

## U.S. DEPARTMENT OF EDUCATION

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NATIONAL ADVISORY COUNCIL ON  
INDIAN EDUCATION

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## PUBLIC MEETING

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THURSDAY  
APRIL 3, 2014

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The Public Meeting met in the Diplomat Ballroom of the Omni Shoreham Hotel, W2500 Calvert Street N.W., Washington, DC, at 9:00 a.m., Deborah Jackson-Dennison, Vice Chair, presiding.

MEMBERS PRESENT

DEBORAH JACKSON-DENNISON, Vice Chair  
GREGORY ANDERSON  
ROBIN BUTTERFIELD  
SAM MCCRACKEN (via telephone)  
WAYNE NEWELL (via telephone)  
S. ALAN RAY  
VIRGINIA THOMAS  
PATRICIA WHITEFOOT

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ALSO PRESENT

KAREN AKINS, Office of the Secretary  
JILL EICHNER, Office of General Counsel  
JENELLE LEONARD, Director of School Support  
and Rural Programs  
WILLIAM MENDOZA, Director, White House  
Initiative on American Indian and  
Alaska Native Education (via telephone)  
CHARLES M. ROESSEL, Director, Bureau of Indian  
Education  
JOYCE SILVERTHORNE, Director, Office of Indian  
Education

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

2 (9:13 a.m.)

3 VICE CHAIR JACKSON-DENNISON: Well  
4 good morning everyone. We will go ahead and  
5 officially call the meeting to order. I do  
6 believe we have a quorum. I say welcome to  
7 everyone, and thank you for your travels here  
8 safely. It is 9:13 a.m., and we will call this  
9 meeting to order. The first agenda item on our  
10 agenda is the official opening of the public  
11 meeting and official administrative business  
12 and roll call.

13 So we'll proceed with the roll call.  
14 I think we'll do roll call by everyone just  
15 introducing themselves, and we'll do the roll  
16 call for that. So for the record, for  
17 clarity's sake as well, so we'll start with Greg  
18 down at the far end.

19 MEMBER ANDERSON: Greg Anderson,  
20 Muscogee Creek Nation of Oklahoma.

21 MEMBER WHITEFOOT: Good morning,  
22 and Patricia Whitefoot of the Yakama Nation

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1 from the state of Washington.

2 MEMBER RAY: Alan Ray, Cherokee  
3 Nation, Elmhurst College, Elmhurst, Illinois.

4 VICE CHAIR JACKSON-DENNISON:  
5 Deborah Dennison on from Arizona, and we also  
6 have Virginia Thomas who stopped out just now,  
7 for the record.

8 MEMBER BUTTERFIELD: Robin Butter  
9 field, Ho-Chunk, Anishinabe working with  
10 Washington Department of Public Instruction.

11 VICE CHAIR JACKSON-DENNISON: And  
12 I also want to recognize the staff from  
13 Department of Ed and then also anyone else  
14 that's here, so we'll start with Joyce.

15 MS. SILVERTHORNE: Joyce  
16 Silverthorne, Director of Office of Indian Ed.  
17 Thank you.

18 MS. AKINS: Good morning. I'm  
19 Karen Akins with the Office of the Secretary,  
20 Committee Management Officer for the  
21 Department.

22 MS. LEONARD: Good morning,

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1 Jenelle Leonard, Office of Elementary and  
2 Secondary Ed, and Madam Chair, for the  
3 remaining members, NACIE members, I have a  
4 status report for you.

5 VICE CHAIR JACKSON-DENNISON:  
6 Would you, for the record, read them, whoever  
7 is online because we do have a video conference  
8 opportunity for people that would not be able  
9 to make it to this session. Would you, for the  
10 record, read that into the --

11 MS. LEONARD: I will: Stacy Phelps  
12 is joining us by phone at some point during the  
13 council meeting. He indicated he would be  
14 online both days.

15 Wayne Newell also is going to join  
16 us by conference call, and he indicated that he  
17 will be online both days. Derek Bailey  
18 indicated that he will try to participate in  
19 some parts of the meeting.

20 So we can expect that he may be  
21 online. Theresa John, in our original inquiry  
22 of availability stated that she was not

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1 available for the two days.

2           However, we could expect that she  
3 may try to join if she has time. And Sam  
4 McCracken also indicated that he would be, he  
5 would try to join us for parts of the meeting.

6           VICE     CHAIR     JACKSON-DENNISON:  
7 Thank you. Patricia, you have your light on.  
8 Did you want to say something? Okay. So are  
9 we ready to move on to the NACIE Business  
10 Meeting?

11           Okay. We are looking to establish  
12 the work agenda for the meeting we are here for.  
13 We have someone calling in, so we'll get this  
14 straightened out first before we move on with  
15 the business meeting. They're trying to call  
16 in on the phone. Do you know who it is?

17                     (Off microphone discussion)

18           VICE     CHAIR     JACKSON-DENNISON:  
19 Okay. Who is on the phone? Okay. For the  
20 record, we have Wayne on the phone, so he's in  
21 attendance as well. And Virginia, we  
22 introduced you.

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1           Okay. We are going to go ahead and  
2 move on to the business meeting portion and  
3 establish the work agenda for the meeting, the  
4 couple items that we really do need to work on.

5           As we have done in the past it is the  
6 proposed plan to work on the 2013 report to  
7 Congress, and then the plan to work on the  
8 recommendations to the Secretary of Education,  
9 then other topics to be determined by our NACIE  
10 Council.

11           So I'm going to open it up for  
12 recommendations at this time and thoughts.  
13 And I'm sure we've had plenty of time to think  
14 about this. We were only able to come together  
15 one time this year.

16           It seems like, we haven't met since  
17 last year, and the deadline is already fast  
18 approaching. And I think that's a concern that  
19 I've heard from several of the members that we  
20 really need to get moving on, Report to Congress  
21 as well as other concerns. So I'm going to open  
22 it up to the Council for discussion and also

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1 recommendations as to how we want to proceed  
2 with this. Jenelle?

3 MS. LEONARD: Madam Chair, before  
4 the Council begins its business, there are a  
5 couple of things that I'd like to report on, or  
6 report to you and the Council on. And it's  
7 about the membership. At this point we have 11  
8 active Council members. There are four  
9 Council members who are no longer, who are  
10 inactive or have resigned, or we know that Alyce  
11 Spotted Bear is deceased.

12 Robert Cook was the first person to  
13 resign. MaryJane Oatman-Wak Wak, no longer a  
14 member as well as -- Oh, recently Thomas Acevedo  
15 submitted his letter of resignation to the  
16 President in, I'm going to say, early January.  
17 I don't have the specific date, so that now  
18 leaves 11 members. And the quorum is six, and  
19 so we do have seven active members  
20 participating right now. Okay. Six present,  
21 one on the phone.

22 VICE CHAIR JACKSON-DENNISON:

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1 Virginia?

2 MEMBER THOMAS: Just for  
3 information, Jenelle, I've heard, I don't know  
4 if it's true or not, that there's been people  
5 that are applying for those positions. Do you  
6 know anything about those?

7 MS. LEONARD: I'm going to have to  
8 defer to Karen Akins.

9 MS. AKINS: Virginia, not to my  
10 knowledge that anyone has applied for the  
11 vacant slots, but I know Bill Mendoza is working  
12 with the White House liaison in my office to  
13 strategize about how to move forward to fill  
14 those vacancies through the White House's  
15 Presidential Personnel Office.

16 MEMBER NEWELL: Could I interrupt  
17 for a second? Did I miss roll call? This is  
18 Wayne Newell.

19 VICE CHAIR JACKSON-DENNISON:  
20 Thank you, Wayne. You're noted as being here.

21 MEMBER NEWELL: All right, thank  
22 you.

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1                   VICE     CHAIR     JACKSON-DENNISON:  
2     Karen, can I ask a question also?  What would  
3     be the normal protocol, and how much does the  
4     Council have as far as making recommendations  
5     to fill those slots?

6                   MS. AKINS:  To be honest, I don't  
7     know what the normal protocol would be.  In  
8     your legislation it says that the Department is  
9     to reach out to tribal organizations for  
10    recommendations.  And to be honest, I don't  
11   know if Bill's scheduled to --

12                  MS. LEONARD:  He is.

13                  MS. AKINS:  -- be on board.  I  
14    would defer to him as to, again he's been  
15    heading up the effort, and so I would defer to  
16    him as to what his thoughts are, how they plan  
17    along with the White House liaison's office to  
18    move forward with next steps.

19                  I have heard that there will be some  
20    type of formal announcement, hopefully in the  
21    Federal Register, but again, I'll let Bill  
22    explain more about that as he's been working

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1 directly with the White House liaison in my  
2 office.

3 VICE CHAIR JACKSON-DENNISON:

4 Thank you. Will Bill be here?

5 (Off the record discussion)

6 MEMBER THOMAS: Madam Chair?

7 VICE CHAIR JACKSON-DENNISON: Yes,  
8 Virginia.

9 MEMBER THOMAS: To my knowledge, I  
10 think in the past, even the past group, we've  
11 never made, got to make recommendations. It  
12 was always coming through the White House  
13 administration. So I've never known NACIE to  
14 make a recommendation to fill a position, not  
15 that I can remember.

16 MS. AKINS: Well, again though,  
17 because this is a different administration,  
18 Virginia, again, I think from the discussions  
19 I've heard, I think there's an effort out there  
20 to be as open as possible to make sure a wide  
21 net is cast, so to speak, and provide everyone  
22 with an opportunity.

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1           And again, when Bill comes on I  
2           don't think there would be any prohibition if  
3           through if NACIE members had recommendations.  
4           But again, I'll let him clarify that.

5           MEMBER NEWELL:   Madam Chair, how  
6           many vacancies are there?

7           MS. AKINS:   Hi Wayne.   This is  
8           Karen.   Currently, there's four vacancies on  
9           the Council.

10          MEMBER NEWELL:   Okay, because I  
11          knew of two, but I didn't know there were four.

12          MS. AKINS:   Yes, you might've  
13          joined the line just before Jenelle went  
14          through.   Robert Cook was the first person to  
15          resign.   I'm not sure if you're aware, Ms.  
16          Alyce Spotted Bear is deceased.

17          MEMBER NEWELL:   Yes.

18          MS. AKINS:   We had MaryJane  
19          Oatman-Wak Wak, and then recently, Thomas  
20          Acevedo resign via a letter to the President.

21          MEMBER NEWELL:   Okay.   Thank you.

22          MEMBER BUTTERFIELD:   I have

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1 another, as long as we're sort of talking about  
2 board composition, since Thomas was the  
3 co-chair, is that a possible agenda item to  
4 attend to at this meeting.

5 VICE CHAIR JACKSON-DENNISON:  
6 That's another question for Karen.

7 MS. AKINS: To be honest Robin,  
8 because we didn't announce it in the Federal  
9 Register, I mean we did do like a general what  
10 our business was going to be. I actually wish  
11 legal had been able to come here today, because  
12 I don't know how that would work.

13 I know last time we did elections,  
14 I believe, to elect Thomas and to elect Debbie.  
15 I think for this meeting, if I'm not mistaken,  
16 Jenelle has assumed that Debbie would run the  
17 meeting, or chair the meeting.

18 And then the Council would come  
19 together and figure out what to do from here  
20 perhaps for the next meeting. But I don't know  
21 if you're thinking of having an actual vote.  
22 Is that what you were --

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1                   MEMBER BUTTERFIELD: Well, to me,  
2                   that's sort of the logical step that we, I don't  
3                   know that that person would take over at this  
4                   meeting, but at least that action would've  
5                   taken place while the group was convened.

6                   MS. AKINS: Okay. Let me get back  
7                   to you. Go ahead.

8                   MS. LEONARD: So what, this is  
9                   Jenelle. And so what I would suggest is that  
10                  would be a part of the Council's agenda. And  
11                  I don't know how quickly we can, we meaning Ed,  
12                  can turn around in terms of accommodating that.

13                  Say if you wanted to do it at the  
14                  close of the meeting tomorrow, because before  
15                  when we did the elections, we had legal present  
16                  as well. They wrote out the operating  
17                  procedures, which you had to follow.

18                  And because we don't have that in  
19                  hand, but Karen's going back to the Department  
20                  later today. She can check with legal counsel.  
21                  Since we've done it before, it may just be  
22                  pulling up the procedures and sharing with the

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1 members.

2 And if that's something you all want  
3 to do this time, we could do that. Or we could  
4 set up a time in the very near future that we  
5 could do it by phone. It'll be up to you, but  
6 that would be part of the Council's business.

7 MEMBER BUTTERFIELD: So I would  
8 just propose that we add that to the agenda at  
9 the end of the day tomorrow.

10 VICE CHAIR JACKSON-DENNISON:  
11 We'll certainly add that to the agenda for  
12 tomorrow's meeting to fulfill the empty  
13 co-chair position.

14 MEMBER THOMAS: It's the possibility  
15 of doing it, because it's not really determined  
16 that we can do it, because of legal.

17 MS. AKINS: That might be safe to  
18 say only because I don't know 100 percent what  
19 they'll say. Again, I think Jenelle makes a  
20 good point. It seems like it should be as  
21 simple as pulling up the procedures from the  
22 last time. But I don't want to step out there

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1 and speak for what our Office of General  
2 Counsel, Division of Business Law folks will  
3 say. As a matter of fact, I'll probably even  
4 step out shortly here and give them a call now.

5 VICE CHAIR JACKSON-DENNISON:  
6 Thank you. Going back to the discussion on  
7 fulfilling the slots, I know that we're in a  
8 time of -- all across the country, whether it's  
9 public schools, or the BIE, or grant schools,  
10 or even higher education, in Indian Country  
11 we're going through school reform majorly, not  
12 just in Indian Country, but there's a lot of  
13 things going on.

14 So it concerns me that we have this  
15 many openings and that we've gone quite awhile  
16 with Robert gone, and I know we couldn't help  
17 what happened with Alice.

18 But it's just concerning that we  
19 need to really move on getting these positions  
20 filled in order for us to be able to really  
21 represent, and to really be a team effort in  
22 trying to help in the way we're supposed to help

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1 in offering recommendations to the Secretary,  
2 and offering our status report or our yearly  
3 report to Congress. And so those are some of  
4 the things that I've just been thinking about  
5 as we work through adding agenda items.

6 And I don't know if that needs to be  
7 an agenda item of its own just to have a  
8 discussion with, whether it be Bill or whoever  
9 as to how we need to put a time line together  
10 to get these positions filled, because it seems  
11 like, it goes back to looking at our  
12 organization, this Council as really what our  
13 -- questioning, again, is what is our purpose  
14 and why are we gathering.

15 Is it just for the two, the report  
16 as well as the letter? And then if that's it,  
17 it just goes back, are we just checking off the  
18 box, or are we really wanting to do other things  
19 to gauge the direction of Indian education  
20 across the country?

21 So those are just my thoughts I  
22 wanted to share with the Council and with the

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1 staff who are here from the Department of Ed.  
2 And I recognize that we do have some staff that  
3 have joined us from the Department of Ed as  
4 well. So thank you. So I'll go ahead and open  
5 it back up to the rest of the Council on other  
6 ideas or topics.

7 MEMBER BUTTERFIELD: Madam Chair,  
8 just a follow up, first of all with what you  
9 said. I thought that we were adding an item on  
10 the agenda that would be under Bill Mendoza's  
11 report on filling the vacancies on the board.

12 See, I thought we were just talking  
13 about what was to be added to the agenda. And  
14 then toward the end of the day tomorrow, the  
15 agenda item was the discussion about the  
16 co-chair.

17 And thirdly, I would like added to  
18 the agenda a response to the items that we  
19 handed over. Over a year ago we had about ten,  
20 a list of ten things that we had asked be  
21 followed up on. And I wrote that out, and I  
22 handed that, and it should be, it was read in

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1 the public record. And I don't see any  
2 documentation about an attempt to respond to  
3 those items.

4 So I'd like a response to that list  
5 of things that we just needed more information  
6 on. So I'm not sure where that would go on the  
7 agenda.

8 MEMBER THOMAS: This is Virginia.  
9 Just for clarification, was that items that  
10 you're asking from the Department, okay because  
11 I have the --

12 MEMBER BUTTERFIELD: Yes.

13 MEMBER THOMAS: -- same concern,  
14 but it was for the report.

15 MEMBER BUTTERFIELD: Well, there's  
16 three things in my mind. There's the report,  
17 the letter to Secretary Duncan, and then there  
18 was an item, a list of items, things like the  
19 number of, one of them was the number of Indian  
20 programs --

21 MEMBER THOMAS: The data.

22 MEMBER BUTTERFIELD: -- receiving

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1 support in Title III. I mean, it was that type  
2 of list.

3 MEMBER THOMAS: My concern was with  
4 the annual report to the information that we'd  
5 asked in there that we never got a response back  
6 from that. And that was my concern, if we were  
7 going -- a discussion of the report to Congress  
8 and to the Secretary, because I know that we  
9 made it, some items are in there that we wanted  
10 some clarification on and want the response  
11 back.

12 And to my knowledge we never got any  
13 response, either from Congress or from the  
14 Secretary, so I think that should be part of our  
15 report first off and foremost, when Alan helps  
16 write it again.

17 (Laughter)

18 MEMBER THOMAS: But we do ask that  
19 we were lacking the response from last year's  
20 reports.

21 VICE CHAIR JACKSON-DENNISON:  
22 That's taken into account. I agree with that,

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1 so go ahead. Who wants --

2 MEMBER WHITEFOOT: Since we have  
3 these recommendations, I have a list here going  
4 as well. Some of them have already been  
5 repeated. My name is Patricia Whitefoot. So  
6 other than the three that were named, also I had  
7 a question about the consultation reports.  
8 The Department of Education, Office of Indian  
9 Education has these consultations that are  
10 going on.

11 But we never get reports about those  
12 and the follow up and recommendations that are  
13 made, so there should be some official reports  
14 on consultations.

15 And we have a whole set of  
16 consultations coming up again very shortly and  
17 just wondering what happens to those reports.  
18 In addition to the recommendations that have  
19 already been made, a follow up, and I think it's  
20 on the agenda. I'm just following the draft  
21 agenda that we received, and now trying to  
22 reconcile it with this agenda we have now. So

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1 the comprehensive education centers updates.

2 And in the recommendations that we  
3 made, we also made a strong recommendation that  
4 we also include key Congressional staff  
5 members' participation in our meetings when  
6 we're here in Washington, D.C., because this is  
7 where the dialogue goes on and the reports to  
8 Congress occur.

9 And it'd be important to have follow  
10 up, particularly from staff members in, who  
11 work on education as well as the, what is it,  
12 the Indian Affairs, the Senate Committee on  
13 Indian Affairs staff members as well. So I  
14 just want to make certain that we keep this list  
15 going and that we respond to them. And that's  
16 what I have for now. Thank you.

17 VICE CHAIR JACKSON-DENNISON:  
18 Thank you, Patsy. Are there any other  
19 recommendations?

20 MEMBER WHITEFOOT: Also, excuse  
21 me, Patricia Whitefoot again. I just have  
22 another recommendation, too. There were some

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1 recommendations made at President Obama's  
2 Tribal Nations Leadership Forum that was held  
3 in December here with the tribal leaders. So  
4 what's the follow up on those recommendations  
5 that tribal leaders made as well, when we came  
6 to town in December? So that's another  
7 recommendation.

8 VICE CHAIR JACKSON-DENNISON:  
9 Thank you. Anyone else?

10 MEMBER THOMAS: That information  
11 that Patsy just asked for from the White House,  
12 would that come from Bill Mendoza? Could we  
13 ask for that to be part of his report?

14 VICE CHAIR JACKSON-DENNISON: I  
15 think that's very appropriate for him to be  
16 reporting on that. He was in all those  
17 sessions that I attended as well.

18 MEMBER THOMAS: Are you going to be  
19 in contact with Bill prior to him coming on?

20 MS. LEONARD: Madam Chair, yes.  
21 On the final agenda, Bill is scheduled today to  
22 present from 10:45 to 11:00. He is on travel,

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1 but he is going to dial in for his presentation  
2 and update.

3 And I might also suggest, Madam  
4 Chair, if you don't mind that based on the  
5 running list of items that you have, you might  
6 want to put a name besides to see, categorize  
7 it into either Bill Mendoza or Joyce  
8 Silverthorne to report out on. Okay.

9 VICE CHAIR JACKSON-DENNISON:  
10 Okay. Thank you. Let's start with doing  
11 that. Let's go ahead and go to that list,  
12 because I don't know if anyone else has other  
13 recommendations that we would need to add for  
14 the session. But we'll go ahead and start with  
15 the very top one and identify who's responsible  
16 to report out.

17 (Off microphone discussion)

18 VICE CHAIR JACKSON-DENNISON:  
19 There are 11 active NACIE members. The quorum  
20 is eight. We have seven present and one  
21 online. Am I correct?

22 MEMBER NEWELL: Yes.

1 VICE CHAIR JACKSON-DENNISON: So

2 --

3 MEMBER NEWELL: I'm here.

4 VICE CHAIR JACKSON-DENNISON:

5 Right, so we do have a quorum.

6 MEMBER THOMAS: Item Number 3, the  
7 Department will reach out to the tribal  
8 organizations to fill vacancies. I guess we  
9 should find out from Bill Mendoza, would be the  
10 one, to find out how he's reaching out and what  
11 is being done by advertising, or if it's just  
12 going out to tribal leaders. But I would think  
13 that would be something that Bill Mendoza would  
14 have to address.

15 VICE CHAIR JACKSON-DENNISON:

16 Let's go by that list as well as the list that  
17 I know they're combined but the first one is  
18 filling the vacancies. And that would be Bill  
19 Mendoza that would report out on that.

20 The next one would be the status of  
21 our report to Congress. Do we want to lump  
22 those two together, the report to Congress and

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1 the letter to Secretary, recommendation to  
2 Secretary Duncan? Who would report on that?

3 MEMBER BUTTERFIELD: I think those  
4 should be separated, because we were told to do  
5 a separate letter to Secretary Duncan when we  
6 asked for the feedback on the report to Congress  
7 the last time. So --

8 MEMBER THOMAS: And we asked  
9 separate questions of Duncan pertaining to  
10 NACIE, beyond what we asked of Congress.

11 VICE CHAIR JACKSON-DENNISON: So  
12 my question is: does the same person report back  
13 on those two, or do we --

14 MEMBER THOMAS: No.

15 VICE CHAIR JACKSON-DENNISON: Go  
16 ahead. Jenelle?

17 MS. LEONARD: I would say yes,  
18 because Bill works very closely with the  
19 Secretary's office, and so he is the person who  
20 has been designated to handle both of those.  
21 So he would be the person to report out on that,  
22 is my understanding.

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1                   VICE CHAIR JACKSON-DENNISON:    So  
2                   the question is would Bill be the same person  
3                   that reports back to us on the stat on whatever  
4                   became of our report to Congress?

5                   MS. LEONARD:    Yes.

6                   VICE     CHAIR     JACKSON-DENNISON:  
7                   Okay.  So we need to add Bill's name to both  
8                   those items.

9                   MEMBER THOMAS:  I think we should  
10                  all agree.  Bill's not here.  We're just going  
11                  to assign it to him.

12                  VICE     CHAIR     JACKSON-DENNISON:  
13                  Okay, assign to Bill to --

14                  MEMBER THOMAS:  Assign to Bill,  
15                  Bill or Alan.  I think that's the consensus.

16                  MEMBER RAY:  Bill I think is the  
17                  preferred choice, in my opinion.

18                  VICE     CHAIR     JACKSON-DENNISON:  
19                  We're talking about the status, so it would be  
20                  Bill, because he's the one that's here.  And  
21                  the next one that I have is the list that came  
22                  a year ago.  And I think the appropriate person

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1 would be Jenelle, or Bill?

2 MS. LEONARD: Just for  
3 clarification, that didn't come from NACIE as  
4 a whole. That was an inquiry from Robin.

5 MEMBER BUTTERFIELD: No.

6 MS. LEONARD: No, it was.

7 MEMBER BUTTERFIELD: I generated  
8 the list, but we took formal action. The whole  
9 NACIE board adopted those items that we wanted  
10 follow up on. So that is in the notes from our  
11 previous meeting.

12 Number 1, could that list be  
13 provided to us, and Number 2, could we go  
14 through the things that have been researched or  
15 responded to and find out which ones have not?  
16 So we just get a status report on all of the  
17 items that we were seeking information on.

18 VICE CHAIR JACKSON-DENNISON:  
19 Okay. Thanks for the clarification. So the  
20 list we would get from Jenelle. Then we get to  
21 go through and determine who would respond to  
22 each of the items that are on there.

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1                   MEMBER BUTTERFIELD:        If they  
2 haven't been addressed, yes. It's been a year,  
3 so I'm really dismayed if nothing has been done  
4 with them in a year. But yes, we need a status  
5 report.

6                   MEMBER WHITEFOOT:        This is  
7 Patricia Whitefoot. For the record I heard, I  
8 want to go back to our quorum. I'm sorry. I  
9 don't mean to interrupt, but I heard there was  
10 seven. There's only six of us here.

11   (Off microphone discussion)

12                   MEMBER WHITEFOOT:        So then there's  
13 only seven present. We don't have a quorum. I  
14 just want a clarification.

15                   MS. LEONARD:   Six is a quorum.

16                   MEMBER WHITEFOOT:        Okay. But I  
17 saw somewhere where we needed eight.

18                   MS. LEONARD:   No.

19                   VICE CHAIR JACKSON-DENNISON:   I'm  
20 sorry. It says a quorum is seven, and we have  
21 six present. And there is one online making up  
22 a quorum.

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1                   MEMBER WHITEFOOT:    Okay.    Thank  
2    you for the clarification.

3                   MEMBER THOMAS:    This is Virginia.  
4    Going back to Robin's inquiry about the list and  
5    the data that hasn't been provided, I think  
6    there has been some data coming out of Jenelle's  
7    office, some papers that you've given to us to  
8    research.

9                   So that can be part of the report  
10   that we have for the list that we've got there,  
11   because I know that I've received some, the  
12   Board has probably received it, not knowing  
13   that was part of the list because we don't have  
14   the list to go by.

15                  But I know that you provided those  
16   things for us.  We just have to make sure that  
17   we check them off that they were complete.

18                  VICE     CHAIR     JACKSON-DENNISON:  
19   Okay.  Jenelle?

20                  MS.  LEONARD:     Madam  Chair  and  
21   Council, so let me just say that I'm the  
22   facilitator for the Council.  And so when you

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1 make requests, the list -- the list does exist.  
2 And it is a part of the last transcript meeting.  
3 And I brought the transcripts with me, so I can  
4 find those and probably with our contractor we  
5 can get them to put them on the screen.

6 I don't, Robin, remember if I had  
7 got the exact electronic copy from you, but I  
8 know it is a part of the official record. So  
9 we can pull that up. So as far as the list goes,  
10 the list is a working group.

11 And I hate to put everything on  
12 Bill, but I know that Bill pretty much  
13 spearheads the conversation and discussion and  
14 would be able to give us a status.

15 And so, anyway, he can give us an  
16 update on where things are and what has been  
17 worked on and what are some results. And I  
18 think, as necessary, Joyce can, too. Because  
19 they would, I facilitate it. They take the  
20 lead on making it happen. Okay.

21 There was one other thing I wanted  
22 to say. It slipped my mind, but I'll --

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1                   VICE     CHAIR     JACKSON-DENNISON:  
2     Okay.   Thank you, Jenelle.

3                   MEMBER THOMAS:   Madam Chair, just  
4     for clarification regarding the report to  
5     Congress and to the Secretary.   After lunch, is  
6     that when we're actually going to do our time  
7     line?   Where it says proposed plan to work on,  
8     is that the time that we need to set the calendar  
9     and the time line to get this completed?

10                  VICE CHAIR JACKSON-DENNISON:   I  
11     believe that's where it's leaning toward that  
12     we would get the time line.   We'd designate who  
13     is going to do what, like we've done in the past  
14     and decide.

15                  MEMBER THOMAS:   And Karen, you'll  
16     get our deadlines for us, when we actually have  
17     to have this in?

18                  MS. AKINS:   No.   For the report,  
19     it's due June 30th.   So you may want to work  
20     backwards from there, I would recommend, Madam  
21     Chair.

22                  MEMBER THOMAS:   Okay.   So we're

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1 going to deal with that after the lunch, the  
2 time line. Okay. That's all I needed.

3 VICE CHAIR JACKSON-DENNISON: I  
4 know that if we get ahead of ourselves we would  
5 be able to possibly do it even earlier, but I  
6 don't know. It depends on -- I think Bill might  
7 be coming on by telephone. Is that when he's  
8 coming on? And we do have the 10:00 to 10:30  
9 with Joyce and her updates. So I mean, I'm one  
10 that likes to get things done, and why wait  
11 around until after lunch if we want to do it  
12 earlier?

13 Are there any other recommendations  
14 for the agenda or work plan?

15 MEMBER BUTTERFIELD: Well, not in  
16 terms of items, but I noticed that we just have  
17 one day's worth of time scheduled out here. We  
18 are meeting tomorrow, are we not?

19 (Off microphone comment)

20 MEMBER BUTTERFIELD: Oh, this is  
21 just today's agenda? So do we have one for  
22 tomorrow?

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1 (Off microphone comment.)

2 MEMBER BUTTERFIELD: Okay. Can we  
3 get a copy of it, please?

4 MEMBER NEWELL: All I have is a  
5 draft agenda. That's all I could get off the  
6 computer. If there's another agenda, if  
7 somebody could put it somewhere where I could  
8 print it off.

9 VICE CHAIR JACKSON-DENNISON:  
10 Okay, Jenelle.

11 MS. LEONARD: So, yesterday, the  
12 Deputy Assistant Secretary was on the agenda to  
13 speak this morning, and so late afternoon we had  
14 to change the agenda because he's not available  
15 this morning. And so he is going to be on  
16 tomorrow. And so overnight we were trying to  
17 change the agenda to make the correction.  
18 That's the reason you don't have today's.

19 MEMBER NEWELL: Other than that, I  
20 have a good agenda, then?

21 MS. LEONARD: Other than that, it's  
22 still the same.

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1 MEMBER NEWELL: Okay. Thank you.

2 MS. LEONARD: It was just that we  
3 were just changing the Deputy Assistant  
4 Secretary to tomorrow morning. And we were  
5 trying to figure out the slot to put him in  
6 because Ahniwake is on for 9:00 and Don Yu is  
7 on for, I think, 9:15 or 9:20.

8 And so we just need to slot him in  
9 someplace in there, and as soon as the  
10 contractor does that, we'll print the second  
11 day agenda.

12 MEMBER NEWELL: Thank you.

13 MS. LEONARD: Okay. And, Wayne,  
14 we'll make sure that it's posted, and we can  
15 also email it to you, perhaps. We can email it  
16 to you as well.

17 MEMBER NEWELL: Yeah, that would be  
18 the quickest. I tried to get the NACIE -- the  
19 address that you gave does not work. It says  
20 that it's not working, the website.

21 MS. LEONARD: We'll check that.

22 VICE CHAIR JACKSON-DENNISON: Greg

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1 had added an agenda item to have at least an  
2 introduction of our new BIE Executive Director.  
3 And I don't know if that made the agenda or if  
4 it's something that can still be done to have,  
5 at least, give us some information.

6 MEMBER ANDERSON: I discussed it  
7 with Karen earlier, and she didn't seem to think  
8 that we could find the time on the agenda to  
9 invite him to do the introduction, an overview  
10 of the Bureau and its reorganization. If it's  
11 possible to do that today, I would like to do  
12 that.

13 VICE CHAIR JACKSON-DENNISON: Yes,  
14 I would like see if that could happen, if we can  
15 invite him over and just give an introduction  
16 and some of the ideas that they're working on.

17 MS. LEONARD: Madam Chair, it's the  
18 Council's call. However way you want to adjust  
19 the agenda, it's your call.

20 VICE CHAIR JACKSON-DENNISON: So  
21 does that need to be made into a motion for him?  
22 No? Okay. So who does that? Who calls him

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1 and asks him to do it?

2 MEMBER BUTTERFIELD: I move that  
3 the new Director of the BIE be invited to our  
4 NACIE meeting, if possible, while we're here in  
5 D.C.

6 MEMBER THOMAS: I second that.

7 VICE CHAIR JACKSON-DENNISON:  
8 Anymore discussion on that? Call for the  
9 question. All those in favor, say aye.

10 (Chorus of ayes.)

11 VICE CHAIR JACKSON-DENNISON:  
12 Anyone opposed? Motion carries 7 - 0.

13 MEMBER WHITEFOOT: Since we're  
14 still discussing the agenda -- Patricia  
15 Whitefoot, and I am on the draft agenda. Are  
16 we saying that Don Yu has been confirmed?  
17 Because the draft said he was invited. So he's  
18 confirmed?

19 VICE CHAIR JACKSON-DENNISON:  
20 Greg?

21 MEMBER ANDERSON: I visited with  
22 Don yesterday afternoon, and he did tell me that

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1 he would be here tomorrow morning, I believe,  
2 at 9:15. I don't see the agenda for tomorrow,  
3 but he did tell me that he's on schedule to be  
4 here at 9:15 in the morning.

5 MEMBER WHITEFOOT: Okay. Yes,  
6 he's on the draft agenda. And on there it says  
7 detail to the BIE. This might be the most  
8 appropriate place to -- if the new BIE Director  
9 could be here, this might be the most  
10 appropriate place to be, with Don Yu tomorrow.

11 And then I want to go to the next  
12 item on our draft agenda. It states that we have  
13 the school support and rural programs. Who's  
14 that individual? There's no name.

15 MS. LEONARD: It perhaps would be  
16 me.

17 MEMBER WHITEFOOT: I just want to  
18 have that for the record.

19 MS. LEONARD: This is Jenelle.

20 VICE CHAIR JACKSON-DENNISON:  
21 Greg, you were going to say something about her  
22 earlier remark?

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1                   MEMBER ANDERSON:    Yes, the BIE  
2 Director is not available tomorrow.

3                   VICE CHAIR JACKSON-DENNISON:    So  
4 if he's going to be here at all, it has to be  
5 today? Okay. Thank you. I would really like  
6 to make certain that he -- let him know that we  
7 really do want to hear from him because,  
8 especially at the Tribal Leaders, he was  
9 present in all that discussion. So we'd like  
10 to see how we can better connect with the BIE  
11 and other educational institutions in Indian  
12 Country.

13                  MEMBER ANDERSON:    Madam Chair, if  
14 it would be possible, and I was looking at the  
15 agenda and looking at possible times that we  
16 could invite him, give him enough time that he  
17 could be over here. And I would have to call  
18 and confirm it with him, but is it possible to  
19 possibly get him here after lunch? Maybe from  
20 1:15 to 1:30, looking at the agenda. We have  
21 our NACIE Public Meeting at that time. How  
22 does the Council feel about that?

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1                   VICE CHAIR JACKSON-DENNISON:    I  
2           have no issues with that.  Does anyone else?

3                   MEMBER ANDERSON:  So maybe 1:15 to  
4           give him a half hour, forty five minutes?  
5           Would that be okay?

6                   VICE     CHAIR     JACKSON-DENNISON:  
7           Okay.  We'll slot that time for him.  Okay.  
8           And you'll contact him?  Okay.  All right,  
9           thank you.  Anything else?

10                  MEMBER BUTTERFIELD:  I apologize  
11           because I don't have the draft agenda even.  Is  
12           there time on the agenda tomorrow to talk about  
13           the scheduling of meetings and when the  
14           possible next meeting might be?

15                  VICE     CHAIR     JACKSON-DENNISON:  
16           Jenelle?

17                  MS. LEONARD:  So, there is.  And  
18           let me just go back over the two-day meeting.  
19           So, before we were doing the Federal Register  
20           Notice, I did contact Debbie and ask her to send  
21           an email out to all of the members asking for  
22           input on the agenda before the Federal Register

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1 Notice.

2 And I think she got one input, and  
3 that was from Greg, and it was about the BIE.  
4 And so, with that, we put Don Yu in to bring an  
5 update on the BIE. So that was -- we did honor  
6 your request.

7 The other thing is we knew that you  
8 wanted updates from the Office of Indian Ed as  
9 well as from Bill Mendoza's office, so we tried  
10 to schedule that earlier on in the morning so  
11 as to free you up to do your business. And I  
12 always remind people when we're doing the  
13 agendas, because everybody wants a chance to  
14 get before you and share information.

15 And I say but the purpose of their  
16 face-to-face meeting is for them to do the  
17 Council's business, which is for you all to have  
18 time to discuss issues that concern you, to work  
19 on your report to Congress, get feedback on the  
20 items that you've listed and to also work on any  
21 recommendations that you might have that goes  
22 before the Secretary.

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1           So we tried to schedule a full day  
2 of that, which would've been the afternoon of  
3 today and tomorrow a.m., for as much as  
4 possible. But we didn't want to have just one  
5 day of presentations.

6           So Ahniwake Rose and Donald Yu were  
7 put at the very top of the morning so as to give  
8 you the working space that you needed to  
9 continue whatever conversations or discussions  
10 you were having this afternoon.

11           So after Ahniwake and Donald Yu  
12 present, the rest of the morning is your working  
13 meeting. The afternoon, from, I think it's  
14 1:00 to 2:30, is the public comment period.  
15 And if you don't need the full hour and a half  
16 for public comment period, as in the past,  
17 you've used that as part of your business  
18 working meeting as well.

19           But definitely on the agenda from  
20 2:30 to 4:00 is another space for you to do the  
21 Council's business. So that's the way the two  
22 days are outlined. And it was really to give

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1 you enough time to prepare, to talk and set up  
2 subcommittees for work to be done on the report  
3 to Congress and the Secretary's priorities --  
4 I mean, recommendation, as well, realizing full  
5 well that you may not get it all done in this  
6 setting.

7 But we wanted to maximize the use of  
8 this time so that you could do the Council's  
9 business.

10 VICE CHAIR JACKSON-DENNISON:  
11 Thank you for that, Jenelle. So we can add  
12 that, from my understanding. And I think it  
13 goes back a lot to where we stand with -- I know  
14 that we lowered the number of face-to-face  
15 meetings to one this year because of the budget  
16 issues. So I don't know if we're still in that  
17 same situation or not.

18 MS. LEONARD: Yes, we are. And I  
19 look to Joyce, because the NACIE travel budget  
20 is added to Joyce's program budget. And I can  
21 tell you, across OESE, all of our budgets were  
22 significantly reduced this year.

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1           And in our annual report that we  
2           have to do for Karen -- and she can tell you what  
3           specific government body that goes to -- we  
4           outline what the cost is.

5           And so, in fact, it's in the  
6           charter. You do have a copy of the charter. So  
7           that cost is included in the charter. And so  
8           it calls for one face-to-face meeting. And I  
9           want to go on record as repeating this again.  
10          While it does call for one face-to-face  
11          meeting, there are opportunities to have  
12          virtual meetings. And the Council has to  
13          signal that it wants to have virtual meetings.  
14          And I don't want to misspeak. I'm going to turn  
15          it over to Joyce, but I think in our contract  
16          we have included virtual meetings.

17          So we can have more than one NACIE  
18          meeting a year. It's just that it's going to  
19          be one face-to-face, and I think it's up to  
20          three virtual meetings.

21                   MEMBER BUTTERFIELD: So the item  
22                   that I was actually asking to be on the agenda

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1 was to have this conversation. So I don't know  
2 if we're pre-empting it or -- because I just  
3 feel like we need to be a little more  
4 forward-thinking. And it feels like we're  
5 kind of really rushing to try and get this  
6 report to Congress, if we could have scheduled  
7 this earlier in the year. So I'm just trying  
8 to think if we can think through some in  
9 advance.

10 If we only get one meeting, can we  
11 sort of generally plan a month that it could be  
12 targeted for. If we're going to have a virtual  
13 meeting, can we generally plan when that could  
14 be targeted for?

15 I'm just asking for us to be a little  
16 more thoughtful in trying to anticipate the  
17 work that we have to do and when it would be best  
18 to try to do it, given all the variables that  
19 we know we all have to work with. That's all.

20 MS. LEONARD: And I would certainly  
21 welcome that and support that. And, in fact,  
22 at this meeting you could decide some dates that

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1 you would want to look at in terms of next year's  
2 face-to-face and, for the remaining of this  
3 year, any virtuals that you would like to have.

4 The, what happened this year was  
5 completely out of the norm in that the  
6 government shutdown, budget, we didn't get our  
7 budget in fact, until late February. So we  
8 couldn't schedule any meetings. We didn't  
9 know what travel funds we had until late  
10 February. And so, based on that, we knew that  
11 we could then -- I mean, not late February. It  
12 was late January, Joyce? Yes.

13 Anyway, so we were waiting to see  
14 what travel dollars we had. And so that's the  
15 reason we couldn't schedule meetings until we  
16 were sure that we had the travel funds for the  
17 NACIE members.

18 So it was just an unusual year for  
19 us. And hopefully things are on course and the  
20 '15 budget will go as planned. We may not be  
21 under a continuing resolution for as long as we  
22 were. The government won't shut down again,

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1 and so based on that we can plan forward.  
2 Moving ahead, we can plan forward.

3 VICE CHAIR JACKSON-DENNISON:  
4 Thank you, Jenelle, for reminding us because  
5 that really was -- I imagine it was crazier here  
6 than anyplace else. But it did really impact  
7 the progress that we're trying to make.  
8 And we're just now recovering from all of that.  
9 So thank you for that clarification.

10 But I do agree that for next year we  
11 really need to be strategic in the way we  
12 schedule our meetings. And thinking  
13 optimistic, there won't be another government  
14 shutdown and planning ahead in that sense. So  
15 thank you.

16 Any other items? It is 10 o'clock,  
17 and then it's a little after, two minutes after.  
18 So I do know that Joyce is next to go on the  
19 agenda.

20 MEMBER WHITEFOOT: This is  
21 Patricia Whitefoot. I had a question.  
22 Jenelle said that there were, she thought,

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1 three virtual meetings. Is that correct? I  
2 mean, is it three, actually three? I think  
3 it's important for us to know that as we begin  
4 thinking about our planning for this next year.  
5 It is three?

6 MS. LEONARD: The COR for the  
7 contract is here. I mean, let me just double  
8 check with the COR.

9 MEMBER WHITEFOOT: Okay.

10 MS. LEONARD: And I'll get back to  
11 you.

12 MEMBER WHITEFOOT: All right,  
13 thank you.

14 VICE CHAIR JACKSON-DENNISON:  
15 Thank you, Patsy.

16 We'll go ahead and move on to our  
17 next item on the agenda, which is Joyce. So  
18 we'll turn it over to you, Joyce.

19 MS. SILVERTHORNE: Good morning.  
20 It seems like an awful long time since we've had  
21 an opportunity to visit. And I am so grateful  
22 to have you actually here and the opportunity

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1 for this face-to-face. I miss the other  
2 face-to-face that we used to be able to do. I  
3 think that the two is still a goal that we need  
4 to consider getting us back to, although we can  
5 do the virtual meetings, and, yes, we do more  
6 and more things virtually. They never replace  
7 the opportunity to be in the same room and  
8 exchange ideas. So I would certainly  
9 encourage that in all of our thinking.

10 MEMBER NEWELL: I agree with that.

11 MS. SILVERTHORNE: Thank you. In  
12 all of the work that we're doing in the Office  
13 of Indian Education, and I know that at various  
14 times the NACIE has been designated as a board  
15 serving the Office of Indian Education, where  
16 in fact your job is much larger and much  
17 broader.

18 And so it's encouraging to see this  
19 broader discussion taking place this morning,  
20 and I think that we welcome that. But we need  
21 to learn how to work with it as well.

22 So as we continue to try and respond

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1 to you, sometimes the responses may not be as  
2 obvious as others. They don't come in the form  
3 of a report. But we hear what you're asking,  
4 we try to incorporate it, all of those things  
5 that you're asking for, into the elements that  
6 we're working with.

7 Under the Office of Indian  
8 Education, you know that we sponsored the  
9 Formula Programs. This year we have 1,295  
10 Formula Programs, a little over 477,000  
11 students. From the Ed Trust report that was  
12 distributed at NIEA, I understand that  
13 nationwide we see a listing of over two million  
14 students across the country.

15 So we serve under that Formula  
16 Program approximately a quarter of the students  
17 across the country. And I think that is one of  
18 the things you were asking us to be more  
19 definite about.

20 In that same report, and that is  
21 available on their website, there is  
22 information that designates the number of

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1 students that are served by the Bureau of Indian  
2 Education. And it has information on status.  
3 It incorporates information from the NIES  
4 study. And the NIES study is sponsored through  
5 our national activities.

6 Our work with the NACIE  
7 organization is part of the national activities  
8 that we do through contract in our office, and,  
9 as such, is a part of a budget that we work with  
10 every year.

11 I have been there, now, two and a  
12 half years, and I can tell you, I finally think  
13 I almost understand how the office works. I am  
14 no longer getting lost finding my office, and  
15 I can even find my way around town sometimes.  
16 It is an incredible amount of information to  
17 absorb and understand how it interacts with  
18 each other. And your reports are part of the  
19 backbone of what keeps us trying to address the  
20 things that are important to the field for  
21 Indian education.

22 I want to skip, for a moment, on the

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1 formula and come back to it. We have the  
2 discretionary programs that are also active.  
3 We have the professional development program,  
4 and we have the demonstration program.

5 When I first started working in  
6 education way back in the 1970s, oh my. I was  
7 a teacher at a demonstration school. We were  
8 an alternative program. And it was a very  
9 different world, very different programming.

10 And then as we worked through, we  
11 became a BIE school. We became a  
12 tribally-controlled school. The evolution of  
13 Indian education, if you look back over the last  
14 50 years is an incredible story.

15 And, unfortunately, everybody is so  
16 busy doing it, nobody has time to write about  
17 it. And someday that would be a wonderful  
18 opportunity.

19 The other thing that we are doing is  
20 what we call rulemaking. And I am in the  
21 process of two different rulemaking  
22 activities. The first actually is rulemaking,

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1 and that is with the -- and we'll go through an  
2 exercise at the 11 o'clock session that looks  
3 at what we're taking a look at and what we're  
4 trying to ask questions of tribal leaders and  
5 what the report back is about what we're finding  
6 so far.

7 The other is a notice of proposed  
8 priority, and that is the State Tribal  
9 Education Partnership. And because this was  
10 established through appropriation and this was  
11 not a rulemaking at that time, we did a waiver  
12 of rulemaking to be able to run the first  
13 competition. Had that competition in 2012.  
14 We are in the second year of operation with  
15 those four grantees.

16 And they are very different. They  
17 are from very small to very large. And they  
18 have different issues and different concerns  
19 and activities that they are doing. Each of  
20 them is taking on the activities of the SEA  
21 with which they signed an agreement. They all  
22 have completed their formal agreements with

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1 their state education agency.

2 And they're serving the LEAs, the  
3 local education agencies, that they have  
4 designated and who have agreed to work with  
5 them. And they are working on formula programs  
6 from the federal government that are  
7 distributed through the state.

8 All of these circumstances narrow  
9 down how that is able to operate. So what we  
10 are proposing for -- before we can do any other  
11 grants, we have to establish rules for the STEP  
12 grant.

13 And in order to do that, we are going  
14 through a process slightly different from  
15 rulemaking, because there are no rules in the  
16 first place. We'll be doing a notice of  
17 proposed priorities.

18 And with that, as well, we have  
19 tried to gather tribal leader consultation in  
20 this process. It has been a challenge, and I  
21 see that I have my attorney here seated at the  
22 table just to make sure I stay on the straight

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1 and narrow.

2 And believe me, this is a very  
3 prescribed process, both of them. And what we  
4 are able to do and how we are able to outreach  
5 is a process that, actually, with each of these  
6 programs we are keeping the office on their toes  
7 as well.

8 Since the establishment of  
9 Executive Order for tribal consultation  
10 government-to-government, this is the first  
11 official rulemaking process that we have had to  
12 go through.

13 And at each element and stage, we  
14 have had to go back to attorneys. We have had  
15 to go back and ask questions and to try to get  
16 clarification. And so that is in process as  
17 well.

18 For both of these rulemaking  
19 efforts, they will not be completed until the  
20 summer of 2015. We will run competitions in  
21 the summer of 2015, if everything goes well in  
22 the process in getting us to that. But there

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1 are many procedures to complete. There are  
2 many documents to prepare, and there will be  
3 public comment open to anyone and everyone by  
4 June of this year, if we can -- May and June,  
5 if we can stay on target.

6 And I can tell you already that we  
7 missed our first targets. It was more  
8 challenging to get through the process of  
9 tribal consultation than we had anticipated for  
10 in preparing documents.

11 Given all of that, we're feeling  
12 like we have done some things that are very  
13 positive in the direction that you were talking  
14 about us moving. And I apologize, but I am back  
15 to PowerPoints. And there wasn't much of a  
16 choice.

17 This is a PowerPoint that we shared  
18 with the Nevada folks about a month ago, absent  
19 the actual Nevada page and a couple of the edits  
20 just for you folks.

21 However, this is a document that was  
22 presented by Bernard Garcia, who is the head,

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1 our group leader of our formula program, and  
2 Paulette. And Paulette is the team leader for  
3 the formula program. And we did this via  
4 virtual delivery.

5 Unfortunately, with the changes in  
6 budgets, our processes have been severely  
7 limited as well. We are not able to go out and  
8 do the monitoring sessions that we did in the  
9 past. Our technical assistance has been  
10 impacted by this as well. All of the services  
11 that we offer to Indian Country are changed.  
12 That doesn't mean we aren't doing them, but  
13 we're changing how we do them. And so this part  
14 of that process.

15 Last year and this year the Formula  
16 Program has attempted to make changes in how it  
17 does its process. I remember a few years ago  
18 when the electronic system came out and people  
19 in the communities really struggled with how do  
20 we do this, how do we get all this information  
21 together?

22 And at the time we were at the

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1 beginning of No Child Left Behind. We were  
2 looking at the accountability issues that were  
3 told to us. However, there are some things  
4 that I think were misleading to the field, in  
5 that our objectives, instead of talking about  
6 cultural relevance, talked about reading and  
7 math.

8 Reading and math are part of our  
9 core subjects in our school systems, and so, as  
10 such, there are reading and math activities for  
11 all students. And our children are part of the  
12 "all students."

13 So when we talk about A supplement  
14 not supplant, @ when our children are taken out  
15 of reading or math sessions and placed in  
16 sessions to do reading or math by a tutor who  
17 may or may not be informed of the school system  
18 and what the school is doing in their program,  
19 there is risk for the delivery of those content  
20 areas to be different, if not less efficient.

21 And so that concern, when we saw  
22 that 75 to 80 percent of our students, their

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1 objectives were reading and math, that wasn't  
2 the intent of Title VII.

3 And so we went back to the statute,  
4 and Jill has been a tremendous advocate for  
5 students across the country and her guidance  
6 with us and trying to look at this.

7 We have tried to understand how we  
8 can know better what's happening with students  
9 across the country. One of the problems is  
10 that the money is a single year money. Every  
11 year it's new money. So the objectives were  
12 every year new objectives. And so we didn't  
13 see anything over time. So what we've  
14 established is four-year objectives and a  
15 coordination of services.

16 We ask the school district to tell  
17 us what other programs they have that serve  
18 American Indians and/or all students, and how  
19 is this program coordinating with those other  
20 programs that they already are receiving.

21 Are they coordinating? Are they  
22 looking at how they complement each other? So

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1 that the money that the school receives goes the  
2 furthest for both academics and for the Title  
3 VII activities that are supplementary.

4 The other thing that we have asked  
5 is that all objectives be culturally  
6 responsive. The cultural responsiveness is  
7 not an objective of its own, but it is the  
8 overarching goal of all of the objectives that  
9 they select.

10 And so we hope this will begin to  
11 bring us back to a system where the objectives  
12 have more relevance, whether if they are doing  
13 something with math and reading, that it has a  
14 cultural relevance about it and complements  
15 what is being done in the school through the  
16 rest of their funding.

17 Would you like to add anything,  
18 Jill? Now, that's not like her.

19 MS. EICHNER: I'm kind of losing my  
20 voice.

21 MS. SILVERTHORNE: Okay.

22 MS. EICHNER: Yeah, the only thing

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1 I would say to add to what Joyce said regarding  
2 the supplanting is that I think the program had  
3 heard anecdotally as well as through monitoring  
4 that there were projects out there that were not  
5 using the Title VII funds appropriately, in the  
6 sense that they were using them to supplant  
7 other sources of funds that the district was  
8 receiving.

9 For example, Title I, to be used for  
10 all students in poverty, et cetera, and so  
11 Joyce's team has really put a big effort into  
12 trying to find ways to prevent that.

13 And as she said, I think that will  
14 really -- these changes that are being made to  
15 the application and to the performance report  
16 will really help with that aspect.

17 MEMBER BUTTERFIELD: Can I ask a  
18 question just sort of on that --

19 MR. MENDOZA: Just wanted to let  
20 you know that I was on the phone line and ready  
21 to join when you're ready for me.

22 VICE CHAIR JACKSON-DENNISON: Who

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1 was that?

2 MR. MENDOZA: Bill.

3 VICE CHAIR JACKSON-DENNISON:

4 Okay, Bill. Thank you, Bill.

5 MEMBER BUTTERFIELD: Yeah, having  
6 been a Title VII director in the past, one of  
7 the frustrations, I think, is not that the Title  
8 VII program, and in my instance, me, didn't try  
9 to reach out to make sure that our kids were  
10 getting Title I services.

11 What wasn't happening was the Title  
12 I people weren't coordinating with us. And so  
13 I'm just curious, on this application, it  
14 always feel like the burden of connection lies  
15 in the lap of the Title VII folks, when in  
16 reality it seems like some of the stronger  
17 funded programs should also have requirements  
18 to reach out to Title VII.

19 And so coordination is a two-way  
20 street. And the frustration I didn't feel as  
21 much as others, because I'm pretty assertive,  
22 was that they weren't getting that kind of

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1 support from the other programs.

2 And in particular, in Washington,  
3 we've had a lot of issues around Title III  
4 services and meeting the needs of Native  
5 students. So I always look at it as Title VII  
6 is over and above those other services that the  
7 kids should be getting. And so that they  
8 supplanting something that could be provided  
9 elsewhere. So I'm just looking --

10 MEMBER NEWELL: Madam Chair, if I  
11 may?

12 MEMBER BUTTERFIELD: -- for other  
13 mechanisms within the Department of Ed, since  
14 we're supposed to be looking at all programs  
15 that are impacting Native kids, is how is Title  
16 I being required to reach out the Title VII and  
17 make sure those services are coordinated from  
18 both ends.

19 MEMBER WHITEFOOT: And this is  
20 Patricia Whitefoot. I have a quick question.  
21 So these proposed changes will occur when? I  
22 mean, has this -- I hate to even ask this

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1 question. Has a consultation even occurred  
2 about this? If I ask that, then I'm going to  
3 ask when will we get the report.

4 MS. SILVERTHORNE: Unfortunately,  
5 these are not topics of consultation. These  
6 are more procedural. And these procedures  
7 have been worked on through this academic year.

8 The contractor -- and we have  
9 several contracts that are affected by this.  
10 First of all, the EASIE contract, which is the  
11 contract for the electronic system.

12 And secondly, we have had a research  
13 contract over the past year, and that contract  
14 has had a stop work order. And so that is no  
15 longer continuing. In its absence, we had  
16 conversation with the data quality initiative  
17 folks and trying to look at how could we still  
18 gather the information about our programs.  
19 And some of this is coming on recommendations  
20 from those programs.

21 Consultation is a real challenge  
22 for those things that are in the day-to-day

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1 process. And unfortunately, you need to rely  
2 on those of us that are in the offices to be able  
3 to keep listening to what you were saying and  
4 what you are asking for and bringing it forward.

5 It is a challenge, and I look to my  
6 staff. I know that they hear the same things  
7 as we're talking about all of this. But I also  
8 know that the mechanism to be able to come and  
9 get outreach to you -- and Jenelle will verify  
10 that I came to her when we were first back after  
11 the shutdown. How can we bring this together?  
12 And we were at a loss. The mechanism is not  
13 good.

14 When we send information out to the  
15 tribal leaders, it doesn't always get the  
16 response we're hoping for. And we'll talk more  
17 about that when we talk about where we did do  
18 tribal leadership responses.

19 But it is an ongoing challenge.  
20 And so as you continue to develop your  
21 recommendations in your reports, I know that it  
22 doesn't come back with the same kind of

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1 response. But I can tell you that when we are  
2 in meetings, we do bring these things up.

3 The office in the Office of  
4 Elementary and Secondary Education is talking  
5 about removing silos from our work, trying to  
6 work across the floor as well. And that's a  
7 work in progress. We're trying to get better  
8 at it.

9 MS. EICHNER: Also, you may want to  
10 mention that you did receive a lot of input in  
11 making these formula grant changes at the  
12 annual meeting this year.

13 MS. SILVERTHORNE: Technical  
14 assistance, NIEA and we had a tremendous  
15 turnout for folks that knew that we were working  
16 on changes and they came at an unannounced time,  
17 at an unannounced place.

18 And I think there were 40 some  
19 people who changed their day that day to come  
20 and meet with us. And the conversation was  
21 very good. And we were able to incorporate  
22 many of the things they were suggesting and

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1 concerned about.

2 MEMBER THOMAS: This is Virginia,  
3 and I know that sometimes you always hear just  
4 the negative side of it. But I come from the  
5 JOM side instead of the Title VII side. Title  
6 IV that's real old.

7 (Laughter)

8 MEMBER THOMAS: Dated myself.

9 MS. SILVERTHORNE: That's where I  
10 started.

11 MEMBER THOMAS: But I want you to  
12 know that your staff, the team leaders,  
13 Bernard, John and Paulette have been extremely  
14 helpful because I get a lot of calls from school  
15 districts or mainly parent committees of both  
16 Title VII and JOM asking for help.

17 The school district is still using  
18 it to supplant instead of supplemental for the  
19 programs. The parents are being well trained  
20 by your staff saying ask, get questions  
21 answered.

22 And I have actually given the phone

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1 numbers. Poor Bernard is probably sick of  
2 getting all these phone calls, but he's been  
3 very responsive. And the people get back to me  
4 on these.

5 And I just want to make a compliment  
6 to your staff of trying so hard and so  
7 diligently to get this accepted because I know  
8 that we sit here and we gripe a lot about things  
9 that we don't have that we don't really reach  
10 out and let the staff know what work they have  
11 accomplished and that it is showing.

12 And we know that the initiative from  
13 your office is very important to make sure that  
14 there are standards being upheld.

15 And that I, in my opinion, I think  
16 your staff is doing an exceptional work trying  
17 to work with not only Title VII but JOM parent  
18 committees that are concerned about their  
19 funding and how it can be utilized and how this  
20 school district and administration needs to be  
21 educated on the federal regs that follow those.  
22 So I thank them for that.

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1 MS. SILVERTHORNE: Thank you.

2 MEMBER BUTTERFIELD: If I could  
3 just add one more comment, and this is sort of  
4 along the lines of a positive response. I  
5 still am concerned about what the GEPRA  
6 objectives are of the program because there's  
7 concern that if they continue to measure Title  
8 VII's success based on student outcomes around  
9 reading and math, then the program, which is not  
10 directly connected to those can never really  
11 achieve that.

12 And I think there's, in other  
13 conversations I've had with NIEA and people who  
14 are well aware of what Title VII is successful  
15 at doing, those particular objectives actually  
16 can sabotage our ability to describe and be  
17 accountable as successful because they  
18 continue to be the main focal point of support  
19 for Native students in school districts.

20 And I don't think that those  
21 measures give us a chance to highlight how we  
22 are successful. So I don't know if you're

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1 going to talk anything about that down the road,  
2 but I just want to put that on the record that  
3 I think Title VII is tremendously successful at  
4 what it does.

5 But I don't think the measures that  
6 we're being asked to describe are fair to the  
7 program.

8 VICE CHAIR JACKSON-DENNISON: I  
9 want to just piggyback off of that, Joyce.  
10 Coming from a public school sector where we have  
11 the demographics in which many of our schools  
12 out in our area have large number, majority is  
13 Native American students or Indian students.

14 And it's really easy to get lost in  
15 the goal of, to lose the cultural  
16 responsiveness objective of Title VII when  
17 everyone's aiming at math and reading.

18 And of course those are important,  
19 too, but at the same time, it's, I've always  
20 said from a public school sector anyway that it  
21 would be really nice if we're not under the,  
22 similar to the STEP program, if there's some

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1 sort of, and I know Bernard and Paulette will  
2 all agree.

3 I've been saying this since I worked  
4 as a federal projects director in Chinle that  
5 it would be really great if at some point  
6 there's a level of, in the process that there's  
7 a, when we submit our plans that our  
8 consolidated plans, or whether they're how  
9 we're going to be using our Title VII, Title I,  
10 all these efforts that we're doing to work  
11 toward the goals that there's some sort of  
12 someplace that says okay, here's coming from a  
13 school district or a school system that serves  
14 a certain percentage amount of Native American  
15 students.

16 We need to make certain that these  
17 are, because when, it gets lost in the system  
18 of going to the state, especially a state like  
19 Arizona where they don't really take into  
20 account okay, here's just Title I and here's  
21 this and here's that.

22 So that's where the process gets

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1 really upside down from, and Title VII loses the  
2 objectives or it gets lost in the process of,  
3 and no one really, until it's, then they're  
4 calling the office here and trying to figure out  
5 okay, how does this supposed to work.

6 And how is that supposed to work  
7 because although we're doing, I feel like we're  
8 doing a pretty good job of it, that does tend  
9 to happen with, especially with turnover of  
10 administrators and new people coming onboard in  
11 the school system.

12 So I've been saying that for awhile  
13 now that it'd be really great if either whether  
14 it be at the state or at the federal level when  
15 the applications get sent, it's screened for  
16 that, that okay here's a percentage of students  
17 or whatever that percentage may be.

18 In our case, it's like 99, 98  
19 percent Navajo students, so we need to make  
20 certain that here's what their plan says. And  
21 this is what's going to happen, and here's how,  
22 so it's not, I don't know if that's something

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1 that we can possibly do. But that's just a  
2 suggestion.

3 MEMBER BUTTERFIELD: We struggle  
4 with that in trying to look at how we measure  
5 what these are doing. And if we look at, for  
6 a percentage of Indian students in a school  
7 system, and I know that's been proposed in some  
8 other pieces of legislation, it doesn't look  
9 the same in Seattle if you have a 5 percent as  
10 it does in some of the small communities in  
11 looking for 5 percent.

12 And so we can lose a lot of students  
13 in a Seattle district's 5 percent, where a 5  
14 percent in Dixon isn't that many kids. So we'd  
15 really need to look as well at the numbers of  
16 students that are impacted.

17 I've seen, for our program it's ten  
18 or less, so we know that's where we are unable  
19 to serve if there's less than ten students.

20 VICE CHAIR JACKSON-DENNISON:  
21 Jenelle?

22 MEMBER BUTTERFIELD: So yes.

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1                   VICE     CHAIR     JACKSON-DENNISON:  
2     Jenelle had her hand up.

3                   MEMBER BUTTERFIELD:    Yes.

4                   MS.    LEONARD:        Madam Chair, I  
5     received an email from Bill Mendoza, and he was  
6     informing me that he has as hard stop at 11 a.m.,  
7     and I don't know if it's 11 a.m. Eastern or our  
8     11 a.m. Central.

9                   But could we pause for a second  
10    since he's on the line and see what his schedule  
11    is looking like? I know he has a presentation  
12    that he's doing later on this morning, so.

13                  VICE     CHAIR     JACKSON-DENNISON:  
14    Sure. I'm okay with that. It's 10:32 anyway,  
15    so okay. Bill?

16                  MR.    MENDOZA:        Yes, I'm here.  
17    Thank you Jenelle, and thank you Madam Chair for  
18    letting me jump in here on the time that I  
19    expected to have. And I just want to make sure.

20                  I know there's a lot of conversation  
21    that needs to happen within a short amount of  
22    time. And so I want to try something a little

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1 different today. I want to just kind of pause  
2 and survey.

3 I shouldn't say survey. Jill is  
4 probably cringing right now or Jenelle when I  
5 say survey, especially Karen if she's there.  
6 But I want to just kind of see what are the  
7 issues that you want me to touch upon today?

8 I can venture to guess that the  
9 vacancies is a key issue. I gather from Ms.  
10 Whitefoot that consultation response is  
11 something that she would like me to touch upon.  
12 And so just want to kind of quickly touch base  
13 with you on that front.

14 VICE CHAIR JACKSON-DENNISON:  
15 Okay. Thank you, Bill, for asking those  
16 questions. Yes, you hit on the top ones, the  
17 vacancies, and the Council has asked questions  
18 specifically as to, we know that you've been in  
19 discussion with the White House and how to go  
20 about to fill those vacancies.

21 I particularly brought up the fact  
22 that we would like to be involved a little bit

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1 more with how we're going to go about filling  
2 those vacancies. That's one.

3 The other one is, again, the report  
4 to Congress, and okay. Yes, good because my  
5 note taking has really gone down. So another  
6 one is the report to Congress. Well, they're  
7 doing that.

8 MEMBER WHITEFOOT: So this is  
9 Patsy. I have a list going here, Bill. So  
10 it's report to Congress as well as a report to,  
11 from Secretary Duncan. And there was a list  
12 that was generated a year ago.

13 And so just want to have a response  
14 to that list of ten. And you heard me,  
15 consultation reports, but I also mentioned not  
16 only the consultation reports but the, our  
17 tribal nations leaders' recommendations that  
18 we made when we came back here with President  
19 Obama in December.

20 And, of course, we're going to have  
21 that every year, so just want to make certain  
22 that we're being strategic in responding to

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1 those recommendations that we made during that  
2 time.

3 But also we had a separate meeting  
4 with Secretary Duncan, and there were some  
5 specific recommendations that were made at that  
6 time to, and then the status of, well, we talked  
7 about that.

8 One suggestion or follow up that I  
9 had was to make certain that when we had these  
10 NACIE meetings, too, that the key Congressional  
11 staff members are participating for us because  
12 they're really the messengers.

13 And so it would be helpful to have  
14 them, particularly from the Senate Committee on  
15 Indian Affairs and the other health committees,  
16 those kinds of things, key staffers that are  
17 working on tribal issues or Native issues in  
18 Congress. That's what I have so far.

19 VICE CHAIR JACKSON-DENNISON: I  
20 think that's pretty much a complete list, so  
21 thanks Patsy for, the list is up on the screen  
22 now, too, so I don't know if you want to just

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1 go ahead and start with that and go from there,  
2 Bill.

3 MR. MENDOZA: I appreciate it.  
4 Thank you so much for that list, and I'm sure  
5 that's not exhaustive either. And I'm not  
6 taking it as exhaustive. I know there's a lot  
7 of things that could fall upon us and go all day  
8 with.

9 Let me first address the  
10 Congressional engagement and interaction. I  
11 know this has been a priority of NACIE for a long  
12 time now. We are engaged with and have been  
13 engaged with conversations with our Office of  
14 Legislative and Congressional Affairs as well  
15 as our ethics division regarding FACA  
16 implications.

17 So that's our General Counsel's  
18 office on guidance and clarity around what are  
19 the constraints according to the various laws  
20 that are in interaction here and what is the  
21 support and process moving forward with  
22 providing you with greater information and

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1 clarity around what your abilities are in this  
2 area and what we can advise and other ways as  
3 well.

4 And so look forward to kind of  
5 continuing those conversations. We are  
6 prioritizing those. We know that that's an  
7 important component that you've expressed to us  
8 from the delivery of your report to Congress and  
9 now taking it a step further with this  
10 interaction during your convenings is a very  
11 positive step.

12 And I think that kind of creates  
13 that feedback loop that I know that you've been  
14 really striving for. And so I'll take in these  
15 new considerations to this, and in general,  
16 certainly others there could ensure that I'm  
17 providing the appropriate guidance.

18 But you set the agenda. You have  
19 the ability and capability to call to the table  
20 and to organize whomever stakeholders to be  
21 able to come and provide you with briefings  
22 during the short amount of time and agenda space

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1       that you have.

2                   And that can be done virtually.  
3       That can be done during your face-to-face, and  
4       I know we have the constraints of funding.  And  
5       I'm sure we all have already discussed that.

6                   Through Joyce's office is the most  
7       appropriate office to field those questions  
8       around what that perspective looks like moving  
9       forward.

10                   And then, and so whether it's  
11       Congressional staffers, other agency efforts,  
12       what's happening at HUD, what's happening at  
13       the USDA or what's happening over at Interior  
14       BIA, BIE, whatever those concerns are, it's my  
15       understanding that you have that ability to  
16       prioritize that for the Council and make sure  
17       that you're building and fostering those  
18       relationships.

19                   As to the vacancies, that is a  
20       process that is one we are trying to prioritize  
21       for the Presidential Personnel Office.  This  
22       is a White House process.

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1           The starter to that conversation is  
2           a Federal Register Notice of which it has been  
3           built, and it's currently being reviewed by the  
4           Presidential Personnel Office.

5           And we are instilling upon them the  
6           urgency of this issue, and I don't have a time  
7           line to be able to speak to on that. Just know  
8           that on a weekly basis, we followed up with you  
9           last week.

10          Could we get the status on this for  
11          this week? And we've been leveraging this  
12          convening as a critical point in time that we  
13          were trying to get you more information on what  
14          that looks like and not being able to meet that.

15          But I ensure you that we're  
16          continuing to prioritize this. We know that  
17          that seats have to be filled immediately. And  
18          that does not inhibit us from going out and  
19          seeking these nominations right now.

20          From the individual standpoint or  
21          from NACIE, if you have colleagues out there,  
22          individuals that you feel would be a great asset

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1 to the Council, encourage you to send that  
2 information, the usual, resume, cover letter,  
3 CV.

4 Those are all items, and then as the  
5 Federal Register comes out, if there's anything  
6 in addition to, we will be ensuring that  
7 anything that we have received up to this point  
8 or that point is consistent with what the  
9 expectations are in the Federal Register  
10 Notice.

11 So I hope that kind of addresses  
12 that issue. Let me pause on those two points  
13 before I move on to the report to Congress and  
14 the report to Secretary Duncan and the list of  
15 ten.

16 VICE CHAIR JACKSON-DENNISON: I  
17 guess he's pausing for questions if there are  
18 any.

19 MEMBER BUTTERFIELD: Yes. This is  
20 Robin, Bill. I just want to make sure I  
21 understood you clearly. So can we as a group,  
22 the NACIE group, generate a list of individuals

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1 to put forward.

2 Or are you saying that we  
3 individually have to contact people and make  
4 them, I think it helps if they have  
5 organizational support. So that's why I'm  
6 asking that question.

7 MR. MENDOZA: So as I understand  
8 it, the only, nominations can be ballot  
9 nominated or nominated by an other. There's no  
10 clarification on nominated by an organization,  
11 nominated by a tribe or another FACA Advisory  
12 Commission.

13 So that's really been in the purview  
14 of the Council if you choose to put forward a  
15 list that represents NACIE as a whole as to who  
16 you would want to have on the Council.

17 VICE CHAIR JACKSON-DENNISON: So  
18 Bill, this is Debbie.

19 MR. MENDOZA: Or endorse so to  
20 speak, or endorse as a nomination.

21 VICE CHAIR JACKSON-DENNISON: That  
22 was going to be my question, and I guess it would

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1 be the Council's, we could discuss that, how we  
2 would want to do that, give some thought to it  
3 and how we want to do that because I think we'll  
4 be setting precedence for the future if we do  
5 it a certain way now that isn't, I mean it's  
6 probably really important to really think this  
7 through because of the significance.

8 MR. MENDOZA: Do we have Karen  
9 Akins in the room by any chance?

10 VICE CHAIR JACKSON-DENNISON:  
11 Karen? Yes.

12 MR. MENDOZA: Karen, any other  
13 guidance on here? And am I off base on the  
14 advisement to NACIE there or my understanding  
15 of --

16 MS. AKINS: Hi Bill. This is  
17 Karen. So what I just said to Jenelle is my  
18 only concern would be the, for your  
19 recommendation or suggestion, the method.

20 Would the Council members submit,  
21 well let me just say endorse is probably not a  
22 good word. Recommendations, would they submit

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1 that to you or directly to PPO. That would, I  
2 guess process is what I'm trying to think  
3 through.

4 MR. MENDOZA: Yes, I think for the  
5 interim here specifically for NACIE and as we  
6 are advising others, I feel comfortable on  
7 receiving those nominations at this point in so  
8 much as if PPO as other let's say they don't want  
9 a CV and all they want is a resume.

10 The difference between the two is  
11 debatable, but let's say they are more  
12 prescriptive on what is needed to establish a  
13 nomination, that we can check for and get back  
14 those individuals or organizations that are  
15 putting forth individuals.

16 So please send those to myself and  
17 CC: to Delta on there as well. And I'll make  
18 sure that Amara gets you both of our emails if  
19 you don't already have those.

20 MS. AKINS: Yes, could I, and could  
21 I suggest just because the White House/the  
22 President is the appointing authority for the

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1 Council, so any recommendations that Council  
2 members have or if they have their individual,  
3 the person that they want to submit a resume,  
4 cover letter and CV as you noted, I would  
5 recommend that they address the letter formally  
6 to the President.

7 MR. MENDOZA: Yes.

8 MS. AKINS: And along with that CC:  
9 Bill, could we agree that it probably would be  
10 a good idea to add Sam Myers, M-Y-E-R-S, Jr. as  
11 the White House liaison?

12 MR. MENDOZA: Yes. I completely  
13 agree, and if I wasn't clear on what I envision  
14 as the processes that we would go through the  
15 appropriate channels within the Department,  
16 which include our White House liaison to make  
17 sure that they get those nominations, get to  
18 where they need to go.

19 And we would only be the pass  
20 through on that. The ultimate decision and  
21 check of qualifications are at the Presidential  
22 Personnel level.

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1 MS. AKINS: Okay.

2 MS. LEONARD: Bill --

3 VICE CHAIR JACKSON-DENNISON: I  
4 think Jenelle wanted to say something. I'm  
5 sorry.

6 MS. LEONARD: Yes, Bill, Bernard  
7 just pointed out something to me that's in the  
8 charter in terms of the NACIE membership. And  
9 it says that the Council consists of 15 members  
10 who are Indian, including Alaskan native, as  
11 defined.

12 And it states the code that governs  
13 that. And it says that they are appointed by  
14 the President from lists of nominees furnished  
15 from time-to-time by Indian tribes and  
16 organizations.

17 Okay, so I'm not sure how this  
18 conversation plays in that. But I think what  
19 we need to do is probably get a better  
20 interpretation of what this means.

21 MR. MENDOZA: Yes, and that  
22 interpretation is what is being deliberated now

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1 with PPO.

2 MS. LEONARD: Okay.

3 MR. MENDOZA: And so in the past,  
4 organizations have submitted lists. And I  
5 think the little C consultation here is what I'm  
6 stressing is that we're consulting with  
7 organizations.

8 We're reaching out, but the  
9 question is with utilization of our directory  
10 of Indian education, which wraps in listservs  
11 of Indian organizations, which is very broad in  
12 scope, everything from education to Indian  
13 Affairs, national, regional, local,  
14 traditional leadership or rather formal,  
15 informal, elected, non-elected leadership is  
16 what we're grappling with here to make sure that  
17 we cast as wide of a net to make sure that we  
18 adhere to that charter definition.

19 But at the same time provide for a  
20 mechanism of those individuals on a nomination  
21 because nominations can be individually  
22 submitted as well as I understand it.

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1                   VICE     CHAIR     JACKSON-DENNISON:  
2     Okay.     Are there any other comments or  
3     questions for Bill?

4                   MR. MENDOZA:   Okay.   I'll move on  
5     then if not to the report to Congress.   As many  
6     of you know, well I think tied to that I already  
7     touched upon what NACIE has inquired if not  
8     asked for responsiveness on is more engagement  
9     around the report to Congress.

10                  And specific to the recommendations  
11     to Secretary Duncan, our office has taken the  
12     lead and is working in coordination again with  
13     the Office of Legislative Affairs and our  
14     Office of Indian Education to provide response  
15     to that letter.

16                  And it's proving to be a very all  
17     encompassing task that I think is going to need  
18     to be thought about more strategically as we  
19     move forward on how we coordinate.

20                  And this gets to the larger issue of  
21     the administrative support for NACIE and the  
22     multiple data calls and report generation as

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1 well as the kind of strategic activities of the  
2 Council as a whole.

3 And so, we hope to continue that as  
4 currently and controlled correspondence. And  
5 so we hope to get that out as soon as possible  
6 because I know many of your recommendations  
7 will certainly continue to address some of the  
8 areas that you've asked for information and  
9 response to under your 2013 recommendations,  
10 which mirrored your report.

11 And so that has been my priority.  
12 It's something that I've prioritized for the  
13 individuals and offices that they represent.  
14 So look forward to getting that to you as soon  
15 as possible.

16 The time line for that is tough  
17 right now. I have worked with OLCA and Joyce  
18 to develop a metric on breaking down those  
19 responses and assigning them to the various  
20 offices to generate responses to that and then  
21 compiling that together and getting that  
22 through internal clearance.

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1                   We're looking at probably a two  
2 month process here at the juncture that we're  
3 at. So I think that's my informal goal. That  
4 could get larger than that depending on what the  
5 concerns are with the responses in order to get  
6 you a quality response that is reflective of  
7 what we know that you're inquiring about and  
8 needing information on.

9                   As to the list of ten, again, that  
10 is something that I need direction from NACIE  
11 on what is the priority here, the response to  
12 the recommendation from the Secretary.

13                   And then we also need to look at  
14 those list of ten information points, data  
15 points if you will and what their relationships  
16 are to that.

17                   And maybe we can wrap those into  
18 these response to your recommendations to the  
19 Secretary. Let me pause there. This seems  
20 like a good segue before we go into consultation  
21 reports.

22                   VICE           CHAIR           JACKSON-DENNISON:

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1       Okay. Thank you, Bill. I have a question.  
2       This is Debbie. So you're saying that it's  
3       going to take two months to get back to NACIE  
4       anything that you have, may have?

5               I guess I would like more clarity  
6       on, so you have developed a process is what  
7       you're saying to give our not recommendation,  
8       our report to Congress to get some feedback from  
9       Congress on those areas. Is that what you're  
10      saying?

11             MR. MENDOZA: So you have three  
12      things in play right here as I understand it.  
13      Please correct me if my understanding is wrong.  
14      The first thing is your report to Congress,  
15      which is a report directly to Congress.

16             And so that interaction and  
17      engagement and response needs to come from  
18      Congress. The second component of that is the  
19      recommendation that you have chosen  
20      strategically to send to the Secretary.

21             And so that is within the purview of  
22      needing a response from the administration, and

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1 when I say need, that is what you requested.  
2 You requested a response to your  
3 recommendations.

4 And so that is what I am trying to  
5 get tasked out to the various program offices  
6 because when that letter was received and as any  
7 control office, it is channeled to what is  
8 essentially the most appropriate office to be  
9 able to respond to that.

10 But this letter was unique in the  
11 sense that it spanned nearly all of our critical  
12 program offices, everything from adult  
13 vocational education to Office of  
14 Post-secondary Education and of course the  
15 numerous programs underlying within Office of  
16 Elementary and Secondary Education.

17 And so I have an, in essence, taken  
18 responsibility for developing that unique  
19 process and prioritizing it in that way.

20 The list of ten items that was  
21 requested from NACIE is something that I feel  
22 supplements those recommendations or is

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1 information that is, NACIE is needing for  
2 understanding more about their recommendation  
3 and future recommendation.

4 And so I've prioritized your,  
5 knowing that where you've come to is your  
6 recommendations to the Secretary. I've  
7 prioritized those recommendations rather than  
8 build out the reports and response then to the  
9 list of ten.

10 So, and understand that there's  
11 significant coordination that needs to happen  
12 around each of those two components.

13 And so that's what we're dealing  
14 with right now is to continue to be responsive  
15 to you all in that sense but then also make sure  
16 that we are shepherding everything, the  
17 initiative, the activities and  
18 responsibilities within our respective  
19 offices.

20 And so it gets at the broader issue  
21 of the need for greater administrative support  
22 for NACIE. And I know I talked more about the

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1 issues than responding to your question there.  
2 But I hope there was a response in there  
3 somewhere.

4 MEMBER RAY: Bill, this is Alan  
5 Ray. I, too, wanted to make sure that I  
6 understand the time line that you're  
7 describing.

8 Is it correct that you're saying  
9 that you're now developing metrics by which to  
10 assign each recommendation to the appropriate  
11 program office and that you expect it will take  
12 two months to make those assignments?

13 MR. MENDOZA: No, that the  
14 assignments, that the development of the  
15 response to the recommendations will take two  
16 months, a month to develop and probably a month  
17 to clear to a broad Ed audience.

18 So program offices, lead points of  
19 contact within the program offices will develop  
20 recommendations, develop responses to your  
21 recommendation respective to areas.

22 Those will then be pulled back to

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1 the initiative for analysis and making sure  
2 that the offices are speaking to the issues and  
3 the points that have been raised by you all.

4 And then those then will go back out  
5 into broader departmental clearance before  
6 they can come back to NACIE.

7 MEMBER RAY: I see. I just want to  
8 point out that the time line means that we would  
9 be getting the responses, the substantive  
10 responses to our recommendations around the  
11 second week of June.

12 And our report's due June 30th. So  
13 that's a very narrow window for us to digest  
14 that information and essentially perhaps prune  
15 some draft down to an appropriate statement.

16 MR. MENDOZA: If there's any way  
17 that I can expedite that I will, and I  
18 understand that urgency. And what I'm trying  
19 to balance here is quality, is the quality  
20 issue, yes.

21 VICE CHAIR JACKSON-DENNISON: Yes,  
22 that's my concern, too, is that we put NACIE

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1 members that were involved with the committees  
2 for both, especially the letter to Secretary  
3 Duncan, we put some quality time into that.

4 We put a lot of thought into that,  
5 and now we're at the point where we're needing  
6 to develop another one and we don't have the  
7 responses back from a year ago when we  
8 submitted, almost a year ago.

9 And it's almost that time again, so  
10 I think we just, that's a concern that I feel  
11 like I'm hearing from Dr. Ray as well, and I  
12 know, Robin, you're next.

13 MEMBER BUTTERFIELD: Yes, I'm  
14 willing to state this even more strongly. I  
15 understood that the list of ten items were to  
16 be even sent out to us during the scope of this  
17 last year so that we wouldn't, we would have  
18 that information either by the time we got here  
19 for this meeting or throughout the last year.

20 And now it's sounding like that list  
21 hasn't even been looked at until just recently.  
22 And I find that really aggravating. We are a

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1           Presidentially appointed committee.

2                       And when we ask for information I  
3           don't think it's unrealistic to expect that the  
4           departments within the U.S. Department of  
5           Education could respond to those things.

6                       I don't think that you individually  
7           have to track it down. Many of those things  
8           were going to other departments. Why couldn't  
9           they just have been immediately channeled to  
10          them.

11                      I mean I work at a state department  
12          of education, and I know how we work in silos.  
13          And I go to the heads of those departments and  
14          say we need X for this important committee.

15                      And it doesn't take that long to get  
16          that information. Somebody gets assigned to  
17          it, so I'm really frustrated with the fact that  
18          we can't get just basic information to help  
19          provide good advice on how to improve the  
20          situation for Native kids.

21                      And I am just really put off with the  
22          time frame in which these responses have not

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1       been provided, basically.

2                   MEMBER THOMAS:   This is Virginia.  
3       Bill, thank you for being online.   I do concur  
4       with Robin on a lot of the aspects, but I think  
5       at this point in time, I'm afraid because I was  
6       on the committee that we worked on the reports.

7                   And I do not want to sound redundant  
8       when we do it again and say that we're asking  
9       the same questions or trying to go over the same  
10      information.

11                  And that's my worst fear is that I  
12      don't want NACIE to look like we're not doing  
13      our part because we're trying to.   I understand  
14      that from this point, we need to just go  
15      forward.

16                  We don't have a lot of time, and I  
17      think maybe by this afternoon, Jenelle did  
18      mention she has that list.   There's some things  
19      that have been answered but not in a consistent  
20      manner that we have.

21                  And maybe we can get those all  
22      together.   These are the items that we've

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1 already done, and maybe we can do it in an  
2 afternoon session, can look at those items,  
3 that ten list and know to check off the ones that  
4 have already been done.

5 And if we have concerns, Bill, that  
6 you need to answer or that you need to be part  
7 of that we can get that over to you as soon as  
8 possible.

9 And if you can expedite that  
10 response back to us, that would help because  
11 right now we need to just move forward. And yes  
12 there is frustration.

13 But we can't be just frustrated.  
14 We have to look beyond that and keep going. So  
15 if we can get Jenelle to get that list this  
16 afternoon so that we can check off what we  
17 already have and get the notes on that, get all  
18 the documentation.

19 And then those items that we still  
20 don't have is that we can get those assigned to  
21 the proper person to get it back to us in the  
22 right way before Ray has to write the report.

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1                   VICE CHAIR JACKSON-DENNISON:    I  
2                   agree.

3                   MEMBER WHITEFOOT:   This is, I know  
4                   Bill you have to leave in a few minutes, but I  
5                   just have a quick question.  I, too, share the  
6                   frustration that people are expressing.

7                   But I also want to go back to  
8                   previous year NACIE reports.  I'm just  
9                   wondering if those NACIE reports in the past  
10                  were even responded to now if we're not getting  
11                  a response now within a year.

12                  I'm wondering about that if the  
13                  previous NACIE did get a response from  
14                  Congress.  And then also if there were some  
15                  unique situations that occurred with  
16                  submission of those reports and getting  
17                  responses.

18                  I think that would be helpful to  
19                  know.  Jenelle you've been here for a number of  
20                  years.  Other folks have been here a number of  
21                  years.  So I'm just curious about that.

22                  You don't have to answer that now,

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1 but it's a larger question I have about our time  
2 line. And then just Bill I heard some things  
3 you had to do. I didn't quite catch all of  
4 them.

5 You have to channel some  
6 information to this office. I think it would  
7 be very helpful for us as we think about our  
8 report strategically, it almost sounds like we  
9 also have to put a time line in the report as  
10 well.

11 This is our expectation that we took  
12 this time, we took 30 days to do the report or  
13 60 days. It reaches your office on June 30th,  
14 and we expect some type of report by July 30th,  
15 August, September.

16 That's how I'm feeling right now,  
17 that we also need to build that in ourselves.  
18 We need to develop our own metrics as well. And  
19 we need to think that through more  
20 strategically when we're talking about adult  
21 education or higher education because we work  
22 in all of those fields.

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1 I work in higher education as well  
2 with community colleges, and so I have some  
3 unique concerns about Native students at the  
4 higher education level.

5 So I'm just trying to help think  
6 this through with you, Bill, as well to somewhat  
7 expedite some of what you're having to deal  
8 with, too. So you need to help us to help one  
9 another for the benefit of our tribal  
10 communities and our children. Thanks.

11 VICE CHAIR JACKSON-DENNISON:  
12 Thank you, Patsy.

13 MR. MENDOZA: I appreciate and I  
14 share the, sorry, Madam Chair.

15 VICE CHAIR JACKSON-DENNISON:  
16 Thank you, Bill. I just wanted to say that to  
17 some degree we did do that, Patsy, but not to  
18 the extent that you're saying.

19 We did, in our report to Congress we  
20 did say we wanted some feedback. And of course  
21 we can't force them to give us feedback. And  
22 that's where we were wanting to be more

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1 specific.

2 But with Secretary Duncan, he has  
3 said on several occasions that just tell me what  
4 you want. Just tell me, give me and I'm going  
5 to work with you. And so that was the purpose  
6 of our doing the recommendations to him in hopes  
7 that we would get something back by this time.

8 So I think maybe if we do put some  
9 time lines together, that would be most  
10 appropriate to give us the chance to use that  
11 feedback to improve the next report and next  
12 recommendations that, going forth. So, go  
13 ahead, Bill.

14 MR. MENDOZA: No, just wanted to  
15 apologize for the frustration that you all are  
16 dealing with and what I think, to get to Patsy's  
17 question.

18 We have already established with  
19 you all that this approach on these  
20 recommendations was precedent setting, that  
21 the historical lack of response from NACIE  
22 reports was that was one of the core issues was

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1 that the report was sent to Congress and  
2 response from Congress was absent or not  
3 sufficient.

4 And that there was a missing  
5 component with direct communication to the  
6 administration and the utilization of NACIE's  
7 statutory ability to make recommendations to  
8 the Secretary respective of his jurisdiction,  
9 his or her jurisdiction.

10 And so, and then inject the charter  
11 conversation and the role of the initiative and  
12 elevated engagement and shepherding of these  
13 policy issues in tandem with Office of Indian  
14 Education.

15 The question comes down to  
16 administrative support for NACIE's aspirations  
17 and albeit specific or deliberative in the  
18 sense that you all are building information,  
19 institutional knowledge within NACIE to be able  
20 to kind of shepherd your recommendations and  
21 report to Congress.

22 So that's a question that we're

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1 having internally is adequate staff support for  
2 NACIE and what does that look like having the  
3 oversight and responsibility to NACIE to span  
4 two divisions within Ed, the Deputy Secretary  
5 level or Office of Indian Education, OESE  
6 respectively and the Office of Undersecretary  
7 where the initiatives are held.

8 And so cost sharing, resource  
9 sharing, the budget interactions, all those  
10 conversations are ones that I think NACIE needs  
11 to be more involved in and provide us guidance  
12 with what support levels you are needing to have  
13 specific to NACIE because that's one thing that  
14 we're dealing with here.

15 We have ironed out who has the  
16 ability to work vertically and horizontally  
17 within the Department to respond to your  
18 recommendation.

19 But then it comes down to the human  
20 capital power to be able to make sure and tend  
21 to those and get the responses back that you all  
22 are needing.

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1           Because that, although Councilor  
2 Butterfield is correct that that substance  
3 comes from the program offices, that takes  
4 significant human resource effort to be able to  
5 tend to that and to be able to shepherd that  
6 through the system to get a quality response.

7           MEMBER RAY: Bill --

8           MR. MENDOZA: So that's one thing  
9 that we have taken responsibility for at the  
10 initiative, to say we will do that role, but we  
11 want to work with Office of Indian Education,  
12 work with Office of Elementary and Secondary  
13 Education to iron out a cleaner process for more  
14 responses to NACIE.

15           MEMBER RAY: Bill, this is Alan  
16 Ray. I appreciate your comments about  
17 resources. I think we all work in pretty  
18 resource constrained environments.

19           I think it's worth noting that we  
20 generated the letter to Secretary Duncan, I  
21 think in part because of our frustration of not  
22 hearing from the Congress about our report to

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1 Congress.

2 I'm not saying we wouldn't have  
3 written to the Secretary if Congress had been  
4 an eager partner, but I think the odds of  
5 creating the kind of administrative work would  
6 go down if we actually had a lively dialogue  
7 with Congress.

8 I think overriding this to me is the  
9 fact that we are issuing point-by-point  
10 recommendations that then have to administered  
11 instead of having a dialogue.

12 Many of these points, I think, would  
13 never reach the form of point-by-point if we had  
14 people sitting here not just when we meet but  
15 on a regular basis when we are not face-to-face,  
16 perhaps through some kind of teleconference.

17 It underscores the fact that we have  
18 a very minimal relationship to Congress and  
19 unfortunately it seems the Secretary himself at  
20 this point. But thus necessitating both the  
21 proliferation of recommendations and the  
22 proliferation of reports and the proliferation

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1 of administrative work.

2 So I would urge us to have the kind  
3 of dialogue that we ask for in both the report  
4 to Congress and to the Secretary here  
5 face-to-face. Thank you.

6 MR. MENDOZA: Yes. Thank you.

7 VICE CHAIR JACKSON-DENNISON:  
8 Okay. Anyone else have any comments?

9 MEMBER WHITEFOOT: I just have one  
10 closing comment, Patricia Whitefoot. This  
11 goes back to the tribal leaders convening that  
12 we had in December. There were some specific  
13 recommendations that were made at the meeting  
14 with Secretary Duncan.

15 And we don't have a response. I  
16 want to make certain that we also get that  
17 request, recommendations that were made by the  
18 tribal leaders.

19 MR. MENDOZA: Yes, so --

20 VICE CHAIR JACKSON-DENNISON:  
21 Okay, Bill. I guess we can move on to that.

22 MR. MENDOZA: Great. Thank you.

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1           So in terms of tribal leader  
2 recommendations and consultation reports in  
3 general, that is a process and protocol that we  
4 remain very interested in, particularly in  
5 light of the revision of our consultation  
6 policy and how we can respond more meaningfully  
7 to what we've heard within consultation to at  
8 least address how exactly we've responded to  
9 specific items within our consultation efforts  
10 and how we are accounting for, in many respects,  
11 the more broader areas of feedback and  
12 information that has been received throughout  
13 the consultation process.

14           And so that is a priority within the  
15 MOU as many of you have been able to examine the  
16 specific activities of that. That is  
17 something that DOI shares in common.

18           On their end, it would revision of  
19 their policy as well to incorporate such a  
20 response if substantive and meeting that  
21 threshold of impact. And for us would be  
22 wrapped into our consultation, revised

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1 consultation policy, which is still being  
2 deliberated but of course remains a top  
3 priority.

4 And so with that, any ideas that you  
5 have on how prescriptive or how flexible that  
6 process should be, it definitely has  
7 implications. It could be, certainly we've  
8 had feedback as to how everything is responded  
9 to through the negotiated rulemaking process.

10 But again that affects time lines.  
11 That affects turnarounds and an environment of  
12 extenuating circumstances and things moving  
13 quickly. Is that the best use of that  
14 function?

15 So any ideas that NACIE has in that  
16 respect on how best to analyze, how best to  
17 disaggregate that information and to respond to  
18 the public would be helpful.

19 As you know, as a practice under our  
20 historic and current consultations, we make all  
21 those transcripts available to the public as  
22 well.

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1           So I think what Patricia was talking  
2 about is response to those transcripts. And so  
3 we share that concern and dilemma as well and  
4 want to be responsive to that.

5           Respective of the convening in  
6 December of which some of our NACIE members were  
7 a part of in their personal roles as well as the  
8 tribal nations conference of which I know they  
9 received invitations to as well, those are  
10 separate processes but ones that are, of  
11 course, connected to the work of the initiative  
12 and the work of the Department as a whole.

13           And those summaries of those  
14 meetings I have captured through the  
15 appropriate channels, the ones that were held  
16 by the, the one that was held by the Secretary  
17 on behalf of Secretary Jewell was summarized  
18 and submitted to the White House Council.

19           The White House Council just wanted  
20 broad themes and points that were discussed  
21 during those sessions. And then those are  
22 informing the work of the White House Council

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1 on Native American Affairs as a whole of which  
2 you know there is a subcommittee on education.

3 That convening of those agency  
4 council is happening on May 1st, and in regards  
5 to the tribal nations conference, those notes,  
6 those summaries as well are informing the work  
7 of the White House in coordination with the  
8 Council as well.

9 So that's where those go. The  
10 reporting out of those recommendations is not  
11 yet understood. I am not aware of  
12 conversations of how they are reporting out  
13 that information.

14 But those have historically served  
15 as the substance for revisited conversations,  
16 namely breakout conversations and how they  
17 happen in succession to the tribal nations  
18 conference annually.

19 So I hope that helps you understand  
20 some of the things that we're dealing with you  
21 on the response to consultation front but also  
22 the interactions of White House Council, which

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1 is new and it's second convening that is  
2 happening in May 1st.

3 And we'll keep you abreast of what  
4 issues are being talked about there and what are  
5 the accountability mechanisms that I know that  
6 you're interested in.

7 VICE CHAIR JACKSON-DENNISON: Any,  
8 Patsy, go ahead.

9 MEMBER WHITEFOOT: Bill, I just  
10 have a quick question for that, the  
11 subcommittee. So are those subcommittee  
12 federal officials then?

13 MR. MENDOZA: Yes. Those are  
14 Cabinet heads. The Executive Order outlines  
15 which agencies are explicitly stated, spoken to  
16 within that Council, but they and their  
17 designees, this is a federal level, federal  
18 agency council that are engaged in five core  
19 areas.

20 I think that you and I would think  
21 are high priorities for Indian Affairs, general  
22 economic development, healthcare, land trusts,

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1 education, so --

2 MEMBER WHITEFOOT: And again,  
3 those are all important to our tribal  
4 communities. In the past I know I've requested  
5 minutes from those meetings. Are those  
6 available for us to be able to review?

7 MR. MENDOZA: For the White House  
8 Council on Native American Affairs?

9 MEMBER WHITEFOOT: Yes.

10 MR. MENDOZA: I can certainly reach  
11 out to our point of contact there and put you  
12 in communication with them or get that  
13 information if it's available.

14 MEMBER WHITEFOOT: Okay. Thank  
15 you, and I'll look forward to your email or  
16 communication.

17 MR. MENDOZA: Okay. Folks, I'm  
18 about out of time. I'm so sorry. I'm here in  
19 beautiful northern Michigan working to engage  
20 here in the upper area here.

21 I'm not even quite sure where I'm  
22 at, but I do know that there's a learning center

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1 here at north Michigan is having a summit  
2 bringing together educators from around the  
3 region here.

4 And they've been a great partner in  
5 working to enhance Native education within the  
6 Great Lakes area here and really excited about  
7 some of the conversations that we're going to  
8 have today, especially meeting with the  
9 President and some of the tribal leaders in the  
10 area today here at, in a couple minutes.

11 I was not able to get to a number of  
12 high level actions happening. I will provide  
13 in a briefing form some critical dates and  
14 information that I want to make available to  
15 NACIE and certainly appreciate any follow up to  
16 be able to be prioritized to hear more about the  
17 work of the initiative and some of the things  
18 that we're engaged in.

19 The most important one right now  
20 that is really moving fast, and I want to put  
21 on your radar is we have a native language  
22 summit happening June 20th.

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1           And the summit is titled Working  
2 Together for Native American Language Success,  
3 and during the conference our partners and  
4 organizations will come together to discuss  
5 methods for measuring success.

6           And the goal will be to work  
7 together to ensure preservation and  
8 acquisition of Native languages so they not  
9 only be revitalized but that Native youth have  
10 a command of their language from a linguistic  
11 and cultural perspective.

12           And so this is the Summit 1.0 if you  
13 will, in regards to the agency memorandum of  
14 agreement around Native languages. And so we  
15 look forward to engagement there primarily  
16 targeting our grantees through the ANA program  
17 and our NAM program here at the Office of  
18 English Language Acquisition, Title III.

19           And so they have worked in  
20 coordination with one another to garner the  
21 participation for this level. Rob Lessard  
22 with my office is the point of contact for more

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1 information on that summit. So I want to put  
2 you in contact with him.

3 Secondly and as the high level and  
4 the momentum is fast, moving quick with this as  
5 well is the My Brother's Keeper initiative by  
6 the President of the Department of Education  
7 through the Deputy Secretary, Jim Sheldon,  
8 who's the executive director of this  
9 initiative, has engaged the initiative as a  
10 whole very meaningfully.

11 And we are moving forward with  
12 ensuring that we are addressing this critical  
13 initiative. And so in the preliminary stages  
14 there's a memorandum as well as a fact sheet on  
15 the whitehouse.gov website.

16 There is not much more beyond that.  
17 That outlines pretty specifically the  
18 activities that are expected within a 30 day  
19 window, a 45 day window and 90 day window.  
20 We're about halfway through that 45 day window.

21 We just completed a tribal leader  
22 call yesterday with tribal leaders. And we are

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1 moving toward a stakeholder call yet to be  
2 announced, in which we are mobilizing our  
3 community and those who are working with boys  
4 and young men, Native boys and young men across  
5 the country.

6 I, myself, through the initiative  
7 have been tapping into my speaking engagements,  
8 convening around the country with youth, our  
9 boys and young men, to understand what are the  
10 issues, what are they dealing with and what are  
11 some of their recommendations, hearing from  
12 these boys and young men around the country.

13 So if there are convening that you  
14 think are important for me to be at, to be  
15 addressing this conversation, I'd appreciate  
16 your feedback and thought on that.

17 Right now we are directing everyone  
18 to the website,  
19 [whitehouse.gov/mybrotherskeeper](http://whitehouse.gov/mybrotherskeeper). Sorry, and  
20 I asking them to submit their story, the  
21 organizations that are doing this work.

22 And we are working right now to

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1 identify all the organizations that are, that  
2 we can, all the organizations that we can that  
3 are doing this work out there in Indian Country.

4 To just give you a real quick  
5 breakdown of that age group, it's zero to 25 and  
6 the themed areas that we're looking at is early  
7 childhood, early literacy, on track for college  
8 and career including school discipline reform,  
9 criminal justice system and violent crime  
10 interaction as well as ladders to jobs,  
11 mentoring and support networks.

12 So those five areas are, we're  
13 breaking them down by age differentials from  
14 zero to 25. So just wanting to make sure that  
15 you're aware of that.

16 And if there's more information to  
17 come around that, I'll make sure that you get  
18 what information I can disseminate at this  
19 point and that I keep you informed about what  
20 transpires from that.

21 Beyond that, we remain engaged with  
22 the Indian Education Study Group, whom I know

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1 we have been able to facilitate a conversation  
2 with you all, and so you'll be provided a more  
3 detailed update from NAM on their activities.

4 And I just want to stress the  
5 importance of what study group is pursuing.  
6 That study group is working in tandem with our  
7 broader joint committee on Indian education,  
8 which is through the Department of Interior and  
9 Education Act of 2012, DOI memorandum, which I  
10 have already briefed you all on.

11 And that is being broken down within  
12 the initiative into subcommittees, which are,  
13 we're meeting and we are looking for a status  
14 report on their subcommittee activity on April  
15 22nd of 2014.

16 I am dealing with right now a  
17 request from Senate Committee on Indian Affairs  
18 to testify before them on April 9th. They are  
19 holding, convening, if you have not been aware  
20 of this, the Indian Education Series, Indian  
21 students in public schools, cultivating the  
22 next generation.

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1           And this hearing is one of three  
2 hearings that are being held by Chairman Tester  
3 and that's honing on Indian education  
4 specifically. So there may be more to come on  
5 this hearing from from Senate Committee on  
6 Indian Affairs but wanted to let you know of  
7 that.

8           I will give you a briefing on the  
9 Joint Committee education activity to date and  
10 what the subcommittee breakdown looks like so  
11 that you can understand that.

12           And as we get toward the hearing, I  
13 will make sure and deliver my testimony to NACIE  
14 as well so that you know what is happening there  
15 and know you can access those further on the  
16 web, too. That is established.

17           So White House Council on Native  
18 American Affairs, as previously mentioned, is  
19 meeting May 1st. The Secretary will be  
20 participating in that Council, and so we look  
21 forward to sharing that education, the  
22 initiative and your efforts of NACIE are being

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1 spoken to within that convening.

2 The last point is Secretary's  
3 engagement, continued engagement with Indian  
4 Country, and he will be attending the Salish  
5 Kootenai College commencement on June 7th in  
6 Pablo, Montana. So I also wanted to put that  
7 on your radar and want you also thinking about  
8 September and the Secretary's bus tour  
9 throughout the northwest.

10 So the region is the northwest  
11 corridor there, looking at this point, still  
12 preliminary. So please don't hold us to this.  
13 It's making its way through western Montana,  
14 beginning in western Montana, Idaho.  
15 I'm not sure where the start point is yet, and  
16 then ending in western Washington and Portland,  
17 Oregon area.

18 So look forward especially to Ms.  
19 Butterfield and Ms. Whitefoot on engagement and  
20 outreach opportunities there to highlight some  
21 of the great work and of course raise awareness  
22 around the disparities and needs within that

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1 region of the country as we move towards  
2 September. So thank you so much NACIE and so  
3 sorry I couldn't be there in person to address  
4 you. I locked this speaking engagement awhile  
5 ago, and as you all know, due to that I wasn't  
6 available.

7 So I would've otherwise made time to  
8 be with you all and just really appreciate your  
9 engagement and being strong advocates as you  
10 are throughout Indian Country and here today.  
11 Thank you so much.

12 MEMBER NEWELL: Bill, before you  
13 run, who is the contact person for the language  
14 summit?

15 MR. MENDOZA: Ron Lessard, who was  
16 with you today, but we'll make sure Amara gets  
17 you his information. That's spelled  
18 L-E-S-S-A-R-D, Ron Lessard.

19 MEMBER NEWELL: Thank you.

20 MEMBER WHITEFOOT: Bill, I have one  
21 quick question. The My Brother's Keeper  
22 initiative, yesterday I was in a meeting with

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1 tribal leaders here with substance abuse,  
2 mental health services administration. And I  
3 just was curious about the MOU. Is that MOU  
4 with tribal leaders, or is that another type of  
5 MOU?

6 MR. MENDOZA: It's a memorandum  
7 from the President to the government agencies,  
8 so it's a government-wide memorandum.

9 MEMBER WHITEFOOT: Oh okay, got it.  
10 And then just a quick recommendation about that  
11 My Brother's Keeper initiative that we had, we  
12 were looking at stakeholders. I made the  
13 recommendation yesterday that we also reach out  
14 to, that SAMHSA reach out to UNITY, the United  
15 National Indian Tribal Youth group. We are  
16 going to be hosting that in the northwest in  
17 June in Portland, Oregon.

18 So I strongly encourage SAMHSA to  
19 participate with us, and then in addition to  
20 that, the upcoming tribal leaders' meeting with  
21 the National Congress of American Indians.  
22 There's also going to be another youth

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1 initiative at Anchorage, Alaska. So just want  
2 you to be aware of that, and I'll communicate  
3 that with you.

4 MR. MENDOZA: Great. Thank you.  
5 Yes, those specific communications would be  
6 excellent, and if you could help us with  
7 outreach to UNITY, I'd appreciate that. I've  
8 placed a couple of calls to them, and have yet  
9 to catch up with them, but I know they do a lot  
10 of really great work there. I actually spoke  
11 at their convening here in D.C. and had the  
12 opportunity to talk to the youth there as the  
13 initiative was being announced. So it was a  
14 great convening.

15 MEMBER WHITEFOOT: So we're  
16 expecting the largest gathering in the  
17 northwest for UNITY. We're all looking  
18 forward to that. Thank you.

19 MR. MENDOZA: Great. The last  
20 plug that I would like to have, and this  
21 directly reflects some of the conversation that  
22 we had in the earlier agenda and any

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1 inter-personnel, we have a capability to  
2 receive interagency personnel from higher  
3 education institutions, non-profit  
4 organization. And this would directly benefit  
5 the initiative. We could define the role to  
6 even serve as staff support for NACIE  
7 specifically in the broad reaches.

8 So I'm making a request for any of  
9 your points of contact, faculty, internships,  
10 things like that, that could be leveraged to be  
11 able to help task out and support the work of  
12 the initiative, which include the advisory  
13 council's priorities as well. We have worked  
14 really hard to build relationships to establish  
15 a pipeline of utilizing our Native American  
16 internship resources throughout Washington,  
17 D.C., George Washington University's  
18 internship program, with UDALL and others.

19 And so we need to take that to the  
20 next level and look at more long-term,  
21 consistent replacements, or placements for the  
22 initiative. And I think we're really curious

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1 about some of the opportunities around  
2 interagency personnel agreements.

3 So these would be non-reimbursable  
4 to universities and non-profits, but would give  
5 those individuals tremendous opportunities to  
6 be immersed in all of the policy and fiscal,  
7 fiduciary kind of elements that we're able to  
8 offer at this level of national interaction  
9 with those programs that affect all levels. So  
10 researchers, academics, practitioners, we  
11 could find something for them to do with the  
12 initiative. So just we're looking to tap NACIE  
13 for those critical roles.

14 VICE CHAIR JACKSON-DENNISON:  
15 Okay. Thank you, Bill. Are there any other  
16 questions for Bill? Or Bill, I don't know what  
17 your availability is, if you're needing to go  
18 I know now. But I know that there may come  
19 questions later that, if we're able to get you  
20 back at another time throughout the next two  
21 days, if you're available anytime?

22 I will loop back with Jenelle and

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1 Amara and see what we can do, if there are some  
2 windows of availability I can jump on during  
3 that time. I'd love to.

4 VICE CHAIR JACKSON-DENNISON: That  
5 would be great. We appreciate it. Are there  
6 any other questions before we let Bill off?  
7 Okay. Thank you, Bill.

8 MR. MENDOZA: Thank you.

9 VICE CHAIR JACKSON-DENNISON:  
10 Okay. We haven't had a break yet, but I think  
11 we really need a break. So I'd like to, and it  
12 is, right now it's 11:30. So I don't know if  
13 we want to just break and then come back at  
14 quarter til, and then go again for, okay.  
15 We'll do that. We'll break for 15 minutes and  
16 then come back for the last 15 minutes, and then  
17 break for lunch. Okay. Thank you.

18 (Whereupon, the foregoing matter  
19 went off the record at 11:30 a.m. and went back  
20 on the record at 1:15 p.m.)

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A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

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(1:15 p.m.)

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VICE CHAIR JACKSON-DENNISON: Good afternoon everyone. I hope you had a good lunch. We're ready to call the meeting back to order. And it's 1:15 about. Yes, it is. But we'll go ahead and go with Joyce then. I know Dr. Roessel hasn't shown up yet, so we'll go back to Joyce.

MS. SILVERTHORNE: This morning there was a reference to the consultation process that has taken place. And what I'd like to do is ask first of all, did you have the opportunity to take a look at the blog on the rulemaking? Did you get to see that?

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1 (Off microphone discussion)

2 MS. SILVERTHORNE: That's fine.  
3 That was good. What I want to do is bring an  
4 opportunity to NACIE to participate in the  
5 consultation that we are trying to do  
6 nationwide. We sent out a couple of  
7 announcements about this. The blog is one of  
8 the tools, and we also sent an announcement to  
9 tribal leaders. And quite honestly, I don't  
10 know that our announcement to tribal leaders  
11 has produced very many responses at all.

12 And part of the problem with that is  
13 that they probably are being received by the  
14 people in the front office. And they may not  
15 be getting to the people who understand the  
16 program and want to do something about the  
17 program. And so I'm going to give out several  
18 forms.

19 (Off microphone discussion)

20 MS. SILVERTHORNE: The first is the  
21 announcement that went to the tribal leaders  
22 and to other people across the country. Some

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1 of you may have received them.

2 And it was based on our database that we have  
3 with Manhattan Strategies. One of the  
4 concerns that we have for outreach to tribes is,  
5 in fact, how do we get the right information to  
6 the right people?

7 And so we're in conversations now  
8 with Manhattan Strategies, trying to look at  
9 how we can build that database into a better  
10 access and be able to look at how we reach the  
11 right people with this kind of information.

12 The Professional Development  
13 Program has been in operation for quite some  
14 time. It has been a process of doing teacher  
15 training and administrator training. Since  
16 about 2005, that program has been a process of  
17 working as a, not as a scholarship option, but  
18 as a payback system that is first of all, by  
19 time, for time.

20 So if it took 18 months to go through  
21 a program, it takes 18 months to do the payback  
22 system. And then, if that isn't an option, to

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1 look at a cash payback. Far and above, the  
2 service payback is better for everybody  
3 involved. It's not that the program ever  
4 receives the money back, even if there is a cash  
5 payback. It goes back into the Treasury.

6 So what we were looking at doing in  
7 the improvement of that program is trying to  
8 identify several different things, job  
9 placement, what kind of need we have out there  
10 for people who are trained. In other words, is  
11 it still teachers? Do we need other  
12 categories? Recruitment and retention of  
13 participants: we need to have quality  
14 participants being able to complete with the  
15 best opportunity to complete.

16 Costs of training programs, types  
17 of participants, and the definition of Indian  
18 organization. That's a bit of an introduction  
19 for the concern for why we worked on doing  
20 improvement for the Professional Development  
21 Program. In 2010, we had an OIG report that was  
22 blistering. They were very highly critical of

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1 our professional development system. We have  
2 spent the next three years, three and a half  
3 years now, in putting together the way to  
4 address that.

5 We had to build a system internally  
6 in the office. We had to address how we were  
7 doing outreach and how were contacting people.  
8 And back to 2006, we now have records in place.

9 Of the volume of people who have  
10 been trained over, just under 30 percent  
11 currently have completed either their service  
12 or cash paybacks, and are out there working in  
13 professional positions. Madam Chairman, I  
14 believe you have your next guest here. You  
15 have me for the day. I'll leave it to you if  
16 you want to stop and come back. This will take  
17 a few minutes.

18 VICE CHAIR JACKSON-DENNISON: How  
19 much longer is your presentation?

20 MS. SILVERTHORNE: There is a form.  
21 The second document that you have is actually  
22 the comment form that people did, and --

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1                   VICE CHAIR JACKSON-DENNISON: I do  
2 want to spend some time on that, so we'll go  
3 ahead and go on to our next item on the agenda.  
4 And I want to say welcome to Dr. Roessel.

5                   And thank you for agreeing to come  
6 meet us. And I know that -- Mr. Anderson also.  
7 Do you want to grab a seat up here? Greg is the  
8 one that asked that, he wanted to have you come  
9 meet the NACIE Council and give us -- although  
10 we know each other. It's good to see you.

11                  DR. ROESSEL: It's good to see you.

12                  VICE CHAIR JACKSON-DENNISON: The  
13 rest of the Council would like to just meet you,  
14 and hear from you as to what your goals and  
15 objectives are in preparing for our letter to,  
16 recommendations, to Secretary Duncan as well as  
17 a report to Congress.

18                  And yes, we'll go around. And  
19 because we didn't do roll call, too, when we  
20 reconvened after lunch, we'll go ahead and do  
21 roll call at the same time as introducing  
22 ourselves. And we'll start at the corner with

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1 Greg.

2 MEMBER ANDERSON: Greg Anderson,  
3 Muscogee Creek Nation of Oklahoma.

4 MEMBER WHITEFOOT: Good afternoon,  
5 Patricia Whitefoot, the Yakama Nation, State of  
6 Washington.

7 MEMBER RAY: I'm Alan Ray, Cherokee  
8 Nation, and I work at Elmhurst College in  
9 Elmhurst, Illinois.

10 MEMBER THOMAS: Virginia Thomas  
11 with the Muscogee Nation.

12 VICE CHAIR JACKSON-DENNISON:  
13 Deborah Dennison, Navajo Nation.

14 MEMBER BUTTERFIELD: Robin  
15 Butterfield, Ho-Chunk Anishinabe, program  
16 supervisor for the Office of Indian Education  
17 for Washington State.

18 MS. LEONARD: Jenelle Leonard,  
19 U.S. Department of Ed, Office of Elementary and  
20 Secondary Ed.

21 VICE CHAIR JACKSON-DENNISON: We  
22 also have Wayne Newell on, actually he's there.

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1 You can see him waving.

2 MEMBER NEWELL: Wayne Newell,  
3 Passamaquoddy Tribe, State of Maine.

4 (Off microphone discussion)

5 MEMBER NEWELL: Technology.

6 VICE CHAIR JACKSON-DENNISON:  
7 Thank you, Wayne. Then we'll go ahead and turn  
8 it over to you, Monty.

9 DR. ROESSEL: Well, first thank you  
10 for the opportunity and the invitation to speak  
11 before all of you, and with all of you. My name  
12 is Monty Roessel. I'm a member of the Navajo  
13 Nation. I've been the director of BIE now  
14 about three months. I've actually been back in  
15 Washington a little over a month. I think it  
16 goes as no surprise when I say I want to go home.

17 But I'm here to do a job. I've been  
18 acting director of BIE for about one full year  
19 right now, so before that I was working at  
20 Navajo as the Associate Deputy Director for the  
21 BIE for the Navajo region.

22 And prior to that I was

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1 superintendent of schools at Rough Rock  
2 Community School, in that region. So I want to  
3 start by also saying that I think my goal at BIE  
4 in a nutshell is to come in, make change and  
5 leave and let somebody else then continue it.

6 I don't think, I'm not here to be a  
7 career employee. I think that we need new  
8 blood and new ideas to come in, so with that  
9 said, let me just kind of go over some of the  
10 plans that I have for BIE, some of the stuff that  
11 we're already doing, some of the things that are  
12 in line with the Indian Education Study Group,  
13 with both Secretary Jewell and Secretary Duncan  
14 in getting together and where we are there in  
15 that process.

16 So, but one of the things I, the  
17 other day I was heading to the airport. And I  
18 caught a cab, and we were racing around. I know  
19 I was late trying to catch a plane back to  
20 Arizona. And this cab driver said to me,  
21 everyone is D.C. rushes around, because they  
22 think they are important and that they rush to

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1 get somewhere and that you aren't important.  
2 Even when they're not important, you have to  
3 wait, but what's funny is that everyone rushes  
4 around, even when they're lost.

5 And to me, when I think of the BIE,  
6 I think of that statement, because BIE, we are  
7 in a rush to get somewhere. But we rush and we  
8 rush thinking we are so important. But we don't  
9 know where we are going. We are simply lost.  
10 I laugh at this now because I am that leader of  
11 the BIE, the leader of the lost tribe of  
12 bureaucrats.

13 But why did I take this job? I  
14 think Dr. Dennison and I, we have known each  
15 other for a long time, a very long time. Our  
16 parents worked together, and we grew up playing  
17 together.

18 And I think I say this for probably  
19 everybody around here. You take a job to make  
20 a difference, and in education I think that is  
21 something that is even moreso.

22 But this job with BIE, it's a job that is

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1 impossible. When I took this job, people told  
2 me there's no way you're going to get anything  
3 done at the BIE. It's too big of a bureaucracy.

4 You can't, there's, the staff is set  
5 in their ways, and you're not going to get  
6 anything done. I have found the opposite. I  
7 have found people eager to look for change,  
8 eager to make a difference, eager to get up in  
9 the morning and try to impact lives.

10 And I think everybody around here,  
11 we find those people. Sure there are  
12 obstacles, and they're out there. But I took  
13 this job because I'm hopeful. I want to make  
14 tribal sovereignty and education a reality.  
15 I want to create possibilities from stories of  
16 impossibilities. I believe  
17 self-determination is a school improvement  
18 strategy, and not just a form of  
19 self-governance.

20 This place that I imagine in BIE is  
21 where I see our kids being taught by our  
22 fathers, grandfathers, uncles, mothers,

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1       grandmothers in the kivas and hot lodges and  
2       hogans and adobes, our facilities, our  
3       colleges, career, and sovereignty ready.

4               I want BIE to be a place where  
5       instruction is in our tribal language, that  
6       incorporates the beauty of our lands,  
7       instruction that teaches the history of our  
8       tribes, our trial heroes and our creation  
9       stories. It's a place where our kids are  
10      smiling, where kids know success, and that  
11      success is a pathway for other kids. It's  
12      where kids run to the buses to get to school on  
13      time.

14             I live in Kayenta, Arizona, even  
15      though I have a place here, I'll always say I  
16      live on the res. And when I drive to work, I  
17      used to drive from Kayenta to Window Rock, which  
18      is a two-hour drive one way. And you'd stop  
19      behind Window Rock schools, Chinle public  
20      schools, Many Farms BIE School, Rough Rock, all  
21      these different schools. And the little kids  
22      are running to the bus.

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1           At some point these kids stop  
2 running to the bus. They start walking to the  
3 bus, and eventually they start running the  
4 other way. Where does that happen? We need to  
5 find that connection where the kids begin to run  
6 and always run to our schools, always run to our  
7 buses. BIE schools should teach that every  
8 child that comes to our schools is a leader.

9           They will be building our nations,  
10 and I think that's something that is so  
11 important for what we all do here. It's not  
12 just being contributing members of society,  
13 like the report that was recently done on tribal  
14 colleges.

15           It's about building nations, and if  
16 we take the perspective, it changes what we  
17 expect of our kids, of our teachers, of our  
18 administrators, of our tribal leaders, of our  
19 tribal education departments.

20           We want to be a place where thinkers  
21 and creationists who will be fully aware of the  
22 global markets and global societies, who

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1 understand our tribal history is just as  
2 important as world history, that the Quran, the  
3 Bible is just as important as our tribal  
4 creation stories.

5 Every child that leaves BIE, I want  
6 to know that they matter. Their ideas matter  
7 and that their actions will be transformative.  
8 Of course, people tell me I'm a dreamer and BIE  
9 will never be this. But I believe we can build  
10 a better BIE. I'm working with my team to build  
11 a better place. I want to acknowledge three  
12 people that are here with me that are part of  
13 my team, both for Navajo and here.

14 And we've been working for the last  
15 month in developing something that it will be  
16 our pathway, our strategic plan. We haven't  
17 had one of these, but a strategic plan that is  
18 linked to measurable outcomes that can be  
19 linked to be able to report to Congress on  
20 funding and this is what our investment in  
21 Indian education was, a strategic plan that's  
22 a path forward.

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1           But I have here with me Wendy Gray  
2           Eyes, Esther Macias as well as Emily Arviso.  
3           They've been working here. They're from my  
4           Navajo office, so I know them well. But that  
5           type of work. So we have people in every level  
6           that can contribute, and that's what I'm  
7           looking for. The place we're trying to build  
8           at BIE, and I say we're trying to build because  
9           we're trying to not do the same thing that we've  
10          done in the past.

11           The same thing we've done in the  
12          past has gotten us where we are. I don't have  
13          to recite the data, the statistics. Only 25  
14          percent of our schools are succeeding. That  
15          means 75 percent are failing. Our kids are  
16          doing, although I think we're doing -- we have  
17          turned a corner. In Arizona, actually we're  
18          doing better than a lot of the public school  
19          students.

20           So we have to find the success where  
21          we can find it. But I think BIE, when you say  
22          BIE is something that is thought of as a

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1 failure. We're going to change that. We're  
2 in the process of changing that. We're here to  
3 try to help and become partners with NACIE to  
4 work together to move forward. BIE, if you  
5 remember, what we're trying to do is we're  
6 trying to transform a very, very old  
7 organization.

8 It will require transforming an old  
9 organization. The Office of Indian Affairs,  
10 which has moved out of the War Department and  
11 was reorganized by Congress in 1834. Indian  
12 Affairs and its priority of Indian education  
13 has been on our agenda for 190 years. In 1832,  
14 we had 51 schools and served 1865 students. We  
15 didn't become the Bureau of Indian Education  
16 until 2006.

17 And it's a change that prompts me to  
18 think about the new course of Indian education,  
19 in an institution that is bridled by an ugly  
20 past. First, we need to talk about a new  
21 language. And that's something that I'm  
22 promoting in every place I speak. The new

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1       vocabulary includes common core and tribal  
2       sovereignty, real time assessments and student  
3       responsibility, Native language immersion and  
4       high achieving schools.

5                   These will be a foundation of what  
6       our new BIE looks for and looks at.   Second, we  
7       need to focus on a new vision, a vision steeped  
8       in creativity, not impossibility.   I am a firm  
9       believer that for too long, tribes, not just BIE  
10      but tribes, and I throw this out every time I  
11      talk to tribal leaders.       They have a  
12      responsibility.

13                   It's not just ours.   It's not just  
14      yours, but tribes also have a responsibility.  
15      And for too long, they have sat on the sidelines  
16      and not become truly active and engaged in how  
17      their students achieve.

18                   I believe this means pushing the  
19      agenda of sovereignty and reaping the gains  
20      achieved by confronting the criticisms, the  
21      failures and the mistakes of our past.   It's  
22      realizing that the possibility is placed there

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1 because someone created a rule and created the  
2 barrier of impossibility. That in many ways  
3 defines the old BIE.

4 It's because this is what we used to  
5 do. The rule says this instead of challenging  
6 that very rule or that way of doing things  
7 because if we create it, we can break it. And  
8 if we can break it, we can break down and make  
9 the impossible possible.

10 So tell me, when did getting our  
11 children, our own kids to learn become an  
12 impossibility? I think it changes when we  
13 start demanding no excuses. We bemoan the  
14 challenges so much that it sounds like we are  
15 in love with the problem.

16 We need to fall in love with  
17 success. We need to fall in love with the  
18 journey. We make student success sound like  
19 it's impossible. Our children aren't deaf.  
20 They hear these conversations, and it affects  
21 them in a negative way.

22 I know I don't have a whole lot of

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1 time here, so I want to jump into some things  
2 that are happening that are very concrete right  
3 now. Right now, as most of you know or many of  
4 you know, there is an Indian Education Study  
5 Group that was formed by Secretary Jewell and  
6 Secretary Duncan.

7 I believe Bill Mendoza was on the  
8 agenda earlier, and he may have spoke to this.  
9 We are in the process of getting ready to go out  
10 to consultation. But as we go out for  
11 consultation in these areas that we feel are  
12 important: governance, curriculum, budget  
13 constraints, HR, that we also need to look at  
14 what is happening in our BIE schools.

15 What I think what makes BIE so  
16 different than public schools is when we talk  
17 about education in BIE, it's an issue of  
18 sovereignty, tribal sovereignty. When you  
19 talk about education at public schools, it's an  
20 issue of state sovereignty. And I think that's  
21 where we have 63 separate tribes that have  
22 schools that we work with. And that changes

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1 the dynamic. The history of BIE has been one  
2 of sometimes sitting on the sidelines.

3 What we want to do and the  
4 initiative that we have planned now is engaging  
5 tribes to begin to operate their schools, not  
6 to control their schools, but to operate.

7 That's a very different process  
8 that tribes are getting used to. I met just  
9 yesterday with a tribe and tribal council, and  
10 they were excited with the possibility. So no  
11 longer will education be something that is done  
12 to their kids. It'll be something that they  
13 actually will be a part of and they will be  
14 controlling. What does that mean? It means a  
15 tribe now, not only controls education but  
16 operates education.

17 It operates a school system, as Dr.  
18 Dennison operates Window Rock Public School  
19 System. So you have a structure that is  
20 looking at education from a district model, not  
21 from a governance of tribal, and just sitting  
22 on the sidelines, and only carrying about JOM

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1 funds or tribal scholarships.

2 But now they're into the  
3 curriculum, the standards, the teaching, the  
4 evaluation, all of those things. And that's  
5 what we're looking at doing. We have an idea  
6 that's going to be coming out incentivizing.

7 It's taken, actually, from the  
8 example that probably was created within this  
9 organization, the STEP grant. One of the  
10 concerns and one of the things that we heard  
11 when we went out to the listening sessions was  
12 that tribes were saying well, why wasn't BIE a  
13 part of that process.

14 We should've been a part of that.  
15 Well, we can bemoan that, and complain about it,  
16 or we can create our own. We created our own.  
17 We found a solution to say how do tribes move  
18 to become and build that capacity to operate  
19 their schools. We're going to be having a  
20 grant, a pilot project this coming school year,  
21 same way with early childhood. The early  
22 childhood initiative that has been formed

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1 leaves out BIE. So only a quarter of our  
2 schools have early childhood programs.

3 Three fourths do not. I'd asked  
4 NACIE to help within Department of Ed to make  
5 BIE schools eligible for that funding. You're  
6 leaving out three fourths of our students'  
7 possibility of having Pre-K programs. But  
8 rather than wait, we found money and we're  
9 starting a pilot project this coming year,  
10 giving money again, when I say sovereignty as  
11 a school, improvement strategy, giving money to  
12 tribes and saying you create the program.

13 Don't take the BIE's program that  
14 we've had. We don't have a great model and  
15 history of success. Create your own program.  
16 Build it. What's important to you? Native  
17 language? Build a program that builds upon  
18 that.

19 The different areas that we would be  
20 looking at, we want to say we don't want to tell  
21 tribes what to do. But within the parameters,  
22 these are things that good programs have,

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1 highly effective programs.

2 And we want our tribes. We want our  
3 schools to pull from those. So we're trying to  
4 be solution-oriented as we move forward. So  
5 when I talk about sovereignty as a school  
6 improvement strategy, I'm talking about the  
7 exercise of sovereignty to preserve  
8 sovereignty.

9 And when I go out and I talk to  
10 people, I talk about sovereignty as much as I  
11 talk about reading programs, because I think  
12 that's important. I think the next step at the  
13 tribal level is the control of public schools.

14 That's what's going to happen. I  
15 come from Navajo. I believe with every ounce  
16 of my being that the tribes should control  
17 education for their people. How do we get  
18 there? I think we start by building that  
19 capacity. That's what we're looking at. Our  
20 strategic plan focuses on those steps that can  
21 move and help build capacity towards tribes  
22 taking control, operating effective highly

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1 successful school systems.

2 Not BIE, we want to get out of the  
3 business of operating schools. We want tribes  
4 to get into the business of operating schools.  
5 This plan helps us get from Point A to Point B.  
6 We asked this organization to help us because  
7 it's a joint effort. Our kids go to your  
8 schools, and your kids go to our schools. And  
9 we're all going to the same schools.

10 I know at Rough Rock, our kids would  
11 go from a public school, to a private school,  
12 to a BIE school, to a boarding school with a  
13 grant school all within one school year,  
14 happens all the time.

15 So we need to join forces. And I  
16 think we have that as a challenge amongst all  
17 of us. One of the things that we're looking at  
18 when we talk about what is it that I want to  
19 focus on. I have four priority areas with BIE.  
20 Promote, increase educational outcomes and  
21 opportunities for our students is one.  
22 Promote self-determination in American Indian

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1 education, two. Promote the sustainability of  
2 Native culture, history and language, three.  
3 Promote excellence to the support of our BIE and  
4 grant school employees. We went out in Indian  
5 Country, and we've talked to over 300 people.

6 There are so many rules that have  
7 been put in place that keep us from doing  
8 certain things. And it was just by habit. We  
9 can break those down. That low hanging fruit  
10 we can correct.

11 And I think that's something that  
12 all of us can work together on. Those things  
13 that can be done quickly, we should do it.  
14 Those things that we have the capacity to do,  
15 those decisions, we should do it.

16 We have been inactive for too long.  
17 I hate to put Greg on the spot, but I remember  
18 the last meeting. I think it was the tribal  
19 leader's meeting with Secretary Duncan.  
20 One of the things that Greg said that really  
21 stuck in my mind, I think Secretary Duncan came  
22 in and said I want to help. And Greg said very

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1 point blank, well, then, we submit a report to  
2 you.

3 And I got your '13, I like to bring  
4 props, so your letter from '13. Here are our  
5 priorities. And he said, institute just one of  
6 those. I mean we do this work so often, and it  
7 falls on a shelf. And I think, I know you feel  
8 the frustration. I know some of you  
9 personally, and how hard you work. I feel the  
10 frustration. I think right now, I believe  
11 there is this happy coincidence.

12 It's something that Secretary Kevin  
13 Washburn said the other day when we were meeting  
14 with Secretary Jewell, talking about what are  
15 our initiatives and how we're moving forward,  
16 a happy coincidence.

17 People are -- the word I use is  
18 giving a damn. People are caring about Indian  
19 education right now, whether it's public  
20 schools, BIE schools. No matter what, they're  
21 caring right now. There are people listening  
22 who want to act. In the meetings we've had,

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1 people want to do something. And I think, so  
2 we have a wonderful opportunity to work  
3 together here.

4 Anything I can do to help anything  
5 I hope you can do to help, that we can share that  
6 responsibility to get something done to improve  
7 those outcomes, to improve tribal sovereignty,  
8 to improve the capacity of Native language in  
9 our classrooms, to improve the quality of our  
10 teachers across the entire spectrum.

11 I think anything we can do would be  
12 helpful. One of the areas that we're focusing  
13 on as a pilot this coming year is having, we have  
14 about 4000 teachers within our system.

15 We are doing a pilot, National Board  
16 Certified. We are going to spend and have 1000  
17 teachers go through the process of being  
18 National Board Certified. We all know the  
19 reason our outcomes are so small are so  
20 insignificant is because of what's happening,  
21 as Secretary Jewell says, in the box, in the  
22 classroom. That's where it's not happening.

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1       Until we make a change there, all these other  
2       things are superfluous. Our outcomes are low  
3       not because of our bureaucracy.

4                It's because of what's happening in  
5       classrooms, what's happening in our schools,  
6       and we need to change that. And that's the big  
7       focus that I have, is focusing on instruction,  
8       and what we can do try to improve that  
9       instruction.

10               And so I just want to, I know I can  
11       get off my soapbox now, but this is something  
12       that for all of us, it's a life journey.  
13       Education is something that really seems to  
14       call us, as opposed to say, well I'm going to  
15       try this profession now. I'm going to try that  
16       profession. We do it out of love as much as we  
17       do it out of respect, as much as we do it out  
18       of a commitment. And I think that it sometimes  
19       that missing element, we're afraid to talk  
20       about love.

21               We're afraid to talk about love in  
22       the sense of what we really want for our

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1 children, what we want for our kids when they  
2 become successful. And I think when we look at  
3 that BIE, we're going to change the language.  
4 We're going to use language like love, like  
5 commitment, like courage, like accountability.  
6 But I believe first we must be responsible, then  
7 we worry about accountable.

8 As Indian people, we first are  
9 taught to be responsible. If you are in a, if  
10 you worked in the corn field when you have corn,  
11 you had to work, your parents didn't hold you  
12 accountable. They expected you to be  
13 responsible.

14 That's where we have to get back, to  
15 the language that to the beliefs that we have  
16 as a way and as a form of saying  
17 self-determination has a school improvement  
18 strategy.

19 So I'm appreciative of the  
20 opportunity to speak before you. I look  
21 forward to a continuing relationship, but not  
22 just a conversation. Hopefully we come back

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1 next year and there are things that we both have  
2 done and accomplished that we can share, based  
3 on ideas that you have, based on ideas that we  
4 have.

5 And we can move forward to improve  
6 the quality of Indian education across the  
7 entire country. So with that, thank you.

8 VICE CHAIR JACKSON-DENNISON:  
9 Thank you very much, Monty, and, or Dr. Roessel.  
10 I really appreciate that and I've always had  
11 such tremendous respect for your leadership and  
12 for your -- especially your philosophy.

13 And like Monty said, our parents  
14 worked together, and for years and years and  
15 years. So we've known each other a long time,  
16 and I'm really, it makes me feel happy that the  
17 BIE has leadership of your quality.

18 So I'm going to open up to the rest  
19 of the Council, if you have any questions for  
20 Dr. Roessel or any comments or anything that you  
21 want to bring up? And I think mainly we're  
22 getting ready to go through and start to work

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1 on our report to Congress.

2 So I think some of the questions  
3 would lead from that angle, as to what we might  
4 want to add as far as what we can put into  
5 Congress and as far and then also to the  
6 Secretary of Education, the letter of  
7 recommendations that we need to make to him as  
8 well. So anyone?

9 MEMBER THOMAS: Before we get into  
10 that, I just had a, you touched on an area that  
11 even though I sit on NACIE, I'm really a JOM  
12 person. And I have to admit over the years,  
13 we've developed a better relationship with the  
14 Bureau, regarding JOM and what's been going on.

15 I mean I was there when the years we  
16 were zeroed out and when we had nothing, and  
17 we're coming back around. And I just want to  
18 know you what your feeling was for what's  
19 happening with the JOM field.

20 DR. ROESSEL: If you look on USA  
21 Jobs right now, you will see that we are  
22 advertising for the position of JOM

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1 Coordinator, so that right there is a big step.  
2 We had a discussion internally, yesterday about  
3 what should that position be. And they talked  
4 about what it was in the past, and my response  
5 is: I don't want to look what it was. I want  
6 to look what it should be.

7 And what it should be is engaging in  
8 the schools and the tribes and the different  
9 entities that have JOM contracts to see how we  
10 can be better. We need to track data.

11 If we're going to ask for more  
12 money, we need to be able to ask. I think  
13 that's one of the themes that we're setting for  
14 the BIE across the whole spectrum. So we need  
15 to do a better job of getting out and engaging  
16 with the school districts, with the tribes on  
17 what JOM is doing, how we can then increase that  
18 funding, how we can start getting those counts.

19 We're going to be issuing a Federal  
20 Register in the next, well we drafted it last  
21 night. We're going to be issue it in the next  
22 couple days for a new count, have a wider

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1 window. So I think the law says that we have  
2 to report the count by the 14th of September or  
3 something like that. So I'm trying to hit that  
4 mark.

5 At the same time we're coming at the  
6 end of the school year, so how do we do that?  
7 So we're thinking of having a very long window,  
8 so we can hit the end of the school year then  
9 go to the beginning but give people enough time.

10 And hopefully we can bring somebody  
11 onboard that can be out there and engaging. I  
12 think one of things that's important is: you're  
13 defined by your priorities, by where you put  
14 some money. And they put money in a position  
15 that has been vacant for so long and say that  
16 is your only duty. You do not have any  
17 collateral duties, or JOM is not a collateral  
18 duty.

19 I think that shows that you have a  
20 commitment there. Now, I'd be remiss if I did  
21 not say that it's tough in this budget climate  
22 when our BIE schools are getting cut. And then

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1 you look at JOM funds. We need to try to work  
2 together to expand all funding, and that's what  
3 I'll be looking to do.

4 MEMBER THOMAS: That's really good  
5 to hear, because I know that we were fighting  
6 for a long time. I've been with National JOM  
7 for 20 years, and we were the ones advocating  
8 for, get that position back, for the higher  
9 funding. So it's good to hear that this is  
10 happening. You know, we worked real close with  
11 Jim Martin when he was in there, and I just, I  
12 see that it's going in the right direction.

13 And I hope it just maintains it. I  
14 think your vision is wonderful, what you  
15 explained to the public schools, what your  
16 expectations of the BIE, I think it's a good  
17 thing that's happening in there. And I just  
18 hope that can be worked together, because JOM  
19 is important. Title VII is important, and  
20 maintaining that is something really diligent.  
21 So I'd appreciate your thoughts on that.

22 DR. ROESSEL: Well, one of the

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1 things just for, to know, the budget process of  
2 Interior is that you go out to the different  
3 regions and then people get together. And what  
4 are the priorities that Navajo or Great Plains  
5 or West or Southwest, and then that's funneled  
6 up.

7 We just had a meeting recently, last  
8 week I believe, and for the first time,  
9 education was number one. And of those, JOM  
10 and tribal scholarships. I mean BIE ISEP was  
11 number five or six, but those two were the top  
12 two.

13 And that's never happened before,  
14 so the tribal leaders are starting to push this  
15 up. And I think part of that is because we are  
16 starting to engage in that process, BIE is,  
17 where in the past it was just BIE having a  
18 meeting, develop it and nobody talking of  
19 education. So, to the extent the tribes can  
20 get involved in that process the way they have,  
21 it will help, because I've seen that Interior  
22 really listens to the tribe and that budget

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1 process. So if you can influence the tribal  
2 leader level, then our budget people will be  
3 listening to that.

4 MEMBER THOMAS: With the new count  
5 that was just conducted, that was never  
6 released. It's still on Washburn's desk.

7 DR. ROESSEL: You had to ask that  
8 question.

9 MEMBER THOMAS: I'm sorry, but  
10 everybody knows this is Virginia. But there is  
11 that thing, and now that you have initiative to  
12 do another count, that's a good thing. But I  
13 know that originally we were hoping that new  
14 programs could be added to it, because we're  
15 very limited to what we had that was frozen.

16 DR. ROESSEL: I agree.

17 MEMBER THOMAS: And if there's a  
18 way that we can increase this, because it's  
19 schools and tribes and districts trying to get  
20 in on JOM, and their numbers are still sitting  
21 there and not going anywhere.

22 And so they're being defeated

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1 themselves about, how come we can't get this  
2 program? So that's the next step. We have to  
3 make sure that every eligible JOM student is JOM  
4 eligible to receive those funds.

5 And maybe that's our way of working  
6 together, in advocating for a higher  
7 distribution of funds, be it formula based, or  
8 fixed based, whatever it is, whatever it comes  
9 to. But we need to really work together to get  
10 that student count to show what the unmet need  
11 is.

12 DR. ROESSEL: Yes, and I think  
13 that's what we really want to focus on. That  
14 count right now would have so many holes in it,  
15 as you know, in terms of the numbers stayed the  
16 same. But a quarter of them dropped, and a  
17 quarter of them raised. So I mean, it's just  
18 one of those things where the validity of it,  
19 the reliability of it, you could shoot holes  
20 through it.

21 So we need to get to a place where  
22 those numbers -- they'll always be challenged.

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1 I mean that's what we do. We challenge  
2 numbers, but at least there would be some level  
3 of confidence in those numbers, in the count,  
4 and in the process that we develop.

5 And I think that's something that  
6 when we bring this person on board, that's the  
7 first duty, to make sure that it is something,  
8 a process that people can believe in. We'll  
9 always fight the numbers and the outcome, but  
10 at least they can believe in the process first.

11 MEMBER THOMAS: And my last  
12 statement here is that I know years ago that we  
13 had this fight with, I think, Congress about the  
14 duplication between Title VII and JOM. And we  
15 got the Congressional findings on that that it  
16 was not duplicative.

17 And so at the time when the Bureau  
18 was working with this, they were trying to  
19 eliminate the JOM program, but I think we've  
20 shown that JOM is just as strong and just as  
21 important as all the other programs that are  
22 funded through there.

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1                   And so we need to make sure that it's  
2                   separate, and it's a tribal kind of a  
3                   sovereignty thing coming from the Bureau. And  
4                   I think it's really good. They might not all  
5                   think it's really good, because I always  
6                   advocate for JOM sitting here on NACIE. But we  
7                   have to tie it together, make sure that we cover  
8                   all of our bases. Indian education is Indian  
9                   education regardless. So thank you for your  
10                  comments.

11                   VICE     CHAIR     JACKSON-DENNISON:  
12                  Okay, Robin.

13                   MEMBER BUTTERFIELD: Yes, I also  
14                   really appreciate the philosophical context  
15                   that you established with your remarks. And I  
16                   don't know if you're aware that Washington  
17                   State has passed a state bill called Tribal  
18                   Compact Schools, which invites currently  
19                   funded BIE schools as well as tribes to create  
20                   their own schools using state apportionment  
21                   dollars, which will establish them, in essence,  
22                   as their own school district.

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1           And because there's been nobody  
2 full time, other than acting and kind of  
3 intermittent in the Seattle office, I really  
4 hope that we could get a little better  
5 coordination on behalf of those schools, as  
6 well as in support of the tribes that are going  
7 to be creating new schools.

8           This is a brand new entity. I think  
9 it has way more potential in terms of tribal  
10 self-determination than the STEP grants do.  
11 So I'd really like to be able to work with you  
12 on that and explore ideas for professional  
13 development, because OSPI in Washington, we  
14 have all of our offices as well. But in a  
15 previous life, I was working in the  
16 Professional Development Office at the BIE, and  
17 always found that most staff that were  
18 struggling didn't know what they didn't know.

19           And so professional development,  
20 even to get to this 1000 National Board  
21 Certified is going to be a huge undertaking.  
22 So I'm always looking for ideas on how to

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1 support those schools as well, so would love to  
2 work with you on that.

3 DR. ROESSEL: Now I think that's  
4 something that we would love to engage on. I  
5 think we want to make sure that these schools  
6 can be sustainable.

7 And one of the concerns that we have  
8 is when we begin to transfer BIE, more BIE  
9 schools to the tribes, that they don't view it  
10 as BIE's getting out of education, that they're  
11 comfortable in understanding that this is  
12 sustainable. We have a commitment, a trust,  
13 responsibility, treaty responsibility,  
14 whatever that might be, and also how we can try  
15 to work with states is something that is new.

16 I mean we do it in some areas as I'm  
17 sure you're aware, in the Plains, but take those  
18 lessons learned from there and move forward, I  
19 think.

20 MEMBER BUTTERFIELD: And I think  
21 there was some misperceptions that the compact  
22 schools were forcing people to choose one over

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1 the other, and that's not the case. It's in  
2 addition to.

3 DR. ROESSEL: Okay.

4 MEMBER BUTTERFIELD: They get  
5 state apportionment funds in addition to what  
6 the BIE provides.

7 DR. ROESSEL: Okay.

8 MEMBER BUTTERFIELD: So we should  
9 be working together.

10 DR. ROESSEL: Okay. No, I'd like  
11 that. I would like that.

12 VICE CHAIR JACKSON-DENNISON:  
13 Alan?

14 MEMBER RAY: Yes, I wonder if you  
15 would say a few words about where higher  
16 education falls within the vision that you  
17 articulated?

18 DR. ROESSEL: What we're trying to  
19 look at with BIE is we have such a great need  
20 in professional development at our schools.  
21 It's how can we use tribal colleges to help fill  
22 that need? So it serves two purposes: one, to

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1 fill the need we have in the K12, but two, to  
2 help build capacity at the tribal college  
3 level, to be able to fund and have programs that  
4 they can then help us with.

5 We have a couple areas in the early  
6 childhood of teaming with SIPI and Haskell to  
7 try to help with our early childhood  
8 initiative.

9 So we're looking at trying to say,  
10 how can we make this dollar go as far as we can,  
11 if we reinvest it, for want of a better phrase,  
12 in ourselves. Then I think we can do, have two  
13 outcomes where we're helping tribes who, tribal  
14 colleges who are really being hit hard  
15 funding-wise.

16 At the same time, we're serving a  
17 need that we have. So that's one thing. I  
18 think the other is we were just talking the  
19 other day about how do we try to create a greater  
20 outreach. And I don't have all the answers  
21 right now, but we're in the process of trying  
22 to figure out what it is and getting a group of

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1 tribal college presidents together, what it is  
2 that you want from us, from BIE.

3 Some of them will say just get out  
4 of our way, and I respect that. Others, what  
5 can we do outside of just getting more funding?  
6 How can we build partnerships?

7 So the process right now is that  
8 we're looking at trying to engage with the  
9 tribal colleges, engage with different ways to  
10 deliver. At Navajo, we have a consortium that  
11 we work with, Navajo Nation Teacher Education  
12 Consortium, that is working with area  
13 university and colleges to build teacher aides  
14 and have them go to school and come back as  
15 teachers.

16 So we're trying to build. Maybe  
17 that is a model in different areas of the  
18 country and not just have it be specific to one  
19 tribe, one school but more of a consortium idea  
20 of tribal colleges as well as area university  
21 and colleges.

22 We're also looking at, along those

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1 same lines is we're developing and creating  
2 Centers of Excellence that we will have in  
3 different regions of the country, which will be  
4 like a McREL but maybe in Minneapolis. And  
5 utilizing, again, universities to help us with  
6 that capacity building.

7 So that's one of the things that  
8 we're looking at. How do we implement this  
9 because our -- geography is one of the hardest  
10 things that we have to overcome. Schools  
11 spread out all over, and having one university  
12 down here doesn't help us, whether it's tribal  
13 or whether it's a state university. So we're  
14 looking at how do we team up that and engage with  
15 the higher education to say, this is what we're  
16 trying to accomplish. How can you help us?  
17 And as we move forward we're just now starting  
18 some of those conversations. We started at  
19 Navajo already, but then what does it look like?

20 That's one situation where  
21 geography is actually to our benefit. It's a  
22 confined area. But if you look at across the

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1 entire west, how do we do that? And so we're  
2 looking at trying to engage with not just tribal  
3 colleges but also state universities in helping  
4 build that capacity at our school level, as well  
5 as for tribal colleges at their level to help  
6 bring staff in and bring money in.

7 MEMBER RAY: I work for a private  
8 college and I would encourage you to include  
9 private colleges as part of the conceptual make  
10 up that you're considering. We have the  
11 nimbleness and the resources, often, to be able  
12 to take creative steps with the right partners.  
13 And certainly, I know at my college we would be  
14 very interested in learning what you're doing  
15 and how we could be of assistance. Thank you.

16 DR. ROESSEL: I think one of the  
17 things that's the obvious approach is if you  
18 look at it as a district. And BIE in the past  
19 has looked at it as, you know, we're an SCA,  
20 which okay, we can be, but let's put that aside.

21 But if we look at BIE as a district,  
22 we are 50,000 students, 183 schools. If you

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1 tie in grant schools, about 12,000 employees,  
2 \$1.3 billion. We're a pretty hefty sized  
3 district, but we don't act like one. And so one  
4 of the things is also, as you're able to  
5 consolidate that, your -- our professional  
6 development budget is close to \$100 million.  
7 That can get universities to the table. How do  
8 we do that? So, but we don't. What we do is  
9 everyone's on their own. So yet we all want the  
10 same outcome.

11 So some of that is reorganizing our  
12 approach and then being able to see how we then  
13 can interact and work with universities,  
14 consultants, whatever that might be. But  
15 that's one of the things is we need to first  
16 consolidate. And that's kind of what we're  
17 doing right now, making that transition from  
18 the old way to a new way, which is leaner,  
19 hopefully less meaner and able to work in a way  
20 that is collaborative with tribes,  
21 universities, schools all together, so.

22 VICE CHAIR JACKSON-DENNISON: Any

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1 other questions?

2 MEMBER ANDERSON: I just wanted to  
3 share. You talked about the leadership that we  
4 have in place with the President, Department of  
5 Education, Secretary Duncan, Secretary Jewell,  
6 Washburn.

7 We had a discussion this morning  
8 about the recommendations of this particular  
9 Council. And we haven't been satisfied as to  
10 where those recommendations go, how they're  
11 acted upon. And I can see the organization at  
12 Interior as, are making strides with some of the  
13 programs that Dr. Roessel is implementing. I  
14 wish we would get better action from our  
15 recommendations.

16 And having been with the BIE or the  
17 OIEP or BIE for 30 years, I'm just very  
18 encouraged that what I'm seeing and the  
19 strategic plan that's being developed. I just  
20 think we're going in the right direction. I  
21 think it's a sign of good leadership and again,  
22 we have a President who cares about Indian ed.

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1                   Secretary Duncan cares about Indian  
2                   ed, and I just think it's a good time for Indian  
3                   education to act upon some of the  
4                   recommendations and get the support that we  
5                   need to go forward, so appreciate it.

6                   VICE     CHAIR     JACKSON-DENNISON:  
7                   Thank you, Greg. And then also to piggyback on  
8                   that, I know how hard it is with the vision that  
9                   you carry, the vision that you have for the BIE  
10                  and also to build capacity for that vision.

11                  I guess my question to you is what  
12                  can NACIE do to help you and besides getting  
13                  your involvement with us in helping to prepare  
14                  the, we were just having a discussion over lunch  
15                  about how sometimes we feel like -- and I think  
16                  this is where Greg's coming from to a certain  
17                  extent -- of in education we just become check  
18                  off the box. Get it done. Get it out of the  
19                  way without the fidelity involved with really  
20                  impacting the lives of our young people.

21                  And so I'd like to -- I don't like  
22                  to waste my time, and I'm sure everyone here

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1 feels the same way or we wouldn't be here, but  
2 how can we really help to build that capacity  
3 that you talked about, that you speak about.

4 And I agree with you. Like I said  
5 earlier, our parents worked together. And the  
6 vision for Indian education for Navajo,  
7 sovereignty does mean control or oversight of  
8 our school systems. But yet there's always  
9 that barrier of fear and lack of trust, and I  
10 know you're probably experiencing it to some  
11 degree when you try to restructure or  
12 reorganize and relabel, re-term.

13 There's always that pushback that  
14 goes on and pretty soon it gets to the point  
15 where you're so tired of trying to get something  
16 across.

17 And I guess I'm trying to extend  
18 from the NACIE Council, how can we help you to  
19 build that capacity for -- it's a whole lot  
20 deeper when you talk about school reform in  
21 general on Indian Country than it is in American  
22 society as a whole or Western education as a

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1 whole.

2 So that's my question to you, Dr.  
3 Roessel, and you don't have to answer right now.  
4 But just think about it because I really, I'm  
5 really sincerely hopeful that in some way, I  
6 always said, and it's probably not going to  
7 happen in my lifetime that we're going to see  
8 sovereignty in education.

9 But you give us hope when you come  
10 here and talk about it from that perspective,  
11 but I know the battles are out there from people  
12 that push back and the lack of support is out  
13 there. And how do we break down those barriers  
14 to include a more holistic, more comprehensive  
15 Indian education program, more well grounded in  
16 our culture and our language and everything  
17 that needs to happen to have our students  
18 flourish, not just with the BIE but public  
19 schools as well? And how do we do that? And  
20 that's kind of where I come from and looking at  
21 you as a director of BIE now and giving us hope.

22 DR. ROESSEL: Let me just say this.

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1 First of all, we're not that old, so it will  
2 happen in our lifetime.

3 (Laughter.)

4 DR. ROESSEL: And so I'm positive  
5 about that. But I will say this, and that I  
6 don't know all the answers. But I know one of  
7 the answers is that we need to have a better  
8 conversation with the tribes, that they  
9 actually push a lot more.

10 I think for too long we've seen them  
11 as a hindrance to getting to where we want to  
12 be, that you can get bogged down in tribal  
13 politics. BIE has ignored them. Public  
14 schools have ignored them.

15 Yet it's for them that we're here,  
16 so engaging them as a partner I think elevates  
17 the conversation beyond the halls of Interior  
18 and the halls of Education and goes into the  
19 halls of Congress and the halls of the White  
20 House.

21 And I think having that level, the  
22 level of transparency. I was looking at the

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1 history of NACIE trying to get some background.  
2 And while it's wonderful to have the Secretary,  
3 it can stay within these walls.

4 It needs to be out. It need to be  
5 to Congress. It needs to be beyond that, and  
6 I think having that transparency open I think  
7 is very helpful. And that's where I think  
8 tribes can help in that respect is looking at  
9 them as a partner as we move forward. And  
10 that's why, again, I come back to this idea of  
11 sovereignty, which isn't new, that that is  
12 actually a solution for many of these things.  
13 Some tribes are here, some tribes are here, but  
14 all of them want to get to here.

15 They want to control the outcomes of  
16 their kids and their futures. And so I think  
17 engaging tribes more instead of us being in our  
18 educational silos is one thing that may be, that  
19 we can look at. I think that's true of BIE, and  
20 I think in some ways that's true of any  
21 organization, that we begin to -- we don't start  
22 out that way, but we end up building little

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1 walls around ourselves.

2 And they get a little higher over  
3 time by practice and protocols, but I think  
4 that's -- I look at the tribes as being a  
5 possibility. And I look at Navajo, the  
6 conversation, how can we engage them to really,  
7 STEP grant is one thing, but it has to be bigger  
8 than that. We have to be willing to just go big  
9 or go home at some point because that's what  
10 we're talking about.

11 MEMBER BUTTERFIELD: I just have a  
12 couple of other just more, I don't know if  
13 you're aware of, kind of a comment. One is when  
14 you're talking about creating a professional  
15 development network.

16 There was a network of 13 tribal  
17 colleges and universities that were providing  
18 professional development to the BIE schools  
19 that was really moving into a very good place  
20 when the funding ran out because mostly it was  
21 being funded through the administrative  
22 dollars from special ed.

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1           So there is an example of how that  
2 worked, and I can point you to people who worked  
3 with that including myself. So we were  
4 actually on-site at schools. We were  
5 designing best practices. A lot of it focused  
6 on special ed, but in general, good practices.  
7 So that's not just an idea. It's actually  
8 worked in the Bureau itself.

9           The second is, I don't know if  
10 you're aware of the online tribal sovereignty  
11 curriculum that we have available in Washington  
12 state because it's a simple process of taking  
13 what's already created and adding tribally  
14 specific links and sites to that.

15           We have links to tribal museums, all  
16 of the national organizations, Indian  
17 organizations. There's literally hundreds of  
18 lessons for teachers in there.

19           And it's designed to be used with  
20 every school district in the state of  
21 Washington to ramp up their ability to do  
22 accurate, authentic, relevant instruction

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1 around Indian history and culture. It's  
2 tailored mostly to Washington, but we also have  
3 the entirely curriculum project from Montana  
4 linked in there. So we've got videos. We've  
5 got, everything is right there, and it's  
6 aligned with Common Core around reading and  
7 language arts. So it's a tremendous resource  
8 that could be used as a model or adapted or  
9 adopted, so.

10 (Off-microphone comment.)

11 VICE CHAIR JACKSON-DENNISON:  
12 Ginny?

13 MEMBER THOMAS: Just a comment  
14 here, back to our original statement here about  
15 our reports to Congress and to the President.  
16 And I know that you have to provide similar  
17 reports, but I think to our benefit because Ray  
18 is going to write them, we've already  
19 designated, we worked with him. And he is the  
20 best one to help this.

21 But we could share our findings and  
22 our reports before we actually submit it so that

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1 you have the same kind of structure in your  
2 report asking for the same thing so it looks  
3 like we have some camaraderie here that we're  
4 working together. And that while we're  
5 asking, you're asking. So when it goes to  
6 Congress, they'll see it together and say oh,  
7 yes. Well, we need to do this because  
8 obviously, we're not getting a response.

9 And you're not getting a response  
10 either, but maybe if we have this collaboration  
11 between our reports to what you see that we need  
12 and we see what you need that we can work  
13 together and put it in our reports.

14 That would be of great benefit to us  
15 because we're starting the work right now to put  
16 our reports together. We didn't get a response  
17 at all from our report last year for the  
18 Secretary or from Congress. And so we're kind  
19 of leery to do it again, but it would be great  
20 if we could work together and do something like  
21 that.

22 DR. ROESSEL: I think that's a

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1 great idea. I'd like to think that as we move  
2 forward with the Senate Indian Affairs  
3 Committee, Tester being the new Chairman. And  
4 he's a former principal. That may be, you  
5 know, trying to get at, you know, the witness  
6 table in terms B- with the report or things like  
7 that. But I think the other think along those  
8 lines, sometimes when we do reports about what  
9 we're trying to do is not always start at zero  
10 with our recommendations.

11 This is what we're doing now, and  
12 this is what we're proposing. As we're always  
13 talking about as a next step, nobody likes to  
14 start something because they think it's going  
15 to fail. If you say you're already doing  
16 something, so part of the strategic plan was  
17 really to look at where are we doing things that  
18 are working. And now let's scale it up.

19 So things have worked that in Navajo  
20 when we were doing this, in the East region  
21 we're doing this. In the West region this, and  
22 scale those up. So sometimes I think showing

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1 and highlighting that would be helpful, but I  
2 don't know the dynamics and the politics of the  
3 Council, but you know, possibly trying to get  
4 at the witness table over time. And I don't know  
5 if it's possible because you're under  
6 Secretary.

7 I mean, but again, if they ask you  
8 to come and testify, you go to testify. Yes.

9 VICE CHAIR JACKSON-DENNISON:  
10 Thank you, Ginny, and any other comments or  
11 questions for Dr. Roessel from the Council? We  
12 still have Wayne?

13 MEMBER NEWELL: If I'm missing from  
14 the picture, my telephone ran out of juice so  
15 I have to be on the other end of the house.

16 VICE CHAIR JACKSON-DENNISON:  
17 Okay.

18 MEMBER NEWELL: So I'm still here.

19 VICE CHAIR JACKSON-DENNISON: Oh,  
20 okay. No wonder we don't see you anymore.

21 MEMBER NEWELL: Yes, because my  
22 telephone ran out, but I'm still hooked on.

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1                   VICE CHAIR JACKSON-DENNISON: And  
2 I think Sam McCracken's trying to call in. He  
3 just texted me, but --

4                   MEMBER MCCRACKEN: I'm here.

5                   VICE CHAIR JACKSON-DENNISON: Oh  
6 he is. Okay. Hi, Sam.

7                   MEMBER MCCRACKEN: I'm here.

8                   VICE CHAIR JACKSON-DENNISON: So  
9 for the record, Sam's online.

10                  MEMBER NEWELL: And for the record,  
11 Jenelle, my stuff arrived. So I have all my  
12 material now.

13                  VICE CHAIR JACKSON-DENNISON: You  
14 finally woke up, Sam.

15                  All right, well we thank you, Dr.  
16 Roessel. And we wish you all the luck. And I  
17 really like that idea, the last idea that we  
18 consolidate our recommendations together  
19 because I think that would be not starting at  
20 point zero and really going forward from there.

21                  And that's always been a concern of  
22 mine that whenever I come here to Washington

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1 when they talk about education, it seems like  
2 we're only talking about the BIE. You all have  
3 heard me say that, but yet when we have so many  
4 of our children that attend public schools and  
5 parochial schools and private schools, and it's  
6 -- we need to look at the whole demographic and  
7 not just one set.

8 And I think that's just a  
9 misconception that we run into here because of  
10 the way it's all structured here. So thank you  
11 for time and your staff as well. Thank you.

12 MEMBER RAY: Quick question.

13 VICE CHAIR JACKSON-DENNISON:  
14 Okay. We have another one.

15 MEMBER RAY: To that point, Dr.  
16 Roessel, when do you prepare your report?

17 DR. ROESSEL: We don't have a  
18 calendar for reports. It's primarily --  
19 budget is really what we're looking at it. We  
20 just finished '15 budget. We're working on the  
21 '16, so it usually coincides with the budget  
22 process.

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1           So what we've done now is we've  
2 finished the '15, so we're in the process of  
3 changing the way we're going to report for a  
4 recommendation of funding based on the work  
5 that Wendy has done with the strategic plan so  
6 that we have these outcomes that we can present  
7 it in a different way.

8           This will be the first time that  
9 we're presenting really and outcome-based type  
10 of report for funding. And so, but then  
11 people, Congress will say we want this. And so  
12 we have to submit a report.

13           But in terms of the calendar, it's  
14 really just with funding that we submit that  
15 type of funding request, which is in the form  
16 of more or less a report.

17           MEMBER RAY: And I imagine that's  
18 what we would call for ideas, where we would  
19 have some synergy with your office.

20           DR. ROESSEL: Okay.

21           MEMBER RAY: Good. Thank you.

22           DR. ROESSEL: Thank you.

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1                   VICE CHAIR JACKSON-DENNISON: So I  
2 think the best approach would be that we be able  
3 to keep in contact with you, and as we prepare  
4 because I think it's really important to have  
5 what you're doing is so different from what has  
6 always been.

7                   So to be able to include that in our  
8 report to both Congress and then the letter to  
9 Secretary Duncan as well. Thank you.

10                  Okay. I think we should take a 15  
11 minute break and then also, then move on. No,  
12 everybody's wanting to take a break, it looks  
13 like, so we'll take a 15 minute break and then  
14 we'll come back and reconvene.

15                  MEMBER NEWELL: Okay.

16                  VICE CHAIR JACKSON-DENNISON: It  
17 is now 2:19, so we can return at 35. Okay.  
18 2:35, we'll reconvene.

19                  MEMBER NEWELL: 2:35, thank you.

20                  (Whereupon, the foregoing matter  
21 went off the record at 2:19 p.m. and went back  
22 on the record at 2:38 p.m.)

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1                   VICE     CHAIR     JACKSON-DENNISON:  
2     Okay. We are going to go ahead and call the  
3     meeting to order. I did already, but I will  
4     officially call it to order right now and get  
5     back on our agenda. Where are we?

6                   We are -- we'll go back to Joyce.  
7     Okay. Wayne, you're on?

8                   MEMBER   NEWELL:     Yes, I'm on.  
9     Where are we on the agenda?

10                  MS. SILVERTHORNE: Okay. We did a  
11     brief overview of what the tribal leaders were  
12     sent for professional development and the kind  
13     of areas that they were covering. When you  
14     pick up the next page, you will see that there  
15     are a series of questions.

16                  These are the questions if you -- if  
17     when you look at that log site, when you click  
18     on the link, this is the document it takes you  
19     to. We wanted to send these out to our NACIE  
20     members at the time we sent them to tribal  
21     leaders. But our counsel advised us that we  
22     were only able at that time to do trial

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1 consultation.

2 And because we were looking for 566  
3 tribes, that's who it went to. Did anybody  
4 hear from their tribe about these documents?  
5 We received three responses out of 566 tribes.

6 PARTICIPANT: For both  
7 consultations or just that one?

8 MS. SILVERTHORNE: That was the  
9 combination of both consultations. And so we  
10 didn't get it to the right people. We know  
11 that, but we don't have a tool to get it to the  
12 right people, unless we can talk to the  
13 educators.

14 And so we're trying to understand  
15 what we'll do differently for the next time.

16 MEMBER NEWELL: Even that didn't  
17 work too good. I sent it to the superintendent  
18 and then no response from there either from the  
19 school, so.

20 MS. SILVERTHORNE: Pardon me?

21 MEMBER NEWELL: I spent it to the  
22 superintendent and I didn't get any responses.

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1 And I sent it along with the tribal chief to the  
2 state and nobody responded.

3 MS. SILVERTHORNE: I appreciate  
4 that you did see it and you got it sent on and  
5 that was what we were hoping for. I think part  
6 of it is that tribal leaders haven't been  
7 experienced in doing rule making.

8 And so when this got to them, they  
9 may not have appreciated fully what it could do.  
10 Our restriction in it was that tribal  
11 consultation comes before the rule making  
12 process. And so because it's before, it's also  
13 before the public process. And it was a gray  
14 area and we confounded our attorneys trying to  
15 get that resolved.

16 MEMBER THOMAS: Joyce, is there a  
17 way when you do this advertisement for the  
18 consultations, that if you have to direct it  
19 towards tribal leaders, that in your directive  
20 that you say would you please address this to  
21 your education department, or have them call in  
22 to register somehow so that they can see it.

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1 And that way they'll know to pass it on.

2 Because obviously they do see it,  
3 they just think everybody else got it and just  
4 put it aside. But if you direct them to say  
5 that this is going to you as the tribal leader.  
6 Would you direct this to your representative  
7 and have them to either call in to RSVP or  
8 register somehow, that they're going to be at  
9 the consultation. And that you'll have things  
10 prepared.

11 MEMBER BUTTERFIELD: Well I have  
12 another recommendation as long as we're kind of  
13 exploring other opportunities. I mean, I saw  
14 it. I actually looked at it. I went through  
15 all of the items on there to see if I could  
16 comment on it.

17 And I wasn't aware of what this was  
18 either. And so I think that they're -- and I  
19 have a really good network because I've had to  
20 communicate with all the tribes because of our  
21 compact schools and a bunch of stuff that's  
22 going on.

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1           So I know how to get information to  
2 people in my area. And I would suspect that you  
3 know, maybe the directors of Indian Ed, I mean  
4 that's another line of communication. I got my  
5 information from the state superintendent. It  
6 didn't even come directly to me. So when I got  
7 it, I thought oh, I wonder what this is. You  
8 know, so I was looking through it, and I  
9 thought, oh, this is the professional  
10 development grant.

11           So I don't think there was enough  
12 advance information out there for people to  
13 even know what this was. And I you know, am  
14 pretty tuned into what people are doing in my  
15 area. So I get -- I think there are other  
16 people to channel things through to get the word  
17 out and get the message that this is really  
18 important that you respond. And you know, you  
19 would work together on it.

20           MS. SILVERTHORNE: And I agree.  
21 Unfortunately, our hands were tied in being  
22 able to access that. When our attorneys say

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1 you can't talk to them, we couldn't do that.  
2 And so at the last minute, we were allowed to  
3 send another email that asked people who were  
4 not tribal leaders.

5 So in your folder, you'll see  
6 documents that say Email Notice to Indian  
7 Organizations and Tribal Organizations,  
8 attempting to get it to be referred on. And  
9 when we sent that out, we were hoping that maybe  
10 that would link.

11 And that accompanied with the blog,  
12 but I also don't see our tribal organizations  
13 yet being entirely blog-oriented. I'm not  
14 blog-oriented, and so this has been a learning  
15 experience for me. It's been a learning  
16 experience for our office.

17 We only found out this week that  
18 there was another box you can check, and the box  
19 at the bottom of a blog that we see with all the  
20 other blogs shows up. But it hadn't been  
21 checked. We thought it was on there. We  
22 couldn't understand why they couldn't make

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1 comments. We have moderators waiting to hear  
2 these comments to make sure that they get posted  
3 correctly.

4 It is a learning process from  
5 beginning to end, and trying to get this ahead  
6 of the time where the NPRM is developed. The  
7 NPRM, once developed and this, like we said  
8 earlier -- Notice of Proposed -- sorry, oh my  
9 goodness, I'm speaking acronym.

10 (Off-microphone comments.)

11 MS. SILVERTHORNE: I didn't  
12 think -- I didn't think that was ever going to  
13 happen. Yes, I'm sorry. Notice of Proposed  
14 Rule Making. And what that is, is an  
15 opportunity for the rules to be updated. And  
16 it doesn't happen often. And generally only  
17 when the re-authorizations occur.

18 And so not many people in our  
19 offices -- because we do have a high turnover  
20 of people in our offices -- not many people in  
21 Ed have actually gone through a process of  
22 Notice of Proposed Rule Making. And we learn

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1 at every corner of this process.

2 So the documents that you have  
3 today, yes, we did try to explain it better. We  
4 knew it wasn't working well, and yet our hands  
5 were tied to go to the people that we knew would  
6 understand it. We wanted to send it out to our  
7 grantees who we knew would have a stake in this,  
8 but we had to go through the route of  
9 organizations to send it to your tribal  
10 leaders. And so I don't know if that was part  
11 of the challenge or what. At any rate, we are  
12 nearing the end of that early tribal  
13 consultation period.

14 Our meeting today, and I know that  
15 we could have had this later, and had Bill been  
16 present then. But if we do, we miss this  
17 window. And so we had to weigh this as we were  
18 trying to select the dates from Jenelle's list.

19 And today we can still incorporate  
20 your decisions. Either a composite from NACIE  
21 as a whole individually, and we can tally from  
22 NACIE and look for a majority. And that's what

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1 your next document is. I hadn't intended to  
2 hand out this one. If you just turn that one  
3 over for a moment. Look at topic one. Should  
4 Ed Programs Place Greater Emphasis on Grantee  
5 Ability to Match Participants? I'll let you go  
6 through these. Check them at will. I'll pick  
7 them up tomorrow and we will tally them and  
8 compare them with the other charts.

9 But if you are willing to do that,  
10 please ignore the colored sheets until after  
11 you've gone through the chart. And we will  
12 give you comparison and we'll talk about what  
13 that looks like.

14 So that was -- and we won't go  
15 through the PowerPoints, either one of them.  
16 And so that was the first one. And that was for  
17 Professional Development. So we have the same  
18 set of documents for the STEP grants. And I see  
19 from your packets that you already have most of  
20 this stuff. So I'm not going to go through  
21 again to pass these out. Because you already  
22 have those in your packets, pick up the one that

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1 says State Tribal Education Partnerships.  
2 This is the counterpart for the other one.

3 MEMBER NEWELL: Can I make a point?

4 MS. SILVERTHORNE: Yes? Does he  
5 have a packet? I believe you should have a copy  
6 of this. It should be in your packet.

7 MEMBER NEWELL: I have two, but  
8 they look like the same one.

9 MS. SILVERTHORNE: Yes. And the  
10 two --

11 MEMBER NEWELL: State Tribal  
12 Education Partnership. Is that the one you're  
13 talking about? My packet just came and it  
14 looks like I got two copies of everything, but  
15 I don't have everything.

16 MS. SILVERTHORNE: They look like  
17 two copies of the same thing. They're actually  
18 a copy of two different things that went out.

19 MEMBER NEWELL: Are they? Okay.

20 MS. SILVERTHORNE: I agree, the  
21 differences were very minor. And it was in  
22 order to address the cautions that we were

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1 received from our legal office that we did it  
2 that way.

3 And so we were trying to make sure  
4 that we didn't imply that everybody in an  
5 organization was able to make comments at this  
6 time. There will be opportunities for  
7 everybody to make comments in the Notice of  
8 Proposed Rule Making Process. But it will come  
9 when it's published though the Federal  
10 Register.

11 This is our one window of  
12 opportunity, as a government to government,  
13 that was different from the others.

14 MEMBER NEWELL: I see where the  
15 differences are. I just looked through  
16 quickly, yes.

17 MS. SILVERTHORNE: Okay. And so  
18 again, we tried to explain what it was we were  
19 looking at. And what you have are the  
20 questions on the next page that they get when  
21 they click the link and go to it. And then back  
22 to the last page, and the last page is a series

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1 of topics.

2 MEMBER NEWELL: A series of what,  
3 I=m sorry? I didn't hear that last word. A  
4 series of topics, you said?

5 MS. SILVERTHORNE: Topics and  
6 functions.

7 MEMBER NEWELL: Okay, got you.

8 MS. SILVERTHORNE: And if you would  
9 rank the boxes to the right. The light  
10 box -- light-colored boxes first. And then  
11 come back and rank the dark boxes.

12 MEMBER NEWELL: Okay.

13 MS. SILVERTHORNE: And again,  
14 these are feedback and what we will do with them  
15 is compile them as a NACIE comment.

16 MEMBER NEWELL: This is page four  
17 of that packet, what you=re talking about,  
18 right?

19 MS. SILVERTHORNE: Yes, it is.

20 MEMBER NEWELL: Yes, okay. I'm  
21 just trying to follow here the best I can.

22 MEMBER BUTTERFIELD: So Joyce, are

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1 you saying that these two surveys are still open  
2 on the web or not?

3 MS. SILVERTHORNE: Yes.

4 MEMBER BUTTERFIELD: For how long?

5 MS. SILVERTHORNE: The PD will  
6 close first. And if everything goes well, it  
7 could close as of Friday. If -- and where we  
8 are in that process is moving into the formal  
9 document that then is now in our clearance  
10 process.

11 MEMBER BUTTERFIELD: Okay, so then  
12 we miss a STEP One place.

13 MS. SILVERTHORNE: The STEP One has  
14 at least two weeks open.

15 MEMBER BUTTERFIELD: So we could  
16 get people to pay attention to this in the next  
17 two weeks?

18 MS. SILVERTHORNE: We thought we  
19 would be flooded with STEP comments. We  
20 thought there would be lots of people who would  
21 be wanting to have input on what happens in  
22 STEP.

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1           And it is a challenging program.  
2           It's a challenging program because it's the  
3           first attempt, like Dr. Roessel is talking  
4           about, to take the Department of Ed and move  
5           them into recognizing the sovereignty and the  
6           role of tribal governments.

7           MEMBER NEWELL: I know that during  
8           re-authorization, of which I was a part of that  
9           rule making process, this is a very, very  
10          contentious issue because of the sovereignty  
11          question of the states kind of coming into the  
12          business of tribal education. And so I can see  
13          why you were expecting a flood of comments.

14          MS. SILVERTHORNE: Yes. And  
15          actually, the re-authorization, the blueprint  
16          plan and re-authorization proposals that were  
17          moved forward, were more comprehensive than  
18          what the STEP grant actually does. The STEP  
19          grant, after the blueprint was proposed and  
20          that plan was proposed and turned down for  
21          re-authorization at that time, the STEP grant  
22          came about as a Congressional surprise to the

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1 Department of Ed.

2 Because they had listened to what  
3 was being presented to them, they did an  
4 appropriation that was moving that direction.  
5 It's a small appropriation. It's only \$2  
6 million and it had no regulations with it. It  
7 was granted in February, 2012 and had to be  
8 spent by September 30, 2012.

9 We did a waiver of rule making to be  
10 able to get the first grants out. We did not  
11 have a long enough window of time for tribal  
12 government to work with their state education  
13 agencies, some of which they had not really  
14 built a relationship with yet. And to get  
15 their tribal governments to dedicate tribal  
16 education agencies in the first place.

17 Those are -- those are complex  
18 processes, and we knew it was short. We knew  
19 all we were going to get were the people who were  
20 ready to go in the first place. So the four  
21 grantees that we have had, we're trying to  
22 listen to and learn from and incorporate their

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1 suggestions and concerns.

2 And some of the things you see in  
3 this come as a direct experience learning  
4 process. And trying to consolidate all of that  
5 information and present it forward for some  
6 selection criteria.

7 MEMBER BUTTERFIELD: Joyce, when  
8 do the STEP grants end?

9 MS. SILVERTHORNE: The STEP grants  
10 won't end until 2015. They were a three-year  
11 program, so they are midway in their second year  
12 right now. They all have accomplished their  
13 formal agreements. They all are working with  
14 LEAs and with states. And they have all  
15 identified federal programs that they have an  
16 endorsement from the state and the LEA that they  
17 will all work together.

18 And that unfortunately does not  
19 include Title VII. Does not include Impact  
20 Aid. The reason for that is because those two  
21 programs are funded directly to the local  
22 education agency. They don't run through the

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1 state. And this first round has been, only in  
2 agreement, states and tribals. You'll see a  
3 difference as you work though the plans.

4 VICE CHAIR JACKSON-DENNISON: And  
5 that's going to be the major -- that's the major  
6 struggle right there with everything that Dr.  
7 Roessel was just talking about. His vision of  
8 public schools being a part -- there's that fear  
9 that I had talked about with -- especially  
10 Impact Aid.

11 And the pushback is there because  
12 they really don't want the tribe to -- is this  
13 going to be another layer of bureaucracies  
14 before the schools get the money is the way it's  
15 looked at. So --

16 MS. SILVERTHORNE: It doesn't  
17 interfere with the school getting the money.

18 VICE CHAIR JACKSON-DENNISON:  
19 Well, I'm just saying that's their perception  
20 of what will happen. They compare it to the JOM  
21 program. And they say okay, by the time we get  
22 our JOM money, they've taken --

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1 MS. SILVERTHORNE: If that -- well,  
2 and actually that's more on the side of turning  
3 over the schools, public and bureau, to the  
4 tribe.

5 VICE CHAIR JACKSON-DENNISON: Yes.  
6 That's what I'm saying is that's the  
7 perception. That's the struggle right there  
8 that needs to be recognized and why there's such  
9 a pushback from the public school sector. Even  
10 if it -- well, I mean true sovereignty finally.  
11 But there's that pushback with lack of trust  
12 with that whole thing.

13 So I think I was going to suggest  
14 that when Monty was here we should have gone  
15 over this because I think that he has through  
16 the grant programs, he has some oversight with  
17 getting this -- I mean he would be able to  
18 connect more than going through -- I mean it  
19 would be a -- I don't know if that's been tried  
20 or not, but to go through --

21 MS. SILVERTHORNE: We had an  
22 opportunity in the all.

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1 VICE CHAIR JACKSON-DENNISON:

2 Okay.

3 MS. SILVERTHORNE: And we're going  
4 to set up a meeting to have this conversation.

5 VICE CHAIR JACKSON-DENNISON:

6 That's perfect because that will work.

7 MS. SILVERTHORNE: Because you're  
8 right. We have not had enough opportunity to  
9 compare notes and look at this.

10 VICE CHAIR JACKSON-DENNISON: I  
11 think that's the way it will work best because  
12 you're -- I can just tell you of being a school  
13 superintendent, you're going to have trouble  
14 with the public school superintendents and  
15 staff that fear Impact Aid going through the  
16 tribal systems.

17 And they have -- there's this huge  
18 fear --

19 PARTICIPANT: Of change?

20 VICE CHAIR JACKSON-DENNISON: It's  
21 not so much change, but it's more of yes, we want  
22 our tribes to control schools, but what's the

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1 price that we're going to have to pay, where  
2 they don't have the capacity built at the local  
3 level to understand rules.

4 It's just like the money becomes oh,  
5 well we're going to hire our friend, or we're  
6 going to do this, we're going to do that. So  
7 that's where the -- that's where the  
8 lack -- whereas you're under the state, and it's  
9 so structured, you've got to go through so much.  
10 You can't just willy-nilly do whatever.

11 MS. SILVERTHORNE: In between  
12 where we are now and where we would like to be  
13 are a lot of pieces that need to be developed.  
14 One of which, and you said it, is  
15 capacity-building. Now, the STEP grant says  
16 that this is a grant for capacity-building, but  
17 there's no definition about what that means.

18 And so one of the things that we are  
19 working with is technical assistance. One of  
20 our contracts had some -- doing technical  
21 assistance. And we tried to add onto that to  
22 do additional technical assistance for the STEP

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1 programs. And as we are doing that, we need  
2 both internally to understand how this is  
3 affecting other programs -- those silos again  
4 -- and understand that and promote better  
5 working together.

6 Also we need to do a better job of  
7 talking to tribes who do get the grants, about  
8 what capacity is and what it's not. And those  
9 things are both very important pieces because  
10 from our experience so far, they could give us  
11 more and more trouble unless we can find a way  
12 through them. And so that's -- that's what  
13 we're working for. And that wasn't intended  
14 when we got the \$2 million, but certainly  
15 appears to be a necessity as we continue to work  
16 with it.

17 MEMBER BUTTERFIELD: You know, my  
18 understanding of the STEP grants from say,  
19 like, the TEDNA perspective was that the tribes  
20 wanted to look at the funding stream of the  
21 Titles coming to them. And then they would  
22 disburse those services out to the schools as

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1 if they were an SEA.

2 So having worked in a Title I office  
3 at an SEA, you know, my thought was well,  
4 there's a lot of accountability stuff that you  
5 have to do. You also have to be aware of, you  
6 know, reading instruction that's paid for for  
7 Title I. You have to be aware of, you know,  
8 math instruction. You have to be aware of the  
9 monitoring requirements.

10 You know, I thought that was the  
11 type of technical assistance that would be  
12 provided through these pilot STEP grants. But  
13 what I'm seeing is that the tribes are focusing  
14 on a school and the little bit of money that goes  
15 directly through a Title to that school.

16 So it's a very small piece of what  
17 I thought the vision was overall, in the  
18 beginning. Am I right?

19 MS. SILVERTHORNE: You're  
20 absolutely right. And unfortunately, that  
21 difference in what the perception of what this  
22 would be, has fueled some of the confusion that

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1 we're seeing. And the TEDNA organization, and  
2 I love them dearly, but there are a leap of faith  
3 for the tribes to be ready to accept that.

4 Number one, there were no changes to  
5 the statutes. Without changes to the  
6 statutes, it can't go to the tribe. Even in the  
7 best of worlds, all of this is going to take  
8 statutory change as well as capacity-building,  
9 as well as experience and knowledge about what  
10 these programs are. So there's a lot of room  
11 for improvement. There's a lot of growth to be  
12 done.

13 In the world of federal granting, we  
14 are trying to look at as far as we can take it  
15 at this point. And right now, the pilot  
16 program was our first attempt at that. The  
17 pilot program has four successful grantees,  
18 50 percent of whom are struggling with this.  
19 So this is -- that's pretty scary, but back to  
20 the percentage thing, 50 percent of four is half  
21 of them. That's scary.

22 MEMBER NEWELL: This is Wayne.

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1 When you say successful grantees, what -- from  
2 what perception is that gotten, the successful  
3 part? Because I know that there are two sides  
4 to this issue. And some would say successful,  
5 some would say no. So I'm wondering what?

6 And then the other part of my  
7 question is, is there a possibility of some sort  
8 of an extension so that this process can be done  
9 in a more timely manner rather than a rushed  
10 manner?

11 MS. SILVERTHORNE: Well hopefully,  
12 this isn't a rushed plan. We have 18 months to  
13 work on what the next competition will look  
14 like.

15 MEMBER NEWELL: Oh, we do. Okay,  
16 I'm sorry. I didn't -- I was not aware of that.

17 MS. SILVERTHORNE: We're hoping to  
18 do -- to conduct a competition in the  
19 spring/summer of 2015.

20 MEMBER NEWELL: Okay.

21 MS. SILVERTHORNE: Success. And  
22 at this point, success is did they complete

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1 their formal agreement? Are they working with  
2 their LEA? Did they identify the programs that  
3 they are going to work with? And is their  
4 professional development in a two-way process?

5 VICE CHAIR JACKSON-DENNISON: I  
6 have a question Joyce. I know you're doing one  
7 with New Mexico.

8 MS. SILVERTHORNE: Wait, with  
9 which?

10 VICE CHAIR JACKSON-DENNISON: New  
11 Mexico.

12 MS. SILVERTHORNE: Yes.

13 VICE CHAIR JACKSON-DENNISON: Just  
14 out of curiosity, because that -- back to the  
15 Impact Aid issue -- that's a state that's  
16 equalized. So I'm curious how they're doing.  
17 Because if I were working in New Mexico, I would  
18 want to be a part of this STEP program.

19 And to see how -- because right now,  
20 that's an example of how Impact Aid is -- in the  
21 state of New Mexico, goes to the state and not  
22 to -- directly to the LEA. And so if it were

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1 going through a STEP program where it would be  
2 a little bit closer if it were going to the --

3 Like for Gallup-McKinley County  
4 Schools and those schools that have high  
5 numbers of students that are in their school  
6 system that are counted because they live on  
7 federal land. Not because they're Indian  
8 students, but because they live on federal  
9 property, it would more equalize it, I would  
10 think, through the STEP program then the way it  
11 is equalized through the state. So I'm just  
12 curious how that pilot is going? Or can I ask  
13 that yet?

14 MEMBER BUTTERFIELD: Well, my  
15 understanding, if I could respond, is that  
16 Impact Aid -- I think the sites are choosing  
17 which federal Titles they want to focus on. So  
18 Impact Aid isn't involved in any of them right  
19 now.

20 MS. SILVERTHORNE: It isn't  
21 involved in any of them because it goes in  
22 everyplace, all of the states that are not

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1 equalized, it goes directly to the school  
2 district. So it doesn't count as one of the  
3 federal programs that could be counted.

4 In the New Mexico state, it still  
5 goes through the state office and goes to the  
6 school districts, but nobody choose Impact Aid  
7 as one of the programs they wanted to address.

8 VICE CHAIR JACKSON-DENNISON: It  
9 then goes back to the question that Dr. Roessel  
10 was talking about -- or his vision and the  
11 vision of the term sovereignty under Indian  
12 Education. Given that the state of New Mexico  
13 is one of the highest recipients of Impact Aid,  
14 I would imagine you=d have pushback. If this  
15 is just a pilot program and we're trying to  
16 build this to become something that we do  
17 eventually -- the purpose of the pilot is to see  
18 how well it works and then to be able to grow  
19 into doing this.

20 I would imagine states like New  
21 Mexico, I don't know about Kansas and Alaska,  
22 who are the other equalized states in the union,

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1 but I would think New Mexico would really push  
2 back. The state of New Mexico politically. I  
3 don't know that for sure, but I'm just thinking  
4 ahead of if Impact Aid were involved with this  
5 idea. Because I heard, and I think Greg was in  
6 that same meeting. Patsy was in that meeting  
7 with the tribal when -- with Arnie Duncan.

8 And I kept hearing it over, and over  
9 and over. They want that Impact Aid money.  
10 That's their whole reason behind wanting to  
11 have control of education. It's the dollars  
12 they're looking at. And I can understand  
13 because they gave examples of some of the  
14 schools that were -- not similar to the  
15 demographics where I'm at, or where some of us  
16 are at, but were -- they're giving stories about  
17 some of the injustices that were done to Indian  
18 students.

19 And so but they were relating it  
20 back to we want those Impact Aid dollars to come  
21 through the teacher education programs at the  
22 tribal level.

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1           So you know, I sat there and  
2           listened, and listened, and listened. And I  
3           had to finally speak up against what I felt like  
4           wasn't -- what they wanted to hear. But  
5           because not all of us are the same as what  
6           they're describing.

7           So it's that whole generalizing.  
8           But yet at the same time, when you look at it  
9           from a political standpoint of what tribes are  
10          really after. And are they really  
11          after -- this is a question I would pose to Dr.  
12          Roessel. Are they really after controlling  
13          their education of the children, or are they  
14          looking at the dollars?

15          Because there's a difference in it.  
16          Is the passion really there for learning? Is  
17          it truly there? Or is it about the dollars that  
18          they want flowing through their tribal system?  
19          That's really the struggle right there.

20          MS. SILVERTHORNE: And the passion  
21          for education of the tribal membership includes  
22          when they're at their best and when they're at

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1 their worst. And all although it's like  
2 parenting, you don't get to choose when you get  
3 to be a parent. It's a 24 hour a day, seven days  
4 a week.

5 And so certainly that's an issue.  
6 And I don't know that there is an answer for  
7 that. I do have one thing though. When you  
8 said that New Mexico is one of the highest  
9 recipients. Only because they've got a large  
10 number of students.

11 VICE CHAIR JACKSON-DENNISON: The  
12 largest recipient in the country of Impact Aid  
13 dollars, if it were all on equal terms of  
14 unequal. The Impact Aid is the money to  
15 equalize up for students that are on federal  
16 property that don't draw tax base.

17 So Gallup-McKinley County is the  
18 largest recipient if it were all equal the same  
19 across the country. But because New Mexico is  
20 an equalized state, Arizona becomes the largest  
21 recipient of Impact Aid that goes directly to  
22 the school systems because of the number of

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1 Indian children on federal property.

2 But really New Mexico is really  
3 getting hit hard with the equalization. So  
4 that would be a real --

5 MS. SILVERTHORNE: Because they  
6 got a big cut.

7 VICE CHAIR JACKSON-DENNISON: Not  
8 only that, because they're equalized, meaning  
9 every student, no matter where you're from, if  
10 you're in the -- and it costs more to educate  
11 an Indian child on a reservation then it does  
12 to educate the same Indian child that doesn't  
13 come from the reservation that lives in  
14 Albuquerque. The busing, everything costs  
15 more.

16 And the building of schools, the  
17 shipping of materials out to the schools  
18 because of the remoteness. It costs more. So  
19 that whole idea of Impact Aid is to equalize up  
20 to levels. But New Mexico is equal, so that  
21 every child is worth the same to educate  
22 regardless of where they're from.

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1           So they take that into a  
2 general -- it's equal, yes.

3           AUDIENCE MEMBER: It's equalized,  
4 but it's unequal.

5           VICE CHAIR JACKSON-DENNISON: Yes.  
6 It becomes unequal because it's equalized.

7           MS. SILVERTHORNE: And you are well  
8 beyond me in the versed in Impact Aid. They get  
9 to the formula in the state and they lose me  
10 every time they've tried to explain it to me.  
11 And it is a complex process.

12           However because these were funneled  
13 directly to, and New Mexico it did not come up  
14 as a subject. I'm surprised that it didn't but  
15 it didn't.

16           VICE CHAIR JACKSON-DENNISON: I'm  
17 just curious because I see the bigger picture  
18 of where we're going and like Dr. Roessel said,  
19 I'm all for sovereignty. That's why I say I  
20 hope it happens in my lifetime. He thinks  
21 we're young enough that it will.

22           But I know the battle out there.

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1 Because I've seen it a lot more than maybe he  
2 has. But that's from the public school sector,  
3 there is that huge -- because it is the  
4 lifeblood of public schools.

5 Especially in Arizona, we're the  
6 largest recipient of Impact Aid. And you know,  
7 I'm a perfect example of what happens when it  
8 gets cut. It just -- it really hurts, so.

9 MS. SILVERTHORNE: On the back of  
10 your sheets that you received this morning on  
11 the formula program for Title VII, you'll see  
12 that we ask the schools what other programs you  
13 are receiving for -- that address Indian  
14 students. And remember that the collaborative  
15 effort about how do these all work together is  
16 a major issue.

17 And I think it's one of the ones,  
18 your conversation right now is one of the ones  
19 that prompted us to put that in there. Because  
20 that is a concern and how those programs make  
21 a puzzle that make a whole picture for healthy  
22 successful students.

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1                   VICE CHAIR JACKSON-DENNISON:  And  
2                   I totally agree with everything that's been  
3                   said about this.  But at the same time, there's  
4                   this lack of understanding.  That's what I talk  
5                   about when I said build capacity.

6                   We really have to educate our  
7                   people.  Because even Impact Aid isn't an  
8                   Indian education program.  It's a -- it impacts  
9                   Indian students, but the same child that's not  
10                  Indian that lives on the reservation gets the  
11                  same numbers attached to them because they live  
12                  on federal property.

13                  So that's the same idea of why it's  
14                  different that some of the tribal leaders  
15                  didn't understand when they say we want that  
16                  Impact Aid.  They think it's Indian Ed money.  
17                  It's not.

18                  And that's the difference between  
19                  Impact Aid and other programs.  Although it's  
20                  used to help Indian children across the  
21                  country.

22                  MS. SILVERTHORNE:  In lieu of

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1 taxes.

2 VICE CHAIR JACKSON-DENNISON: In  
3 lieu of taxes. But it helps other children  
4 like the military kids that live on bases and  
5 federal properties across the nation that  
6 aren't Indian reservations.

7 MS. SILVERTHORNE: Thank you for  
8 your time. A little bit of time all day. And  
9 we'll talk again tomorrow about what you find  
10 as you work through these comments. Thank you.

11 VICE CHAIR JACKSON-DENNISON:  
12 Thank you Joyce. Any questions or any  
13 comments?

14 MEMBER WHITEFOOT: Oh yes. I have  
15 several questions.

16 VICE CHAIR JACKSON-DENNISON:  
17 Okay.

18 MEMBER WHITEFOOT: I was just  
19 letting folks speak before I got to my  
20 questions. Okay, I'm going to go back to the  
21 beginning.

22 I want to speak to the notice, where

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1 is it, the rule making process that you were  
2 talking about originally in the beginning.  
3 And the acronyms you are using. And the  
4 comments that, you know, the few comments that  
5 you received.

6 I just had a question about you  
7 know, from the federal government. I never see  
8 dates on here. Is there a reason we never get  
9 dates on these? Because once you get it, you  
10 don't know what you have to respond to. And  
11 then what is the time line on these official  
12 documents to our tribal leaders?

13 MS. SILVERTHORNE: One of the  
14 reasons that there are not dates on this one,  
15 and we actually, intentionally left the dates  
16 off. Is that we didn't know how long we'd have  
17 this window of opportunity for the comments.

18 And the window of opportunity was  
19 longer. Had we put the dates that we  
20 anticipated at the time we sent these out, it  
21 would have already been past.

22 MEMBER WHITEFOOT: And so what

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1 holds that up?

2 MS. SILVERTHORNE: The technical  
3 process of compiling and clearance.

4 MEMBER WHITEFOOT: And how long  
5 does clearance take?

6 MS. SILVERTHORNE: 18 months.  
7 Truly, 18 months. And what we've found out as  
8 we were preparing these initial documents, is  
9 that we are now in the third month already in  
10 preparing initial documents.

11 MEMBER WHITEFOOT: So what does  
12 compiling mean then?

13 MS. SILVERTHORNE: We begin with  
14 the original -- okay, let's start with PD.  
15 Because that's the least complicated of these.

16 MEMBER WHITEFOOT: What is PD?

17 MS. SILVERTHORNE: Professional  
18 Development.

19 MEMBER WHITEFOOT: Okay.

20 MS. SILVERTHORNE: And the  
21 Professional Development program has been  
22 operating under Rules 263 -- CFR 263 -- 34 CFR

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1 263. And those rules are the rules that have  
2 been in place since the last revision was just  
3 as No Child Left Behind began.

4 And so with those rules, we have to  
5 take a look at every aspect of the rule. Every  
6 concern about purpose. We had to incorporate  
7 the questions that were raised from the Office  
8 of the Inspector General. And the solutions  
9 that we have been able to get accepted through  
10 the Office of Inspector General.

11 Fair assessment Jenelle? I'm  
12 still learning. Let me double check as we go  
13 here. But this is a very technical process.  
14 Not only are we making changes to these rules,  
15 and this is what we've always dreamed about  
16 right? Being able to be at the table to set the  
17 rules so that they work the way that they're  
18 supposed to.

19 But it is a very difficult process  
20 to move through. And you change a word here,  
21 you have to check it three or four other places.  
22 If you talk about -- you=re moving, changing

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1 that word, you need to tell them what it was,  
2 you need to tell them why you changed it.

3 And in every part of that, it's like  
4 you would do if you were doing the school board  
5 rules of operation. Same sort of thing, only  
6 at the federal level, we have all of these  
7 offices -- offices works. And they have a  
8 different purpose.

9 So Budget Services as opposed to  
10 Office of General Counsel, as opposed to  
11 Professional Development as opposed -- all of  
12 these different offices within the Department  
13 of Ed. And they each have the opportunity to  
14 comment on what the changes are that you're  
15 making.

16 Now the 18 months of clearance that  
17 we're talking about, is when it becomes the  
18 formal process. But there's an informal  
19 process in getting ready to start that. So  
20 there are multiple places where people have  
21 that ability to comment and influence the  
22 direction.

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1           And at each point where we have made  
2           the case for the individual needs for Indian  
3           students and for Indian professionals to teach  
4           those students, we need to be able to explain  
5           why we're making those changes.     What the  
6           changes are.   And to defend the direction that  
7           we have selected in place of that change.

8           And so it has been many, many  
9           meetings.   It has been incredible volumes of  
10          trying to make sure that we have incorporated  
11          every item from the track changed document that  
12          comes into us.   And that we have addressed why  
13          yes or not.   And explain then where it will be  
14          included.

15          There are some changes that were  
16          proposed that then need to be addressed in  
17          several places.   We needed to propose this to  
18          the policy committee, which is the upstairs  
19          folks, the leadership of the Department of  
20          Education.   And we -- it was a very stringent  
21          process to be able to be doing that.

22          And they took a look at what we were

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1 proposing. They said oh, that's right, you  
2 don't need to bring it to policy committee. So  
3 we had done a lot of work that then -- it served  
4 our purpose, we didn't have to take it through  
5 the policy committee, but you don't know that  
6 until you've done it. And it takes time and  
7 effort.

8 MEMBER WHITEFOOT: So this --

9 MS. SILVERTHORNE: Does that help?

10 MEMBER WHITEFOOT: It does. And  
11 so I -- we don't need to go any further in it.  
12 But the compiling process, how long did that  
13 take?

14 MS. SILVERTHORNE: We are not done.  
15 We will be compiling all the way through until  
16 we have an approved Notice Inviting  
17 Applications for the next competition.

18 So the compiling process begins  
19 internally. And then it goes into a formal  
20 clearance process. And that formal clearance  
21 process will invite more comments, more  
22 compiling. And we will do revisions.

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1                   And then we have a Notice Inviting  
2 Applications and the Application itself. And  
3 those documents go through clearance before  
4 they're released.

5                   It's all of the information that's  
6 behind. I've done a lot of grant writing. But  
7 I always begin with the Notice Inviting  
8 Applications. Not seeing what went behind  
9 them. There's a great deal that goes behind  
10 it.

11                   MEMBER WHITEFOOT: Okay. And  
12 that's helpful to know. Because I think it's  
13 you know, helping us to address some of the  
14 frustration, I know that I am feeling about this  
15 process. So like it's helpful just to know  
16 that. Because I don't know what kind of time  
17 lines you're dealing with.

18                   And so when we do our report then,  
19 I'm asking us to even consider you know, our own  
20 time lines so that we can try to be in sync with  
21 you and Congress. And I'm even wanting to  
22 propose a letter to the President as well.

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1           You know, but the report should go  
2 to the President possibly. I don't know, so we  
3 can get a simple response, that's all.

4           MS. SILVERTHORNE: And Patricia I  
5 appreciate that. And I know that there has  
6 been a historic not responding to the reports.

7           MEMBER WHITEFOOT: Right.

8           MS. SILVERTHORNE: It was true when  
9 I was on NACIE. It was true when watching it  
10 from this side. It has been a true learning  
11 experience to be in the office and try to  
12 understand how these things work. It's not  
13 over.

14           MEMBER BUTTERFIELD: Well, just  
15 related to kind of this thing about the process  
16 itself. Because I guess I get confused. I  
17 mean I just went through working on writing  
18 Washington administrative codes. So I'm  
19 really aware of the processes that go into  
20 creating the rules based on you know, a bill  
21 that was passed as law.

22           So I just want to be sure I'm

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1 understanding. What you're working on is kind  
2 of a Ahow,@ and the what's in the law is the  
3 Awhat.@

4 So for example, under PD, it says  
5 there should be a payback. So what you have to  
6 do is craft the language that describes how that  
7 payback happens? Or what's the difference?  
8 That's what I don't get.

9 MS. SILVERTHORNE: Yes and no.  
10 Yes that is true. There was no change in the  
11 statute. So it's still the Awhat.@ But the  
12 Ahow@ is changing and partially it's changing  
13 because of the Office of Inspector General  
14 report that was so scathing about our payback  
15 process.

16 And in addition to what has happened  
17 in our trying to address those points that were  
18 made, we also have a new Office of Inspector  
19 General review of all of the other payback  
20 systems within the Department of Education.  
21 There are five other payback systems.

22 And low and behold, because we have

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1       been addressing this now since 2010, we're the  
2       star kids.  Because we have a process --

3                   VICE CHAIR JACKSON-DENNISON:  As  
4       bright as you are, you're better than the rest.  
5       Is that what you're saying?

6                   MS. SILVERTHORNE:  That's what I'm  
7       saying.  And it's a challenge to understand how  
8       this all works together.  But for some of the  
9       other entities, their statute said that we  
10      don't even start counting until five years.

11                   And by the time a graduate has gone  
12      and is out in the world for five years, they can  
13      be in many different places.  The hardest part  
14      of it is finding them.

15                   And all of this is private  
16      information.  This is protected under Edgar.  
17      And there strict rules about what we can can't  
18      do in accessing that information.

19                   So all of those records are under  
20      lock and key.  Only one person is regularly  
21      involved in accessing them.  And -- but reports  
22      are continual.

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1                   We are officially moving into an  
2                   electronic payback system. It went live.  
3                   They are effectively moving all of the files  
4                   that are current files by the middle of April.  
5                   By June of this year, you will see a report from  
6                   the electronic system.

7                   VICE CHAIR JACKSON-DENNISON:  
8                   Interesting. Confusing, interesting. But --

9                   MS. SILVERTHORNE: You guys didn't  
10                  tell me this when I took this job.

11                  VICE CHAIR JACKSON-DENNISON: We  
12                  didn't know it either. Any other questions  
13                  for --

14                  MEMBER WHITEFOOT: Yes I do have  
15                  other questions. It has to do with the  
16                  proposed EASIE.

17                  MS. SILVERTHORNE: Electronic  
18                  Application System for Indian Education.

19                  MEMBER WHITEFOOT: Thank you.

20                  MEMBER NEWELL: Title 10.

21                  MS. SILVERTHORNE: It was just too  
22                  cute, wasn't it?

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1                   MEMBER WHITEFOOT: I just want to  
2 state again that several years ago, the  
3 northwest tribes took the position that we did  
4 not want our Title VII funds to go through the  
5 state. And still do not want to have them go  
6 to the state level.

7                   So just for your information on  
8 that. I know there's been talk -- you know,  
9 discussion around that. But that was a  
10 position we took. And we'll probably continue  
11 to take.

12                   I did want to just talk about some  
13 of the contracts. You said there were several  
14 contracts --

15                   MS. SILVERTHORNE: Could I respond  
16 to that statement first?

17                   MEMBER WHITEFOOT: Right. Sure.

18                   MS. SILVERTHORNE: There is no  
19 effort that I'm aware of for Title VII funds to  
20 go to the state.

21                   MEMBER WHITEFOOT: Well I just want  
22 to say having worked at the state level before,

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1 I know that issue does come up periodically.  
2 And just have to remind folks that there has  
3 been a formal position, but if there's  
4 discussion that comes up, want to make certain  
5 that we're on top of it.

6 MS. SILVERTHORNE: Yes.

7 MEMBER WHITEFOOT: And then just --

8 VICE CHAIR JACKSON-DENNISON: I  
9 don't want to even pass it.

10 MEMBER WHITEFOOT: I tried not to  
11 laugh. I want to go to the contracts for EASIE.  
12 You said there's a research contract. And now  
13 they're under a stop work order.

14 So I'm curious about that research  
15 contract now. And it sounds like there's an  
16 EASIE contract as well, if I understand that  
17 correctly.

18 MS. SILVERTHORNE: Both of these  
19 contracts come under national activities.

20 MEMBER WHITEFOOT: Okay, thank  
21 you.

22 MS. SILVERTHORNE: And I know that

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1 when you look at that sheet that talks about  
2 the -- or the purple book, and you look at Indian  
3 education. You will see national activities  
4 listed.

5 And what those cover are contracts  
6 that were established to support Indian  
7 education. And they include Manhattan  
8 Strategies, helping with our logistics.

9 They include the EASIE contract  
10 through Acentia, A-C-E-N-T-I-A. And they work  
11 with ED Facts people and Office of Indian  
12 Education, a combination. And are an  
13 electronic system of application.

14 If my office were to have to process  
15 all aspects of an application from beginning to  
16 end without the electronic system, we would  
17 need to double our staff back to previous years,  
18 years ago. And we could not with our 13 people  
19 handle our 1300 grantees. So that's one of the  
20 contracts.

21 Another contract is the National  
22 Indian Education Study. And that has been from

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1 2005 until 2011, an every two year study. It's  
2 based on NAEP and an over sampling of the 11  
3 States that have high populations of American  
4 Indian students.

5 We are working with the National  
6 Center for Education Statistics in managing  
7 that. That's a contract under their office.

8 We also had a research contract.  
9 We wanted to know more about the success rate  
10 for language emersion. We wanted to know more  
11 about best practices, successful options under  
12 our Title VII programming formula and  
13 discretionary.

14 We had a contractor who attempted to  
15 move us along that direction. For reasons I  
16 can't give you, I can't explain to you, I don't  
17 know enough about why it wasn't working. The  
18 office that was in charge of that, who does  
19 extensive research, processed a stop work order  
20 this last year.

21 And both of those research options  
22 have stopped. I believe part of this is in the

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1 process of accessing a sufficient number of  
2 cases so that individual cases could not be  
3 identified. That's an issue that we see in  
4 ED Facts data.

5 You frequently will see the data for  
6 American Indian students as little asterisks.  
7 And what that means is that there were too few  
8 for them to be able to report. And so we hit  
9 that as some of our challenge.

10 Another challenge was that they  
11 wanted to be able to have research based  
12 programming. And not a lot of our curricular  
13 approaches have met the criteria for  
14 IES -- Institute of Education  
15 Statistics? -- Science. IES.

16 And they asked for research based  
17 criteria. And there are specifics about how  
18 you are a program that meets research based  
19 criteria. And so that was a problem.

20 Another challenge was they look for  
21 empirical studies that look at control groups.  
22 And so you have this group that received, this

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1 group that didn't and the comparison of  
2 progress and growth.

3 And for many of our communities,  
4 they're small communities. And to select this  
5 group will, and this group won't receive the  
6 approach, it makes it very difficult.

7 And so we ran into research  
8 problems. And so those were areas that we  
9 could not overcome at this time. The  
10 conversation is continuing, but that contract  
11 has stopped.

12 We reprogrammed the money that was  
13 going to it into logistics and technical  
14 assistance. That's how we're able to be doing  
15 the technical assistance for the STEP grants  
16 that we're doing through contract.

17 We also contracted two additional  
18 comprehensive centers. North Central and Mid  
19 Central. North Central?

20 VICE CHAIR JACKSON-DENNISON:  
21 No, --

22 MS. SILVERTHORNE: I'm sorry, I

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1 haven't got the titles down.

2 MEMBER WHITEFOOT: Oh, South  
3 Dakota area.

4 MS. SILVERTHORNE: Yes, South  
5 Dakota area. Yeah, that's it. And when we  
6 incorporated that -- and the other one is a  
7 content area. And it is the content area that  
8 is working with the CCS.

9 MEMBER WHITEFOOT: And that  
10 content area is here? Where is that site? I  
11 forget. We discussed before, didn't we?  
12 Okay. Let's --

13 MS. SILVERTHORNE: And you'll have  
14 a report from them tomorrow.

15 MEMBER WHITEFOOT: Right. Okay,  
16 alright, let's -- okay. I think I'm -- let's  
17 see, EASIE -- yeah, I did have questions when  
18 you went through that, and you said you were  
19 compiling and you're doing this and that. So  
20 just want to know that.

21 Just again, just want express the  
22 concerns about the GPRM measures and the use of

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1 the GPRA measures with Indian education. You  
2 know, particularly since we're supplemental  
3 programs. And I understand that you know, the  
4 people at OMB don't advocate for Indian  
5 country. They're not our -- you know, they're  
6 not our advocates.

7 We're a small population and so I  
8 understand that those folks don't support us.  
9 Nevertheless, you know, if they put these  
10 measures on us, and they could care less about  
11 us as a people, then why even put these GPRA  
12 measures on us. They're not our greatest  
13 advocates or allies.

14 MS. SILVERTHORNE: Number one,  
15 it's a federal law. And so you have a statute  
16 that tells us we're supposed to do this. That  
17 didn't define the Awhat.@ And the Awhat@  
18 became part of processes of contracts and like  
19 the rule making process. And you run through  
20 clearance on all of these kinds of things.

21 But they are very complex processes  
22 and gamed to elements that they thought would

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1 work. That depended heavily on whether they  
2 understood the community they were looking at.  
3 Once they're in place, they're incredibly  
4 difficult to change because the law hasn't  
5 changed.

6 And so you're right, they are not  
7 all compatible. What I can tell you the  
8 Department of Education has been doing on  
9 working on trying to address this -- because  
10 this is not the only community that is objecting  
11 to GPRA. And that there are poor fits in other  
12 ways throughout education.

13 But it's in the effort to be  
14 accountable and transparent and all of these  
15 things. It's one thing to say words that have  
16 complex meanings. It's another one to  
17 interpret them and give concrete examples.

18 We're also looking at what we're  
19 calling leading indicators. And in those  
20 leading indicators, we've learned our lesson.  
21 We're not going to make a lot of them that we  
22 can't address. But a few of them that actually

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1 can be used across the board.

2 Graduation rates are certainly an  
3 area where if the graduation rates are  
4 improving, the rates are getting higher.  
5 Something has changed that's working in favor  
6 of the students that are graduating.

7 Another is attendance. It's very  
8 difficult to provide quality education to a  
9 child that isn't there. Another is looking at  
10 are they transitioning to college. Are they  
11 ready for college.

12 So as we start looking at some of  
13 these that are more universally accepted.  
14 I -- we hope that we'll be able to make  
15 adjustments into these that don't fit as well.  
16 But it's a work in progress.

17 MEMBER WHITEFOOT: And since  
18 you've brought up facts, when we're doing our  
19 applications, our data doesn't necessarily  
20 match what ED Facts has as well. And so how do  
21 we bring those together if at the school  
22 district level they're not matching up with the

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1 Department of Education information?

2 MS. SILVERTHORNE: And every state  
3 has a different criteria that they look at.  
4 And depending on what assessments. So  
5 the -- I'm sorry, I finally came up with the  
6 words that match the CCS. Common Core  
7 Standards. That's the other content area that  
8 we're working with.

9 MEMBER WHITEFOOT: Okay, thank  
10 you.

11 MS. SILVERTHORNE: And the common  
12 core standards have a more universal  
13 application. We don't know that this is going  
14 to actually impact this area, but it's a  
15 possibility. Certainly the assessments are  
16 out there and in development. And there are  
17 more universal evaluations in the process of  
18 development.

19 So where you've got 34 States coming  
20 to agreement on a single assessment, the hope  
21 is that there will be more consistency.

22 MEMBER WHITEFOOT: Okay.

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1 MS. SILVERTHORNE: Also in your  
2 application, the year of the ED Facts data is  
3 important to note. Part of the reason that it  
4 doesn't match your current data is that because  
5 this is the national information that the EASIE  
6 application draws it's information from. It's  
7 two years behind always.

8 They would like it to be more  
9 current, but the process of verifying the  
10 scores, making sure there aren't errors in  
11 them, takes time. And our application comes  
12 out in the middle of it.

13 MEMBER WHITEFOOT: Thank you. And  
14 then I'm going to go to the next question.

15 It relates to GPRA, but it also  
16 relates to just again, going back to  
17 supplemental services. And the discussion  
18 that was going on was, you know how possibly the  
19 Department of Education and just the federal  
20 government is looking at you know, our  
21 communities.

22 I just want to again highlight the

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1 role -- the fact that we're very diverse  
2 communities. We're reservation based  
3 communities and I didn't hear that highlighted  
4 this morning. And we're rural. We also have  
5 villages. Some very unique villages that are  
6 part of who we are. And then of course we have  
7 isolated and in our urban communities.

8 So I think that's always important  
9 to put at the forefront. And you know when  
10 we -- you know we speak about the education  
11 and/or the academic part of our children, that  
12 doesn't mean as tribes that we're not, you know,  
13 that we don't support education. What we're  
14 responsible for and having been on tribal  
15 counsel and still looked to for that  
16 leadership, is that we're overlooking you know,  
17 those valuable land resources that we  
18 want -- that we have and want to make certain  
19 that we're securing the protection and safety  
20 of our land and the rivers and the fish, et  
21 cetera.

22 So we are really -- it is important

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1 that we pay attention to the work that we're  
2 doing in terms of our community revitalization  
3 effort. You know, language revitalization,  
4 all of it. It's very holistic and I think  
5 that's probably the dilemma with this being a  
6 supplemental program. Attempting to work on  
7 academic achievement when that isn't  
8 necessarily the overall mission that we have as  
9 tribal communities.

10 And I didn't sense that in the  
11 discussion this morning. And I just wanted to  
12 follow up on that.

13 And then I think finally has to do  
14 with the Dear Tribal Leader letter. Having  
15 been with and worked with tribal leaders for a  
16 number of years now, and again in the meeting  
17 yesterday, there's the same discussion with  
18 another federal agency was going on. And this  
19 particular federal agency was more global with  
20 tribal leaders. It wasn't just the tribes as  
21 well.

22 It also included other tribal you

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1 know, institutions too. So I think we need to  
2 take a look at that a little bit better. And  
3 it may mean that we need to take a look at the  
4 consultation policy as well and at the tribal  
5 community level. And in our inner tribal  
6 organizations, take a look at that too so we can  
7 get a little bit more consistent about that.

8 Because you're -- I understand  
9 you're attempting to follow these processes and  
10 policies that have been set. But I think that  
11 there's also you know, opportunity for  
12 improving -- well of course there's opportunity  
13 for improving that.

14 So I think we reached the time lines  
15 that I had about this information. I think  
16 those were the major ones, the Dear Tribal  
17 letter and the consultation process. You  
18 know, just making certain that we're trying to  
19 be consistent in our conversations that we have  
20 as well with our tribal leadership.

21 Depending on the structures of  
22 tribal governments. Our tribal governments

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1 have various structures too. And that's  
2 something I failed to bring up yesterday. For  
3 instances we have a general counsel, we don't  
4 just have a tribal counsel.

5 So there are different structures  
6 that we have in our governments. So I just  
7 wanted to reflect on that too. I think that  
8 was -- those are the main questions that I had.  
9 So thank you for bearing with me fellow NACIE  
10 board members.

11 MEMBER BUTTERFIELD: Oh, that's  
12 fine. I have one other question real quickly  
13 hopefully.

14 It's my understanding that Senator  
15 Tester introduced a bill that is preparing  
16 language to be a Part D of Title VII, that would  
17 focus on language immersion programs. And I  
18 thought that the Senate side didn't have any  
19 additional funds attached to it, but there's  
20 another one going through the House side that's  
21 put in \$5 million.

22 If this were to pass, would it be a

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1 similar circumstance to the STEP grant process?  
2 Or -- I guess my major concern, which I am  
3 sharing the same as a lot of Title VII programs.  
4 If the language passed and there were no  
5 additional funds, is there a possibility that  
6 monies could be taken out of some other part of  
7 Title VII to fund it?

8 MS. SILVERTHORNE: They don't come  
9 to this office and propose these things. They  
10 don't talk to us about what this would mean or  
11 not mean. So we are conjecturing about this  
12 just the same as you.

13 So I hear your concerns. I share  
14 them. I would not want it to come if it didn't  
15 come with money. We -- the money that we have  
16 in Title VII, particularly in our formula  
17 program, doesn't scratch the needs even of  
18 supplementary programing.

19 So I hesitate to say that that would  
20 be a good thing. At the same time, under our  
21 supplementary program, language is an option  
22 right now.

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1           Not as many places use that option  
2           as could. But it is an option. Has been an  
3           option. My concern about it is that it was  
4           towards the bottom of the list.

5           And the people who were initially  
6           looking at those proposals are the people who  
7           are in the school. Not always the person  
8           directing the Title VII program.

9           So if they didn't go all the way to  
10          the end of the list, and the list was too long,  
11          then it didn't get the consideration it should  
12          get. We moved it up.

13          We've also said culturally  
14          responsive as the goal for every objective that  
15          they select. So that's not just the one thing  
16          you do, that's something that every objective  
17          should consider. And we're hoping that that  
18          will influence this. They're small changes,  
19          but I think they're significant changes.

20          MEMBER BUTTERFIELD: Sort of,  
21          given that response, I would like to make a  
22          motion that if there is language that's added

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1 to Title VII to increase activity for language  
2 immersion, that it not jeopardize funding for  
3 the other programs. And I would like this to  
4 go in our report as a recommendation. Because  
5 I=d hate to see one part of Indian country  
6 pitted against another.

7 I know at NIA there was a resolution  
8 that was passed to that same effect. That you  
9 know, we're all in support of language  
10 immersion expansion. But not at the expense of  
11 other funding streams for Indian education.

12 And there is another possibility of  
13 possibly looking to Title III. Which it looks  
14 like we're going to hear from tomorrow as  
15 another possible place to look for adding  
16 language and funding.

17 So that's a motion. It's kind of  
18 rambley, but.

19 AUDIENCE MEMBER: Well can you  
20 clarify it a bit? I lost it.

21 MEMBER BUTTERFIELD: How about if I  
22 re-craft it in actual language and then I'll

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1 make a motion a little later, or even tomorrow.

2 MEMBER THOMAS: Can you make sure  
3 you put the wording in there that it's a  
4 recommendation. Because you put that later in  
5 your rambling that you went on.

6 Just -- I would put that at the  
7 forefront. Because you know, we really can't  
8 just demand it, but we can make the  
9 recommendation.

10 VICE CHAIR JACKSON-DENNISON: I  
11 don't think they need to get a demand at all.

12 MEMBER THOMAS: No, I didn't say  
13 it. But it sounded, well in the ramble, but you  
14 got to it at the end when you said it's a  
15 recommendation. So put that at the front.

16 VICE CHAIR JACKSON-DENNISON:  
17 Okay. Anyone else? So you'll be making that  
18 recommendation tomorrow or at a later time?  
19 Okay.

20 Anything else for -- any questions  
21 for Joyce or on everything? That's pretty  
22 intense. I see why now we waited.

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1 MS. SILVERTHORNE: I thank you for  
2 this time. I didn't realize it was going to be  
3 quite this extensive. I hope that if you have  
4 additional questions or concerns, please let me  
5 know. Thank you.

6 VICE CHAIR JACKSON-DENNISON:  
7 Okay. What does the Council wish to do now as  
8 far as our agenda for today? We can --

9 MEMBER WHITEFOOT: Patricia  
10 Whitefoot. Can we clarify our agenda for  
11 tomorrow?

12 VICE CHAIR JACKSON-DENNISON:  
13 Okay.

14 MEMBER WHITEFOOT: Before we  
15 recess.

16 VICE CHAIR JACKSON-DENNISON: It's  
17 up on -- for tomorrow we would have filling the  
18 Co-Chair position.

19 MEMBER WHITEFOOT: Right. I  
20 understand we have all the -- we have the list.  
21 So are we organizing our selves for tomorrow?

22 VICE CHAIR JACKSON-DENNISON: Go

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1 ahead Jenelle.

2 MS. LEONARD: Madam Chair and the  
3 Council. I have a growing concern over here is  
4 that you're going to run out of time for working  
5 on the report to Congress. That generally  
6 takes several hours for you all to work through  
7 those documents.

8 And so I think probably you have  
9 maybe four or five -- well you have an hour today  
10 perhaps. I don't know what time it is now.  
11 But I -- as the DFO, I am certainly urging you  
12 to please begin to work on the report to  
13 Congress.

14 I'm just not seeing other  
15 opportunities to get this done.

16 VICE CHAIR JACKSON-DENNISON:  
17 Virginia?

18 MEMBER THOMAS: I agree with  
19 Jenelle. And I think what we need to do, I  
20 think Robin mentioned it earlier, was to get a  
21 committee together, so we could start working  
22 on the reports as we did before. You know, to

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1 draft something or to get our ideas out there.

2 And maybe those are here, because it  
3 is the committee. But I do agree you know, that  
4 we've waited a long time.

5 But I'm still kind of wary because  
6 I hate to start the report off saying what was  
7 accomplished, when we don't know what we  
8 accomplished the first time because we haven't  
9 got any kind of reaction back from Congress or  
10 from the Secretary. That's my only concern.

11 MS. LEONARD: Err -- ma'am?

12 DL: Yes.

13 MS. LEONARD: Err on the side of  
14 truth.

15 MEMBER THOMAS: What?

16 MS. LEONARD: Err on the side of  
17 truth. Speak what it is. I mean if you have  
18 some concerns about not being responded to, or  
19 receiving no answers, I would express that  
20 concern in the report. And then I think I said  
21 to Robin, and if things have not been answered,  
22 then you need to keep repeating until you get

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1 the responses that you need.

2 So I wouldn't let the fact that you  
3 haven't heard it, slow you down with what you  
4 need to report again on the 30th.

5 MEMBER THOMAS: But what we could  
6 do maybe is take the ten items, you know that  
7 Robin was talking about earlier. And start off  
8 with those and explain that those still have not  
9 been resolved. That we have not heard back and  
10 at least start -- you know, I know that Alan can  
11 put this in the language that can be hand on the  
12 hip and no one would be offended.

13 You know, but at least could start  
14 from there saying that this is our concerns from  
15 last year that we have not addressed. And then  
16 what we have -- the problems now.

17 And maybe what we could do is like  
18 brainstorm like we did before and put maybe at  
19 least ten items together, away from the other  
20 ten items that we had pending. And see what we  
21 come up with.

22 VICE CHAIR JACKSON-DENNISON: So

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1 you're recommending that we go ahead and go  
2 through those items now and identify those that  
3 have been dealt with and those that haven't.  
4 Is that what you're thinking?

5 MEMBER THOMAS: Did you get the  
6 list?

7 VICE CHAIR JACKSON-DENNISON: Yes.

8 MEMBER THOMAS: Yeah, and you have  
9 it there.

10 VICE CHAIR JACKSON-DENNISON: I  
11 have hard copies right here.

12 MS. LEONARD: Madam Chair?

13 VICE CHAIR JACKSON-DENNISON: Yes.

14 MS. LEONARD: I think once you read  
15 the list, we're going to put the list up here  
16 as well. I think once you read the list, you'll  
17 see that it's a sep -- they're separate items.  
18 The list, and there are 13 on the list, spoke  
19 to requests that you were making of the  
20 Department to respond to.

21 I don't think they were the same  
22 requests that were in -- the same

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1 recommendations that were in the report to  
2 Congress.

3 VICE CHAIR JACKSON-DENNISON:  
4 Okay. I see that, yes.

5 MS. LEONARD: So I think it's  
6 separate and apart.

7 VICE CHAIR JACKSON-DENNISON:  
8 Okay, so you're talking about the items on our  
9 report to Congress. We can go through those  
10 and see which ones -- we can start there.

11 MS. LEONARD: That's what I was  
12 think of.

13 VICE CHAIR JACKSON-DENNISON:  
14 Okay. I misunderstood you. Go ahead.

15 MEMBER RAY: I think my thought  
16 would be somewhat along the same line in that  
17 we want to have a kind of a continuity from one  
18 year to the other I think. And we all put a lot  
19 of time into honing a list of some 20.

20 One way to do that would be to  
21 distribute that list. Simply look through it,  
22 if any are obviously done, or passe in some way,

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1 strike them.

2 And then we're left with some that  
3 we can assume are still live concerns. And we  
4 could start with those. I mean that would be  
5 one way to go about it.

6 Because I am concerned that we have  
7 some continuity in what we did. And I would  
8 agree that if we have to say we endorse our  
9 previous report and everything in it in  
10 principal, but we can't with specificity  
11 identify those areas that have been acted upon  
12 by the federal government.

13 That's certainly true. And of  
14 course if there are new things we want to add  
15 to it, we can do that.

16 VICE CHAIR JACKSON-DENNISON: I  
17 like that recommendation and I think that's  
18 what we should do. So let's start there.

19 Did we get the latest report to  
20 Congress. Do we have copies of that in here.  
21 Oh, that's right. Can we pull it up?

22 MS. LEONARD: So on the screen here

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1 is the last year's report. But I thought we  
2 also had a hard copy in the packet. Let  
3 me -- did anyone find it?

4 VICE CHAIR JACKSON-DENNISON: It's  
5 not in here.

6 MS. LEONARD: What we can do is just  
7 start with the -- forget about the top of the  
8 opening. Do you want the capability of  
9 striking or changing on this?

10 VICE CHAIR JACKSON-DENNISON:  
11 You're speaker's not on.

12 MS. LEONARD: Sister did you hear  
13 me?

14 MEMBER NEWELL: What's that?

15 MS. LEONARD: I recommended that we  
16 start with the list starting with number one and  
17 then decide if we're striking or adding to it.  
18 And just do a basic brush through of all of them.  
19 So that we know what we need to go back and see  
20 where we can start from.

21 MEMBER NEWELL: Um-hum.

22 VICE CHAIR JACKSON-DENNISON:

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1 Okay.

2 MS. SILVERTHORNE: Can we also  
3 request a paper copy tomorrow?

4 MEMBER RAY: I might add also, if we  
5 could get paper copies of the letter to the  
6 Secretary, that would be great too.

7 VICE CHAIR JACKSON-DENNISON:  
8 Okay. We can start with number one then.  
9 Number one is under the heading of Elevate the  
10 Importance of Native Education.

11 Number one.

12 NACIE recommends that members of  
13 Congress and their staff meet regularly with  
14 NACIE to review and discuss the recommendations  
15 in NACIE's annual report.

16 MEMBER RAY: Still true.

17 VICE CHAIR JACKSON-DENNISON: We  
18 still recommend that again. The rationale,  
19 although federal requires NACIE to file an  
20 annual report to Congress, NACIE has  
21 never -- there's a typo in there.

22 NACIE has never heard from a single

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1 Senator or Representative about a -- about our  
2 recommendations or the serious issues that they  
3 address. We recommend that the members of  
4 Congress and their senior staffers regularly  
5 attend our meetings when their committee  
6 placement and/or expertise on Indian education  
7 would, in our opinion, warrant it.

8 MEMBER THOMAS: Now -- this is  
9 Virginia. Do we want to elaborate on each one  
10 that we want this to be -- that it was ignored  
11 and we want it to be considered. Or do we got  
12 to do that at the opening?

13 MEMBER RAY: I would do it at the  
14 opening.

15 VICE CHAIR JACKSON-DENNISON: A  
16 cover letter. A cover letter that goes with  
17 it.

18 MEMBER THOMAS: Okay.

19 VICE CHAIR JACKSON-DENNISON: The  
20 repeated recommendations that have not been  
21 listened to, something like that.

22 MEMBER THOMAS: Yeah. That would

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1 be good.

2 MEMBER RAY: Yeah.

3 MS. LEONARD: Madam Chair?

4 VICE CHAIR JACKSON-DENNISON: Yes.

5 MS. LEONARD: Question. Would you  
6 know that you are -- for those that you want to  
7 repeat for the second or third time. Do you  
8 want to indicate it somewhere in the rationale,  
9 like this is the third request or this is the --

10 VICE CHAIR JACKSON-DENNISON: That  
11 would make it stronger.

12 MS. LEONARD: What?

13 VICE CHAIR JACKSON-DENNISON: That  
14 would make it stronger I think. This is a  
15 third -- is this a third recom -- this is the  
16 second time we're recommending this one, right?

17 MS. LEONARD: And I don't know.  
18 But is it following up with the continuity of  
19 the reports from one year to the next?

20 VICE CHAIR JACKSON-DENNISON:  
21 Um-hum. How would we -- go ahead.

22 MEMBER BUTTERFIELD: I agree. I

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1 think it makes it more specific. So after the  
2 recommendation, we could just put in  
3 parenthesis, second request. And then the  
4 next one, if it's second or third.

5 MS. LEONARD: Have a different  
6 title under rationale and then second request  
7 after the rationale?

8 MEMBER BUTTERFIELD: No. The  
9 recommendation and then in parenthesis after  
10 that sentence, just say second request. Or if  
11 it's third request.

12 MEMBER RAY: And I think for this  
13 initial run through, I'd be in favor of  
14 bracketing, put aside the rationales for the  
15 moment and just read the headlines.

16 Do we want to keep these or not.  
17 Have they been acted on or not? Maybe identify  
18 whether it's the second request or not. Then  
19 we can go back and drill into the rationales if  
20 we wanted to. How does that sound?

21 RB I agree. I think it would  
22 expedite the process. So we're just going to

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1 go through the recommendation statements.

2 VICE CHAIR JACKSON-DENNISON:

3 Okay. On that rationale, where it says in our  
4 opinion, I think that should be taken out. It  
5 just -- where it's warranted. We just tell  
6 them it's warranted. Don't say our opinion.  
7 That gives an opt out. Yes, that last line.

8 MEMBER WHITEFOOT: This is  
9 Patricia Whitefoot. I would just like to add  
10 an additional statement here. I just want to  
11 say something that I appreciate the President's  
12 tribal leaders summit held since held in 2012,  
13 whatever. I don't remember the dates. In  
14 Washington, D.C. annually, something.

15 I'm not quite sure what to say yet.  
16 But I think it's important to say that.  
17 Because this report is going to Congress. But  
18 yet, you know, he has stepped forward and held  
19 these meetings. And he's listening to  
20 everything.

21 And we probably need to say  
22 something that -- you know, we would also expect

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1 feedback or something on that as well. And  
2 there has been feedback on some of the annual  
3 reports that he has provided as well.

4 MEMBER THOMAS: Were you  
5 discussing that as item number two, or in the  
6 rationale?

7 MEMBER WHITEFOOT: Oh, I'm just  
8 saying -- I'm still on item number one.

9 MEMBER THOMAS: Okay. But I do  
10 agree with Alan, to skip the rationales and get  
11 down to the bullet points and we'll go from  
12 there.

13 VICE CHAIR JACKSON-DENNISON: Yes,  
14 I don't want to -- yes, I don't want to do that.  
15 I just want to make. So this number two is --

16 MEMBER RAY: A general thank you.

17 MEMBER WHITEFOOT: Yes, thank you  
18 President Obama. So I -- you know Alan says we  
19 could just put it to the front. I like that  
20 idea. Say thank you President Obama for  
21 hosting these tribal leader summits.

22 VICE CHAIR JACKSON-DENNISON: So

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1 number two. Let's move on to number two.

2 NACIE recommends that Congress  
3 support and fund the position of Assistant  
4 Secretary of Indian Education within the  
5 Department of Education.

6 I still say that would help us  
7 greatly. I -- especially with connecting with  
8 what Dr. Roessel is -- we really need somebody  
9 that understands that would really help us with  
10 the goals of Indian education completely.

11 I don't know if that's the job that  
12 Bill has. I don't know if that's what it is.  
13 I don't understand that part. I've asked,  
14 never got. Is that his job? Is that really  
15 what it is? But just under a different title?  
16 Not really? Okay.

17 So that's a third request. This is  
18 the third time we're asking of this.

19 Okay. Number three.

20 NACIE recommends that Congress  
21 allocate additional funds to the Department of  
22 Education to support NACIE in performing its

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1 expanded obligations under EO13592.

2 Still? Second request.

3 Number four.

4 NACIE recommends that Congress  
5 direct the Office of Indian Education to  
6 require all grantees under OIE discretionary  
7 and formula grant programs, to disseminate  
8 broadly information on promising practices  
9 that could be replicated elsewhere in Indian  
10 country.

11 MS. SILVERTHORNE: Where would you  
12 like us to have that done? We've talked about  
13 possibility of a community of practice. We  
14 have -- we don't have a place in our -- in our  
15 site where they can talk about what they are  
16 doing, other than something like a community of  
17 practice.

18 But that isn't something we have  
19 established at this time. Is that the kind of  
20 sharing point that you'd be interested in?

21 MEMBER BUTTERFIELD: I'm not sure  
22 what a community of practice is. What do you

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1 mean?

2 MS. SILVERTHORNE: As near as I can  
3 tell, there definitions about what that might  
4 look like. What I believe it is, is an  
5 electronic compilation where there are  
6 opportunities to look at successful programs or  
7 ideas or questions.

8 Share expertise and information.  
9 When there are reports and studies that have  
10 been done, a common place to find them. I think  
11 it can be as robust as we want to make it. I  
12 think that it hasn't been tried yet.

13 I understand one of the issues that  
14 we need to overcome in order to establish it,  
15 is that it not be a portal that can be accessed  
16 or violated under the federal records. And so  
17 fair?

18 So we're trying to -- so the first  
19 question has been, as we've tried to look at,  
20 do we do it this year? And the question has  
21 been, what platform.

22 MS. LEONARD: Is there a concern of

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1 finding for this?

2 MS. SILVERTHORNE: No.

3 MEMBER BUTTERFIELD: Well, I think  
4 and I can only speak for myself. I was  
5 just -- because we've actually talked about  
6 this in Washington state also. I just having  
7 a -- probably online at this point.

8 Or because you can always download  
9 a print copy. Just a place where you could  
10 have, you know, a paragraph or two about, you  
11 know, model programs. And they would begin to  
12 submit them kind of writing about success that  
13 their program has had in some form or fashion.

14 So there could be actually a bit of  
15 an outline for how it might be structured. And  
16 then you could have what is your success  
17 criteria. What did you do.

18 It's just a place, I was thinking,  
19 where people could go to get some kind of  
20 inspiration or different ideas about what could  
21 be done. And it doesn't have to be highly  
22 complicated. But a little bit of a

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1 clearinghouse for people to share what they  
2 think is working.

3 VICE CHAIR JACKSON-DENNISON: So  
4 we need to change that then to just make it more  
5 clear.

6 Jenelle?

7 MS. LEONARD: Madam Chair. Just  
8 had a brainstorm. One of the things in rural  
9 education, that we have in our office, that  
10 hasn't really been stood up yet. But is a  
11 center for rural ed. And the center for rural  
12 ed has the same kind of concept of Robin and --  
13 to us we're talking about.

14 It's not really a community affair  
15 practice where you are having people really  
16 network. But it's a repository. So and it's  
17 really a virtual center for Indian Ed where all  
18 good things and all things research, all best  
19 practices are housed.

20 And so it's kind of like that  
21 concept. Just as another suggestion.

22 VICE CHAIR JACKSON-DENNISON:

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1 Okay. Virginia?

2 MEMBER THOMAS: At this point,  
3 could we say that it's being worked on? So we  
4 made a little step, a baby step. That's good  
5 to know.

6 MEMBER NEWELL: A half step.

7 VICE CHAIR JACKSON-DENNISON:  
8 Wayne?

9 MEMBER NEWELL: Yes. Nothing. I  
10 was just going to say a half step. Are we  
11 getting a typed or an emailed version of this  
12 in the morning? I'm taking rough notes, but  
13 I'm assuming there will be a clean copy tomorrow  
14 morning?

15 VICE CHAIR JACKSON-DENNISON: You  
16 can get it on the NACIE web page. NACIE,  
17 hyphen, ed, dot gov. Oh, dot org.

18 MEMBER NEWELL: Oh, this list?

19 VICE CHAIR JACKSON-DENNISON:  
20 NACIE, hyphen, ed, dot org.

21 MEMBER NEWELL: This list that  
22 we're doing now?

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1 VICE CHAIR JACKSON-DENNISON: Yes.

2 It's on there right now.

3 MEMBER NEWELL: Okay.

4 VICE CHAIR JACKSON-DENNISON:  
5 NACIE, hyphen, ed dot org.

6 MEMBER NEWELL: Yes, that's the one  
7 I'm having trouble with. But I think we  
8 resolved it during lunch.

9 VICE CHAIR JACKSON-DENNISON:  
10 Okay.

11 MEMBER NEWELL: I was on the wrong  
12 browser I think.

13 VICE CHAIR JACKSON-DENNISON: So  
14 do we want to change language of this right now,  
15 or add something to it to make it more?

16 MEMBER BUTTERFIELD: Well I think  
17 the recommendation remains and this is the  
18 second request. And then --

19 MS. LEONARD: The rationale would  
20 change.

21 MEMBER BUTTERFIELD: We could say  
22 while it looks things are underway, this still

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1       isn't.

2                   VICE CHAIR JACKSON-DENNISON:    So  
3       it would be the second request.   Okay.

4                   Now we're moving on to a new  
5       heading.   Stimulate the Vitality of Native  
6       Languages, Histories and Cultures.

7                   NACIE recommends that Congress  
8       enact legislation to expand funding for  
9       indigenous    language    acquisition    and  
10      proficiency by adult tribal members.   And  
11      continue to support language acquisition and  
12      proficiency by children through programs  
13      including but not limited to immersion schools.

14                   As well as support legislation that  
15      addresses itself to promoting the vitality of  
16      native culture and the health of native people.  
17      Especially children and the elderly.   Funding  
18      should be obtained from the current Title III  
19      and not from Title VII.

20                   And there it is.   We forgot.   It's  
21      been a year.

22                   This is our second request, yes.   I

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1 know we've had discussion about this. Okay.

2 Do you want to read through the  
3 rationale or just leave that for now?

4 MEMBER BUTTERFIELD: Leave it.

5 VICE CHAIR JACKSON-DENNISON:  
6 Okay. Number six.

7 NACIE recommends that Congress  
8 clarify that the requirement of No Child Left  
9 Behind, that teachers be highly qualified,  
10 should not be used in a manner detrimental to  
11 native language teachers.

12 It's still the same, the second  
13 request. Third? Okay.

14 Under the new heading, Support  
15 Early Childhood Education. Number Seven.

16 NACIE recommends that Congress  
17 support lifelong learning for native peoples  
18 from early childhood through adulthood.

19 To that end, Congress should  
20 support the administrations language programs  
21 for Native Americans. Especially programs  
22 aimed to educate children and families and

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1 support their improvement of head start and  
2 early head start.

3 And there's a lot rationale on that  
4 one.

5 MEMBER BUTTERFIELD: I think that  
6 was our first request of that one. I don't  
7 remember it before. Was that our first  
8 request?

9 VICE CHAIR JACKSON-DENNISON: So  
10 this would be the second request.

11 The next heading is to Preserve  
12 District and -- oh Distinct, I'm  
13 sorry -- Distinct and Adequate Funding Sources  
14 for All Programs. And the --

15 MEMBER BUTTERFIELD: I'm sorry.

16 VICE CHAIR JACKSON-DENNISON: Go  
17 ahead.

18 MEMBER BUTTERFIELD: On number six  
19 that dealt with early childhood. I just -- I  
20 think we might need to include in the rationale,  
21 you know the President's early childhood  
22 initiatives. A recognition of that.

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1 And I think what I heard --

2 VICE CHAIR JACKSON-DENNISON:

3 Monty.

4 MEMBER BUTTERFIELD: Monty. I  
5 knew it -- Monty saying was that there wasn't  
6 enough set aside for the BIE. So we might want  
7 to add maybe some language to beef up that  
8 number six to include that.

9 VICE CHAIR JACKSON-DENNISON: You  
10 mean seven?

11 MEMBER BUTTERFIELD: Well I  
12 thought we were talking about early childhood  
13 education on number six?

14 VICE CHAIR JACKSON-DENNISON: I  
15 have that as number seven.

16 MEMBER BUTTERFIELD: Well am I on  
17 the wrong document? Okay, I'm on the wrong  
18 document, sorry.

19 VICE CHAIR JACKSON-DENNISON:  
20 Okay.

21 MEMBER BUTTERFIELD: Okay, that's  
22 why I'm off. So --

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1                   VICE CHAIR JACKSON-DENNISON: What  
2 did you want to add or change on number seven?

3                   MEMBER BUTTERFIELD: I just think  
4 this one needs some reworking. I think the  
5 intent of it I would agree with.

6                   But I still think, back to my  
7 original statement about the proposal to do the  
8 additional pre-K stuff from the Department of  
9 Ed. That we include consideration of that.  
10 And make sure that we just tailor the  
11 recommendation to insuring that Indian  
12 communities get the focus and the funding that  
13 they need to support this.

14                   So I just think that recommendation  
15 needs to be a little more specific given the  
16 context that we now operate in.

17                   VICE CHAIR JACKSON-DENNISON:  
18 Okay.

19                   MEMBER BUTTERFIELD: So we could  
20 wordsmith it later so we could kind of move on  
21 to the next one.

22                   VICE CHAIR JACKSON-DENNISON:

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1 That's fine. We'll come back to that one then.

2 MEMBER RAY: Yes, Madam Chair?

3 VICE CHAIR JACKSON-DENNISON: Yes?

4 MEMBER RAY: I might suggest  
5 something that's worked well in the past. If  
6 you're proposing a conceptual change or an  
7 addition to put it in text and circulate it  
8 later if it requires that kind of word smithing.  
9 I think we've done that in the past.

10 MEMBER BUTTERFIELD: Yes, I  
11 thought we were kind of going through the ones  
12 that we could wholeheartedly endorse a second  
13 round. And then kind of flagging ones that  
14 need more wordsmithing or concept.

15 MEMBER RAY: Yes, we're in  
16 agreement about that. I'm simply saying that  
17 if there particular language that you'd like to  
18 bring to everyone's attention. Just putting  
19 it down in writing and circulating it by email  
20 is -- works well for me.

21 VICE CHAIR JACKSON-DENNISON:  
22 Okay. So I'm ready to move on to number eight

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1 now, right?

2 Preserve Distinct and Adequate  
3 Funding Sources for All Programs.

4 NACIE recommends that Congress  
5 support re-authorizing Title VII and JOM. And  
6 encourage the Department of Education to  
7 maintain the separate identities of both  
8 programs.

9 This is a third request? Okay.

10 Number nine.

11 NACIE recommends that Congress  
12 amend Title language to clarify that other  
13 funding sources such as Title VII funds cannot  
14 be used to supplant Title I funds. And that  
15 technical assistance be provided to state  
16 education chiefs to clarify the difference  
17 between Title I and Title VII funds and the  
18 appropriate uses for each.

19 That's still in there.

20 Number ten.

21 NACIE recommends that Congress  
22 maintain current levels of funding for tribal

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1 colleges and universities, TCUs, and increase  
2 funding to TCUs where increasing student  
3 enrollment and other needs of the institutions  
4 are demonstrated.

5 MS. LEONARD: Madam Chair?

6 VICE CHAIR JACKSON-DENNISON: Yes?

7 MS. LEONARD: If you go back to  
8 number --

9 VICE CHAIR JACKSON-DENNISON:  
10 Nine?

11 MS. LEONARD: Nine. Where you are  
12 recommending to -- it was something like the  
13 state chiefs. Oh, state educational chiefs.  
14 I would also suggest that it not only be the  
15 state chiefs. But it would be the  
16 coordinators, the program coordinators as well  
17 as LEA superintendents. Because I remember  
18 when we were doing tribal consultation, that it  
19 was the superintendents as well as the  
20 principals.

21 So I would suggest that you might  
22 want to consider expanding that.

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1 VICE CHAIR JACKSON-DENNISON: The  
2 LEA leaders.

3 MS. LEONARD: Yes.

4 VICE CHAIR JACKSON-DENNISON: Yes.  
5 I agree. So under -- where it says provided to  
6 state education chiefs and LEA leaders.

7 MEMBER BUTTERFIELD: I'm not even  
8 sure chiefs is the right place to go with that.  
9 Because that's like state superintendents.  
10 And it's really your Title I or your Title  
11 Program Coordinators at the state level that  
12 need to be passing on that information.

13 VICE CHAIR JACKSON-DENNISON: So  
14 state educational directors or leaders, or?

15 MEMBER BUTTERFIELD: I would say  
16 State Educational Title Directors.

17 VICE CHAIR JACKSON-DENNISON:  
18 Okay. And take out chiefs.

19 MEMBER THOMAS: Just a point of  
20 housekeeping. Can we change the font on this?  
21 Because some of the letters are blending  
22 together. I know that the L's and the I's are

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1 getting really close, unless it's just me and  
2 my pink hair.

3 MEMBER RAY: Madam Chair?

4 VICE CHAIR JACKSON-DENNISON: Yes.

5 MEMBER RAY: Is that a second  
6 request for that?

7 VICE CHAIR JACKSON-DENNISON: I  
8 believe this might be a third request. Am I  
9 correct? Anybody remember if this is a third  
10 time we'll be requesting this one? No, but I'm  
11 on number nine. It's a third one, yes.

12 Okay. I think we can move on to  
13 number ten. This is a long one. I read the  
14 first paragraph, I realized that there was a  
15 second paragraph.

16 Congress should support the higher  
17 education of AIAN students attending  
18 institutions that are not TCUs by reinstating  
19 the federal fellowship program for qualified  
20 Native Americans and maintaining current  
21 levels of financial support for Native American  
22 serving, non-tribal institutions and

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1 non-native institutions where significant  
2 numbers of AIAN students attend.

3 In addition, Congress should gather  
4 data in collaboration with community colleges  
5 and other entities that serve high numbers of  
6 AIAN students to assess their total cost of  
7 attendance, including debt burden on  
8 graduation, job or graduate school placement  
9 rate, and other end -- something, I can't read  
10 that. Of their mission -- and what? Okay  
11 indicia of their mission. Now all those  
12 letters are all going together like you said.  
13 Effectiveness.

14 I'm thinking I need thicker  
15 glasses. Any changes on this one? This was  
16 our first request, so are we keeping this one  
17 in here again? Keeping it in and second  
18 request.

19 Okay, number 11.

20 NACIE recommends that Congress  
21 grant eligibility to tribes, consortia of  
22 tribes and the BIE to apply and compete with

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1 States or districts for funds awarded under the  
2 Race to the Top or similar initiatives. And  
3 further that for States or districts of five  
4 percent or more of AIAN population, as a  
5 requirement of fund eligibility, States or  
6 districts must demonstrate meaningful  
7 consultation with their federally or state  
8 recognized tribes in this consultation must be  
9 subsequently and meaningfully incorporated  
10 into their plans.

11 There's the Race to the Top.  
12 Changes? It's okay? Second request right?  
13 Okay.

14 Number 12.

15 NACIE recommends that Congress  
16 adopt the following proposals that pertain to  
17 Title VIII Impact Aid. Exclude Title VIII  
18 Impact Aid from sequestration. Indian lands,  
19 public schools are heavily relying on federal  
20 Impact Aid to replace non-taxable federal lands  
21 and have severely been hurt from sequestration.

22 And more than 85 percent of American

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1 Indian children attend public school districts  
2 across the country, it is inevitable that  
3 including Title VIII Impact Aid in  
4 sequestration has directly negatively  
5 deteriorated progress made toward school  
6 reform under the elementary and secondary  
7 education act.

8 Sequestration has already severely  
9 hurt school district educating American Indian  
10 and Alaska native students. Impact Aid  
11 payments were greatly reduced resulting in high  
12 staff lay offs and program cut backs within  
13 Indian lands, public schools and communities  
14 where already many of the unemployment rates  
15 are higher than 50 percent and academic  
16 performance scores are lower than any other  
17 ethnicity.

18 School consolidations and school  
19 closures have further resulted in having to now  
20 bus Indian children to and from schools many  
21 times on unpaved dirt roads and more than an  
22 hour long ride each way. Moreover staff and

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1 teacher layoffs have resulted in larger class  
2 sizes and overcrowding which altogether will  
3 only add to the prevailing challenges of Indian  
4 country and society as a whole.

5 MEMBER BUTTERFIELD: There's a lot  
6 to read here. So one of my recommendations  
7 would be to create a rationale under each of the  
8 statements. Because we have like about five or  
9 six things we're recommending specific to  
10 Impact Aid.

11 And the first one, exclude Title  
12 VIII Impact Aid from sequestration should be  
13 underlined like the rest of them, as well as the  
14 one down below that says repeal Section 8009  
15 equalization. But can we just have a one  
16 sentence statement and then do rationale that  
17 includes the rest of the narrative under that?

18 VICE CHAIR JACKSON-DENNISON: We  
19 can work on that.

20 MEMBER BUTTERFIELD: Because these  
21 are all sort of subsections that are requests  
22 of changing things within Impact Aid

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1 specifically. And I think it would just  
2 clarify what are the specific things that we're  
3 highlighting. It's more of a formatting thing  
4 than anything.

5 VICE CHAIR JACKSON-DENNISON: Yes.  
6 Just take Impact -- Title VIII out of  
7 sequestration. That's just it.

8 MEMBER BUTTERFIELD: Yes. And  
9 then another forward fund Impact Aid program.  
10 Repeal Section 8009.

11 VICE CHAIR JACKSON-DENNISON: The  
12 other parts can be the rationale. Okay.

13 MEMBER BUTTERFIELD: Yes. That's  
14 what I think makes more sense.

15 VICE CHAIR JACKSON-DENNISON: We  
16 can work on that.

17 The next one is for Fund the Title  
18 VIII Impact Aid Program.

19 The next one is Repeal Section 8009  
20 Equalization.

21 And the next one is address Title  
22 VIII 800, Construction and Renovation of

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1 Facilities.

2 And then the next one is Amend the  
3 Sections 8002, Federal Property Provision, as  
4 provided in both the House and Senate  
5 Authorizing Committee Bills.

6 And then the last one is Conduct a  
7 Study on the Effect of Impact Aid on Both Rural  
8 and Urban Schools.

9 This would be the second request for  
10 all of them.

11 The next heading is Support  
12 Technical Assistance to Indian Country.

13 Number 13.

14 NACIE recommends that Congress  
15 place a high priority on improving technical  
16 assistance in Indian country and support the  
17 Department of Education in its efforts to  
18 implement strategies to provide technical  
19 assistance to tribal and state education  
20 departments. Tribally controlled community  
21 colleges, state offices of Indian education,  
22 educational labs and centers, delivered by

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1 qualified native educators where at all  
2 possible.

3 Is this a second -- third request?

4 It's a third request. Second request.

5 Number 14.

6 NACIE recommends that Congress  
7 support the Department of Education in its  
8 efforts to improve technical assistance by  
9 including stronger language to current Title  
10 programs during any re-authorization to  
11 emphasize the accountability of the federal  
12 government to AIAN schools, students and  
13 communities for programs for bilingual  
14 education and safe and drug free schools and  
15 related educational programs.

16 It think it was the second one,  
17 right? That's a second request.

18 MEMBER WHITEFOOT: On number 13 and  
19 14, I have a resolution from the northwest  
20 tribes to include tribal consortias to be  
21 funding agencies as well. That doesn't exist  
22 so I'm going to add that in. And I'll email

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1 that around. In item 13 and 14 to be an  
2 eligible entity.

3 I don't have the exact language, but  
4 I do have it here with me.

5 VICE CHAIR JACKSON-DENNISON:  
6 Okay. Number 15.

7 MS. SILVERTHORNE: Patsy, would  
8 you be sure and send a copy of that to me too  
9 please.

10 MEMBER WHITEFOOT: To where?

11 MS. SILVERTHORNE: A copy of the  
12 resolution to me too please.

13 MEMBER WHITEFOOT: Okay, I'll do  
14 that now. I'll do that in a few minutes.

15 VICE CHAIR JACKSON-DENNISON:  
16 Number 15.

17 NACIE recommends that Congress  
18 support the Office of Indian Education in its  
19 efforts to develop a plan that will demonstrate  
20 how it will strengthen and expand technical  
21 assistance using state education staff,  
22 comprehensive centers, chief state school

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1 officials or officers, Indian tribes, Indian  
2 educators and organizations and other means to  
3 help meet Title VII needs.

4 Comments on that one? A second  
5 request, okay.

6 Okay, Joyce?

7 MS. SILVERTHORNE: In the  
8 technical assistance that we have created under  
9 the -- additional technical assistance under  
10 the contract, it addresses part of this. Not  
11 all of it, but part of this.

12 VICE CHAIR JACKSON-DENNISON: And  
13 what part do we still need to work on?

14 MS. SILVERTHORNE: If you're  
15 looking for an increase of funding, that's one  
16 issue. If you're looking for Congress to  
17 direct it, we can do this without Congressional  
18 direction.

19 VICE CHAIR JACKSON-DENNISON:  
20 Okay. Go on to number 16.

21 NACIE recommends that  
22 Congress -- is that the one I just read? No.

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1 Recommends that Congress support the  
2 Department of Education's school support and  
3 technology programs and technical assistance  
4 programs to identify how current technical  
5 assistance is being targeted specifically to  
6 serve AIAN students.

7 Is that a second request?

8 MEMBER BUTTERFIELD: I wanted to  
9 back up to 15. Because what I heard Joyce  
10 saying was that -- and I agree with her, I don't  
11 think -- what we were talking about was, it says  
12 develop a plan. That OIE develop a plan on how  
13 it will strengthen technical assistance.

14 So that really, we don't need  
15 Congress to direct them to do that. At this  
16 point we can, you know, have it in our official,  
17 you know, records. So I would take 15 out is  
18 what I was thinking.

19 VICE CHAIR JACKSON-DENNISON: You  
20 agree? Okay.

21 MEMBER BUTTERFIELD: Because we do  
22 have another one that deals with technical

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1 assistance directly to Indian country. So  
2 that would be my recommendation, is take 15 out.

3 VICE CHAIR JACKSON-DENNISON:  
4 Everybody agree? Okay. So we'll strike 15.

5 MEMBER THOMAS: Well, maybe what we  
6 could do is the language -- change the language  
7 to that we support the efforts of the Department  
8 in doing this.

9 MEMBER BUTTERFIELD: I'm just  
10 suggesting that it doesn't need to be in our  
11 recommendation to Congress. That in our  
12 minutes for NACIE, we can have this  
13 recommendation. But it doesn't need to be  
14 here.

15 VICE CHAIR JACKSON-DENNISON:  
16 Okay. Okay. I read 16 already, so. Is that  
17 a -- I can't strain these eyes anymore. Is that  
18 a second request? I believe it is.

19 Okay, then we go on to Support  
20 Standards and Assessment Tools Appropriate to  
21 Indian Country.

22 Number 17.

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1                   NACIE recommends that Congress  
2 cooperate with the Department of Education to  
3 begin immediately to work with the Office of  
4 Management and Budget to revise a definition of  
5 American Indian or Alaska native at all levels  
6 to remove the indigenous inhabitants of South  
7 America and Central America from this category.  
8 And further that the Department and OMB engage  
9 in consultation with American Indians and  
10 Alaska natives concerning the appropriate  
11 scope of this critical definition.

12                   Third request? I don't remember  
13 where that came from.

14                   MEMBER BUTTERFIELD: Oh, I do, yes.  
15 I think Patsy's brought this up a number of  
16 times. Just in -- you know a lot of our  
17 grantees are talking about how difficult it is  
18 to compare their local district data with the  
19 definition of who's an Indian because of how  
20 complicated it is, so.

21                   MEMBER WHITEFOOT: Right.

22                   VICE CHAIR JACKSON-DENNISON:

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1 Okay. So it's a third request then.

2 MEMBER THOMAS: Also there is at  
3 the bottom of the page, where it refers to the  
4 JOM program and at the top of page, I've lost  
5 the numbers here, but at the top of the page  
6 where it says number 18, 19 and 20. We've had  
7 a change in the JOM. This is outdated since 95  
8 that Congress has had an account since then.  
9 So we need to change the language in that, up  
10 here at the top two. The language needs to be  
11 changed to make it an update.

12 MEMBER BUTTERFIELD: So Virginia  
13 you'll get the data for that changed?

14 MEMBER THOMAS: Yes. I can get it  
15 to Alan.

16 VICE CHAIR JACKSON-DENNISON:  
17 Okay. Number 18.

18 NACIE recommends that Congress  
19 support the Department's effort to direct or  
20 work with the school officers and National  
21 Governors Association to include cultural  
22 relevancy in the formation of the common core

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1 state standards and assessments. Native  
2 languages should be classified under world  
3 language instead of foreign language. And  
4 allowed to satisfy non-English language  
5 proficiency requirements.

6 That's a second request.

7 MEMBER BUTTERFIELD: And just a  
8 point of clarification. Is that the chief  
9 state school officers, or are we talking about  
10 all school officers? I think it's chief state  
11 school officers.

12 VICE CHAIR JACKSON-DENNISON:  
13 You're right. So we add chief state school  
14 officers.

15 Before, on number 18 -- was that  
16 number 18? Yes. On number 18, where it says  
17 school officers, we need to add chief state  
18 before that on the second line.

19 MEMBER RAY: Sorry, I didn't hear  
20 you.

21 VICE CHAIR JACKSON-DENNISON: On  
22 the second line of number 18, where it says

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1 school officers, we need to -- before that we  
2 add chief state.

3 MEMBER RAY: Chief state?

4 VICE CHAIR JACKSON-DENNISON:  
5 Chief state. Okay.

6 Number 19.

7 NACIE recommends that Congress  
8 support the Department of Education's  
9 responsibility to see that the President's  
10 memorandum for the heads of executive  
11 departments and agencies, dated November 5,  
12 2009, on tribal consultations, be adhered to  
13 within Department and Office of Management and  
14 Budget in matters that pertain to development  
15 of performance measures, policies and  
16 standards.

17 Further, consistent with the  
18 executive order 13175 of November 6, 2000,  
19 coordination and consultation with the tribes  
20 is warranted, especially for these polices and  
21 standards that have tribal implications.

22 MEMBER BUTTERFIELD: So, in the

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1 rationale on this one, I think we need to  
2 acknowledge the efforts that OIE has been  
3 making on the consultations. And just, I think  
4 it still needs to be kind of acknowledged. But  
5 I think we also need to acknowledge the good  
6 work that's been done.

7 MEMBER RAY: I agree.

8 VICE CHAIR JACKSON-DENNISON:  
9 Okay. All right.

10 And what request is this? What  
11 number?

12 MEMBER RAY: It's the second.

13 VICE CHAIR JACKSON-DENNISON:  
14 That's the second, okay.

15 Number 20. We're getting there.

16 NACIE recommends that Congress  
17 support the Department in making extraordinary  
18 efforts in include native expert reviewers for  
19 special initiatives, competitive grants,  
20 requests for waivers and similar undertakings  
21 where the well being of native peoples is  
22 concerned.

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1                   That one was getting there. What  
2 request is that one?

3                   MEMBER RAY: That one was a second.  
4 I think it's our second.

5                   VICE CHAIR JACKSON-DENNISON:  
6 Right.

7                   Okay, number 21.

8                   NACIE recommends that Congress  
9 support the Department in strongly encouraging  
10 the OIE to maintain the overall size and scope  
11 of the 2009 NIES and strongly encourage the  
12 National Census for Education Statistics, NCES  
13 to include BIE schools and staff within all  
14 future generations of the National Schools and  
15 Staffing Survey. To continue over-sampling  
16 public schools in which American Indian and  
17 Alaska native students constitute high  
18 percentages of student enrollment and to  
19 analyze the data and to publish the results.

20                   What request is that? Third one.

21 Okay.

22                   Okay, we'll go on to Advanced

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1 Intergovernmental Collaboration.

2 Number 22.

3 NACIE recommends that Congress  
4 monitor and enforce compliance with federal  
5 laws requiring that when state plans are  
6 submitted to the federal government, they are  
7 reviewed for their accountability to native  
8 populations. Reviewers should be instructed  
9 to closely examine a plan service to parents and  
10 their indigenous communities. State plans  
11 that include native students should have native  
12 reviewers in the re-authorization of ESEA,  
13 include stronger language that clarifies the  
14 support States can provide in serving native  
15 students.

16 There's my one. That one's about  
17 the third one, right. This is the third time  
18 that we're putting this, or is it? I think  
19 that's the third time.

20 MEMBER BUTTERFIELD: Right.

21 VICE CHAIR JACKSON-DENNISON:

22 Third request.

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1                   Number 23.

2                   NACIE recommends that Congress  
3                   support the continued coordination of the  
4                   Bureau of Indian Affairs operations and  
5                   maintenance program, O&M, and the Bureau of  
6                   Indian Education, BIE, on school construction  
7                   to increase alignment between the two  
8                   departments and resolve the current school  
9                   construction backlog. Collaboration between  
10                  the Departments of Education and the Interior  
11                  should be the norm.

12                  That's our third time, right?

13                  MEMBER WHITEFOOT: I would just on  
14                  this one acknowledge the President's My  
15                  Brother's Keeper initiative. I know that the  
16                  other day there was a webinar on that. We need  
17                  to continue to make certain that we're engaged  
18                  with that as well.

19                  VICE CHAIR JACKSON-DENNISON: Does  
20                  that fit in this particular.

21                  MEMBER WHITEFOOT: Yes, um-hum.  
22                  Just acknowledge it.

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1                   MEMBER BUTTERFIELD:        Can I  
2 go -- kind of back up to 22. NACIE recommends  
3 that Congress monitor and enforce compliance.  
4 I don't know that Congress does that. Is there  
5 a different way just to word that that would get  
6 at something about putting language into  
7 legislation that require -- I just think it  
8 needs some work.

9                   VICE CHAIR JACKSON-DENNISON: Yes,  
10 that's true.

11                   MEMBER BUTTERFIELD: In terms of  
12 focusing on what Congress actually does. So I  
13 think the intent can be maintained. But maybe  
14 we could just sort of flag that as something  
15 that needs a little refinement.

16                   VICE CHAIR JACKSON-DENNISON: I  
17 agree. I never caught that. Yes.

18                   Okay, number 24.

19                   NACIE recommends that Congress  
20 support NACIE's recommendation that the  
21 Department of Education and the Department of  
22 Justice conduct joint listening sessions in

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1 Indian country to address school discipline,  
2 disparities and the school to prison pipeline  
3 that disproportionately affects AIAN students.

4 MEMBER WHITEFOOT: This is  
5 Patricia Whitefoot. I meant for my comment to  
6 be for this item.

7 VICE CHAIR JACKSON-DENNISON: That  
8 one. Okay, that's where the Big Brother  
9 comment goes?

10 MEMBER WHITEFOOT: Yes.

11 VICE CHAIR JACKSON-DENNISON:  
12 Support -- I wondered, okay. It's late.

13 MS. LEONARD: Madam Chair?

14 VICE CHAIR JACKSON-DENNISON:  
15 That's the last one.

16 MS. LEONARD: One of -- may I? One  
17 of the things that you may also want to consider  
18 is the fact that in the FY 14 budget, there was  
19 an increase in funding for the very areas that  
20 you have identified there.

21 The President has a major  
22 initiative called Now is the Time. And under

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1 that, the Department also rolled out the school  
2 discipline initiative as well.

3 And so the other key player within  
4 the Department is the Office of Civil Rights.

5 VICE CHAIR JACKSON-DENNISON:  
6 Okay.

7 MS. LEONARD: They're taking the  
8 lead on that. And I can tell you that all  
9 programs are now meeting to figure out how we  
10 can implement the President's Now is the Time  
11 initiative as well as school discipline, school  
12 climate.

13 And so three new programs in FY 14  
14 were funded to address those initiatives. So  
15 there's a lot of work in that area going on right  
16 now.

17 VICE CHAIR JACKSON-DENNISON:  
18 Okay.

19 MEMBER BUTTERFIELD: Can we also  
20 just change the wording on this one, NACIE  
21 recommends that Congress support and cross out  
22 the second NACIE recommendation.

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1 VICE CHAIR JACKSON-DENNISON: Yes.

2 MEMBER BUTTERFIELD: And just go  
3 with the -- cross that out and say that the  
4 Department of Education, et cetera.

5 So, Jenelle in the rationale will  
6 you give us more background on those three  
7 initiatives. Because we don't -- we're not  
8 aware of it.

9 MS. LEONARD: For the record, yes.

10 VICE CHAIR JACKSON-DENNISON:  
11 Okay. That completes going through the first  
12 reading. That's the second request I believe.

13 MEMBER BUTTERFIELD: So I think to  
14 sort of wrap up this one, can we just appoint  
15 a committee that will follow up with some of the  
16 specifics?

17 VICE CHAIR JACKSON-DENNISON:  
18 Sure.

19 MEMBER BUTTERFIELD: And are there  
20 additional recommendations that we want to  
21 make?

22 VICE CHAIR JACKSON-DENNISON: I

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1 think one would be -- I would think that we just  
2 need to fine tune elevating the first one, where  
3 we talked about elevating. And then put in the  
4 language to coordinate better with working with  
5 the BIE and other entitles of Indian education  
6 besides what we're already doing.

7 So some -- if that's in the cover  
8 letter, I'm not sure. Or if that's part of the  
9 first, what we talked about today with the BIE.  
10 That's just my thoughts on it, I don't know if  
11 anybody else has another take on it.

12 But I would think that would be one  
13 of the differences between this one and next  
14 time.

15 MEMBER BUTTERFIELD: Is that  
16 something we're asking Congress to do? Or does  
17 that go into this next one, the letter to --

18 VICE CHAIR JACKSON-DENNISON: Well  
19 it might be the recommend -- maybe the  
20 Secretary, you're right.

21 MEMBER BUTTERFIELD: Yes, I think  
22 so.

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1 VICE CHAIR JACKSON-DENNISON: Yes.

2 MEMBER WHITEFOOT: I just have one  
3 other one before we end here. A recommendation  
4 for our report.

5 On the -- my name's Patricia  
6 Whitefoot. On the NACIE's website, it shares  
7 the -- our report to Congress and just that we  
8 completed our job, our responsibility. And  
9 I'm wondering about the possibility that we  
10 could add a statement, we have not received a  
11 response from Congress with the date.

12 To date we have not received a  
13 response from Congress.

14 MEMBER RAY: Isn't that going to be  
15 in our opening?

16 MEMBER WHITEFOOT: But this is on  
17 the website, the NACIE website is what I'm  
18 saying. So I think in here we also need to  
19 perhaps say something about the website or the  
20 various social media platforms that are being  
21 used.

22 Again, this was an issue brought up

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1 yesterday with tribal leaders in that we're  
2 using various social media platforms. However  
3 in some of our remote, isolated tribal  
4 communities, we don't have access to that.

5 And that was a major issue yesterday  
6 with tribal leaders. You know some places we  
7 don't even have internet in our communities  
8 where I live. Don't even have internet.

9 So I think you know, something  
10 that -- I think we should make some kind of  
11 reference in this report regarding the NACIE  
12 website too. I'm not quite sure what it is, but  
13 that's a forum for getting information out.

14 I guess I'm asking for like two  
15 things. One is just making reference in our  
16 report about our communication efforts and the  
17 website with the Department of Education.

18 And the second one is adding to our  
19 NACIE website a statement that we have to date  
20 have not received a response from Congress, and  
21 we met our deadline.

22 VICE CHAIR JACKSON-DENNISON:

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1 Jenelle?

2 MS. LEONARD: Madam Chair --

3 VICE CHAIR JACKSON-DENNISON: Yes?

4 MS. LEONARD: I think Patsy brought  
5 a very good point in her statement. And might  
6 I suggest that in terms of additional  
7 recommendations to Congress, you might sleep on  
8 it overnight.

9 And take the opportunity to look at  
10 the President's FY 15 budget and they also, the  
11 insert, because you will see what activities  
12 are proposed for funding. And you may have  
13 some reaction to what is proposed.

14 As well, let me just also state that  
15 the President launched another initiative that  
16 was technology based. And this is to wrap  
17 around your -- what you just mentioned, with  
18 lack of access. And the initiative is  
19 ConnectED.

20 And when you read the first pages of  
21 the budget, you will see that they are proposing  
22 to put maybe \$200 million toward a technology

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1 program. As well the President's ConnectED  
2 was to connect 15,000 schools by -- I can't  
3 remember if is 2016 or 17. And so technology  
4 may be one of the recommendations that you want  
5 to consider.

6 So I know we're running out of time  
7 today. And it was the reason I was suggesting  
8 that to give yourself an opportunity to just  
9 kind of peruse the budget. Because there may  
10 be, that would give you some other ideas that  
11 you may want to react to or include.

12 VICE CHAIR JACKSON-DENNISON:  
13 Okay. Thank you Jenelle. So that was a pretty  
14 good start. Everybody's tired looking now.  
15 You with the pink hair.

16 So I think we should adjourn for the  
17 day.

18 MEMBER BUTTERFIELD: So just for  
19 clarification, our homework is to do these two  
20 surveys, right? The one on PD and the one on  
21 STEP. And then to look at the budget for any  
22 other recommendations that we could add to the

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1 report to Congress.

2 VICE CHAIR JACKSON-DENNISON: Yes.  
3 And I believe we'll -- or do we want to set a  
4 subcommittee right now? Just -- let's do that.  
5 Let's take the -- before we adjourn, let's  
6 identify our subcommittee.

7 Do I have recommendations for a  
8 Chair of the subcommittee?

9 MEMBER BUTTERFIELD: I recommend  
10 Alan.

11 AUDIENCE MEMBER: Second that.

12 MEMBER BUTTERFIELD: And I  
13 volunteer to serve with.

14 MEMBER RAY: Thank you. My  
15 partner. Thank you.

16 VICE CHAIR JACKSON-DENNISON: Any  
17 other volunteers for the committee? Alan, you  
18 accept I guess, huh?

19 MEMBER RAY: Do I have a choice?

20 VICE CHAIR JACKSON-DENNISON: No.

21 MEMBER RAY: Happy to do it.

22 MEMBER WHITEFOOT: As one of the

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1 original committee members, I wish to stay  
2 engaged with this process until we get a report  
3 from Congress.

4 VICE CHAIR JACKSON-DENNISON:  
5 Okay.

6 MEMBER THOMAS: I'll volunteer.  
7 Alan's kicking me under the table.

8 MEMBER RAY: We're getting the gang  
9 back together.

10 VICE CHAIR JACKSON-DENNISON:  
11 Okay, so Alan's the Chair and Virginia, Patsy  
12 and Robin are on the committee. I can be on  
13 too. You're pointing at me. I knew you were  
14 going to pull me in. I thought I didn't have  
15 to do this no more. I'm just kidding.

16 Okay, I'll be a --

17 MEMBER RAY: You're on it?

18 VICE CHAIR JACKSON-DENNISON: I'll  
19 be on it.

20 MEMBER RAY: Okay.

21 VICE CHAIR JACKSON-DENNISON: The  
22 only one not on it that's here today --

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1                   MEMBER THOMAS:     You've got all  
2 kinds of time.

3                   VICE CHAIR JACKSON-DENNISON:     I  
4 know, I've got all kinds of time.

5                   MEMBER BUTTERFIELD:     I volunteer  
6 Greg.

7                   VICE CHAIR JACKSON-DENNISON:  
8 Okay, Greg. So all of us here today --

9                   MEMBER RAY:     Volunteer, that's  
10 everybody.

11                   UNKNOWN:     I'll be on it.

12                   VICE CHAIR JACKSON-DENNISON:     It  
13 shouldn't be too difficult this time. Is there  
14 a limit to a subcommittee?

15                   MS. LEONARD:     You can't have the  
16 whole counsel. Otherwise it would constitute  
17 a meeting.

18                   VICE CHAIR JACKSON-DENNISON:     Oh.  
19 Should we adjourn the hearing?

20                   MEMBER BUTTERFIELD:     It's a  
21 recess.

22                   VICE CHAIR JACKSON-DENNISON:     To

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1 recess.

2 MEMBER BUTTERFIELD: So moved.

3 VICE CHAIR JACKSON-DENNISON: All  
4 in favor?

5 (Chorus of Ayes)

6 VICE CHAIR JACKSON-DENNISON:  
7 We're in recess.

8 (Whereupon, the above-entitled  
9 proceeding was concluded at 4:58 p.m.)

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