that, the vision or the thinking behind that is to just make sure that the designated federal official is connected with what the committee or, in this case, the Council is doing. And we just want to make sure

that we have the resources to cover what you need. I mean, although the subcommittee may just be meeting by telephone, there are still costs involved in that and even resources to cover that. FACA provisions say that Jenelle should always be connected with the subcommittee and be on those calls or meetings.

So if she's not available, then it would be up to her to designate someone, either myself, Bill, perhaps Joyce, you know. But we just want to make sure that you're covered in that sense.

But this is, in terms of being active in a way that I think I'm hearing with the interagency group, a subcommittee would be the perfect vehicle to do that. But I just want folks to think about, you know, if you do decide that you want to sign up for that, that it's possible that it's going to be monthly. It sounds like it's going to be intense and fast moving, so for folks that, you know, volunteer for that, be sure that you really can commit because we've had a couple of instances, and it's no fault of anybody, we're all really, really busy, but we don't want to pull together all the resources, whether it's financial, in terms of trying to set up the cost for conference calls, along with staff, and then we sit and wait for everybody to join the call. But, again, in terms of having to announce the subcommittee meetings, that's no issue. I would recommend, though, however, that someone, whether Jenelle, since she's the DFO, wants to task someone from her staff or how we do that, but I would recommend that we invoke some kind of note-taking. I think, to Robin's point, she's mentioned this on a couple of issues. We need some kind of way of looking back at what's occurred. So I would recommend that the subcommittee also take notes.

And then the final point, and I think I've said this before, is, if the subcommittee feels like there's some action that needs to be taken, whether it's some report that you'd like to come out with or just any action that you feel you need to take as a subcommittee, we would need to call a formal meeting

with the entire Council, even if it's a teleconference, just to vote on that action that that subcommittee would propose to take.

CHAIR ACEVEDO: What are the wishes of the Council?

MEMBER BUTTERFIELD: I would like to recommend at least one of our, either, you know, our co-chairs be on the committee, just for continuity and process purposes. And I will volunteer to be on the committee, as long as I have some role in setting the times. I have a lot of conference calls because of NIEA. I'm the vice president, and I'm in charge of all the committees, so I've got a lot of conference calls. But I'm sure we can try and schedule it around those.

CHAIR ACEVEDO: Other volunteers? We'll accept those outside the room, as well, that are online.

MEMBER THOMAS: I will volunteer.

CHAIR ACEVEDO: Virginia.

MEMBER THOMAS: So will Greg, won't you, Greg?

MEMBER PHELPS: I didn't hear if she was volunteering or --

CHAIR ACEVEDO: We have two volunteers for the subcommittee on the initiative that Bill is in charge of. We have Robin and Virginia as two volunteers.

MEMBER PHELPS: And then is Deborah or Tom going to be on there?

CHAIR ACEVEDO: That request has been made. I think we're going to arm wrestle over here which one of us is going to have that role. But with that said, we would have three members and then one of us, as your co-chairs, would serve.

MEMBER PHELPS: I would volunteer.

CHAIR ACEVEDO: Thank you. We will --

MEMBER THOMAS: Who was that? Who was that?

CHAIR ACEVEDO: Stacy. That's Stacy. With that said, the subcommittee will consist of, on the initiative, will be Robin Butterfield, Virginia Thomas, and Stacy Phelps. Deborah and I will agree to agree as to our availability to always participate. One of us will be involved. Agree? We'll take turns back and forth. All right. With that said, we have that, Bill. That's our --

MEMBER THOMAS: Well, I'd like to make -- I'll take my name off so that both of you can be on so there will be some continuity. I think it's valid because you guys both spoke on behalf of NACIE and that the interagency people are aware of who you are now, and so I withdraw my name so all four of you can be on.

CHAIR ACEVEDO: All right.

MEMBER BUTTERFIELD: But you don't have to, Virginia, if you don't want to. Five still doesn't make a quorum, so it's up to the Council. But you don't have to.

MEMBER THOMAS: I'll put my name back on if we have both of them.

CHAIR ACEVEDO: We agree to agree, yes. All right, all right. We have that.

MEMBER THOMAS: Bill Mendoza is over there shaking. Not Virginia.

MR. MENDOZA: For the record, that's not true.

CHAIR ACEVEDO: Thank you, all. If everybody is comfortable right now, I'd like to take a 15-minute break. Bill, go ahead.

MR. MENDOZA: If I could real quick --

CHAIR ACEVEDO: Oh, no, no rush. We don't need to rush into a break. Just take as much time as you need.

MR. MENDOZA: We're getting an update. Unfortunately, Ms. Carmel Martin is not feeling well today. They are working now to find an appropriate person to address NACIE. Hopefully, we can secure that, but that's just now coming through. So just as an update. So sorry. I'm not sure of the circumstances, but, knowing Ms. Martin, she's here pretty much every day for 24 hours, I think, so it must be something of concern.

CHAIR ACEVEDO: Just one more follow-up with you, Bill. If there's not going to be a substitute, we would adjourn earlier in the day then?

MR. MENDOZA: Is that a question or --

CHAIR ACEVEDO: It's a question.

MR. MENDOZA: If you can give me some time to see what we're dealing with, and then we'll talk about it after the break.

CHAIR ACEVEDO: Thank you so much.

MEMBER BUTTERFIELD: And maybe after the break, if we could spend some time going over this really rough draft of requested documents and responses that we want from the Department

because this was just an initial pass by me, but I don't know that it's inclusive of everybody's ideas about what else we need to collect. So we could take some time on that.

CHAIR ACEVEDO: That will be our next item. Thank you. With that, we'll take a 15-minute break.

(Whereupon, the foregoing matter went off the record at 10:30 a.m. and went back on the record at 11:01 a.m.)

CHAIR ACEVEDO: There are a couple of action items that we'd like to take. The very first one is that we need to appoint a subcommittee that is in charge of our annual report to Congress. The Chair will take the prerogative and appoint Alan Ray as our chair of the subcommittee. I'm looking for two other volunteers. If I don't hear volunteers, I will appoint. So those of you online can certainly volunteer.

MEMBER PHELPS: This is Stacy. I'm on two committees, so I'd prefer not to volunteer, nor be appointed.

CHAIR ACEVEDO: Thank you. How is the ailing Greg doing? You're about to get appointed.

MEMBER ANDERSON: Hello?

CHAIR ACEVEDO: Greg?

MEMBER ANDERSON: Yes.

CHAIR ACEVEDO: I'm looking for a volunteer to sit with Ray. Ray is going to chair the subcommittee on a report to Congress. Are you available?

MEMBER ANDERSON: Sure. I'll do what I can.

CHAIR ACEVEDO: Okay, Greg. You're on. One other. Derek, are you on? All right. Derek is the other appointee. That's our subcommittee in charge of getting our report to Congress in. So thank you for participating.

The next item for discussion is the source documents that we would like to have for the Council from the Department of Ed. Karen is here, so we're going to make that request to her. And please add to the list. Those of you who think -- and I think some of this may be on the website, and Joyce mentioned some of this to me this morning. But I'll let Robin sort of go through the list and any other members of the Council that would like additional documents that Robin may not have thought of. So Robin?

MEMBER BUTTERFIELD: Okay. Thank you. And I just want to be sure that what I'm asking, it's clear what we're asking for, too. So, number one, I don't think Karen has a rough draft. Okay. Just so you don't have to be madly scribbling.

Okay. So number one is, and this was already passed as a motion, but I just wanted to be clear that we want an update on the executive order activities and actually using the executive order document as a guide to describe the accomplishments and incomplete items. So as you read through it, it will say, like, early childhood something. So we would like it sort of to be organized so we could follow through, knowing that specific aspects of that document have been looked at and attended to or are in progress, whatever.

So number two is I would still like to know what happened as a result of those roundtable discussions. There were the consultation hearings, and we do have that document. But then, you know, the whole first three or four months of the executive order was organized around hosting some tribal leader roundtables, which was supposed to be an additional set of audiences that were providing input. And even from, you know, maybe Bill Mendoza's notes or something, we should have some result of that meeting to know, you know, what were those salient ideas that they recommended.

MEMBER THOMAS: Was there a report developed from that? I don't know.

MEMBER BUTTERFIELD: No, there wasn't. That's what I asked yesterday, and that's when Joyce said there was an intern that was supposed to summarize something and it didn't happen. But it's been over a year, and I just want sort of key ideas because that's what we need in order to be inclusive of those ideas for our report to Congress.

Number three is I really appreciated the work that the comp centers have already done, but I'd like to make sure that we get sort of an ongoing update of the technical, TA means technical assistance, supported activities and including the specific support given to the STEP grantees. But I don't want it to be only that, and I liked the fact that Fran gave us a lot of, you know, other background information.

Number four, based on the conversation around the turnaround schools, I'd like to know what data they are currently collecting on the SIG schools that have significant native populations and any progress that those schools are making to date. I mean, what are they learning from the dollars that are currently going out to Indian country?

Number five is taking a look at the Title I budget dollars that are impacting Indian students, and some of this may be a little tricky to pull. But once we identify, you know, our Indian sites, they all receive title dollars, and that is the largest pot of money that is used for low-income students, and I'd like to have a description of the basic types of services that our kids are getting as a result of Title I. Any questions on that one?

Number six, related to Title II, which covers language issues, I know there are a number of native language grantees. And so I'd like to know the numbers and maybe the listing of those programs and the languages that are being supported through Title II dollars and then continue to have the updates from Title VII. But I'd also, I thought there was something in the works that was describing best practices. You know, where is that effort? What are they finding? What can we recommend as a result of the learning from that effort.

And number eight, and this is maybe more even a personal request of mine, but I know that many of our significant states with Indian populations have a designee that is supposed to oversee Indian education. So if we could get that roster and some contact information, you know, those might be good resources for information, as well.

Number nine, I put that we would like to request Secretary Duncan to meet with us in person where we can actually have a conversation with him. All of these will be agenda items, at some point, I am hoping.

Number ten, an overview of the Department's efforts to support health and wellness of native youth. I'm not sure what programs those are. It might be under, some might be under drug-free schools. Some might be under some other title. But, you know, what are the programs that provide those

types of programs and funds? Who are the recipients of some of those resources? Is there anything related to those health and wellness issues that we aren't paying attention to and could make some good recommendations around.

Number 11. Obviously, we are asking for a response to each of the requests in the letter to Secretary Duncan. So it would be helpful if we could get that also in writing.

Number 12. You know, what is the budget for the national activities within OIE and maybe just a quick summary of what those cover. I think I have some ideas, but I know yesterday we talked about that those funds were used for the NAEP studies, and I know additional dollars came into the Department to fund the STEP programs, and that comes under national activities. But I'm not sure everybody is as well informed about what goes on with those funds.

Number 13. In general, what's the overall budget of funds which specifically target resources to native students beyond the OIE funds? And that's why I was kind of mentioning specifically Title I. You know, I don't know if there's any teacher training grants out of Title II or Title III, you know. Just some general budget information.

And then Bill had mentioned this work on an MOU on native languages. Can we get a copy of the draft and kind of a sense of what's going to be accomplished as a result of that?

And then number 15, we actually just got that, and that was a listing of the individuals on the interagency task force.

So those are just some initial ideas. So if others have some things to add.

CHAIR ACEVEDO: Are there any other members of the Council that would like to add some -- Sam?

MEMBER MCCRACKEN: Well, I don't want to add. Just Deborah or someone who knows, what is an SIG school?

MEMBER BUTTERFIELD: School Improvement Grant.

MEMBER MCCRACKEN: School improvement.

MEMBER BUTTERFIELD: It was in the turnaround --

MEMBER MCCRACKEN: Yes. I just wanted to know what the acronym meant; that's all.

CHAIR ACEVEDO: Any other items that we would like the Department to provide to the Council at this time? Hearing none, Karen?

MS. AKINS: Yes, I just have a question. So, Robin, would you envision that we make sure these are up on that? I guess Jenelle's team has this site for Council members only. Because I don't think you guys want to get all this in paper or to load up your email with PDFs. Would that be okay if we did it in --

MEMBER BUTTERFIELD: I actually would like them via email, but you could also place them there for future reference if people need them.

CHAIR ACEVEDO: Karen, my preference is to put it on the site. It's easy to access for me, rather than having PDF.

MS. AKINS: Okay.

MEMBER MCCRACKEN: I have a question. So for clarity on these requests, what I would like to do at this point is go down the list and have the Council decide if it's an agenda item for as we move forward or is it just documentation that we need to get, so there's clarity as we start to develop a future of who do we need to hear from and what documents just need to be in paper form or accessible so that we can read it. So, Robin, if you can help me go down, and we can kind of define, yes, we need this person to come and speak and be clear with us or, no, we just need the information.

CHAIR ACEVEDO: All right. Go ahead.

MEMBER BUTTERFIELD: So on the executive order activities; I see that as an agenda item. I would hope that each time this be used as sort of the document that guides the report that Bill gives to us. So that definitely would be agenda.

The roundtable discussion recommendations, I think we could just get those and see how they influence our letters and our reports. So it doesn't have to be an agenda item.

I think the comp center information, we ran out of time, so I would see that as an agenda because it deals with technical assistance, and that's one of the ways that we can really improve Indian country.

Data on the SIG schools, I actually would like to hear back, have a continuing conversation with that office, the turnaround office.

MEMBER MCCRACKEN: That's Mr. McCauley?

MEMBER BUTTERFIELD: Yes.

MEMBER MCCRACKEN: Is that something that's important to you, as well, Deb?

VICE CHAIR JACKSON-DENNISON: Definitely.

MEMBER MCCRACKEN: Okay. All right.

MEMBER BUTTERFIELD: Because we really haven't heard from Title I, this would be really an important agenda item, not maybe every time but at least at some point because that's the largest pot of money that goes out to schools, and we don't know how that's impacting our Indian students.

MEMBER MCCRACKEN: Yes. And so would the Office of Indian Education help us define the right person to be here?

MS. AKINS: That's correct, Sam. What we'll do, if it's okay with Madame Vice Chair and Mr. Chairman and the Council, what we would do is when Jenelle does her normal email or call for agenda items, then that's when we would try to -- and, I mean, of course, all of this probably would be tied in with what's appropriate, what's going on at the time. If there's something going on with the turnaround grants, then the Council may decide that -- I mean, because, of course, we try to pack in what we can already. So I think a lot of it will also depend on what's going on at the time. Maybe if the Council decides there's standing things, like, for example, the executive order activities, maybe that's one of your standing items, we'll know to put that. But I guess, basically, what we're saying is we'll try to use the same mechanism we have before when Jenelle puts out the call for topics. Then at that point, the agenda subcommittee could offer that up and then we'll go from there, working with Jenelle, to send it out to all the members. We always have to make sure, of course, that the Chair and Vice Chair agree at the end on the total. So, loosely, that's how it will work.

MEMBER MCCRACKEN: So, operationally, as you think from an operation perspective, I see that the subcommittee will craft up what we believe --

MS. AKINS: That would be great.

MEMBER MCCRACKEN: -- and then get it to the Chairman and Vice Chairman. And so from that point on, our work has been completed?

MS. AKINS: And given to Jenelle. Maybe it's like almost a reverse. That would be awesome. Then she doesn't have to put out a call for what do you guys -- you would give it to her, and then she'll package it with all the --

MEMBER MCCRACKEN: So we don't need to give it to them?

MS. AKINS: Well --

MEMBER MCCRACKEN: I thought, from an operational perspective, so I understand this correctly, is that, as a subcommittee, we will meet and decide what we believe is the most impactful agenda, present it to our leadership for review --

MS. AKINS: Yes.

MEMBER MCCRACKEN: -- and then have the leadership submit it to Jenelle.

MS. AKINS: Correct. That's fine. I think that's great.

MEMBER MCCRACKEN: Yes. That way, everybody has visibility, too. I just want to make sure.

MS. AKINS: Love it.

MEMBER THOMAS: I just want to make a point of clarification for these issues that are going on in the agenda, like the SIG schools or the Title I. I think we, as a committee, the agenda committee, that we specify what we're asking of them so that they can prepare because, obviously, we don't want another whole other overview of what we've heard before. We need, as a subcommittee or from our leadership, the specifics of what we're asking of them, so when they do come they're prepared with statistics or data, whatever it is, instead of just an overview of the program.

MEMBER MCCracken: That's great insight.

MEMBER BUTTERFIELD: That's exactly what this list is trying to do. It's trying to narrow the universe of Title I. I'm asking for the dollars that impact native students and descriptions of services. But if there's something else somebody else wants of them, then I do think that could be added.

The other thing related to these, as we're thinking kind of agenda-wise, it feels like we're getting cut short on our opportunity as a committee to digest what's presented and to make a recommendation. To me, the point of hearing about these things is so that we are better informed and can decide if a recommendation is needed for some different type of activity from that office or service or money or whatever. So if we could build into the agenda a little more time for that discussion, I think that would be helpful.

MS. AKINS: Robin, would you be opposed, this is just a thought, to -- I think what we try to do is try to have the presentations like, perhaps, the first day, and then you have the second or third day or whatever it is to kind of overnight digest. Would that help at all in --

MEMBER BUTTERFIELD: For me, personally, it's really more the conversation at the time because I think you lose the continuity.

MS. AKINS: Understood.

MEMBER BUTTERFIELD: Even just 10 to 15 more minutes sometimes could make --

MS. AKINS: Okay.

CHAIR ACEVEDO: The Chair listens very critically to that. If the Council will allow me to cut them off from their Q&A so we would have time to deliberate. Just making sure -- I'm being facetious. When we set a time and we're finished with the presenter and if we wanted a half-hour then to deliberate, I want to make sure that we are very strict on that so that you do have your deliberation time. And I know you have a lot of questions to ask of the individuals, but we have to, if we start that, I see it spilling it over because one of the things that I do when I watch all of you work this is if I don't have a break coming afterwards and I have a presenter, I cut you off. If there's a break, I let you run along, so that if we extend it immediately after a presenter, let's say it's any one of these that we heard yesterday, and we say following that we're going to have another half an hour, we need you to discipline yourselves so that you get that half-hour to talk. That's just an admonition in terms of how we conduct our meetings.

MEMBER BUTTERFIELD: Or another way to think of it is that the presenter gets a certain amount of time and we allow a little more time for the discussion.

MEMBER THOMAS: Well, that's what I was talking about --

CHAIR ACEVEDO: I would say we agree to disagree.

MEMBER THOMAS: That's my point. If we, in the agenda, say these are the sections that we want you to target, then we know there has to be a limited conversation on their side for us to get questions in there.

CHAIR ACEVEDO: We'll work through that.

MEMBER BUTTERFIELD: Okay. I think we left off at number six. I think, since we really don't know much about what's happening around languages that would be an agenda item. The same with number seven. And jump in if you feel differently. I don't think the roster is an agenda item, but certainly number nine would be, the conversation.

Number ten, we've heard almost nothing related to health and wellness issues, so that would be a good agenda item. And definitely the response to our letter is an agenda item. So is the budget. So that would be 12 and 13. And the MOU, number 14.

VICE CHAIR JACKSON-DENNISON: Thank you, Robin. I want to add Title VIII. I really feel like there's a need to -- I sound like a broken record, but the Impact Aid community out there in Indian country, the Impact Aid community will be in town here I believe the first part of March. I don't know the exact dates, like March 5th, 6th, somewhere around there. We'll get a lot of board members and a lot of superintendents, business managers. I really would like Joyce and others that can get over there and, as much as possible, connect with maybe doing a presentation to that community because I still feel like there's that disconnect. Yes, we get the presentation from Alfred Lott, like we had yesterday. But the significance of how what's happening right now needs to be more understood by not just NACIE but also Indian country out there because it is very, it is a large part of our Indian education community out there

that sometimes is disconnected with, when we're saying we're connecting the dots, there's still that disconnect.

Like I was talking yesterday with Robin about how, and you've heard me say this before, it seems like when we're in Washington and we're talking about Indian education it's more the BIE when, in fact, that's maybe 10 percent of Indian children that we're talking about, and the 90 percent are really affected by, the Impact Aid community ties into that 90 percent largely. So I just wanted to make that.

And I know that there's, that we would really like to have Jenelle, and I know Jenelle has been to the NAFIS meetings that we've had but to have Joyce there, as well.

MEMBER THOMAS: I have just one other comment. Like the presentation that we had yesterday from Lott, I mean, it was a good presentation, but there was no outcomes from it. You know, we spoke to him to what we thought about it, what was going on, but we didn't get a response to how he was going to implement our thoughts or our concerns. So that's, you know, maybe on the agenda, if they see the agenda we give them, give it to them early, we can put down that this is what we want to hear and we want to hear how you're going to make recommendations on ours. We spoke about that all day yesterday and the day before about that we don't get a response back. And so I think, you know, Karen and Jenelle are right: we have to ask for this because we just put up with it by hearing it. So if we put it on the agenda outline, and I know Sam can put together a real business agenda, you know, to make sure that we have the outcomes and recommendations so that they're held accountable for those.

MS. AKINS: And Virginia, and so just to follow-up on that, once Sam, the subcommittee gets the agenda together, gets a two-year leadership. They approve it and get it back to Jenelle. We always make sure that presenters know when their slot is, and I'll be sure that Jenelle and I work together so they

can understand that it's not just you come and present but that there's specific things that the Council has asked that you address in your presentations --

MEMBER THOMAS: That's why I'm asking it to be placed on the agenda. You know, like agenda item one or two, and then the A, B, and C underneath that this is what we want, so that they can prepare it.

MS. AKINS: Okay. Got it.

MEMBER BUTTERFIELD: And I think the item that I had placed on there was the letter to the Secretary has those specific requests of NACIE on there, especially like the example would be Impact Aid. We were recommending forward funding. We were recommending the sequestration. So that could be used as a guide, even for these specific programs.

VICE CHAIR JACKSON-DENNISON: The elimination of equalization.

MEMBER MCCracken: So when agenda items align with our recommendations on our document, can we have staff or somebody pull out that recommendation that's on there? For instance, Impact Aid is on our laundry list of things that we're going to -- I don't know if this is the right list, but we have it one of the lists that Deborah read yesterday, right? And can someone on Jenelle's team or Joyce's team take that recommendation and attach it to a document, a separate document so that it's specific to that individual, so they can read the information prior to coming to present to us? So they understand what the recommendation that this board, this advisory board is making to Congress, the secretary, whoever it might be, so that they come prepared to be able to answer the questions because I think everybody here

that wants to ask those questions understand what we're trying to get accomplished. I want to make sure the presenter has that same level of knowledge to have a dialogue.

CHAIR ACEVEDO: Have we covered the topics? All right. Thank you very much.

The other item I'd like the Council to take up is, this is a follow-up on the initiative and the funding requests in the budget for our role and, likewise, Bill's staff's role in making this initiative a success. I would like the Council to consider a motion that the staffing for the initiative, for Bill and his staff, continue at its current level plus one and that adequate funding be provided for a meaningful role for the NACIE subcommittee to participate in the initiative process.

MEMBER THOMAS: So moved.

MEMBER BUTTERFIELD: Seconded.

CHAIR ACEVEDO: It's been moved and seconded. The initiative is -- Sam is looking for clarification. The initiative that I refer to is the executive order responsibilities. It's been moved and seconded. Further discussion?

(No response.)

CHAIR ACEVEDO: Hearing none, the Chair calls for the question on the motion. All those in favor, signify by saying aye.

(Chorus of ayes.)

CHAIR ACEVEDO: Those opposed same sign.

(No response.)

CHAIR ACEVEDO: Hearing none, the motion is carried. Thank you. Other work items that you would like to take up? Oh, Karen, do we know if we have a substitute this afternoon for Carmel? That's critical to us as to whether we adjourn for the remainder of the day or continue after lunch.

MS. AKINS: I'm going to go call right now, and I'll come back in five minutes or less.

CHAIR ACEVEDO: Thank you. Any other discussion for the next five minutes while Karen is trying to verify that?

MEMBER BUTTERFIELD: Since many of the subcommittee members for the -- of course, Alan left, but I was thinking we could just set a date for our first conference call.

CHAIR ACEVEDO: Check your calendars and see what you can do.

MEMBER BUTTERFIELD: I think we set March 15th as the -- well, the 29th is for the whole committee to approve what we create. So the subcommittee, I thought, was supposed to have something done by the 15th.

VICE CHAIR JACKSON-DENNISON: Alan said he's not available next week, so that's out. So we could have our first meeting the week of the 18th. That Monday the 18th would work for me. After that whole week would be, I just would --

MEMBER BUTTERFIELD: Yes, the 18th works for me, as long as it's after 11 Eastern Time.

VICE CHAIR JACKSON-DENNISON: February 18th for --

MEMBER BUTTERFIELD: Let's get a couple of dates maybe. How about the 18th or the 20th?

VICE CHAIR JACKSON-DENNISON: That will work. Okay. What time is best? You said after 11 Eastern Time?

MEMBER BUTTERFIELD: No. I guess that's two Eastern Time. It could be before that.

VICE CHAIR JACKSON-DENNISON: Which is 10 my time. Okay. That's fine.

MEMBER BUTTERFIELD: And that would be 9 my time? That's fine.

VICE CHAIR JACKSON-DENNISON: Okay. That's 11:00 Central Time February 18th and 11:00 Central Time February 20th are dates that we have set aside to have a subcommittee meeting on the letter to Secretary Duncan. That would be 12:00 Eastern Time.

Alan is the collector of the information that he's writing up into the official letter, so I actually sent him -- I didn't have your email, Robin. So I sent it to Virginia. And as soon as I get your email, I'll forward you some of the information that I sent him yesterday to put into, that has to do with native language recommendations.

(Whereupon, the foregoing matter went off the record at 11:32 a.m. and went back on the record at 11:40 a.m.)

MS. AKINS: We have, in my best Spanish possible, Mr. Manny Buenrostro. He's one of Carmel's deputies that will come by in her stead and make some remarks. He actually is going to come by at 1:15, if that's okay, Mr. Chairman.

CHAIR ACEVEDO: Thanks. For those of you online, would you repeat the name again of who's going to speak with us at 1:15.

MS. AKINS: Yes. Manny Buenrostro, B-U-E-N-T-R-O-S-T-R-O, I think is he how he spells it. I was talking pretty fast, and so was he. And he actually is trying to see if he can get another one of Assistant Secretary Martin's deputies to come by. It seems like they're going to give an overview and touch the high points of what they do in their office, pretty much the same information that Assistant Secretary Martin was going to share with you all today. So as far as I know, unless they call me back, they're due to come over at 1:15.

CHAIR ACEVEDO: Thank you very much. With that knowledge, we will take a break for lunch and reconvene at 1:15. Thank you, all.

For those of you online, we're breaking for lunch. We will return at 1:15. Thank you.

(Whereupon, the foregoing matter went off the record at 11:42 a.m. and went back on the record at 1:16 p.m.)

CHAIR ACEVEDO: Welcome back, everyone, this afternoon. I hope you had a good lunch. We will convene for this next presentation. I will have our presenter introduce himself and tell us who he is and his background. He's here instead of Carmel. With that, please. Go ahead and turn your microphone on.

MR. BUENROSTRO: How is everybody doing? My name is Manuel Buenrostro, but you can call me Manny. That's what everybody at the Department calls me. And I work for the Office of Planning, Evaluation, and Policy Development under Carmel Martin. She, unfortunately, couldn't make it

today. It was on her calendar, but she didn't make it into the office today. She's out sick with a stomach flu, so I'm filling in for her. So although not as great a speaker, I'll try my best to answer your questions and tell you a little bit about what we're doing at the Department.

So I want to start off with a few remarks and then open it up for conversation and questions that the folks might have, if that works for everybody. So as you know, over the past couple of years, the President and the administration have made it a priority to collaborate and take unprecedented steps to work with tribal communities and tribal governments. Over the past year, I'm going to highlight a few examples of how this has happened over the past year.

On December 2nd, 2011, actually, so more than a year ago, the President signed the executive order titled "Improving American Indian and Alaska Native Educational Opportunities and Strengthening Tribal Colleges and Universities." And as co-chairs of the White House initiative on the American Indian and Alaska Native education initiative, the Secretaries of Education and Interior, in consultation with tribes, have created an agreement that frames the new partnership with tribal leaders. This agreement will expand education opportunities and improve education outcomes for the students that we are here to serve.

Just last year in December, the President hosted the fourth White House tribal nations conference, which provided leaders from 565 federally-recognized tribes the opportunity to interact directly with the President and senior leaders of the administration. On May of 2012, Secretary Duncan delivered the commencement address at the Navajo Technical College, which was in the Navajo reservation in New Mexico. During his speech, the Secretary acknowledged the tremendous work that the Navajo Technical College had been accomplishing over the past couple of years. And we're really amazed by the high

graduation rates of that school and really see it as an example of what can be done across many other schools and technical colleges across the country. Additionally, the Secretary delivered -- I hope I pronounce this right -- the Sinte Gleska commencement in August of 2011, which was the first time that the Secretary of Education delivered a commencement at a tribally-chartered university.

Now, moving forward, we know that the comments that we have received and the feedback that we get from the community is very important. And we try to reflect that in what we do with our ESEA re-authorization proposal, as well as within our priorities moving forward within the last couple of years.

So as you know, in our ESEA re-authorization blueprint, we take steps to meet some of the priorities within the Native American community. These include supporting Native American languages and culture. As you know, within our proposal, we want to maintain dedicated funding for the Indian Education Program, the Native Hawaiian Education Program, and the Alaska Native Education Program.

We want to make sure that we expand eligibility to tribes to receive Indian education funds, like grant funds, which would explicitly authorize a use of these funds for native language restoration and immersion. We also want to make sure that we continue to enhance the role of tribal education agencies.

In our proposal, we asked for pilot authority, which would allow TAs working closely with the districts and schools located on reservations to take on more ownership and decision-making of those schools. And as you know, over the last year, we launched a TA pilot called the step pilot project, which moves us closer to that goal.

Now, as you know, absent ESEA re-authorization, this administration has continued to find ways to meet some of the key priorities within our proposal, which is why we allowed states to apply for ESEA flexibility. Currently, 44 states, including D.C., Puerto Rico, and the Bureau of Indian Education have submitted requests for ESEA flexibility. Out of these, 34 states and D.C. have been approved.

BIE's current request, which was submitted in December, is under review, and we have ongoing conversations with the BIE over the waiver. And we look forward to our continued collaboration with BIE on their request.

Now, I want to highlight a few examples of how, in some of the states that have ESEA flexibility, we have seen tremendous and remarkable changes that would benefit the Native American community. For example, under NCLB, there's a group insights requirement. That means that the performance of Native American Indian students was previously not counted in many school performance ratings, which is a huge problem, especially when you think about many of our Indian students in urban communities.

Under ESEA flexibility, states have taken steps to include the performance of more students in calculating school performance. South Dakota, for example, has increased the number of schools accountable for reporting American Indian and Alaska native achievement from 71 schools to over 300 schools where they're now counting the achievement of these students.

Under some of the plans submitted by states, states are stepping up and delivering better services for English language learners and students with disabilities, which, as you know, we have a disproportionately high identification rate of ELs and students with disabilities within the American Indian student population.

So an example of how some states have taken steps to do this, many states have adopted the WIDA assessment to address the needs of language learners. States have also made plans to implement the Universal Design for Learning Standards, which help teachers address the cognitive needs of their students.

Now, if you look at our investments over the past couple of years, over 2012, you can see that we tried to maintain funding for key priority areas within the Native American community. For example, the tribal education agency pilot was launched in 2012. It was something that, during tribal consultations, tribal officials consistently told us was something very important to the community.

In September 2012, we awarded nearly \$2 million in competitive grants to the tribal education agencies under the State Tribal Education Partnerships, or STEP program. These three-year grants include the Nez Perce tribe in partnership with the state of Idaho, the Navajo Nation, and, DINA, education and partnership with the state of New Mexico. DINA. Correct me if I say these wrong. My last name is Buenrostro, so when I was a teacher my students called Mr. B because -- although I want to make sure that I get it right by the end of the session.

MEMBER THOMAS: Manny, before you go any further, before I forget my questions because I am the elder of the group, I think -- you're supposed to say, "You don't look that old," Manny. You missed it.

The funding appropriations you have for your program there, what is -- now, do you get like a one lump thing and you decide which programs is how much allotted or how do you differentiate that?

MS. JIMENEZ: I got it. So just to be very clear, the authority -- hi. I'm Laura Jimenez, and I'm in the Office of Elementary and Secondary Education. I've spoken before NACIE before. So just to be clear about where we have the authority for the STEP program and then how it's funded and then how we decided on the grant amounts.

The authority that we have for STEP is under Indian Education National Activities, so we do not have authority under ESEA to administer the STEP program. So that still has not occurred. We're doing it under the authority we have to improve educational outcomes for Indian students within the National Activities authority.

MEMBER THOMAS: When you say it hasn't occurred, is that what you're proposing, that it happen?

MS. JIMENEZ: That is what Manny just spoke about. In our ESEA re-authorization proposal, we did propose to include authority for a TEA pilot within ESEA. So that still hasn't happened.

We received with FY 12 appropriations. In the conference report that came out of conference, that's where they noted that they wanted to conduct this pilot, which we now called STEP. So we had the intent of Congress within the conference report. We had the authority under Indian Education National Activities and then, in appropriations, we had approximately two million more in funds for Indian education. And using those three things is how we created the STEP program. So does that make sense?

MEMBER THOMAS: Yes.

MS. JIMENEZ: Okay. And in terms of the funding amount, that was discussions with our policy office, budget office, general counsel. And we wanted to award amounts that made sense for what

the purpose of the program is going to be, given that the programs, the projects were not ultimately delivering services to children. So we felt that that needed to limit us in terms of how much we were going to be granting to projects.

The main purpose of the program is to build the capacity of TEAs to serve in SEA roles for certain ESEA programs. And so we needed to think about what kind of capacity does a TEA need to build? They need to build their data systems. They need to build their knowledge base of how you administer programs. They needed to learn about legislation and regulations. So those were the types of activities that we thought would be included in a program.

So if I'm not mistaken, a single TEA working with an SEA, I think the average amount we figured would be about \$450,000 a year. We also allowed for a consortia of TEAs to work together, and I think -- what was that max amount? Six fifty, seven-hundred thousand. And the annual amount is approximately two million, so we granted that all out for year one funds. We anticipate getting continuation funds in the same amount, so that will fund years two and three of STEP. So there won't be any room, we think, for a new competition.

MEMBER THOMAS: There won't be room for --

MS. JIMENEZ: Not in years two of three of STEP. We think that the funds that we will be getting from Congress, if we do get funds, will only cover continuation awards because we have granted out all of the money that we receive.

MR. BUENROSTRO: So these three-year grants, in the first year we're monitoring the grantees and asking them to set up their final agreements. So as part of the first -- as part of the

applications, they have to submit an informal agreement with the states. We couldn't ask them to submit the formal final agreement because of the nature of these agreements is just very complicated work, and it's something that they've never done before. It's unprecedented. So we're looking forward to seeing what the final agreements bring, and it's something that I think we're all going to learn a lot from and, hopefully, allow us to expand this program after the three-year grantees.

And, actually, what I want to remind -- I feel like I've been going through my points, but as folks have questions please interrupt me. I want to make sure that this is a conversation as much as possible.

I also wanted to point out that, over the last year, actually, over the last two years, even before that, we've continued to support tribally-controlled colleges and universities. Just over last year, we provided about \$150 million to TCUs. This amount included funds to improve and strengthen the academic quality and instructional management and fiscal stability of TCUs through grants to institutions under Title III of the Higher Education Act, as well as grants for ed programs authorized by other legislative statutes.

We've also taken to heart a lot of the comments that we've heard about technical assistants to native communities. In response to a presidential call to improve educational outcomes for Indian youth, our Office of Indian Education provided approximately \$993,000 in 2012 to three of the department's regional comprehensive centers.

Over the course of the center's grant cycle, this support will amount to nearly \$5 million for technical assistance services that may include different types of activities, including building cultural competence of staff members at schools and districts and delivering instruction and support that are

culturally-appropriate for students and would thereby help the Native American students that we want to serve.

In terms of our formula and competitive grant dollars, we've maintained that over the last couple of years. We want to make sure that we maintain the formula grants that go to school districts for Indian tribes. These support about 474,000 Indian students nationwide. And we want to make sure that we maintain our competitive grants to states. That would come under are different grant programs. So we want to make sure that we maintain this funding for our students.

MR. MENDOZA: Well, as the Council gathers their thoughts here a little bit, could you tell them a little bit about the role of OPEPD and the Department?

MR. BUENROSTRO: Right. So OPEPD is a policy and budget office of the Department of Education, so we work directly with the White House counsel, so the Domestic Policy Council, the National Economic Council, and OMB, to develop the President's budget and priorities. So we try to make sure that we are meeting the President's, the administration's properties within our programs, and we also make sure that we advocate for the funding that we need to maintain our key priorities.

We work closely with offices, like OESE and Laura and Joyce and other folks around the table, to make sure that we also learn from the field about what the needs are. So that's essentially our role, and I know that one of the priorities that we've maintained is making sure that we continue to support the work that we have committed ourselves to over the last couple of years, which includes making sure that Native American students are included within OESE waivers and that they're included within every large competitive grant program that we have.

MEMBER THOMAS: I have a question. Maybe it's just me, but it sounds like there may be some slight overlap of other programs. Have you been able to differentiate the difference between the two? Because they sound real close to some other ones.

MS. JIMENEZ: Can you be more specific?

MEMBER THOMAS: Well, technical training or technical assistance. What are you providing in that realm?

MS. JIMENEZ: Sure. I think technical assistance is something that we, the Department, provide to grantees through our program staff. It's also something that is provided through things like our regional education labs, our comprehensive centers. So I think it depends on what source you're talking about. The technical assistance that the departmental staff provide is to administer the programs, you know in accordance with the requirements and, ultimately, to increase the outcomes for the child that that program is designed to serve. The comp centers serve as technical assistants specifically to states, to help states build their capacity to administer ESEA, IDEA, programs that are under their jurisdiction.

So our mechanisms, we work directly with grantees, who can include states. It can include districts for some programs, as you know. Title VII is an LEA-based program. But then you've got the comp centers who are working much more with ESEA.

MEMBER THOMAS: Okay. Explain to me how you share information between all your connecting links to see if there's anything that's, a gap that's being, where the programs and the students are falling through, or do you have a time that you share this information with each other, your findings, data, to make sure that there's something missing?

MS. JIMENEZ: Yes, we certainly work hard to, one, not duplicate our efforts and, another, to coordinate our efforts. So one example of how we're doing that is through ESEA flexibility. We're creating a department-wide technical assistance strategy, and the goal of that is to, one, create a warehouse where we have all of our technical assistance, whether that's the comp centers, the RELs, internally. House it all somewhere that it's accessible to the public and have it all be in one place so that we are not duplicating efforts and so that we are making sure that the resources that we do have, say like through the implementation support unit that administers Race to the Top, all of that rich information is actually being given out to the public. We're a couple of months in that process now and should have something, a product within the next few months.

MEMBER BUTTERFIELD: Thank you for kind of a summary of what the Department has been doing. We've heard from these individual departments, so there's a lot of duplication in what you just presented. But one of the things that the Council has been struggling with in the last, actually, several meetings is that one of our major charges, of course, is to write a report to Congress. And within that report to Congress, there are many recommendations that we have made that impact work at the Department. Does your office read the report? And I think there are some items that we recommended, like the work with the TEAs. That certainly has been taken into account, and we really appreciate the focus of the comp centers and the awards that they got that target some additional money to help support, you know, Indian ed efforts.

But we have been drafting yet a duplicate almost letter directly to the Secretary because we have not gotten any feedback in terms of what the ongoing response has been. So who in the

Department would take a look at that letter? Because you're planning policy development, and a lot of it influences policy.

MR. BUENROSTRO: Well, I haven't seen the letter that was drafted to the Secretary, but I've seen the report that was drafted to Congress. So, I mean, if you look at the report, there's a few things that we're doing in there that address some of the concerns of the Department. I would say the number one recommendation that I saw in the report was about creating the assistant level position at the Department.

I mean, I can speak a little bit towards that. I think the question is not necessarily about what position we need to create. It's more about how we're going to make sure that the needs of Native American students are elevated to the level that we need them to be so that the Department addresses them appropriately.

One of the things that we've seen through the executive order in 2011 is that the position that Bill Mendoza currently fills has been elevated, and a lot of what he does has been elevated. So in some ways, the work that Bill does makes sure that the needs of Native American students and the feedback from the community is being taken to the appropriate levels of the Department of Education.

I would also say that there's some value in having an Office of Indian Education doing its grant work and making sure that they serve Native American students within the larger context of the other department grant competitions. For example, OESE has a lot of grants. It has a lot of formula programs that also benefit Native American students. So although these programs might not be focused to those communities, the larger context of all the work that we do provides, I think provides a lot of context for which we can benefit students.

Also, for example, when we do our Race to the Top competition, we want to make sure that the Race to the Top competitions has a component of it that also serves the needs of our diverse student populations, which will include Native American students. Within our Promised Neighborhoods competitions, we've taken a look at that and we try to make sure that we fund certain tribal communities within those competitions, and I believe we did that in 2011.

So I think the question is what can we do within the current structure to make sure that the needs are being elevated. And I think we want to keep hearing your feedback on these issues.

CHAIR ACEVEDO: Let me just sort of say something before Robin. Well, a couple of notes. We clearly appreciate the role that Bill is now providing and the greater authority. That's commendable. And from Native American country, we think that's an excellent first step. And I think the reason that this council continues to stress the elevation of this role to the assistant secretary level is in many of the treaties that the United States has with the Native American tribes, and I can really speak coming out of the Northwest to what we call the Stevens treaties that Isaac Stevens did on behalf of the tribes in the 1850s and 1860s all spoke to Native American education as being one of the treaty obligations.

So in that government-to-government relationship, it's not one of an ethnic thing. We're talking about a government-to-government relationship, so having that specific title of assistant secretary at that particular level seems to us to help, in addition to the duties that fall within the gamut of that, the United States meeting its obligations by not taking that position at a lesser standard I guess is what we're saying. So that's the reason you constantly hear that from us on the Council. Robin?

MR. BUENROSTRO: That's helpful.

MEMBER BUTTERFIELD: I appreciate the acknowledgment of the fact that a lot of our Indian communities and schools are not necessarily getting access to the competitive grant process. One of the things that happens, and I used to work at the Department of Ed level in Oregon and I'm currently the director of Indian ed for the state of Washington at the state level. So what I see at that level is when grants are let, our neediest communities often don't get the funds because they don't have the capacity to compete, so the have-nots continue to have not.

So in your thinking of that, and I brought this up to Arne Duncan at one time, I think there needs to be a planning process for grant applications that target specifically some of those communities, so they can actually benefit from the dollars that become available. It's one thing to say, you know, it's the access thing. We put the money out there, and we didn't hear from any Indian communities, so they didn't get funded. And that's usually because of that lack of capacity.

The second point is that we just drafted a list of things that we would like coming from the various other title programs because I, you know, had used Title I as the example as that's the largest funding stream going out to schools. And most of our Indian children are in high-poverty schools, so, you know, we would appreciate the Title I commitment to unearthing what happens to those dollars and their impact on Indian kids in schools. And I know a lot of them are school-wide programs, that sort of thing. But just the sampling of the benefits that our kids get from some of these other programs, and we listed Title III around language issues.

So we are aware of a number of the programs, and that's what we're trying to find out is how those dollars impact our kids.

MR. MENDOZA: If I may, too, I just want to speak to the conversation around the reports, and this is an issue that, you know, I've taken interest in because of NACIE. The current trajectory with the report is that it's a report to Congress, and I'm forgetting right now what that specifically says within the scope of your charter and the statute, of course, but a part of how we may be able to help with that is the communications of it. You know, just as the people here before you are intimately involved in Indian education issues at the program level and at the department level, you know, carrying that message forward about the report is a role that we may be able to play as guidance from NACIE.

And so, you know, for example, one of the conversations that we just started out with Mr. Acevedo a few months ago is how we can go up to the Hill and be able to do this in an appropriate way, brief the Hill on NACIE. Our Office of Legislative Affairs is well aware of your concerns on being able to have that report be responded to. So we may be dealing with, and I know we have a lot of experts in this room on both of those measures, the statute and the charter for that report, that we may need to look at more responsive language in that respect to that report so that it doesn't go over there and just is there. But I think we can do something around engagement and outreach to say here is NACIE, here is a conversation that we'd like to have, and that be a consistent message from everywhere that we go. And as an interdepartmental channel of communication, you know, we may be able to play that role.

MEMBER THOMAS: That is exactly what I was going to bring up. I applaud your efforts in this. I mean, it's wonderful. But I think maybe we can work a little bit closer in partnering with NACIE. And in your reports, you know, saying that you've come before us, I would like to see what can we do as NACIE to assist you in what you need to accomplish, too, because I think we need to start partnering with all these different interagencies that we met with yesterday. Some of them I don't even know everything that

they have to do with Indian education, and I still have to learn this, but you guys have direct input here. And so there's things that we can put like in our reports both to the Secretary and to Congress because we're supposed to have this direct line somewhere, but we could put it in that said that your needs, what your needs are, that we agree that these are your needs and that we are concerned about this so that there's not a drop in the service or direct services to clients or to the programs.

So I'd like for you to, you know, let us know what we can do for you and to advocate for these different things. So I agree with Bill. I raised him right.

MR. BUENROSTRO: I think we would appreciate that opportunity. I mean, we always want to get feedback. I did want to talk a little bit about the concern that, it's the same concern that we have, as well, at the Department for competitive grants. We want to make sure that the neediest communities are getting our competitive grant dollars and, unfortunately, because of capacity issues, some folks can't have the same quality of applications that other areas might be able to have, which is why I think we got to keep focusing on our comprehensive centers and our technical assistance to states to help bring out that capacity. And I think that is something that we want to hear where the gaps are in the communities. We want to hear where there might be potential grantees that might not have been able to get the capacity, and we want to be able to figure out how we can build up that capacity so they can compete within our grants.

Now, I mean, there's other ways to structure a program. We do have competitive priorities or absolute priorities, which do allow us to target certain funds to certain priorities. For example, we can have priorities that make sure that a grantee targets Native American students. So that's also

another option, and it depends on the nature of the competition whether that's something that we can do or not.

I do have to go back to the tribal education agency pilot competition. That's an area where we also struggled with capacity because, I mean, it's the first time that we had these types of partnerships. And I think both Joyce and Laura can speak more to this, but it was difficult to get some of these preliminary agreements to happen. And we were happy with the applicants that we got, but it's something that I think the field still needs. And we've got to be able to figure out this capacity building, and maybe that's where we can partner with NACIE a little bit more because that's a huge issue for us.

VICE CHAIR JACKSON-DENNISON: Right into what I was bringing up yesterday, but a couple of things. The first one is you did talk about the need to build capacity that's a problem at the local level. I'm a superintendent of Window Rock School District. We did apply for the Race to the Top grant. I think a simple check off system of your demographics of your school district would really help because I felt like I kept asking my staff did you -- first of all, the storms hit right around that time when the grant was due, and my staff had been working, because we don't have the capacity. We're not grant writers. So we did the best we could, but we weren't sure if people here at this level were able to identify that we were coming from an Indian land school district and if we were in the same competition as everybody else. So just a simple check are you coming from a group of, your school district represents Indian lands or Native American student population, that would have greatly helped because I felt like we did get the feedback and it was good and it's good information for us to apply for future grants, so we're kind of, in a sense, becoming grant writers in this process. But it really helps us to better ourselves but, at the same time, it's like you still have that question in the back of your mind who are we competing against? We saw the list,

and it was like, wow, I mean, there's really no way, unless we hire a grant writer to come in and really do this for us, that we know it's very driven in that respect.

So some disappointment on that end because I know our staff put hours and hours. I have pictures of them at 3:00 in the morning trying to pull it together, yet, you know, we're not awarded. So that's one example. And I appreciate the fact that it was brought up that we really do need to have some sort of system because that was exactly my feeling when I got the feedback. I was almost sure we were going to get it because I know we have some exciting programs going on that we wrote into the grant that we wanted to sustain over the years, but, unfortunately, that didn't happen.

Then the other recommendation, as far as building capacity for the STEP program, it's the old feelings of people that, and I experience it all the time in my role, I'm experiencing it right now, is that when you're trying to implement change in something, anything, there's always this push-back, and people sometimes, for whatever reason, whether it's just change itself, the ultimate goal is, again, sovereignty, tribal control, wanting to -- we heard it with all the testimonies that were out there from tribal leaders saying that we want to control our education systems throughout, whether they're public schools, bureau schools, grant schools, or whatever.

So I would just suggest that -- I'm just now reading an email coming from the Impact Aid community where what's going on, you know, that's the kind of question that's being asked. I was just sharing with the Chair here when I came back from my break that there's fear out there in the public education sector in Indian country that, wow, what's going on, what's really going on, and so I would just advise, and, I don't know, maybe this goes also mainly to Bill that, again, get out to the next NAFIS conference coming up, give some examples of what's happening. I don't know how long it's going to take to

get results back on the pilot of these different Indian tribal leaders that you have partnerships with in the pilot, to give some results to them because that's the only way, through education and explaining here's what we're doing, especially in Navajo country. I'm most familiar with that. That's where I'm from. You have this partnership between the state of New Mexico and the Department of Ed. I can tell you that Arizona is not as easy to deal with when it comes to the Department of Ed because there's a lot of mistrust there between the public school sector.

But then, on the other hand, it's an ideal time to show what are the positive things that are coming out because we're not experiencing a lot of positive things from the State Department, too. So it would be advantageous of Bill and the Department to show what are the positive results coming from this partnership with New Mexico that would oversee both Arizona and New Mexico and Utah because that's the three states that the Navajo Nation is within.

So, you know, those are just some things from my background looking in. And I just, I think that it's, I hope that in my lifetime, like I've said before, that we do see this come about, but I know the push back that's out there and why you're not able to really get the partnerships established is because of that large sector of people that have mistrust in our local tribal government and for good reasons, in many cases. But when it comes to education, I agree with what Secretary Duncan believes and what the President believes and what I've heard our tribal leaders say is that it really is, it really is important for us to have that control because we have these issues that we wouldn't have to deal with if we had our own control and we had our own, we had our -- English-only is one that I'm always talking about. If we had our tribal leadership control over education, we wouldn't have to fight the state about English-only because they're not so much, they include us as indigenous people in the war against the immigrants coming from

other countries, and that's really where the battle is. But we get put into that whole thing because of this and because we're under the state.

So that's a good example right there of how maybe working with the state of New Mexico that would be something that would be shown and highlighted at some point. I don't know if it's you all or Bill or whoever would do this in this journey and this process of trying to get the understanding and the education across to the public school sector of Indian education. That's really what I would recommend because I'd like to see what's going on, what's coming up with the pilot project. I'm really curious.

But then the biggest battlefield is the Impact Aid funds. And right now, because it's included in the sequester, that's the big question. Okay, well, we heard testimony from people last spring that came before this council that talked about the fear of, well, if our Indian nations -- and this was coming from Montana. I remember Les Monroe talking about if Indian nations want to, if Indian tribal want to take over education, then they need to meet us with the money. And so there, that's the question of the hour, I guess, of the century of where's the money going to come from and how is the money going to be disseminated out. That's what people are confused about in this STEP program. That's really, that's what drives the mistrust, from my point of view.

MEMBER THOMAS: I had a couple of things. I was so glad that you brought that back up because I was, the other day when you were talking about your Race to the Top, that you weren't funded. I have two suggestions here, and I don't know if it's possible because her school district is in the middle of nowhere, who doesn't have much. And if I was a reader and I wanted to say, I would definitely, you know, put some money towards this school district. But the problem is, is there a way that you can put

like a weight factor in, you know, into the application because of either isolation -- Alaska is a perfect example. There are school districts out there that desperately need these kind of programs, but, because they're so isolated, there is no grant writers. They're lucky to get school teachers to come out to the bush area. This is my concern.

So if there was a weight system into the process for application or, on top of that, for any of the applications that are coming through, either for STEP or for the Race to the Top, that you get back to them and the comments were good that you said they replied back to you to what had happened and why, but maybe say, okay, let's work with you to get you ready for the next time, you know. If it's the resource centers, and I'm not real familiar to how well they get out to them. I know that there used to be one in Alaska. There's not one there anymore. It's combined. So I worry about that, but that's my concern. You know, the TAs, the resource centers maybe should be given this that you will do this, you will work with these people to make sure that they reapply and what happened and why it happened and get it ready because there are school districts out there that should be placed on a weight system. That's my opinion. Of course, I'm usually right.

MS. JIMENEZ: So that's what Manny was speaking about, so we do have a process by which, when we regulate on a program, on a grant competition, where we can establish things like competitive preference priorities and invitational priorities and absolute priorities. And each of those accomplish different things, and the program staff, along with the policy office, budget, and general counsel, will work together to identify, of those three categories of priorities, what is most appropriate for what this program is meant to achieve.

And so that is something that we definitely have thought of regarding American Indian students. I know for some safe and healthy schools programs, we did establish a competitive preference priorities for projects that served American Indian students and for Promised Neighborhoods, as well, which helped the grantee, the native grantee, to win that grant.

So it is done on a case-by-case basis, but we do have mechanisms by which we can either make it an absolute priority or award additional points through a competitive preference priority for these programs.

MR. BUENROSTRO: I think one of the difficulties that we do face in this space in delivering TAs, we can't, we got to remain fair to all the applicants within any competition, which, I mean, we understand what that looks like. So providing TA means that the TA that's available, that we provide needs to be open to any grantee that could be provided. So we can't be seen as giving any special advantage to a grantee before they apply or, I mean, at any point during the process. So that's one of the limitations that we have to tackle.

I do know of a few non-profits that are in the field. Actually, a lot of them are focused in rural areas that help potential grantees write for federal grants. So maybe, I mean, that could be an area for the group to look at and maybe disseminate that information to folks.

So there's other efforts underway. And I think, I think how we structure comprehensive centers is also very important, where they're located, how we're messaging them. Because, I mean, you could have an opportunity for folks to get technical assistance, but who hears about that opportunity is very important. So we can certainly work with this group to see how that can be improved moving forward.

I also want to say a little -- and any feedback that you have about our competitions. For example, if there's anything in the competition that you think can be improved or anything that you think, any requirements that you think make it difficult for certain communities to apply, I think we want to hear that feedback, as well, because it's important for us to consider those things when we compete these competitions again.

And, I mean, it's not something that, if you want to tell us now, that's great. But if it's something that folks want to think about and also get back to us, that's also an opportunity because I know there's --

VICE CHAIR JACKSON-DENNISON: I totally understand your, I guess, rules about not giving extra brownie points because you're from a disadvantaged community, but I'm thinking also that is it even possible to a certain amount of the funds -- I mean, I asked this question long ago before I even thought we'd apply for the Race to the Top grant, but I never got a response back. But is it possible, because you don't -- the whole idea is that you don't compare apples to oranges, and is it even possible to a certain portion of the funding would go to Indian country? I mean, that would be the ideal so that we're not competing against because that's the whole problem that we have is we're constantly competing against the -- and we're not able to implement plans or programs that are proven effective for Indian country, Indian education programs that have proven effectiveness. And so that was the whole idea that I thought, okay, they're going to see this when they read the application that it's right out there, you know, here's our plan to improve the quality of education that we're working toward our students in our area. But when you're weighing against a school district that has all the resources already that's applying for more resources, it is like apples and oranges. So I would think that that would be something that I would

recommend right off the top is that there would be a certain -- if that's even legal to do. I don't know. But how do you get around it so that it becomes something that we can do. Here's an X amount of the pie that will go to the competition for schools and systems that are serving Indian children.

MR. BUENROSTRO: I mean, we can certainly, like Laura said, we can certainly do competitive preference priorities, which get extra points to applicants that serve Native American communities. You could also do an absolute priority or a set-aside which says that a certain portion of these funds will go to a certain community. It depends on how you structure the competition, so those are certainly things that we can look at.

MEMBER AREVGAQ JOHN: In your grant review team, do you have a representative from rural communities? If not, I would recommend that you include that specifically in areas of where, like in Alaska, that would benefit the review team to hear the narratives of different scenario settings of some students that are served across the nation.

MEMBER THOMAS: And, again, maybe this is part that we can recommend in our letter to Congress and our letter to the Secretary to whatever we need to back up, you know. You've got some great ideas, and some things are already implemented and some things we can fine tune. You're hearing just a few sources here for what we deal with, you know. I'm K through 12 with Johnson O'Malley, you know. That's my heart. Everybody else has a different piece of heart, maybe not for Sam, but this is who we are. And if you're hearing it from us, then you know there's more than just her school district and her whole state and where I am. It's out there. So if there's something that you think, well, we need to push this idea through, let us know. We will help you do this, won't we, Thomas?

MR. MENDOZA: That's exactly why these channels of communication and the consistency around them, the specificity is important. You've heard all these individual programs being discussed. It's really that level that, you know, we're engaging in those conversations. My colleagues are of broad responsibility, and I am, too, bound to those broad responsibilities, but I have the additional charge, in many respects, to focus on American Indian and Alaska native students. And so those are the kinds of conversations that we engage in: what is appropriate to set aside? You know, what is the basis for that? Is it access equity issues, vis a vis ethnicity issues? Is it low SES? Is it meeting the learning needs of those students in particular areas? But intertwined with all of that, of course, is the trust responsibility. And so, you know, we work from the strongest levels of those trust responsibilities. Case in point: the Bureau of Indian Education and how we treat the Bureau differently because of that trust responsibility. And that's tied directly to tribes. Now there's one degree of separation between the Bureau and tribes, but we have many of those similar kinds of policy trajectories that can be strengthened, have been strengthened in the past, to kind of look at these programs by programs and say not only do we have a best of need here and interest in participation, but there's a very strong policy rationale for the inclusion of those priorities as absolute, competitive, invitational, or even to do technical assistance in a way because these systems speak to unique circumstances that should be considered within those programs.

So, for example, we've done a couple of different webinars as we looked into higher education specifically on tribal colleges. We have the minority-serving engineering program within our Title III funds, and we noticed that there was a drop in applications from that pool of applicants. And so we put forth the question. The interest was there for our post-secondary education program there, the MSIP program, and they had an interest in saying we will describe this grant to the grantors of this grant. We will provide an opportunity to give Q&A within the scope of the grant itself.

And so it's not brownie points. It's not any additional information that's not already accessible there, but it gives an opportunity to our communities to have a connection to that program that they might not otherwise have had rifling through the notice of intent to apply frequently asked questions and, you know, all of the other circumstances that they need to consider in developing that grant.

So those kinds of efforts, for us, are proving fruitful in participation at this point, that we're getting a response to say we'd like to see more of this be available to us in these particular areas. But we don't know at this point, you know, I could say it's a strategy. I'd like it to become an integral part of our activities as we work together with Joyce's office and all of these other program offices within education and beyond, but we need to know where those interest points are. You know, where do we have an ability to compete and where does it make sense and then focus our attention on those areas to look at these different options that we have for prioritization because it's not just Ed. Each agency has their level of prioritization in that respect.

MEMBER MCCRACKEN: How you doing, Manny? Hanging in there?

MR. BUENROSTRO: Doing great. Thank you.

MEMBER MCCRACKEN: I do not work in education.

MR. BUENROSTRO: I don't want to be outside, though. It's cold.

MEMBER MCCRACKEN: Yes. I do not work in education, so, as you can see, they're very passionate. I'm very passionate, as well, about these things. But I have a couple of questions. One, for instance, a Race to the Top grant, can you explain to me the guidelines around what that can fund? Is that

just strictly math, reading, those particular -- is it operations for schools? Just so I have a general knowledge.

And part two of that is does the Department of Education fund physical activity events, activities? Because the environment I do work in, we believe that physical activity is an accelerant to the kids in the classroom. So if we want to see our kids succeed, I think that we have to incorporate with physical education programs getting cut. Does the Department of Ed have a strategy around how we are going to get kids moving in every community?

So I just wanted to ask that kind of two-part question. You might not know the answer, but I just thought I'd throw that out there for the record so I have the general knowledge, like a Race to the Top, what are the legalities of what it can fund. And then, two, does the Department of Ed fund physical activity?

MR. BUENROSTRO: Well, to the physical activity question, we do have a physical education program that we're re-thinking for the next iteration of the competition, and it's aligned with the First Lady's Let's Move campaign. So it's a competition that we're competing again in 2013. It funds these services for students. It helps expand opportunities for students in districts where they might otherwise not be getting these types of services, and I think there's a component in it that will target communities that are the highest-need communities in these areas.

And I can circle back with you, Sam, and give you more information on what the competition might be looking like in 2013.

MEMBER MCCRACKEN: So Let's Move for native communities doesn't reside in the White House currently. It resides in the Department of Interior.

MR. BUENROSTRO: So there's a physical education program that the Department of Education funds. The First Lady's office has a Let's Move campaign, so that's under the White House. Now, the relationship here is that, I mean, we're working with her office to make sure that we improve the program and that we're targeting the communities that we really do want to serve with these limited funds.

Now, we're a Race to the Top district. I guess there's certain activities that grantees can fund with these funds. I think they include district-wide activities between teacher professional development, making sure that they're establishing appropriate systems to evaluate and retain their teachers. Laura can help me if I'm missing something. I'm just thinking off the top of my head.

MEMBER MCCRACKEN: That gives me a general --

MR. MENDOZA: They can pay for learning opportunities for their students. We want them to re-think how they structure the school day for students, for example. Are you providing appropriate wrap-around services for students so that all students can succeed at the highest levels? We want to make sure that the students are being prepared for careers in college at the same time.

So I guess, within the applications, we wanted districts to really think about how they would make sure the highest-qualified teachers were in these classrooms. We wanted to make sure that districts were thinking about how they will be meeting the needs of specific students, and we also want to incentivize system changes in the districts. How are you going to make sure that you are focusing on the highest-need schools and that you're making sure that they're improving?

So I think I can give you a more specific list, and I'd be happy to --

MEMBER MCCRACKEN: No, that's fine. I got the general -- I would just caution you to work with your colleague, Bill, there as you look at the physical activity programs, knowing that the demographic, for Let's Move in particular, just talking about Let's Move in particular, the White House doesn't work as closely in the native community as they do with the rest of the general population. So I'm working closer with Bill and getting his insights on physical activity because Native American kids are two to four times higher when it comes to Type 2 diabetes, and we're talking kids at the onset age of age eight, age nine. Obesity rates are three to four times higher. Teen suicide, we're the lead on the national average on teen suicide.

So those challenges we believe physical activity can play a positive role into helping these kids or, physical activity, allowing it to be an accelerant to education. And I just know that it's a priority for the First Lady. I do know that. But as I read through the Let's Move stuff, in particular, Let's Move in schools, I think, would work directly with the Department of Education. But what I wanted to make sure is clear is that Let's Move in schools doesn't reside in Indian Country because Let's Move in Indian Country resides in the U.S. Department of Interior. So there's a little bit of a disconnect. You might do a great job with the First Lady and the White House on Let's Move and implementing schools, but then the native kid are going to get left out because of the fact that Let's Move in Indian Country doesn't reside there. So Window Rock High School might have got left out because they're 100-percent Native American, they're a public school, and their Let's Move program might not get implemented because of the fact that it resides in Interior and your funding programs -- you see what I'm saying?

So including Bill into the conversation, he can be part of the eyes and ears of Indian country as you guys start to formulate physical activity for kids. That's all I want to make --

MR. MENDOZA: We appreciate and value the conversation. We have the same dynamics that exist to speak about it with the Bureau of Indian Education and tribes themselves, you know. So the considerations of those populations, you know, reach beyond the Department of Interior. And to their credit, they've reached out to the Department in a couple of different avenues as we were moving through with the executive order and this new reach that we now have. And so we did do some work with them prior to the departure. I'm not remembering the lady's name that facilitated -- Jessica Wall, exactly, when Jessica was there, you know. So we expect those conversations to emerge again. As a matter of fact, directly moving from interagency working group, Secretary Duncan attended meetings on this very issue with the First Lady's office in which native students were discussed. And so we'll be monitoring it, and we appreciate the engagement, and we'll be better prepared to speak to those issues the next time we convene.

MEMBER BUTTERFIELD: I appreciate that Sam keeps kind of keeping us on track with that because one of the frustrations just in looking at the President's executive order that's been raised a number of times is that the initial focus was developing an MOU with the BIE, which represents about seven to ten percent of our native students. The rest of the 90 percent haven't gotten the attention of that level of focus and scrutiny, and this is a classic example, you know. The 1300 grantees that receive the little pittance of money that we get through the Office of Indian Ed is a direct channel of services for those types of physical education funds, you know. Even add-ons to those projects might be an idea to get to where a lot of those Indian kids are and where they get direct contact, you know, from somebody who's working

directly with them in urban districts and rural communities that don't have a reservation connection at all. So there are infrastructures, you know, to get the word out and to get resources out.

MR. BUENROSTRO: I was actually just reminded, too. So back to the physical education question. I was just reminded that within the Impact Aid funds that go to Native American communities, these funds can be used for, are pretty flexible. They can be used for many different purposes across LEAs. So it could be a large source of funding to provide these additional opportunities for Native American students, which could include physical education and could include enrichment activities, like art, history. So it could be an area for us to look at when we think about providing these opportunities for students.

CHAIR ACEVEDO: Closing remarks?

MR. BUENROSTRO: Something that we have to always be thinking about at the Department is we do have funds that are strictly, they are to serve Native American communities and Native American students. But like Robin said, most of our funds go to the wider education community, and we always have to be mindful of how we target those funds and how we structure our competitions, especially for the big pots of money, I3, Race to the Top, Promise Neighborhoods, how we structure these big competitions to make sure that the students that are the most in need are getting these funds. And that includes making sure that Native American students are served within these funds, make sure that they're targeting high-poverty districts, the students that are the most in need.

And I think this conversation that we just had right now helps us keep thinking about that and helps us keep thinking about new strategies to make sure that this happens. It's not easy work. Obviously, there's many different restrictions that we have at the federal government, but we've got to be creative to think about new ways of making this happen. So we really appreciate your ideas, and we really

want to continue to hear your feedback, concerns, ideas on how to improve our programs because I think we're all here for the same reason. We're all here to make sure that we're serving all students to the best of our abilities, and we want to make sure that we keep serving this community as much as possible. So thank you.

VICE CHAIR JACKSON-DENNISON: One more question. Do you foresee, do you all know when the next round or another round of the Race to the Top district competition will happen any time soon?

MR. BUENROSTRO: Not completely sure. I think it's based on appropriations and what we get from our friends in Congress. But we're hoping to have another competition, I mean, in the next year.

CHAIR ACEVEDO: Thank you, Manny, very much. Thank you. Appreciate it.

MR. BUENROSTRO: Like I said, it's better than being outside. It's cold.

MEMBER THOMAS: Who's the readers of these applications?

MR. BUENROSTRO: None of us.

MEMBER THOMAS: I want names. No, I'm -- how are they selected as readers for this? And is the demographics out there to make it, the demographics can show that there are people that are knowledgeable of the areas.

MS. LEONARD: Virginia, typically, in any grant program, there's a set amount of dollars. The staff just says we can set aside up to one-half or one percent of the total funding for peer reviews. Ed

staff, by law, cannot be a part of the peer review process for discretionary grants. And then what the program coordinator or director does is there's a wide call outreach for peer reviewers, and there's criteria that they have to meet or areas of specialty or content analysis that they have to have. And the names come in, and if, for instance, with Race to the Top for the school districts, certainly, or even the comp centers. Let me speak more about that. Certainly, we made sure that there was representation, Native American representation in the peer review panel, and these names come in and then they're vetted. And once they're vetted, then they are identified as peer reviewers. But we try to make sure in all competition there is representation for special groups, if we're looking at urban or rural, or if we're looking at curriculum matters, or whatever. We try to make sure that we get peer reviewers who have expertise in these areas and certainly make sure that -- definitely, I can tell you, just by the work that we've been doing for the last three years, we make sure that all our competitions have good, a fair amount of Native American representation on all of the peer review panel, everything that we do.

MR. BUENROSTRO: So a question. Can folks around this table, I mean, except for people that work at Ed, be peer reviewers?

MS. LEONARD: Yes. That is a good question.

MR. BUENROSTRO: But I'm sure folks around this table know people that could be good peer reviewers that we might be able to get for someone for competition.

MR. MENDOZA: But I think your question, and I know this has come before the Council before, about the pools. I mean, there's just an, interagency-wide, there's a dramatic need for readers that not only are equating to understanding our communities of American Indian and Alaska native, that those readers are from that lineage or ethnicity, if you will; but they're just not out there. And so one of the

things that we talk about regularly is how do we, you know -- and I learned this just coming here to the agency. It's a touchy subject to ask to share pools of readers between programs, you know, because you're taking the cream of the crop from the one program and transferring them to another, and each of these programs have, you know, there's supposed to be standardized processes, but some are heavier lifts than others, just as nature being.

But you see how these tiers of, and you don't know this but I think it posits for true appreciation, of our jobs anyway, is that you can have the competitive preference in place, you can have the program speak specifically to you, but if you don't have the right readers to select those programs, you know, you can still have a litany of issues that impact the quality of that program. And so when we're talking about broader reach programs, you know, these issues are even more compounded.

MR. BUENROSTRO: The reason I asked that question was, essentially the point I was trying to make is we need your continuing help to make sure that we get good peer reviewers for our programs that understand the culture and the context of these communities.

MS. SILVERTHORNE: Also, that each of these programs that you've heard about have different pools and have different peer review processes in place. When Bill talks about not being able to share the pool of names, so we submit from the Office of Indian Education a list of 70-some people for a next peer review, and from that list they will go through and they'll make sure that we don't have people who have been reading for two years in a row and this will be their third year. We make sure that we don't have anyone who has a problem with education or has some other violation that might preclude them.

That list comes back and, even then, the 60 that we need can't have a conflict of interest with the grants that are in front of them, can't be someone who has contributed to the grants that

are in front of them. And so that whittles down, and every time we're down to the last of the names by the time we have the peer review teams in place. And then we have, and that's just ours. And then those names are more from our American Indian communities.

When the other programs in the office read, they may or may not have gotten that same kind of application from American Indian applicants. They may not have applied. And I think there's an assumption out there that, once you've applied, you've applied for them all and you haven't. You've applied for one.

CHAIR ACEVEDO: Thank you. I think we've completed. The only thing I want to place on the table in front of you, and you probably can't answer today because there's three obligations that we're now dealing with in terms of when do we have our next full council meetings. And as we heard at the start three days ago, they'll be telephonic, the next two full council ones.

One is making sure that we get our letter to the Secretary completed and in his hands. Two is getting our report to Congress solidified and agreed to. And three, and this ties back to Bill's executive order initiative that he's responsible for, is when, in fact, we need to meet as a full council to talk about what may be coming through to us that now sit on the subcommittee.

So have those in your minds. And I think the best way to coordinate that is Deborah and I will talk to Jenelle when we start to see when those dates need to be met. We'll get a doodle out to all of you when we can agree. The early one will probably be late April, maybe first of May, or something like that, to deal with the letter to the Secretary. The sooner the better. Secondly, the report to Congress. All right? Motions?

MEMBER MCCRACKEN: So move.

CHAIR ACEVEDO: It's been moved and seconded that we adjourn the meeting. I thank you all for all of your input, and I call for the vote. All in favor of the motion, signify by saying aye.

(Chorus of ayes.)

CHAIR ACEVEDO: All opposed, same sign.

(No response.)

CHAIR ACEVEDO: There being none, the motion is carried. We're adjourned.

Thank you.

(Whereupon, the foregoing matter was concluded at 2:30 p.m.)