

U.S. DEPARTMENT OF EDUCATION

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OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

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NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

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MEETING

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THURSDAY
FEBRUARY 13, 2020

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The Advisory Council met at the Smithsonian National Museum of the American Indian, Fourth Street and Independence Avenue SW, Washington, D.C., at 10:00 a.m., Deborah Jackson-Dennison, Chairperson, presiding.

MEMBERS PRESENT

DEBORAH JACKSON-DENNISON, Chairperson*
 PHYLISS ANDERSON
 MANDY SMOKER BROADDUS
 DOREEN BROWN*
 ROBIN BUTTERFIELD*
 THERESA AREVGAQ JOHN
 AARON PAYMENT
 JOELY PROUDFIT
 VIRGINIA THOMAS*
 PATRICIA WHITEFOOT

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ALSO PRESENT

ANGELINE BOULLEY, Designated Federal Official;
Department of Education

PATRESE ATINE, American Indian Higher Education
Consortium

AMY BITTERMAN, WestEd

DAVID CANTRELL, Department of Education

ADRIANNE ELLIOTT, National Indian Education
Association

JANET GORDON, Kauffman and Associates

JO ANN KAUFFMAN, Kauffman and Associates

RON LESSARD, Acting Executive Director, White
House Initiative on American Indian and
Alaska Native Education

PRISCILLA MAYNOR, imaginED Partners*

BEKKA MEYER, Department of Education

ESLEY NEWTON, Department of Education

SHAHLA ORTEGA, Department of Education

SAM REDDING, Capacity Lead, National
Comprehensive Center

RUTH RYDER, Department of Education

JENNA SCOTT, WestEd

CHRISTOPHER TOPOLESKI, National Indian Education
Association

ED VITELLI, Department of Education

*present by telephone

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

10:01 a.m.

CHAIR DENNISON: Good morning, everyone. I know I'm in -- I'm en route down to Southern Arizona, but welcome to the February 13th and 14th NACIE meeting.

I'd like to ask is Chief Anderson there?

MS. BOULLEY: Yes.

CHAIR DENNISON: Phyliss, would you mind opening us, starting us off with a prayer this morning?

(Blessing.)

CHAIR DENNISON: Thank you. Angeline, we'll need to take a roll call for the quorum.

MS. BOULLEY: Robin Butterfield?

MS. BUTTERFIELD: Here.

MS. BOULLEY: Deborah Jackson-Dennison?

CHAIR DENNISON: Here.

MS. BOULLEY: Wayne Newell?

PARTICIPANT: Wasn't he on earlier?

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MS. BOULLEY: No. Let the record show Wayne is not in attendance right now.

Virginia Thomas?

MS. THOMAS: Here.

MS. BOULLEY: Patricia Whitefoot?

MS. WHITEFOOT: Present.

MS. BOULLEY: Doreen Brown?

MS. BROWN: Here.

MS. BOULLEY: Aaron Payment?

DR. PAYMENT: Here.

MS. BOULLEY: Mandy Smoker Broaddus?

MS. BROADDUS: Here.

MS. BOULLEY: Theresa John?

DR. JOHN: Here.

MS. BOULLEY: Phyliss Anderson?

DR. ANDERSON: Here.

MS. BOULLEY: And Joely Proudfit?

DR. PROUDFIT: Here.

MS. BOULLEY: We do have a quorum, and so our meeting can officially commence.

CHAIR DENNISON: Thanks. Again, good morning, everyone. Welcome. I don't know who is

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all there, but we would probably want to go on. It says on the agenda that we want to do welcome and introductions.

For the record, I'm Dr. Deborah Dennison, and I'm on by phone because, you know, I couldn't make it this time due to a family health reason.

But it's good to be back and do the order of business. And thank you for the opening prayer, Chief Anderson. I certainly appreciate that.

And if we can go around the table and whoever wants to say a welcome, we'll be right on track with starting the meeting.

I'd also like to say that when we do have a vote, because I'm on by phone and I'm chairing by phone, that we do make certain we introduce ourselves before we speak up so we -- I can know who's talking and who is -- and then being cognizant of that. Thank you.

MS. BOULLEY: All right, and, hello, everyone. This is Angeline Bouley.

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And what I can do, Dr. Dennison, to facilitate that is, when hands are raised, I'll just say into the microphone hands are raised, and then you'll know that you can let someone in the room speak.

DR. DENNISON: Okay. I'd like to -- could we go around the table and do our introductions? And I'd like all the guests to introduce themselves as well.

Let us start with Shala Ortega at the table.

MS. ORTEGA: Good morning, this is Shala Ortega, U.S. Department of Education, Office of Indian Education.

MS. BROADDUS: Mandy Smoker Broaddus, Fort Peck, Assiniboine, and Sioux. I work for Education Northwest.

DR. ANDERSON: Phyliss Anderson, member of the Mississippi Band of Choctaw Indians.

DR. PROUDFIT: Dr. Joely Proudfit, descendant of the Pechanga band of Luiseno

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Indians and the Director of the California Indian Culture and Sovereignty Center.

MS. WHITEFOOT: Good morning, Patricia Whitefoot, citizen of the Confederate Tribes and Bands of the Yakama Nation.

DR. PAYMENT: Chairperson Aaron Payment, Sault Ste. Marie Tribe of Chippewa Indians.

MS. BOULLEY: (Native language spoken, Angeline Boulley, and I'm the Director for the Office of Indian Education.

MS. RYDER: Good morning, Ruth Ryder, Deputy Assistant Secretary, Office of Elementary and Secondary Education.

MS. AKINS: Good morning, my name is Karen Akins. I'm the Committee Management Officer for the Department of Education, Office of the Secretary.

DR. JOHN: Good morning, (Native language spoken). English name, Theresa John, Y'upik from Alaska, University of Alaska Fairbanks.

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MR. LESSARD: Hi, good morning. Ron Lessard. I'm Mohawk, and I'm with the White House Initiative on American Indian and Alaska Native Education.

MS. WILLIAMS: Good morning, I'm Patrice Williams of the Millennium Group International. We are currently providing technical assistance to NYCP and STEP Development grantees.

MS. TOLEDO: Good morning, I'm Annabelle Toledo with the Office of Indian Education.

MR. GARCIA: Good morning, everybody, Bernard Garcia, Acoma Pueblo and a guest today.

MS. NEWTON: Good morning, everyone, Esley Newton with the U.S. Department of Education, Program Officer in the Office of Elementary and Secondary Education.

MS. MEYER: Good morning. My name is Bekka Meyer, I'm with the Office of Program and Grantee Support Services at the U.S. Department of Education.

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MS. TULLIS: Good morning. I'm Tonya Tullis. I'm with the Office of Indian Education, Program Specialist.

MS. WILLIAMS: (Native language spoken). Bianca Williams. I am a Program Officer in the Office of Indian Education.

MS. HERNANDEZ-MARSHALL: Welcome back, everyone. Angela Hernandez-Marshall, Office of Indian Education.

MS. LEE: Wanda Lee, Office of Indian Education, Formula Grants.

MS. BRACEY SUTTON: Bonnie Bracey Sutton. I'm with the National Collaboration for Digital Equity.

MR. ROULAIN: Thank you, good morning. My name is Phillip Roulain. I am with Tribal Tech, LLC.

MS. VASQUES: Vicki Vasques, San Pasqual Band of Mission Indians Diegueno. And I'm the President/CEO of Tribal Tech.

MS. RICHARDSON: Mardella Richardson. I'm a member of the Lumbee Tribe of North

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Carolina, and I am a Project Manager with Tribal Tech.

And that was Michelle Matteson who's also with Tribal Tech.

MS. BOULLEY: And online?

MS. BUTTERFIELD: This is Robin Butterfield. Welcome, everybody, and Happy New Year. I'm a Ho-Chunk Anishinaabe, and I apologize for not being at the meeting in person.

I've had a lot of trouble with my back so I'm not able to attend in person.

MS. THOMAS: This is Virginia Thomas.

I'm a member of the Muskogee Creek Nation here in Oklahoma. And --

(Telephonic interference.)

MS. THOMAS: Are you there, Debbie?

CHAIR DENNISON: Yes. Okay, is it back to me now? Okay --

MS. THOMAS: No, there's a voice or something coming through. I wasn't sure if you heard me.

MS. BOULLEY: Virginia, we heard you.

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MS. THOMAS: Okay, okay, before I go, quickly -- Bernard, I am so glad that you're there. I'm glad to hear your voice.

CHAIR DENNISON: Likewise, Bernard, this is Dr. Dennison, I wish I was there to see you in person.

So I think that's everybody, Angeline?

PARTICIPANT: Doreen didn't introduce herself.

CHAIR DENNISON: Okay, Doreen? Okay.

MS. BROWN: Thank you, good morning. I'm Doreen Brown. I'm a Director for Title VI Indian Education and Minor Education in Anchorage, Alaska, tribal member of Aniak.

MS. BOULLEY: And I'll ask our meeting contractor if there's anyone else online?

MR. ROULAIN: Good morning, this is Phillip Roulain again. Online in the chat box, I have Paula Hough, Executive Director of Teaching and Learning in Manhattan, Kansas, and Kathleen Bethke is with Synergy Enterprises, and they provide TA for the NAL@ED grantees.

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CHAIR DENNISON: Welcome. Is that it?

Well, welcome, everyone. And I know I didn't introduce myself. I am Navaho, a member of the Navaho Nation and currently the Superintendent at San Carlos Unified School District on the Apache Indian Nation. And we are just having some exciting times over there.

We'll go right on into our 10:30 agenda. And it's the update from the Office of--

MS. BUTTERFIELD: A point of order, point of order.

We're supposed to approve the agenda first. It's not on the agenda, but we should approve the agenda because I would like to add, nowhere on the agenda do we have any opportunity to discuss what we're going to do with the loss of our Executive Director for OIE. Could we please add that to the agenda?

DR. PAYMENT: I will make a motion to accept the agenda with that addition. This is Chairperson Aaron --

CHAIR DENNISON: Okay, I take it

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that's Aaron?

DR. PAYMENT: Yes, Chairperson Aaron Payment. I'm making a motion to accept the agenda with that addition.

MS. THOMAS: This is Virginia. I have another discussion point. I'm not sure where it's going to be covered, but I understand there is a NACIE meeting that is planned for or in the planning for Anchorage.

I don't see that unless you come in under the Planning Calendar tomorrow. And I'm not sure if that's it or you need to add that.

MS. BOULLEY: Yes, that was --

CHAIR DENNISON: Let's go back to the motion --

MS. BOULLEY: -- part of the -- this is Angeline. That was --

CHAIR DENNISON: There's a motion on the floor, do we have a second on Aaron Payment's motion?

MS. BUTTERFIELD: This is Robin, I'll second.

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CHAIR DENNISON: Okay. There's a motion and a second, all in favor, we need to take a roll call vote, Angeline.

MS. BOULLEY: All right. Robin Butterfield?

MS. BUTTERFIELD: Aye.

MS. BOULLEY: Deborah Jackson-Dennison?

CHAIR DENNISON: Aye.

MS. BOULLEY: Virginia Thomas?

MS. THOMAS: Aye.

MS. BOULLEY: Patsy Whitefoot?

MS. WHITEFOOT: Aye.

MS. BOULLEY: Doreen Brown?

MS. BROWN: Aye.

MS. BOULLEY: Aaron Payment?

DR. PAYMENT: Aye.

MS. BOULLEY: Mandy Smoker Broaddus?

MS. BROADDUS: Aye.

MS. BOULLEY: Theresa John?

DR. JOHN: Aye.

MS. BOULLEY: Phyliss Anderson?

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DR. ANDERSON: Aye.

MS. BOULLEY: And Joely Proudfit?

DR. PROUDFIT: Aye, aye.

MS. BOULLEY: Okay, motion approved.

CHAIR DENNISON: Okay, well, the next item, I mean, not item but we'll go to the point that the member brought up about the -- it's in the planning the vacancy that we're going to be dealing with in the coming future, is that in the planning of the -- and discussion on day two? Or where is that going to be? That was the question that Virginia Thomas asked.

MS. THOMAS: No, actually, I was asking about the planned meeting for NACIE in Anchorage and what was --

(Simultaneous speaking.)

MS. THOMAS: -- was that part of the meeting calendar for tomorrow?

MS. BOULLEY: Yes, yes.

CHAIR DENNISON: Okay. So, then, where do we want to place this issue that's just been added to the agenda?

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MS. BOULLEY: The discussion of the Director vacancy, and on the agenda, we do have an update from the OESE leadership. And we can - - and she is -- had planned to include that as part of her update.

MS. THOMAS: Thank you.

MS. WHITEFOOT: This is Patsy Whitefoot, I just had a question in regard to the planning also. Whether we're going to include the bylaws in there?

MS. BOULLEY: My understanding from what Karen Akins said is that we can't have that at this. We would have to call a special meeting stating the nature of the business and then that meeting would cover bylaws.

And, at that point, we would also have an update from the White House regarding officer elections.

MS. AKINS: And it doesn't necessarily have to be a special meeting, Angeline. Just to be clear, if the council decides they want it as a part of their meeting agenda for their next

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meeting, but it does sound like it makes more sense to have a meeting just to get that squared away.

So the council, while we're here, probably would need to make a motion for that to be on the next -- or an agenda item for the next meeting or a special meeting.

That still would have to be announced in advance in the Federal Register, regardless of if you're going to do teleconference, webinar, Skype, that kind of thing.

MS. BUTTERFIELD: Well, but this is Robin.

MS. WHITEFOOT: I just brought it up -

-

(Simultaneous speaking.)

MS. WHITEFOOT: This is Patsy. I just brought it up to bring -- get clarification on this topic.

CHAIR DENNISON: Okay.

(Simultaneous speaking.)

CHAIR DENNISON: Someone, identify

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yourself.

MS. BUTTERFIELD: This is Robin.

CHAIR DENNISON: Okay, Robin.

MS. BUTTERFIELD: Yeah, can we include maybe on day two where it says planning for the 2020 Report to Congress, can we also include, you know, we need to have a committee that's working on this in order for it to be ready for another meeting.

And when we did this originally, we set up our committees, you know, at the beginning of the year the same time we, you know, moved forward. So could we at least create the committee that would finalize the bylaws and then, you know, move forward with the recommendations of that committee?

MS. WHITEFOOT: Subcommittees, yes.

MS. BOULLEY: Yeah, subcommittee creation can be discussed during the planning portion. Also, we've been joined in the room by Jo Ann Kauffman of Kauffman & Associates and Jill Martin who is a program attorney with the Office

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of General Counsel.

CHAIR DENNISON: Welcome.

Okay, so any more discussion on the agenda?

All right, items on the agenda, I think everything is set. We've discussed it's going to be in the planning tomorrow.

MS. THOMAS: Debbie, I'm sorry, this is Virginia.

CHAIR DENNISON: Okay, Virginia, go ahead.

MS. THOMAS: Thank you. I just want to make a little recommendation to you because there's so many of us online and there that we're kind of talking on top of each other. If we could just call to be recognized by you as the Chair so that we don't overlap a conversation and miss what was being said.

And then, you can, you know, let us know that we've been recognized to speak.

CHAIR DENNISON: Yes, that's good to do, yes. I would agree with that.

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Also, just so you know, I'm about an hour and a half from my home and there's some dead signal. So, Angeline, if I do lose signal and have to call back in, you can go ahead and sit in my place until I get back on. Is that okay?

MS. BOULLEY: Yes.

DR. PAYMENT: So, Dr. Dennison, I have a comment.

CHAIR DENNISON: Sure, go ahead, Aaron. That's Aaron, right?

DR. PAYMENT: Yes, I'd like to make a motion to establish a special meeting for organizational purposes including establishing bylaws, electing officers, and subcommittee appointments.

MS. WHITEFOOT: This is Patricia Whitefoot. I second it.

CHAIR DENNISON: Okay, there's a motion and a second. Is there a discussion, back to discussion? Is that something we can do, Karen, with what you talked about? And, since

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Jill's there, maybe she can chime in, too.

MS. AKINS: So I would maybe somewhat -- I would say edit the motion. That's providing that once I get back and talk to our OGC staff on the FACA side, that's if the White House advises that the council has the authority to appoint officers or a vice chair or, I'm not sure, co-chair, not sure what you all would prefer me to go back and refer to it as.

But, again, based on the guidance that I got from our legal division, the attorney that works with me on FACA is that the appointment of a vice chair should be conducted in the same manner as the chairperson and that was -- the appointment was done by the White House in November of 2017.

So, with that, maybe you may want to adjust your motion.

DR. PAYMENT: So this is Chairperson Payment. I'd like to be recognized.

CHAIR DENNISON: Yes, go ahead.

DR. PAYMENT: So I serve on HHS STAC,

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previously chair of the NIH Travel Advisory, the HRAC, a number of advisories, and under FACA and under the Executive Order that established consultation, the advisory groups are empowered to establish their own bylaws.

Generally, the president never appoints somebody to be that. The Executive Office respects tribal leadership government to government.

And, in this case, it's unique, and it sounds to me, because I played a role in getting our Secretary DeVos to reappoint us rather than go through a brand-new process and worked with the White House to get the Secretary to do that.

And so I think that the White House continued the appointment because we didn't have bylaws and because we were not currently appointed. So I believe that the White House is going to be deferential to that. I don't have a problem with that.

I think we should proceed to have the special meeting in accordance with FACA

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regulations, conduct those items, and then wait to see if the White House concurs with it.

MS. AKINS: Well, Dr. Payment, just let me say that I somewhat agree with you. With all due respect, I realize you definitely work hard and serve on a lot of boards and committees.

But FACA sometimes or is a piece of legislation that we even in the GSA Committee Management Secretariat to provide us with a final rule. And each agency, unfortunately, conducts themselves and our legal counsel, they don't confer with each other agency to agency.

So, again, this is the guidance that I've been given. I worked closely with the White House liaison. And so to the best of my knowledge, I wasn't told that that's why the reappointments were made. So I don't have any knowledge of that.

But the instructions I was given were to check it out. I tend to agree with you that the White House may be deferential. But I have to do my due diligence and follow through and

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check it out.

And I notice you've already been referring to yourself as Chairperson Payment maybe for your other, but for the purposes of the council, I just want to be sure.

I mean, the reason that I'm here is just to make sure that on the record we don't violate FACA. We get FOIA requests. So, you know, my role in here is just making sure that we comply with FACA.

And I'm bringing you what I have. I'm not an attorney, so I did check with legal. And so I'm just sharing with you what I've been told to discuss or share with council members.

MS. THOMAS: Madam Chair, this is Virginia.

CHAIR DENNISON: Go ahead, who's asking? I didn't hear the name.

MS. THOMAS: Debbie, this is Virginia.

CHAIR DENNISON: Okay, Virginia, go ahead.

MS. THOMAS: Thank you. I would not

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vote for this motion just because of what was stated by Karen. We don't want to overstep our bounds over here. And I would rather have us do a recommendation to get this clarified by legal and make sure that we do this.

I have no objection to the bylaws or the election process. I just want to make sure that we're on top of this, that we don't fail in procedures and just go on something written that's documented by the office there that we can proceed.

I don't want us to go backwards. So I would vote against this just because of that. But I would ask for the recommendation of the bylaws and the elections to be going forward based on what Karen is getting in writing from the White House or through legal.

CHAIR DENNISON: Thank you for that, Virginia.

MS. BUTTERFIELD: This is Robin.

CHAIR DENNISON: Go ahead, Robin.

MS. BUTTERFIELD: I -- we can take the

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vote after the discussion. But when you made the comment that you might drop off of the call, I don't think it's appropriate to have our Director for OIE running our NACIE meeting.

Could we have another individual if we lose you who is currently in the room? And, since we did recognize Aaron in the past, if we lose you, could we have Aaron then move in to conducting the meeting for today, if we lose you?

CHAIR DENNISON: My understanding is that it does go to the DFO, am I correct?

MS. BUTTERFIELD: That's a question for Karen, right?

CHAIR DENNISON: Karen, yes. Karen is that what I am understanding is that if I get off -- if I have to lose signal or whatever and then it goes to the DFO?

Karen?

Did we all lose connection? Hello?

MS. THOMAS: Hello?

CHAIR DENNISON: Hello?

(Whereupon, the above-entitled matter

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went off the record at 10:25 a.m. and resumed at 10:44 a.m.)

MS. BOULLEY: All right, we do have a quorum of members with the four in the room and the four online. We are still -- Mandy and Theresa are still to return.

But we can -- as long as we aren't taking a vote on anything, we can go ahead and resume. Go ahead, Dr. Dennison.

CHAIR DENNISON: There was a question from Robin. I don't know if Karen heard it, but she's asking if -- or I was asking also, does -- can the DFO cover for me if I lose signal? Because I'm about to lose signal any minute. I could lose signal any minute, but I'll get right back on if I do.

But is Karen there?

MS. AKINS: Yeah, I'm sorry, Dr. Dennison, yes, I am.

So per the provisions in FACA, if you lose connection, yes, Angeline, as the DFO, can continue to facilitate the discussions until

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you're able to plug back in, if you will.

CHAIR DENNISON: Okay. So, now, we're still in discussion on the motion and the second that was given by Chairman -- or Dr. Payment and then also seconded by Patsy.

And any other discussion on that by the members that are present?

DR. PAYMENT: Chairperson Payment -- or Aaron Payment -- Dr. Payment would like to be recognized.

CHAIR DENNISON: Go ahead, Dr. Payment.

DR. PAYMENT: So I don't have any concerns at all with the way that we're voting on this because, obviously, we're advisory. So if it would be contingent, and I don't have any problem without objection amending the motion on the appointments to be consistent with the will of the White House.

CHAIR DENNISON: So you're -- are you changing your motion to go with what the -- you're saying you have a problem with -- can you

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clarify that?

DR. PAYMENT: Yeah, I think it's understood, but I think if somebody's going to vote no because they think that's a barrier, I'm fine with that.

So you could ask, as Chair, without objection, to amend to include the appointment of the officers pending approval by the White House.

CHAIR DENNISON: So would you amend your motion for that to include that?

DR. PAYMENT: I just did.

CHAIR DENNISON: And would the seconding party -- okay, the seconding -- does Patsy agree as the seconding party?

MS. WHITEFOOT: Yes.

CHAIR DENNISON: Okay. So the motion, just for clarification, would be that we want to have a special meeting for the bylaws and once it's approved through the -- Karen reviewing with legal counsel and White House, is that correct?

MS. BOULLEY: We still do not have Mandy back in the room. And so I --

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MS. AKINS: We can table it and just go through the discussion perhaps?

MS. BOULLEY: So if we could continue with discussing the matter but not take any action.

MS. AKINS: Well could we just go with the presentations maybe? We're behind.

MS. BOULLEY: Yes, could -- Dr. Dennison?

CHAIR DENNISON: Yes, go ahead.

DR. PAYMENT: Actually, so, to follow parliamentary rules, I'll make a motion to recess until we have our full complement for who's here today.

MS. AKINS: Well, not recess but maybe --

DR. PAYMENT: Not adjournment or not a table because that means it's off the agenda.

MS. AKINS: Well, maybe we should. I was talking with Chief Anderson at the break, and I'm just thinking that maybe just so we can move forward and be respectful of folks' time and

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presentations, and I actually was hoping that we could maybe hash, if you will, some of this out during an administrative session where I could have legal come and talk with us and things like that.

Perhaps we just have this as an administrative item before our next meeting, whether it's phone, face to face, because I'm just afraid we'll get really behind on our agenda and respectful of all those in attendance.

DR. PAYMENT: Madam Chair? So did we lose her?

MS. BOULLEY: Okay, all right. This is Angeline Bouley.

DR. PAYMENT: So the motion that I made is not inconsistent with what the concerns that were expressed, the amendment is not inconsistent with that.

So it's actually deferential to that. And so I don't see any reason for us to delay this. Because what we're talking about is calling for a special meeting to do those three

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items.

And, if instead, we're doing basically tabling it off the agenda to then call a meeting to have an administrative meeting then to call a special meeting after that, we're talking probably six months down the road.

And we're left without a chair, we're left without bylaws. So all I'm asking is that we recess this discussion until the full complement of who is here today until we can reconvene and vote.

And now, in the orders of the day, is the motion that's on the floor for the amendment is that the appointment of the chair be consistent with the will of the White House. So that addresses that issue.

MS. AKINS: Well, with all due respect, Dr. Payment, I don't know if it's the will of the White House. I'd like to maybe kind of say that -- my thing is before we would even set all of this, I'd like to do my due diligence and get some -- because there may be, as you said

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earlier, the White House may not want to weigh in.

I just want to have more information to inform what you're going to discuss at your next meeting.

DR. PAYMENT: So, yeah, point of order, Madam Chair, is, so, substantively, as all due respect, I'm not sure if you're hearing what I'm saying.

The motion and second for the amendment was to make -- call the special meeting which is probably not going to be tomorrow. It might be like a month from now, to hold those three items.

One of those items is to hold officer elections right after we establish bylaws. And, but that be consistent with the will of the White House.

And so that concern is addressed in that motion. And so, of course, we know we're advisory. We know that anything, action we take can be undone because we're advisory.

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So I think everything that we're motioning is completely consistent with the expressed concerns by the Chair by yourself.

MS. BOULLEY: We no longer have a quorum with Mandy Broaddus out of the room and Dr. Dennison off the phone. So I'm going to have us continue on the agenda with the presentation - - with the update from our senior leadership.

MS. BUTTERFIELD: This is Robin.

MS. BOULLEY: Yes, Robin?

MS. BUTTERFIELD: This is Robin. I thought once a quorum was established that you could move forward because people come in and out of the room. You don't stop a meeting, you know, somebody has to run to the restroom or something. So we've established a quorum.

MS. BOULLEY: But if we are planning to take a vote, then we need to have a quorum. So we're going to proceed with the update, the informational update.

MS. RYDER: Good morning, again. This is Ruth Ryder, Deputy Assistant Secretary, Office

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of Elementary and Secondary Education.

Thank you and the main thing that I wanted to update on was what is going on with Angeline's position. I am very sad that she is leaving. She's been a great leader in the office and for the Office of Indian Education, but also for our office as a whole.

And I know that she's moving on to something that she cares about deeply, but we're very sad that she's leaving, and we'll miss her.

As soon as she informed me that she was leaving, I moved on getting her position posted. It was posted on February 3rd and will close on March 4th.

I look forward to working with NACIE, and I understand that there is a subcommittee that will be involved with the hiring process. And, at some point, I would like to know who the chair of that or the point of contact for that subcommittee is. I'm hoping that we will be able to move this process very quickly.

Because in the interim, I will be

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Acting Director of the Office of Indian Education. And I will do everything that I can to keep things moving, but I have a lot going on. So I want to bring in a good, qualified new Director for the program.

In addition to Angeline's position, we're also working on a number of other hiring actions to bring the office up to a staffing level that can accommodate the work in the program. And we have a couple of staff level positions and a couple of leadership positions that we're working on hiring.

I also wanted to let you know that Angela Hernandez-Marshall will be the Acting Designated Federal Official. And we're working on getting her through all of the administrative procedures to be the official designated federal official, the DFO.

I'm going to stop for just a minute and see if there are any questions or comments.

(Simultaneous speaking.)

MS. BROWN: Hi, this is Doreen.

MS. BOULLEY: Hi, Doreen. Go ahead, Doreen.

MS. BROWN: Thank you. So, Ms. Ryder, I would just like to know if the other positions have been posted for OIE that you mentioned, the leadership and the other staff.

MS. RYDER: The leadership positions have been posted, and we have received the list of qualified applicants and have begun the interview process.

The staff level positions, two of them have been posted, one other has not. It's working its way through the process.

MS. BROWN: So is that -- can I assume that's a total of five with leadership and with staff positions?

MS. RYDER: Yes.

MS. BROWN: Thank you.

MS. THOMAS: I'm sorry, this is Virginia Thomas. I'm getting some technical difficulties. I'm getting a really bad echo on this line.

MS. BUTTERFIELD: I am, too.

MS. BOULLEY: Okay. If you are on the computer, you need to mute the sound on your computer so that you are receiving sound only from your phone. If you have sound coming from both, that's where the echo comes from. We don't hear any echo in the room.

MS. THOMAS: Okay. I'm just on the phone, so --

MS. BOULLEY: Okay.

DR. PAYMENT: Robin, were you trying to speak?

MS. BUTTERFIELD: This is Robin. I was.

Could you please send -- could you please send us the contact information for both the acting, I'm not sure, you said Acting Director?

MS. RYDER: Yes.

MS. BUTTERFIELD: Is it Angela Marshall who's the Acting Director?

MS. RYDER: No, it's Ruth, Ruth Ryder.

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So, it's ruth.ryder, R-Y-D-E-R, at E-D dot G-O-V (@ed.gov).

Angela will be the Acting DFO.

MS. BUTTERFIELD: Oh, DFO, okay. Can you just send us that information?

MS. BOULLEY: Yes.

MS. BUTTERFIELD: Thank you.

MS. BOULLEY: Okay, Robin, or I'm sorry, was there -- Robin, did you have anything to say?

MS. BUTTERFIELD: I was the one that was asking for the contact information.

MS. BOULLEY: Oh, okay. All right. Anyone else --

MS. BUTTERFIELD: Thank you.

MS. BOULLEY: -- questions in the room?

Joely?

DR. PROUDFIT: So I want to say thank you for posting the positions so quickly because we definitely need to fill that. And I was a part of the subcommittee that was a part of

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hiring Angeline, so I'll take credit for her just a little bit.

And I just want to say, I mean, that's the best reason to leave us, and that's the only reason why we will allow you to leave in that sense. But you'll continue to make your mark in Indian country.

Having said all of that, when you applied from when you were hired, Angeline, how long was that period and process?

MS. BOULLEY: It was -- I applied in June, and I started in mid-March of the following year.

DR. PROUDFIT: Can we do better this time around and be a little faster? And what can we do to expedite that so that we can fill the position as quickly as possible?

MS. RYDER: I have -- this is Ruth. I have been working with our front office and have indicated that this is my top priority. And we have close to 30 hiring actions in my overall office. So this is -- this one is on top.

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And they understand that when the job announcement closes, that we want to move this very quickly.

One of the things that we did is, typically, when a job announcement goes out, it's restricted to 50 candidates, and we asked for a 100 on this one. So it's probably going to take them a little bit longer.

What we've been finding with many of the positions in Angeline's shop is that we ask for 50 but when we get the candidates, we'll only get a few because a lot of people who apply don't have Indian -- don't meet the Indian preference requirements. And so they're just automatically removed from the list.

So we wanted to get a larger list, so it's going to take a little bit longer to process them. But I think the best thing that we can do is if you can let me know who the point of contact is for the subcommittee then we can start working very quickly on how that part of the process is going to work.

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And then I will be working quickly on my end to set up an interview panel and complete the process as well. I'm committed to moving this quickly.

MS. BOULLEY: I'd like to recognize Karen Akins.

MS. AKINS: So, Dr. Ryder?

MS. RYDER: No, just Ruth.

MS. AKINS: Ruth, just -- so sorry. I want to -- for the panel that we'll do after the subcommittee makes their recommendations, we'll have to announce that. So I just wanted to add that that will have to be.

So you and I and the folks from our Office of the Secretary and legal probably would need to get together. Because I just want to make sure that I support you in saying that we'll move it as quickly as we can, Dr. Proudfit, but, unfortunately, we have the FACA rules and closed session, privacy issues that we'll have to deal with as well.

Especially because we have to announce

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that the full council will meet to vote on the final person that will be hired as the OIE Director. Those 15 days is part of the time line that we'll have to take into consideration.

MS. RYDER: Thank you, Karen, I will be working closely with you on this.

MS. AKINS: Great.

MS. BOULLEY: More from Joely?

DR. PROUDFIT: And I appreciate that, Karen. Fifteen days is 15 days. It should not be a year and a half. So I just -- that's why I just want to make a point that we all focus on making sure that, you know, we expedite this process.

And so thank you, Ruth. Dr. Ruth sounds so cool. She's a living legend.

MS. THOMAS: This is Virginia.

MS. RYDER: No advice.

MS. BOULLEY: Just a moment, Virginia.

DR. PROUDFIT: I just think it's critically important having been involved in the last search process.

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And then I appreciate closing it at 100 folks because without being too specific about numbers in the past, I was astonished at what small -- it wasn't even a percentage point was successfully moved forward in terms of the pool.

And there were some deep concerns the hiring committee, subcommittee had about what were some of the gaps and maybe asking for a broad pie chart so we could see, let's, for example, say of a 100 people that applied and if 90 people didn't qualify, what was the reason? Was it because of the Indian preference?

So we kind of want to see what's happening so that we can have an idea of who's applying in broad strokes without looking at HR files and personnel issues. And, you know, and where are the hits and misses?

So if you can provide us with any of that because I anticipate that that will probably happen going forward. And we can get a better understanding of who's applying and who's missing

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in terms of this position, so we make sure that we have the best applicant pool possible.

Thank you.

MS. RYDER: I'll look into what information we can provide. And also, I hope that -- I know Angeline sent the job announcement out broadly. But please be sharing it with all of your different networks so we have a good pool.

MS. BOULLEY: Virginia, go ahead.

MS. THOMAS: Thank you. I do have a listing of the people that were on the last go around for the committee. And there -- if you have access to the minutes that we provided to your office, there was some recommendations made by a motion of that committee of what could happen next time around and what was kind of difficult for the committee this time -- this last go around and what could be made better next time.

On the committee itself was myself, Robin, Patsy, and Joely. And there was some

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concern about qualifications. And if you can remember, we actually turned down the first go around, and we had to come back and re-interview.

But there are -- if you have access to those minutes, I believe it was Robin that made the motion about the candidacy and the qualifications of those candidates and what slate was going to be forwarded from the office there.

But if you don't have them, I'm sure I can dig them up to get them to you.

MS. RYDER: That would be helpful, or if you could tell us what minutes from what date.

MS. THOMAS: It was actually August 3rd of '18.

MS. RYDER: Thank you.

MS. BOULLEY: And, Virginia, if that was a subcommittee meeting, then it wasn't a meeting where there was a transcript. And so the notes, the minutes for that meeting, I don't have. So just --

MS. THOMAS: Okay.

MS. BOULLEY: -- please be sure to

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send them to us.

MS. THOMAS: This is Ruth, right?

MS. BOULLEY: Yes, send them to Ruth.

MS. THOMAS: Okay, okay. I will do that right now.

MS. RYDER: Thank you.

MS. BOULLEY: Other questions for Ruth Ryder?

Okay. We are -- if we can move forward on the agenda and go with Ron Lessard with the White House Initiative?

MR. LESSARD: Thank you. Good morning, everyone. I just wanted to just provide a few updates on some important things that will be coming up and, hopefully, we'll be reaching out to you for some content.

The first, number one in the book that we have on my -- that is in your folders, you know, the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, I think those of you who aren't familiar with that, the public law is in the next tab.

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This was, actually, was in the previous administration put into effect. However, it's been a year since it was put into effect before the Commission actually started ramping up and getting ready to do things.

So they have and there are four -- four federal appointees to the Commission, there are 11 Commissioners and four of those -- appointed to work with them with content and some other things, HHS, Department of Justice, Department of Interior, and Department of Education.

So I was pleased the Secretary and the staff asked me to be on this Commission. It's -- and they'll be doing three hearings this coming year.

The first one is in March in Phoenix.

So what I'll do is, when we get the content of this, I'll make sure I send it to, I guess it would be Angela, and Angela could send it out to the Committee, is that correct? Is that how that would work?

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But there -- if you read through the public law and you read through the -- it's kind of the summary of what it will be looking for.

This will be a report to Congress. This is mandated by Congress. It'll be a report that goes to Congress. And there'll be -- there's several different topics in here, one of which is education.

And so, right now, the Commission, they're still working out logistics for where they're having their hearings, what it will look like. But soon they'll be framing a report, and they'll be looking for content, especially from my standpoint, from the education side. So I want to make sure that you're all included in that because I think that's going to be very important, especially when that report goes in.

And you'll see the criteria that's listed in that. So I just wanted to bring that to your attention.

Yes, Aaron?

DR. PAYMENT: So I just wanted to

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acknowledge the purpose of this is to be a broader than any one agency. And it's to basically do a scorecard about how the federal government is doing in fulfilling their treaty and trust responsibility for American Indian children, education, child welfare, the whole gamut.

And so one of the very clear expectations that the Senate Indian Affairs Committee has is that an oversight report will be done regularly back to them which is something we've requested from this body which has never happened. But that's clearly was one of their expectations.

And I testified on behalf of this for the National Congress of American Indians. So it'll be a good single compendium about how everybody else is doing in regard to the federal trust responsibility to our children.

MR. LESSARD: Thank you. And I think from my perspective, we also have folks within the Department that I have talked to that once --

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we're still discussing things, like I said, the Commissioners are trying to decide about the logistics of the hearing itself.

But as we get closer to content for the report, we have folks already in Ed that want to contribute and want to make sure that you all can, you know, can see it and advise on things that you feel should be in the report or the Commissioners should know.

But I think, yeah, what Aaron said is absolutely right. It's -- there hasn't been a broad accountability, you know, in education. So this will be good.

The second thing I put on the list is the Memorandum of Agreement. I know you've seen it. It's the Preservation Revitalization of the Language, the work we do.

So I meet regularly with Tony Dearman with -- and with Jeannie Hovland, Commissioner Hovland, on the language summit. But not just on the summit, but on the content of the memorandum itself.

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Last year, we had our -- at NIEA, we did the sixth summit which was really wonderful.

We had a lot of people come. And this year we'll be doing the seventh at NIEA again which will be in Albuquerque.

And I bring it up now because we'll start, and the planning committee will start looking for speakers and people to present. And I, you know, I think it would be good that, you know, that also is sent out to you so you can make recommendations of who you think should be on that.

And then, also, just to provide you -- we revised the memorandum, and it's not a lot of changes, but it's there for you to look at.

The other thing I included is the -- just our tribal consultation policy. We've had discussions about looking at it, revising it, if need be. Just taking a look, still operating under the Executive Order 13175. I don't see that changing any time soon. But so we still operate under that and the guidance.

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But if you get a chance to look at the tribal consultation policy, going forward, we may revisit that, and I'll have to check with Jill and Sherone and others to see if there's -- if we want to look at it.

And there are some updates to that. I know several of the other agencies do update it regularly.

Yes?

MS. BOULLEY: I apologize for interrupting, Ron. To people online or on their phone, if you could please mute. We do hear some shuffling and background noise. Thank you.

MR. LESSARD: So that's just -- I wanted you to see that and have that and then as we move forward.

And it brings me to the question I asked last time, and I think that we can start to do this again. I know there was kind of a request for -- to do a quarterly kind of update with NACIE with the members quarterly.

Whoever you feel, you know, is best

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and I think -- I guess the process for that would be to go through the DFO to, you know, find a day. Is that -- I'm not really sure of that process, but I would like to be able to do that on a regular basis, like for things that are coming.

Yes, Aaron?

DR. PAYMENT: So that ties back to a conversation we had at the last meeting about establishing more frequent meetings, if it's quarterly. And I know that we have to go through all the bureaucracy to post it and everything. But maybe we should take some action today with a specific plan to be able to do that because then we can get those updates in a more timely way.

MR. LESSARD: Yeah, and just to clarify something around the Executive Order, a lot of the early questions, you know, three years ago or more were, are we going to redo the Executive Order? That still hasn't happened. I don't know if that will happen.

So what we've done, and I've had

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meetings with the Secretary's Office, meetings with Diane Jones who's Acting Undersecretary, and looking at, you know, four or five things out of that previous Executive Order that we can do based on the capacity of one person running the shop right now.

So we've looked at those things. So the Commission is one which was not in the Executive Order, but it's an opportunity to reach out and gather information from K-12 and also higher ed.

And then the other thing was to, the reason -- the reason I listed -- there's a long list of potential dates of things coming up, is that so in addition to the language work that I do, in addition to the Commission now, in addition to the consultations, we had several consultations last year, and I serve as the consultation official for the department.

And then, the fourth thing being continue to work around the opportunity to -- yes?

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MS. BOULLEY: Hi, we are hearing music, faint music from someone's phone. Can you please mute your phone? Thank you.

MR. LESSARD: And then the opportunity that I have with a lot of these other speaking engagements or presentations, a lot of it around K-12 and we do the Native special ed program.

And so it doesn't, you know, we're not neglecting that and carrying that message to a lot of these dates.

When you look at the dates, and these, I guess, are tentative, and I included the NACIE dates. I don't know if those'll be definitely happening, but I did put them in there.

But, you know, if there's something in there that you see like the Commission in Phoenix, if anyone's going to -- they're public hearings. We have three hearings coming up, one in Phoenix, one will be in Alaska, and the third one in October will be Hawaii, which that'll be interesting to see how that works.

And I have to say that the detailees

from the federal agencies don't make the decisions on these. We're there as -- to advise for content and things like that. So the Commissioners make the decisions on where they're going and, you know, what they're going to be -- what the kind of run of show will look like for those hearings.

But it'll be similar to a consultation where we'll have presentations and then we'll have a public comment period.

And then the only other thing I just want to mention in the first one there, and Patrese is here from AIHEC in the back there.

We had a great meeting. It's the second year we've done the AIHEC-Ed partnership.

So we invited federal agencies; we had several federal agencies. I would say a dozen or so or more. And they met with the tribal college presidents. We had a lot of discussion about different topics, things that we could do to keep the TCUs updated on what's happening in the federal agencies, including grant opportunities

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and other funding.

And so it was a great opportunity to get together with the TCU presidents and with AIHEC facilitating that. And we'll be doing that again.

And I think we -- oh, the only other thing, and if I could get that guide passed out, the -- and this was just kind of a -- this is something -- I may have given this to you before.

For those of you who are working with the American Indian College Fund, they just recently -- you may have all seen this, but especially those of you who are still teaching, and you have students, this was an excellent tool for students looking to go to college.

And I bring the hard copies, but you can download it on the American Indian College Fund site.

But the other thing that -- if you are doing an event, we just did -- we just had the American Indian College Fund do a presentation. We hosted Teach for America, the Native Alliance.

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And they came and did a presentation about this, and it was really informing -- really helpful for young people to see that, you know, what other people are saying about certain universities, you know, how will their budget cover that. There's a chat room in there for students to speak with other students so that they can ask some of these questions.

You know, so, because this developed over a period of time, as we know, because they're, you know, in our schools we don't have the kind of guidance or guidance counselors that are often available in some of the -- some other school systems. So this -- for Native youth, this is a really great tool.

And if you're having an event and want to have some of those sent, hard copies sent of the American Indian College Fund, we'll do that. So we've been working really close with them to spread the work about this. And we will continue to do that.

So, with that, thank you very much.

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It's great to see everyone. And we'll do -- I'd love to set up a time when we can have regular updates. Thank you.

MS. BOULLEY: Okay, thank you for that, Ron. Are there any questions for Ron Lessard?

I see Patsy. Go ahead, Patsy.

MS. WHITEFOOT: Yes, I have a question, Ron. Thank you for the report.

I see that you have commissions here. Could we get a copy of the -- a list of the Commissions and the Commission members?

MR. LESSARD: Yes. Yes, I will. I'll get that.

MS. WHITEFOOT: And how to contact them? And then, in addition to that, I know that the National Indian Education Association and other organizations, various national organizations such as Indian Child Welfare, NIEA, National Health are also working on the first children's first initiative.

MR. LESSARD: Right.

MS. WHITEFOOT: And, I was wondering if that's been discussed in here as well and how that's being integrated? Because we all have our various initiatives that we're working on.

But I know the one that's very comprehensive is the first -- children's first initiative.

MR. LESSARD: Well, it was brought on one of the calls when we were referring to NIEA and some of the initiatives that they've done and then with NCAI, too.

And so, there is, you know, that will be a, you know, put forward as a resource. And, some of the Commissioners are familiar with it. So, they -- what I was going to do, I was going to bring the list, but they're in the process right now of not only do they have the Commissioners, but then, they're putting together an Advisory Council which will have names of people.

Those have been submitted and I think they're going through those now. So, that way, I

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can send a complete list of not only the Commissioners with their contact information, but also the, you know, the Advisory Council.

But they are going to be creating a website and some other things where you can have access to that information. So, I should -- I have a -- I actually have to meet at Interior this afternoon with the Commission. Everything's going on this week. So, I'll be sure and get that.

MS. WHITEFOOT: Thank you very much.

MS. BOULLEY: All right, other questions for Ron?

(Simultaneous speaking.)

CHAIR DENNISON: Ron, this is Dr. Dennison, I'm back on.

DR. PROUDFIT: This is Joely.

MS. BOULLEY: Go ahead, Robin.

Oh, Dr. Dennison?

CHAIR DENNISON: Yes, I'm back on. Yes, I wanted to let you know I'm back on.

MS. BOULLEY: Okay. Joely?

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DR. PROUDFIT: Just to clarify, the Commission has been appointed and you will give us a list or they're appointing a Commission?

MR. LESSARD: The Commission has been appointed.

DR. PROUDFIT: Okay.

MR. LESSARD: So, there are 11 Commissioners, they have all been appointed. And, they're in the process of choosing an Advisory Council that will also work with them. So, that should be happening pretty much any day.

But I can send the list of the Commissioners. I can get that to you. And then, when the Advisory Council comes up.

And, I think that it's interesting because the Commissioners are not federal folks.

So, there are only four of us that really can help gather information from, you know, within the federal agencies for what they need.

DR. PROUDFIT: How often do they meet?

MR. LESSARD: They meet -- so, we meet -- we have subcommittees in the Commission. We

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actually have an hour and a half today, a subcommittee planning the hearing.

So, there are -- they have to do up to five face to face mandatory hearings. And, those will be -- those are public hearings. Those are coming up, the first one being in March in Phoenix. And then, there'll be two others.

But the Commission is meeting -- now they had the first kind of kick off meeting, again, in -- because it had been dormant for a while, so we met in October, those of us who were appointed to that from the detailees from the federal.

January 31st, we had the very first kick off meeting with Senator Murkowski, Senator Heitkamp who came because she had been involved in providing that. And, that was January 31st.

So, we're just now starting and having regular meetings. But, you know, I think that once they get through some of the logistics of being a Commission, you know, then I think that we'll get into more of the content of what's

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needed.

But, right now, we're looking at do we want round tables or square tables at the hearings.

MS. BOULLEY: Any other questions, Joely? Okay, Dr. Dennison, are you ready to --

CHAIR DENNISON: Yes.

MS. BOULLEY: -- to -- okay, all right, I'll turn over to you.

CHAIR DENNISON: I have a question for Ron on -- I'm sorry, I missed part of your presentation. I'm just getting into Phoenix.

That date of when you said you're going to be in March, what was the date in Phoenix? What was the date on that?

MR. LESSARD: It's March 11th. March 11th through the 15th.

CHAIR DENNISON: Okay.

MR. LESSARD: And, I think -- and, there are also going to be, in addition to the hearing, there'll be some site visits that we'll be doing.

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But the hearing will actually take place, I think it's two days, it'd be the, I believe, the 12th and 13th and then the 14th will be for site visits.

CHAIR DENNISON: Any other questions from anyone?

MR. ROULAIN: Good morning, this is Phillip Roulain from Tribal Tech.

In the chat window, Doreen Brown would like Ron Lessard to please share the website where you can find the guide you referred to earlier.

MR. LESSARD: This guide? Oh, okay. The American Indian College Fund, the website, I don't have it there, but you can download the guide, I'll get it for you in a second.

MS. BOULLEY: The website is thinkindian.org, T-H-I-N-K-I-N-D-I-A-N dot org.

MS. BROWN: Thank you.

MR. LESSARD: What we found worked really well was, when we actually had them come - - American Indian College Fund come in person and

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meet with some Native youth, it was, you know, there were a lot of questions that they were answered.

Because not only do they have funding, some funding coming from the college fund, but the folks that gave the presentation from the college fund also knew of other funding for Native students. It was a good discussion.

So, you know, it might be something even with the youth group, you know, at NCAI or something where they could come and address.

MR. BROWN: Thank you.

MS. WHITEFOOT: This is Patsy.

CHAIR DENNISON: Go ahead, Patsy.

MS. WHITEFOOT: Yes, I just realized that the Native Language Work Group has the MOA as well. And so, can we have a copy of that, too?

MR. LESSARD: I'm sorry, which group?

MS. WHITEFOOT: The Native Languages Work Group.

MR. LESSARD: Oh, yes, we'll --

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MS. WHITEFOOT: The MOA --

MR. LESSARD: Yes, that --

MS. WHITEFOOT: -- with the Department of Education and we also report on that during our congressional report. So, may we all have a copy of that?

MR. LESSARD: Let me see, was that included? I sent it to -- okay.

MR. ROULAIN: This is Phillip Roulain from Tribal Tech.

The document Patsy was referring to is included in your binder.

MR. LESSARD: Yes, it's -- It's right after --

MS. WHITEFOOT: Thank you very much.

MR. LESSARD: It's after the public law.

CHAIR DENNISON: Okay. Any more questions? Okay, I don't know if the agenda was changed around, but it seems like we're ahead on the agenda. But, thank you, Ron. Sounds like a very comprehensive report.

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MR. LESSARD: Thank you.

CHAIR DENNISON: Am I still on? Okay.

MS. BOULLEY: Dr. Dennison, we did not take any action regarding Dr. Payment's earlier motion. We held off on any action until all the members that were on the call could return.

CHAIR DENNISON: So, is everybody back now?

MS. BOULLEY: Yes.

CHAIR DENNISON: Okay. So, we'll go back to that. I'd like to have Dr. Payment restate his motion and then see if Patsy agrees with that and we'll call for a vote, for the record.

DR. PAYMENT: There was, yes, there was -- hold on -- I established a record of it.

It was to have an organizational meeting or a special meeting for organizational purposes to approve our bylaws, to hold election of officers, and to, there was a third one, what was the third one? That was the amendment, I'll find the third part.

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It was -- here it is -- okay, establish bylaws, election of officers, and subcommittee appointments. That's especially important now because we just talked about the subcommittee for the hiring.

And, then, there was a motion and second to amend to include the consideration of the White House approval so that anything that we're doing is consistent with the White House.

So, what's on the floor right now is the motion to amend to include that we're deferential to the White House.

CHAIR DENNISON: Okay. So, we'll go ahead and call for a roll call vote.

Angeline, can you do the roll call vote?

DR. PAYMENT: It's on the amendment.

CHAIR DENNISON: Or is there any more discussion, I guess? Is that clear to everybody?

MS. THOMAS: This is Virginia.

CHAIR DENNISON: Go ahead, Virginia.

MS. THOMAS: Just for clarification,

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are we voting on the amendment first or just the amendment and the motion? What's the order happening here?

CHAIR DENNISON: The amended motion is what I think we're voting on, am I correct?

MS. BOULLEY: No.

DR. PAYMENT: No.

CHAIR DENNISON: No?

MS. BOULLEY: It's to vote on the -- approving the amendment to the original motion.

MS. THOMAS: Okay.

CHAIR DENNISON: Okay.

DR. PAYMENT: Then we go back, once that's done, then we go to the main motion with the amendment or without the amendment depending on the vote.

MS. BOULLEY: Right, so this is voting to approve the amendment to the original motion.

Robin Butterfield?

MS. BUTTERFIELD: I approve.

MS. BOULLEY: Dr. Dennison?

CHAIR DENNISON: Yes.

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MS. BOULLEY: Virginia Thomas?

MS. THOMAS: Yes.

MS. BOULLEY: Patsy Whitefoot?

MS. WHITEFOOT: Yes.

MS. BOULLEY: Doreen Brown?

MS. BROWN: Yes.

MS. BOULLEY: Dr. Payment?

DR. PAYMENT: Yes.

MS. BOULLEY: Mandy Broaddus?

MS. BROADDUS: Yes.

MS. BOULLEY: Theresa -- Dr. John?

DR. JOHN: Yes.

MS. BOULLEY: Dr. Anderson?

DR. ANDERSON: Yes.

MS. BOULLEY: And, Dr. Proudfit?

DR. PROUDFIT: Yes.

MS. BOULLEY: Okay, motion approved on
the amendment.

And now, we go to the --

DR. PAYMENT: The motion with --

MS. BOULLEY: The main motion.

CHAIR DENNISON: Original motion?

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MS. BOULLEY: As amended.

DR. PAYMENT: As amended, yes.

MS. BOULLEY: For a roll call vote.

DR. PAYMENT: Call for the vote.

MS. BOULLEY: Call for the vote. All right, roll call, Robin Butterfield?

MS. BUTTERFIELD: Yes.

MS. BOULLEY: Dr. Dennison?

CHAIR DENNISON: Yes.

MS. BOULLEY: Virginia Thomas?

MS. THOMAS: Yes.

MS. BOULLEY: Patsy Whitefoot?

MS. WHITEFOOT: Clarification, it should be Patricia Whitefoot.

MS. BOULLEY: Yes.

MS. WHITEFOOT: Patricia.

MS. BOULLEY: Patricia Whitefoot?

MS. WHITEFOOT: Yes.

MS. BOULLEY: Doreen Brown?

MS. BROWN: Yes.

MS. BOULLEY: Dr. Payment?

DR. PAYMENT: Yes.

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MS. BOULLEY: Mandy Broaddus?

MS. BROADDUS: Yes.

MS. BOULLEY: Dr. John?

DR. JOHN: Yes.

MS. BOULLEY: Phyliss Anderson?

DR. ANDERSON: Yes.

MS. BOULLEY: And, Dr. Proudfit?

DR. PROUDFIT: Yes, yes.

MS. BOULLEY: Motion approved.

CHAIR DENNISON: And, there was something else that we -- that you motioned? Was there another motion on the White House Initiative? Or did I hear that wrong?

DR. PAYMENT: Oh we haven't done that yet, but no, I'm sorry, I had requested that we give form to function and we follow through with what we said we were going to do last time, but to -- actually, we might have even voted on it. Did we vote on that last time?

MS. BOULLEY: Yes, you did, but we did run into issues -- this is Angeline -- regarding trying to establish a monthly check in meeting

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and whether we could do one blanket posting in the Federal Register listing all the of the dates.

And, because each agenda needs to be reviewed, then we need to post those meeting individually.

MS. AKINS: Hi. Thanks, Angeline, this is Karen Akins.

So, we could -- I think the challenge in, again, moving forward Ruth and Angela Hernandez and I can work together. We can post all of the meetings all at once in the Federal Register, but the challenge we would have is if you're not to make -- able to meet quorum for each of those meetings, we would have to do an amendment.

And also, moving forward, we'd have to check on staffing and resources during the transition, depending on what the dates are.

So, that was what I shared with you around posting the notice with all of the dates.

Because we probably want to think about some

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logistics first. But it could certainly be done once we figure that out.

MS. BOULLEY: All right, Ron Lessard has his hand raised.

CHAIR DENNISON: Okay, Ron?

MR. LESSARD: So, to speak to that, on one of the questions I had last time was, in addition to a meeting, a quarterly meeting or an update at when topics come up that advice could be given from NACIE, would the process would be that I would ask the DFO to reach out to NACIE members?

It could be something with the Commission that's coming up. Maybe we don't want to wait until, you know, two months for a meeting. But maybe --

MS. AKINS: Right.

MR. LESSARD: -- just some advice that you could provide, you know, on something that's coming up.

And, that was kind of what I thought of last time. Not only do we have a, you know, a

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regular meeting but then, what's the best process to reach out to you as the Advisory Council and say, you know, we need some information on this particular topic?

MS. AKINS: Right, Ron, yes. And, that can certainly happen through the DFO. And, again, I'll work with our legal to figure out how we handle the logistics of all that.

But you can certainly always send any information that you want to share to the DFO and then she can get it out to the members and then we can go from there if there needs to be action taken on it.

MS. BOULLEY: Dr. Payment has his hand raised.

CHAIR DENNISON: Okay, Dr. Payment?

DR. PAYMENT: So, I hate to keep having to re-ask this and I don't want to -- I don't know if it comes across wrong or what, but, so, there's a number of us serve on a number of federal advisories that are FACA exempt and we know how this works.

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And, we get unnecessary restrictions and interpretation of what we can and cannot do at this table.

I think it's time to move past that. And, if we need to once and for all get the right people in this room to ask the question and have them answer it once and for all. We're not asking for meetings monthly to conduct business and hold votes.

And, of course, the Federal Register would require that those agendas have to be pre-approved and all that. That isn't what we're asking.

What we're asking is, on a regular basis to be able to get updates and be informed, information, and discussion, not action items.

And, as an example, I can tell you, and when we get the response that, well, that's those other committees, not this committee. That's not sufficient.

Because all those other federal FACA exempt advisory committees hold monthly

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conference calls to basically have discussions and updates about what's happening, what impacts those areas. Health does it. NIH does it. HRAC does it. They all do it. SAMHSA does it.

And so, we're not asking for anything different than what all other federal agencies are already doing. So, if we need to formalize that request to the attorneys that advise us, then let's do that. Because we voted on this in September and October, November, December, January have all passed and we could be much more informed and more valuable to advise the Secretaries, because it's two Secretaries under the creation of this.

So, let's do that and not look to ways that we can't do it, but how do we do it respectfully and in accordance with the law so that we can be fully apprised and advise the Secretaries.

MS. AKINS: Dr. Payment, so, let me just say, again, all due respect to you, I apologize if you feel like I'm telling you what

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you can't do.

Just for clarification, NACIE is not a FACA exempt committee. So, just want to make that clear. So, that's why I need to check with legal when we're trying to move forward.

And, as I shared, I think it's totally possible that we can make sure that you get all the information you need. But I just, again, have to do my due diligence. We get a lot of FOIA requests, so I'm just hypersensitive to that.

And so, that was my -- and I think Jill from legal is here as well. Go ahead, Jill.

MS. MARTIN: Hi, Jill Martin for those on the phone.

And, I'm not one of the FACA attorneys, but I do advise OIE as well as the White House Initiative.

And, I just wanted to clarify for the record this issue of FACA exempt because it does come up a lot.

And, there are -- there is an

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exemption --

CHAIR DENNISON: Excuse me, I'm sorry, but I can't hear who's speaking.

MS. MARTIN: Okay, sorry. Jill Martin.

There is an exemption in FACA for tribal officials who are advising a federal agency. Education Department does not have any FACA exempt groups because this is not a body of tribal officials.

There are, obviously, a lot of education experts from tribes on this particular Commission. But not everyone is a tribal official.

So, there are some agencies that have FACA exempt groups. We know, Interior Department, for example, have some, I believe the TIBC, yes, so that is exempt from all the rules of FACA. They don't have to go through all that.

But because this group is subject to all of the rules of FACA, unless you get an amendment to the legislation to make this

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Commission exempt from FACA, all of the rules have to be followed and that's where Karen is coming from with all of these complicated rules, which I, again, I'm not an expert on. I'm not one of the attorneys who advise on FACA.

But I just wanted to clarify because there's lots of confusion often around that.

Thanks.

MS. BOULLEY: All right, Dr. Payment has his hand raised.

CHAIR DENNISON: Go ahead, Dr. Payment.

DR. PAYMENT: Okay. So, we asked in September, it's February. Can we get a more timely clarification on what we can and cannot do? Because that's a long time.

And, that's frustrating for us because we take time out of our day to be here and to commit to this. So, and I understand that, fully appreciate that. So, again, all we're asking is for a monthly call to be able to provide updates, to gather information, so, for us to be fully

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apprised and informed to be able to do our job.

And so, it seems to me, and I know bureaucracy doesn't move very quickly, but it seems to me that that response could have come probably before the end of last year.

So, if we can get a time line by which we will get a response so that we can move forward, that would be less untenable.

MS. AKINS: Dr. Payment, so, Angeline and I put together a list of those very concerns and was shared with legal. And, we didn't get all -- or I didn't, I should say, get all of the information. But Angeline and I went directly to work on that.

So, I don't want to speak for legal. I don't want to throw legal under the bus. I can't, you know, tell you about their workload or what have you.

But, just so you know, every time we leave this meeting, all of us get together and try to do a debriefing and work on the items.

So, I apologize if that wasn't

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communicated to you. But we, as far as I know, I can speak for myself, take the time to come to these meetings and every time we leave, we try to work and make sure that what the council has addressed in terms of concerns around legal, that we all work together and try to get the information you need.

MS. BOULLEY: And, this is Angeline Boulley.

There is another consideration, also, and its staff resources at the Department to assist NACIE. And, currently, it's the DFO and there would need to be an internal discussion about more staff resources being made available to be able to do the workload for the additional meetings and the additional assistance that's needed. It's quite a bit.

CHAIR DENNISON: Okay. Anything else? Am I still on?

MS. BOULLEY: Yes, you are.

CHAIR DENNISON: Okay. So, is there any other -- were there any other motions that we

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need to consider or where are we on the -- I'm still trying to get caught up to where you guys - - where when I got back on.

MS. BOULLEY: Sure. We -- okay, we are ahead of schedule. And so, what I would suggest is if we break for lunch now with the understanding that --

CHAIR DENNISON: Okay.

MS. BOULLEY: -- we start promptly with our schedule at 1:30. So, it does provide a little more time for lunch. There is a restaurant option here in the museum featuring regional cuisines from different Native communities.

And, there's also a number of restaurants within easy walking distance.

CHAIR DENNISON: Okay.

MS. BOULLEY: Okay, and we will have staff in the room so that if you'd like to leave all of your items here, you can do so.

Thank you.

CHAIR DENNISON: Okay, so, we will

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adjourn until 1:30 Eastern Time.

MS. BOULLEY: Recess.

CHAIR DENNISON: Recess, I mean, yes, not adjourn, recess until 1:30.

(Whereupon, the above-entitled matter went off the record at 11:43 a.m. and resumed at 1:31 p.m.)

MS. BOULLEY: Good afternoon, this is Angeline Bouley. I'm the Director for the Office of Indian Education and I also serve as the Designated Federal Official for the National Advisory Council on Indian Education, also known as NACIE.

We are returning from our break over lunch. We're waiting for two NACIE members to return to the room.

And, can I get -- have the NACIE members online, let us know who's on the line.

MS. BUTTERFIELD: This is Robin.

MS. BOULLEY: Hi, Robin.

MS. BUTTERFIELD: Good afternoon.

MS. BOULLEY: And, is there anyone

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else on the line? Oh, okay, well then, we need to wait for some more of our NACIE members online to come back.

MR. ROULAIN: Ms. Boulley?

MS. BOULLEY: Yes?

MR. ROULAIN: This is Phillip from Tribal Tech. Online we have Doreen Brown who is logged into the meeting room, but I do not believe she has her computer microphone on or has dialed into the 1-800 number.

MS. BOULLEY: Okay.

MS. THOMAS: This is Virginia.

MS. BOULLEY: Hi, Virginia.

MS. THOMAS: Are we back on or still waiting?

MS. BOULLEY: We are waiting, let's see, we have seven. And so, as soon as Phyliss Anderson comes into the room, we will be able to have a quorum.

MS. THOMAS: Okay, good.

MS. BOULLEY: Or, if Dr. Dennison --

CHAIR DENNISON: Hi, I'm here.

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MS. BOULLEY: Oh, wonderful. Okay, great. So, would you like me to do a roll call?

CHAIR DENNISON: Go ahead, I just -- yes, go ahead and do a roll call again --

MS. BOULLEY: Okay.

CHAIR DENNISON: -- so that we can have a --

MS. BOULLEY: I'll do a roll call now.

CHAIR DENNISON: -- everybody back.

MS. BOULLEY: Sure.

All right, Robin Butterfield?

MS. BUTTERFIELD: Here.

MS. BOULLEY: Dr. Dennison?

CHAIR DENNISON: Here.

MS. BOULLEY: Virginia Thomas?

MS. THOMAS: Here.

MS. BOULLEY: Patricia Whitefoot?

MS. WHITEFOOT: Here.

MS. BOULLEY: Doreen Brown

Dr. Payment?

DR. PAYMENT: Here.

MS. BOULLEY: Mandy Broaddus?

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MS. BROADDUS: Here.

MS. BOULLEY: Dr. John?

DR. JOHN: Here.

MS. BOULLEY: Phyliss Anderson? And,
Dr. Proudfit?

DR. PROUDFIT: Here.

MS. BOULLEY: Okay, we're getting
feedback.

MS. BROWN: Hi, this is Doreen.

MS. BOULLEY: Okay, we're getting an
echo.

MS. BROWN: Hi, this is Doreen. Can
you hear me?

MS. BOULLEY: Okay, yes. Hi, Doreen,
yes, we can hear you.

MS. BROWN: Okay, thank you.

MS. BOULLEY: Okay, if you are online,
you need to make sure that your laptop has its
microphone muted.

And then, we also ask, if you keep
your phone muted if you're dialed in unless you
are speaking. We do pick up a lot of background

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noise.

Okay, Dr. Dennison, I'll turn it over to you.

CHAIR DENNISON: Okay, we are resuming from this morning's meeting. And, on our agenda, we have the National Indian Education Association presentation. Are we there? All right, do we have our representatives from NIEA?

MS. BOULLEY: Actually, no, we don't. I'm very surprised.

CHAIR DENNISON: Well, we'll do something.

So, who is there -- I've got to go back to the agenda.

MS. BOULLEY: We're contacting them to see where they're at.

CHAIR DENNISON: Okay. Is anyone from the other presentations present who can go in their place?

MS. BOULLEY: If AIHEC would like to make an on the spot presentation, we'd be very happy to hear --

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Oh, I'm sorry, the National Comp Center people are here. Okay, all right, let's - - I would like AIHEC to say a few words since they are in the room.

CHAIR DENNISON: Okay. Who is from AIHEC? Is it Carrie Billy?

MS. BOULLEY: Patrese.

CHAIR DENNISON: Patrese? Hi, Patrese.

MS. ATINE: Hi.

MS. BOULLEY: All right, oh, Adrian's here.

MS. ATINE: Do you want me to go ahead?

Sorry, Adrian, I'm taking your time.

Good afternoon, my name's Patrese Atine and I work for AIHEC, the American Indian Higher Education Consortium. We represent the tribal colleges and it's been nice to visit with quite a few of you.

Last week, we had our big legislative summit where all the tribal colleges come into

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town. And, it was overlapped. We did it with NIEA. So, we had a couple of joint activities.

We had a reception, a joint reception on The Hill.

We had a panel with NIEA as well.

So, I do have some handouts that hopefully it's all right I can pass out. In this handout, we have our priorities for this year, our legislative priorities.

And, in this packet, you'll see a map with the tribal colleges that are members of AIHEC. So, we have 37 tribal colleges in our membership, or excuse me, 37. Thirty-five are accredited and two belong to AIHEC in our emerging or developing category.

So, those emerging/developing are in California. We have California Tribal College, then we also have San Carlos Apache College in Arizona.

And, there are a few statistics here on that front page. And then, the very back page, there's a list of all the tribal colleges

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and the degree programs that they offer, whether it's two year or four year or graduate level.

In this packet, you'll also see all of our appropriations requests. So, these are our major line items that we advocated for last week.

Just as an FYI to the committee -- the council, these are your primary targets that we advise different congressional offices or provide the major funding for tribal colleges.

On this back page, I just want to highlight right here, it has a picture in the black and the front at the top of the page, this is our big selling point for this year.

As you know, the Higher Education Act has not been re-authorized. It's up for re-authorization. The last time it was re-authorized was in 2008. And, prior to that, it was 1998. So, it's been ten-year jumps.

Over the past two years, we've seen Congress come up with some comprehensive proposals to re-authorize HEA. And, we've been working with those committees to make sure there

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are some updates to the Tribally Controlled Colleges Act. That's our Interior funding, but also funding under Title 3 of HEA which is administered by the Department of Education.

So, this past year, we spent a lot of time working to re-authorize mandatory funding for tribal colleges, \$30 million. And, we did that with other MSIs. So, the HBCUs, the Hispanic serving institutions.

We all had this big pot of mandatory funding. The big pot was \$255 million, and it existed for ten years and was actually expired. And, the next payment will come out in the fall.

So, all the tribal colleges that receive that in a formula basis were very concerned.

And, it took a lot of work, but as a group, as a coalition with all the other MSIs, we were able to get that passed through the FUTURE Act.

And, NIEA Chairman Payment did a lot of work on that, too.

Tribal leaders sent in letters,

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especially the tribal college, they knew -- some tribal colleges said they'd probably have to close their doors if they didn't receive that funding.

In addition to that funding in the FUTURE Act, there was a FAFSA simplification. So, when you help your students fill out the FAFSA application, there are -- the Department said there are some duplication that they could have -- could reduce if IRS shared the information with Department of Education.

So, that was included in the FUTURE Act. The FAFSA applications now will, could be reduced, eliminating 22 questions, depending on how you answer them. So, that was a big priority for Senator Alexander.

So, that passed just at the end of December. So, this upcoming fall, the tribal colleges will receive their payments on time as they had hoped.

But it was getting really difficult for some of the schools because they were

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planning, and you all know, your program funding for the year, whether or not you're going to continue to keep certain staff on the payroll or if you're going to start ramping down programs.

And, last week, President Short Bill from Oglala Lakota College, when he was in town, he said, because of this renewal, he was able to maintain 12 full-time faculty and hire an addition 7 others and free up \$400,000 in scholarship funding for his institution.

So, that was just one of the stories that we heard about how critical this funding was. Now that that's passed, we're focusing on other priorities for HEA.

We are requesting a new Native language program and that would be for tribal colleges and Alaska Native serving and Native Hawaiian serving institutions. So, that's one that we've had a lot of discussion and have a lot of support.

We also have five tribal colleges, if you think back to that time line of the last time

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HEA was re-authorized, we have five tribal colleges that have developed graduate level programs. And, we want them to have support just like some of the other MSIs, they're institutions get funding to offer graduate level programs.

And so, we have five tribal colleges that would like that as well. So, we are asking for graduate level funding for the TCUs.

Another big request that we have, we know that BIE facilities construction programs are really important.

When the original Tribal College Act was passed 41 years ago, it did call for a facilities report for tribal colleges and a construction program.

The facilities report was never completed, and the construction program has never been funded.

So, we are making a request for that to be revamped. Because, right now, the language says, hey BIE, look around and see if you have any old trailers that could be retrofitted for

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classroom instruction. And, we don't want that.
We want new facilities, up to date.

And, the facilities report, we need to have actual data to provide the Department and Congress to show where the actual need is. So, that's another big request.

The fourth request is E-rate. And, I know that this body understands that program the most. It is, if you don't know about it, when you pay your cell phone bill, you pay a little extra. There's a fee, there's a big service fund that exists.

And, schools and libraries get a discount on their internet service and hardware.
We want to include tribal colleges to that.

The fund is \$3.9 billion , and right now, your K-12 schools qualify. I think the last statistic I read is 80 to 90 percent discount on your internet service. And, schools in rural America and in Indian country do get this discount. But tribal colleges do not.

We have a tribal college in Alaska,

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Barrow, Alaska that pays \$250,000 a year for internet. Some other tribal colleges pay around \$40,000.

But you would also -- if you are eligible for E-rate, you also get discounts on the hardware. So, if you just think about the budgets for these schools, freeing up \$40,000, \$50,000 could help fund another position or help fund classroom or there are so many things that they need.

Plus, another area that we feel like we might have success in advocating for, because it's not new money, funded or exists --

Yes? Dr. Proudfit has a question.

DR. PROUDFIT: Patrese, has anyone done a needs assessment to see what the financial impact would be? Because it seems like it would be small to impact that \$3.4 billion budget.

So, that might be something to use to gain some more resources.

MS. ATINE: So, right now, AIHEC is working with funds -- through funds from NFS.

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They're doing a cyber infrastructure analysis of the tribal colleges.

And, some of the things they're finding out right now, especially with the hardware portion is, the average refresh cycle for your computers in the classroom, for most higher ed institutions are three to five years.

And, I think your institution would probably fit in that.

For our tribal colleges, they're finding out it's every eight years. And, we had a tribal college president testify that last year, he replaced one of his computer labs and those computers still had floppy disc drives.

And so, in order to maintain any, I guess, to be competitive in the higher ed world, we've got to make sure the campuses are up to date. So, as part of that study, they're looking at areas like that.

With the E-rate portion, it's limited to the internet and certain types of hardware like the routers in the room. It's not

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necessarily the actual computer.

So, as they continue that study, we're getting more -- I think we've surveyed over 20 of the 37 tribal colleges. But we can provide a report when we finish that.

But, so far, at least discussions that we've had with certain members of Congress who oversee the FCC that works with USAC, there hasn't been any major opposition. The main question is, is this a legislative fix or is this an administrative fix?

So, we're working to get there to get an exact number. But, depending on the hardware portion, we are not sure exactly where that falls. We do know some schools pay a lot more for the internet and some not as much.

But when we get an answer, we can let you know.

CHAIR DENNISON: Thank you, Patrese.

Are there any other questions?

DR. PROUDFIT: Yes, this is Dr. Proudfit, again.

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I sit on the Board for Verizon for ten years and the Lifeline service, right, which is E-rate, Indian country went without receiving those benefits which basically is zero to a dollar a month for internet service because people just didn't bother to market and tell us.

So, I would think the tribal colleges would fall under that, given that they're on tribal lands or federally set aside land for the purposes of serving Indian country.

So, it just seems like it's a slight administrative fix, but that's why I'd like to see the data and evidence to see if we can advocate at other levels for that.

MS. ATINE: Right.

DR. PROUDFIT: It seems like a simple -- I can't believe that this is happening. It's a small oversight that I thought was already taken care of.

MS. ATINE: Right. I think the further we get along the road, because there is a lot of discrepancies with tribal libraries.

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They're having the same issue.

There are certain tribes that are advocating for funding for their tribal buildings to get into the E-rate program as well.

So, we do know there are a lot of different interest groups and USAC is pointing in one direction and then FCC is pointing in another. But we really want to nail it down this year and get some real answers.

So, we'll let you know. And, in the - - and, we're welcome to have more people on the team to figure this out.

So, those are our four major requests when it comes to tribal colleges for this second session of Congress.

The reason why we're focusing on these is the Senate is working on developing, hopefully, their comprehensive proposal for HEA.

And, we want to be a part of that.

The House did come out with two bills over the past year and the bills did include a lot of our priorities.

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So, if you have a tribal college in your community where we'd love to work with you. We'll continue to provide updates.

One of the big wins this past year, in addition to the FUTURE Act, is we had a program re-authorized or, excuse me, refunded. And, we talked about this last time.

Here at the Department of Education, there's -- excuse me, at ACF, there is a -- was a training program between tribal colleges and Head Start to train and graduate more Head Start workers.

And, the appropriators funded -- refunded that program again at \$4 million. So, we're excited to have that program up and running again.

And, we're hopeful to get some other programs like the construction program funded again, too.

I don't want to take too -- yes?

DR. PROUDFIT: I just want to make sure I'm reading this correctly. For the re-

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authorization of the funding, for 2020 for the research funding, TCUs only received \$3.8 million?

MS. ATINE: This -- are you talking about the green chart?

DR. PROUDFIT: Yes.

MS. ATINE: Yes, this is from the Department of Agriculture. And, tribal colleges qualify as a land grant institution at USDA as a 1994 land grant.

So, these are funding levels, you are correct. And, if you look at the chart at the bottom, this is in comparison to the other land grants. So, the 1980s are the HBCUs and the 1862s are the state land grants.

So, if you look at that chart, we actually just got an increase in 2018, a \$2 million bump in research and a \$2 million bump in extensions.

Prior to that, our little pie chart, you couldn't even see our little yellow line.

So, we are working -- 25 years ago,

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the tribal colleges became land grants. And, ever since then, we've been working to try to get some level of equity.

And, they gave us the \$2 million bumps in those two areas, but you can still see how far behind we are. And, this is shared between 35 tribal colleges right now.

We just last year through the Farm Bill Re-Authorization added Red Lake Nation College to the land grant family. And so, this is their first year and we're sharing with them as well.

So, you can see -- thank you for looking -- there are a lot of areas where the tribal colleges need that support.

Yes?

DR. PAYMENT: Just a clarification, the money -- the additional money for tribal colleges under the Farm Bill are targeted for tribal colleges where before we had to compete for those.

MS. ATINE: So, you're correct. In

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certain programs, tribal colleges had to compete.

And, we actually opened up two new programs, the CYFAR, the Children, Youth, and Family-at-Risk program was one that tribal colleges weren't even eligible to compete.

So, there are a lot of programs that were authorized prior to 1994 for land grants. And then, tribal colleges came on the scene and the Farm Bill was not updated to include them in that category.

And, we had to work through three Farm Bill re-authorizations to get that done and convince members that this is important. And, because they have other institutions in their state that felt like it was a huge competition they didn't want to be included in.

DR. PAYMENT: Just as an aside, the land grant institutions, so if you know our history, the exodus of tribal land to become federal land was then gifted back to stimulate agriculture and that's what created land grant institutions. And, we were never a part of that.

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And then, historically, black colleges were a part of it a long, long time ago. But we only become part of it in recent times.

So, finally, now, we have direct access to research and development funds under that.

MS. ATINE: Thank you, Dr. Payment. And, you'll see, it's not funded very well right now.

So, we are working with a lot of people to pay attention to this issue. But these are the areas that we primarily advocate targeted funding.

But these modest amounts fund 35 tribal colleges. So, you think about how much that needs to be split. And, but the tribal colleges are doing really great work in these areas.

And, to go back to what Dr. Payment said, we're doing a lot of indigenous research with indigenous, traditional plants and the more you look into the research that tribal colleges

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are doing, they're really carrying on the traditional ways.

So, it's important that we give them the resources they need.

But we work really closely with NIEA and they support all of our requests. Last -- like I mentioned last week, we were on The Hill together.

But this year, this next year, I think will be really big for the Higher Education Act.

So, whether it's students at a tribal college or an Alaska Native or Native Hawaiian serving or the Native American serving non-tribals who are MSI families, we've talked about our Native students in general, whatever institution they're at.

So, we try to watch all those issue areas, so let us know if there is something we can do for you.

My contact information is on the back, but hopefully, I've met all of you at this meeting or another meeting. But please do not

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hesitate to contact us.

Our President and CEO, Carrie Billy, couldn't be here. She is, unfortunately, sick but she wanted to see everybody -- tell everybody hi.

But I'll be here for the rest of the day. Thank you.

CHAIR DENNISON: Thank you, Patrese.

MS. BOULLEY I have a question from Doreen Brown.

CHAIR DENNISON: Okay, go ahead, Doreen.

MS. BROWN: No, I don't have a question.

MS. BOULLEY: Oh, okay. You don't have a question?

(Simultaneous speaking.)

CHAIR DENNISON: I do, I have a question.

Okay, can you hear me?

MS. BOULLEY: Is there anyone else with any questions?

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CHAIR DENNISON: I do, I have a question. Can you hear me? Can you hear me?

MS. ATINE: Yes.

CHAIR DENNISON: Hello? Oh, okay.

Patrese, I just -- don't know if this is -- I just briefly saw a press release and it was coming from the Navajo Nation on scholarship funding being possibly cut.

And, do you know anything and how that will impact the tribal colleges if that's been looked at yet?

MS. ATINE: Yes, is that Dr. Dennison?

CHAIR DENNISON: Yes.

MS. ATINE: So, at the Department of Interior, they do have funding for scholarships that, in the case of Navajo Nation, is provided through a 638 contract. So, the Navajo Nation has their own scholarship office, and I think quite a few tribes do.

Every -- for the past several years, the administration, in their budget proposal, has proposed eliminating that funding. I think it's

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right under \$35 million.

And, they -- the President's budget that just came out on Monday did propose cutting that program again. And, they do that at least this administration has every year. And, every year, Congress puts that back in. They ignore that recommendation.

There is another program, a STEM related graduate level funding scholarship at Department of Interior as well that is administered by the American Indian Graduate Center. And, they -- the Department, the administration recommended cutting that as well, too.

So, that's pretty in line with what's been happening as far as recommendations. But it's been funded every year. So, I don't -- can't predict the future, but I don't see that being an issue.

And, I know yesterday, a lot of tribal leaders were advocating for that to be funded again. But that funding does go out to tribes to

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administer.

CHAIR DENNISON: Okay. Any other questions for Patrese?

MS. ATINE: And, I can email the link to our website with this information to Angeline. Do I email that to you and then you can send that out?

MS. BOULLEY: Yes, that'll work.

MS. ATINE: Okay. Okay, I'll email that right now. But thank you for giving us a little bit of time. If you have questions, another time, let us know. But I know Adrian and Chris are here.

CHAIR DENNISON: Okay. That's NIEA?
Thank you, Patrese.

We'll go straight to the NIEA?

MS. BOULLEY: Yes, they are getting set up.

CHAIR DENNISON: Okay.

MS. BOULLEY; And, also, I wanted to make a comment for people who are listening online who might not know, we tend to use a lot

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of abbreviations, especially at Department of Ed.

I know when I got here in last year, it was kind of overwhelming. Just everyone speaks in acronyms.

And so, FACA is F-A-C-A, and it's the Federal Advisory Committee Act. And, it authorizes presidential appointed committees to advise and for different situations.

Okay, and I think that NIEA is ready to go. So, please go ahead and introduce yourself.

MR. TOPOLESKI: Thank you.

Good afternoon. My name is Christopher Topoleski. I am the Legislative Director for the NIEA. This is my fourth week on the job.

I am, unfortunately, Martita Hinds was not able to be with us today as well. She let me know this morning she was very ill. And, we were hoping she was going to feel better, but by this afternoon, she was definitely not feeling well at all.

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So, I will be presenting this afternoon. With me -- yes?

MS. BOULLEY: Hi, for our members who are on their -- online, can you please mute your phone during this presentation? We do hear kind of some rustling around and it does come through. Thank you.

MR. TOPOLESKI: I also have with me -- well, introduce yourself.

MS. ELLIOTT: So, I'm Adrian Elliott. I see a few familiar faces around the room. So, good to see you all.

I am a citizen of the Cherokee Nation and the Senior Legislative Associate with NIEA.

Thank you all for having us.

MR. TOPOLESKI: Thank you.

So, what we'll do is we'll begin a bit. Obviously, as everyone knows around the table, NIEA is the most inclusive national organization advocating for education sovereignty and improved educational opportunities for Native students across the country.

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So, our advocacy goals, just to remind everyone, is driven by our strategic plan which puts us as a national convening organization advocating for Native students at all levels, at the state, tribal, and federal levels as well.

And, we also provide critical tools and resources for our members, both in the advocacy and the program space.

Next slide?

To start out, talk about a few different wins in 2019. I'm sure these have come through a couple different presentations and earlier.

But the Fostering or the FUTURES Act which passed Congress just before the holidays in late December. So, back in September, we know that most of the funding, about half of funding authorized for TCUs and other minority serving institutions lapsed causing some uncertainty in planning for the coming year.

Which this bill then was passed and signed, it permanently or has permanently

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extended funding to ensure access to these resources for years to come, which is a big win.

The second piece of legislation is the Esther Martinez Native American Language Program, obviously, which re-authorized the 2006 legislation providing more flexibility for tribes to promote thriving languages and also to really create language nests and programs.

Again, this received congressional approval before the end of the year.

And, our main focus now is to go back and not end it as just that, it's to go back and continue to push for more and more funding for all these programs.

Next slide?

So, looking forward into the next year, we're looking at our legislative priorities and we really have kind of a found-pronged approach to this.

Looking at higher education, teacher preparation, school climate, and also school construction.

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So, to go into a little more detail throughout these different priorities over the next few slides. And, then, we'll highlight some pieces of legislation that are out there right now.

Obviously, this is not going to be an exhaustive list of priorities nor bills. It's just a kind of what's on the radar right now, what has the buzz. But, obviously, as Wash people familiar with Washington, things will come up, priorities will change, things will shift a bit.

But right now, this is kind of where our current thinking is.

So, next slide, please?

In going with higher education priorities, so, as mentioned before in the last discussion, Senate and House leadership obviously have made this a high priority for this Congress and for the next Congress.

And, you know, being an election year, there are some things that, obviously, big wins

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going into the fall. And, this is kind of one of those things I think is going to be -- get a lot of attention.

So, we know that the House, as mentioned before, has a couple of different bills that are out there passed by Ed and Labor and currently awaiting a kind of a vote on the floor.

And, the Senate, as mentioned before earlier, is also kind of negotiating, helping negotiating what this package is going to look like. The language has not yet been introduced.

We've been asking around The Hill at the various offices, what is your thinking about this? We've heard somewhere around the March time frame. That could obviously slip a bit.

But, again, it's an area where we're focusing.

And, our role is this, it's to continue to work with these offices to ensure that students have access to programs, services, and funding that's necessary for high quality of post, secondary degree.

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And, really, continue to go ping those offices and the various committees early in this process, throughout this process, my experience in D.C. is it's much better to be in the base package and to be included in there as opposed to trying to get into it later and negotiate your way in.

Our three asks, really, in this area are going to be, first, ensuring that tribes have access to the data necessary to make informed decisions. And, what we're calling this, obviously, data sovereignty.

Second, fully funding and supporting equity and access to available programs and services across this entire large bill or bills for TCUs.

And then, finally, providing what we calling the guardrails to hold institutions that receive this funding accountable to Native students.

So, mechanisms might include meaningful, ongoing consultation with program

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services, things that may impact students reports, data sharing, things like that.

Next slide, please?

Next, looking at teacher preparation priorities, so, in line with our own education initiative, a legislative priority include this year, teacher preparation, professional development, et cetera.

The first bill that I want to talk about is the NEST Act. This is Senator Tester's bill. It's 1161. It creates scholarship programs, repayment programs, and grants for Native teachers and teachers that commit to serve in Native communities.

It was introduced last year back in April. And, we're looking to help legislators move this through committee soon, considering, you know, can it be included in a Senate version of a Higher Education Act?

So, looking across all opportunities and different vehicles that might be out there.

DR. PROUDFIT: Hi, this is Dr.

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Proudfit.

How are Native communities being defined? Because this is one of those questions that we had before. Like, in California, if you have 20 percent Native student population, that should suffice or even less, 3 percent, 5 percent. We don't want to exclude that.

So, how -- do you know how that's being defined specifically?

MR. TOPOLESKI: I'm pitching this one to you.

MS. ELLIOTT: Yes, so right now, the base legislation says schools with a significant amount. That is not defined within that base legislation. So, that's something that we are discussing with folks on the Hill.

In any report that type of discussion is being had.

(Off-microphone comments.)

MS. ELLIOTT: Yes.

MS. ATINE: Hi, this is Patrese Atine from AIHEC.

The NEST Act has multiple components of support for students. So, it could be -- you could be an Indian student like me and I'm going to go teach at any school that would provide support to me.

Or, I could just be a random student that I'm going to teach in Indian country, whether that's at a public school or a BIE funded school.

That's where the definition is getting tweaked on that portion.

MS. ELLIOTT: Yes.

MS. ATINE: But I think that since it has the two buckets of support, giving you support as a teacher going through teacher training, but then also, if I have student loans on this area, too, it would provide me support if I plan to go teach.

So, they've kind of covered all the different, whether you're just an Indian student or if you're going to go teach in Indian Country.

MS. ELLIOTT: And, that's a really

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good clarification because Native students that are receiving this funding don't have a specification on Native communities and where to teach.

MS. ATINE: There is also funding if you want to be a Native language teacher to get student more payment and support where you're going to the program and graduate level funding as well.

MS. ELLIOTT: Yes, and there's institutional grants to help support building up programs around cultural competency.

MS. BUTTERFIELD: This is Robin.

CHAIR DENNISON: Go ahead, Robin.

MS. BUTTERFIELD: We had a number of conversations kind of about this sort of payback requirement. Because within the Office of Indian Ed, there's the teacher prep programs and they -- the participants were going to have to teach in a school that had originally 50 percent or more Native students which would severely limit the payback requirement or options, opportunities for

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these graduates, you know, to get their payback fulfilled.

And that's why we're asking the question, can we make sure there's language in this teacher prep part that doesn't limit this severely?

Like I think we went down to 5 percent Native students which would allow teachers like in an urban district to, you know, teach in a school that had, you know, a handful of Native students within the student population.

I just think that needs to be really carefully looked at so that it doesn't become a hurdle, you know, for the graduates of this kind of a program.

MS. ELLIOTT: Robin, you're absolutely right. We have a resolution on this Indian Education Professional Development Program which I believe is what you are speaking to. And I know you were a big proponent of that at our last convention. So, thank you for that.

That's what we were just saying here

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in the room is that Native students who are becoming teachers aren't going to have a restriction on where to teach. So, they could go teach in an urban district.

But there's a second strand that says, okay, any teacher who is going through a cultural competency can also, through this program can also get this funding. But if they're going to get this funding, they have to serve in a Native community.

MS. BUTTERFIELD: This is Robin again.

Adrian, could you make sure everybody gets a copy of that resolution?

MS. ELLIOTT: Yes, we can do that. I can send it to Angeline today.

MS. BUTTERFIELD: Great.

MR. TOPOLESKI: Okay, thank you, Adrian.

So, I'd like to continue on, talk a little bit about I think the next thing.

Other questions about that bill? Okay.

So, we're also looking then at another

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bill, the Diversify Act, which would also double the minimum teaching grant in efforts to recruit potential educators from diverse backgrounds.

So not only would it increase that, it also would obviously, in turn, increase the limits that you could have on that as well.

And the last piece of legislation that we have is the Tribal School Federal Insurance Parity Act. And this bill was introduced by Thune's office to kind of do a technical correction on the Indian Healthcare Improvement Act which, at the time, legislators that passed this intended to provide access to federal health benefits for all tribal schools.

However, the statutory language that was written in it unintentionally excluded some schools. And what this would do is simply, it's a one sentence bill, probably the shortest bill I've seen, that would expand access to all federal employee health benefits to all tribal schools.

And the Senate Committee on Indian

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Affairs passed it in July and the House also passed it earlier this year.

And so, we're looking forward to Congress -- working with Congress to get this across the final line.

In terms of talking a little bit about our school climate priorities, which is the next slide, please.

So our work in school climate, you know, kind of spans across everything from our advocacy here -- team here in D.C. to our program folks that are on the ground in Oklahoma and elsewhere.

I will highlight a few of our legislative work, however, in this. NIEA is working to address exclusionary discriminatory discipline practices in schools, including supporting the PUSHOUT Act, H.R. 5325 which includes several provisions that would prohibit some of these practices specifically towards Native students.

And in addition, the bill would also

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strengthen primary sources of data that's on school climate issues.

In general, over the past year, NIEA has engaged with legislators on Capitol Hill in several hearings to address gaps in trauma-informed education. In fact, there's a bill out there right now that specifically looks at trauma induced -- informed education.

In May earlier this year, House Natural Resources Subcommittee on Indigenous Peoples hosted a hearing to address some of the reports, troubling reports, disproportionate disciplinary actions, neglect by staff reports, and even student suicides and deaths.

So we provided testimony, supported several witnesses during that hearing. And actually just last week during our Hill Day, we had members of the Oregon Delegation at our Hill Day talking about the work and addressing concerns with our members and having some conversations with them.

We're going to continue to engage,

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obviously, with congressional offices to ensure full support of all students.

Yes?

DR. PROUDFIT: I just -- when we're talking about climate and PUSHOUT and suicides and trauma, I don't understand why don't -- we don't have a national push or bill to address the mascot issues.

When we still have a 145 schools, K-12, public schools in California with Indian mascots, that's a problem.

So when are we going to try and address that, and perhaps this administration isn't the right place, right time to do it. But I would like to see us nationally, collectively do that as well as nationally, collectively address adornment of our graduation caps.

We passed a bill in California, other states have done that. But states like Mississippi are still struggling and I think when our numbers are so low and we know the importance of high school graduation, the last thing we want

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to hear is another story of a kid walking across the stage and having their feather pulled from their head by their principal.

So, if we can include that as we move forward on school climate, I think we can collectively address many of these issues that still impact our climate of our young people.

MS. ELLIOTT: I completely agree. We don't have it listed up here because it hasn't been introduced yet. But we've had conversations with Representative Doug Collins and Senator Warren on their bill honoring tribal nations which address the Civil Rights report, the Broken Promises report.

And as part of some of those conversations, we have brought up this issue and they've been pretty receptive on it. So, we're hopeful that that could possibly be included as that bill moves forward.

MS. WHITEFOOT: This is Pasty Whitefoot.

CHAIR DENNISON: Yes?

MS. WHITEFOOT: Deborah?

CHAIR DENNISON: Yes, go ahead, Patsy.

MS. WHITEFOOT: Okay.

I just -- before we move to the next one, you've shared these three priority areas. And I hope that, as we continue to move forward, that we'll take some time also to take a look at the definition of American Indian, Alaska Native students.

And some of us have been researching that quite extensively. And it really talks about trauma-informed care then that becomes an issue as well, particularly when you're working with students where you are working with students that are descendants.

However, they live on our reservations and they'll continue to live on our reservations lifelong. And so, some of the definitions that we have do allow for our children to be in Indian education programs such as Title VI, such as Johnson-O'Malley.

They may not be officially enrolled,

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however, they are part of our Native community.

And so, I want to make certain that we're continuing to address that and, which we also include it in our report as well.

Because there are several federal agencies that all have differing definitions about who's American Indian, Alaska Native. And so, there's a real need for us to address that comprehensively.

And so I see that when we have trauma-informed care, you know, just the education that goes on with helping children to understand their background, their ancestry, their citizenry, as well is important. And we need to be making -- we need to make certain that we're also taking that into account because it impacts teacher education. It impacts everything that we do in education.

MS. ELLIOTT: Yes. I completely agree. We have been working on this also around HEA as they negotiate a lot of bill language and they're running into exactly that where so many

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of the different bills that impact HEA have different definitions of what an Indian student is.

And so, we have been advocating for a more inclusive definition aligned more with Title VI and with the Native American Languages Act throughout the bill. But I completely agree, and you've raised a really important point.

MS. WHITEFOOT: And so, the one that we really need to target then is the OMB definition that really is inclusive of other American Indians in such as South American Indians, et cetera. Oh, South America and Central America, so that's one we really need to target.

Thank you.

MS. BUTTERFIELD: This is Robin.

CHAIR DENNISON: Yes, Robin, go ahead.

MS. BUTTERFIELD: I just wanted to highlight when we were talking about the Indian mascot issue that, in Oregon, the state board basically banned all mascots. This was about six or seven years ago.

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And then, about three years ago or two years ago I guess it was, the -- a piece of legislation was introduced to try to help schools hang on to their Indian mascots. But to do that they had to, number one, get the approval of a tribe that was close to the school.

And secondly, they had to agree to develop a program that extended the understanding of staff and students around American Indian, Alaska Native issues.

And so I'm just thinking that basically, you know, one place where something was happening and that -- some of those ideas might be incorporated into some legislation that would start nudging more schools in that direction to get rid of those mascots.

Because we did have a school in Oregon that had been restored and they called themselves the Siletz Indians. And they were adamant about, of course, not losing the identity of them actually being Indians.

So there was a, you know, a little bit

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of, I guess, controversy over the fact that the Siletz tribe did not want to lose their mascot for a very justifiable reason.

So there's, you know, it's a more complex issue but I think there's maybe examples other places in the country that have been successful at -- at least diminishing the number of schools with those mascots. But it would put people on notice in terms of how to do it.

Because they gave schools the -- the state board gave schools, I think it was up to five years to start working on changing their name because it was on uniforms and, you know, a variety of other, you know, public information about those schools.

But it's just an FYI, I guess.

CHAIR DENNISON: I know what you mean, Robin. This is Dr. Dennison talking.

My school here in San Carlos is the Braves and the enrollment is 100 percent San Carlos Apache and they consider -- they're really proud of their mascot and that's not something I

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would even try to tackle.

But we are using trauma-informed approaches in all other ways. And I think that I'd be kicked out of the community if I tried to change the mascot because they consider themselves really proud of their calling themselves Braves.

I don't know how to approach that. So, that's something that's not on my list of things to get done while I'm there. But there's so many other things that I need to be working on.

MS. BUTTERFIELD: This is Robin. NIEA also does have a resolution that was passed and during that conversation at the resolution session, a lot of those examples were brought up.

So the response from, you know, Indian country was very mixed in terms of, you know, advocating for the elimination of mascots. But it was mostly because of those schools that were all Native and they wanted, you know, to be able to celebrate that.

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CHAIR DENNISON: Yes.

MS. ELLIOTT: And I believe that our resolution, I'd have to go back and double check, but I believe that our resolution says that we support the elimination of Native mascots except in tribal schools where the tribe would like to keep such a mascot.

CHAIR DENNISON: That's good.

What I would like to see -- this is Dr. Dennison again -- I'd like to see, and I don't know if NIEA or any other organizations have looked at, I know the state superintendent in Arizona has asked to look at examples of Indian education that works in looking at trauma-informed approaches and trauma informed -- and I don't know if there's -- I know someone said that there were some collections in other states. So I don't know what, if NIEA has started to look at those type of examples out there that we could also look at.

DR. PAYMENT: So, we collaborate with -- National Congress of American Indians

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collaborates with NIEA. We do have a compendium of experience out there.

That's a unique one with tribal schools that actually have -- I'm not sure any of them have derogatory mascots is the question.

The Redskins, when people don't know the origin of the term redskin, redskin is bloody scalp. And only we have to endure this. No other race has to endure this.

So, it's interesting that not getting broader advocacy on this issue other than from Indians, it seems.

CHAIR DENNISON: Okay, are there any other questions or comments?

DR. ANDERSON: Mine is not a question, but a comment.

One of the things that I would really like to see is a push for public schools where we have Native American children that attend these public schools to be allowed to express themselves during graduation time.

You know, a lot of the students may be

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able to wear their medallions, but they're asked to wear it under their gowns. And I don't think that's right. I don't think it's fair.

I believe that each Native American should be able to present themselves or represent themselves in any form that they want to, whether they are in a tribal school or a public school.

And most tribal schools, I'm sure, allow it but I know that public schools do not. So that's something that I would like to see. It's something that I had started mailing out to try to get done. But I'm very interested in that because I think it takes away from those students graduating from high school if they're not able to wear their own medallions or whatever they may want to do.

You know, some of them decorate their caps. And we do -- we have done that at the tribal level at our schools. And they take pride in that and they get to take those home.

The other concern I have is that one of the excuses that's been used is that the

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public school will not allow the students to do that because the school provides the caps and gowns, so they're not able to take it home.

Well, some is true, and some isn't. But I feel it's very important that these students that are in the public system be able to wear whatever they want to that represents who they are as Native Americans, even in public schools.

Now, I don't know how we go about that. I believe that, in our area, we would have to go to the state to push that because we are the only federally recognized tribe in the State of Mississippi.

But I also advocate for other Native American children that want to do the same thing.

And that's very important and dear to my heart, and I just wanted to mention that.

MS. BUTTERFIELD: This is Robin.

CHAIR DENNISON: Go ahead, Robin.

MS. BUTTERFIELD: Again, in Oregon we also agree with that issue. And we had the State

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Superintendent of Public Instruction send out notices, and this is happening pretty regularly in the spring around graduation time to notify schools, you know, that Native students can wear their regalia in their graduation ceremonies.

But there was also a feeling that there were still schools that didn't -- weren't aware of that. So, we are in the process of passing a bill that basically says the same thing.

So basically pushing it into law as opposed to, you know, recommendations from the state school board and the superintendent just to make sure that it has more clout.

CHAIR DENNISON: Okay, anymore comments?

MR. TOPOLESKI: Okay.

All right, so the last priority we mentioned was school construction. We do not have a separate slide on this. Much of our work on this has been in the appropriation space which we're going to cover next.

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However, you know, as we're considering and as Congress is considering a possible infrastructure bill which they've been talking about for quite some time now, which we all heard was going to be a big win, but are still working on an infrastructure bill.

Once we think we're going to see potentially some sort of infrastructure package, we're going to be at the table talking with folks to make sure that tribes and schools that serve Native students have access to the funds that are in those packages so that our students can continue to learn in a safe and healthy classroom.

Let me switch over a little bit to appropriations.

Next slide, please?

Really want to talk about two things here, where our appropriations priorities are and kind of where the status is of appropriations are currently. So move to the next slide, please.

So this is sort of a table that's

showing we saw some increases last year overall for Native education, primarily due to some of the budget cap negotiations that happened for FY '20 and '21.

Gains that we see in school construction and other places the BIE. But also, some language that was in the appropriators report stated that the Department of Education and Interior should continue to work together to improve the quality of education opportunities offered to Indian youth. So, that's important to note.

One thing is, a lot of numbers up there, but I will point out that again, the president's budget request was released this past Monday. That also included \$66.6 billion in discretionary funding for Department of Education, \$944.6 million operational construction for BIE.

This basically, the numbers there would come down to about a 21 percent decrease in construction over the previous actual last year.

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So as mentioned earlier, though, you know, the president's budget request is just that, it's a request and Congress will take it under advisement and often deviate from what that looks like.

So also the Department of Education officials are proposing to consolidate 29 narrowly -- quote unquote narrowly focused duplicative programs authorized under ESSA into a \$19.4 million block grant which is important to note as well.

This program would also include Alaska Native education, Native Hawaiian education programs and Title I where it excludes Indian education formula grant to Impact Aid. I'm sorry, to states.

I'm going to ask, would you continue just to talk about this for one more second?

MS. BUTTERFIELD: This is Robin.

CHAIR DENNISON: Go ahead, Robin.

MS. BUTTERFIELD: In the -- I heard you mention construction within the BIE, but we

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also need construction -- we have lots of construction issues in public schools.

And I was hoping that we could, you know, look at improving that situation. Because in Oregon, we've only got one BIE off-reservation boarding school. But we have lots of other schools within the state that, you know, are in severe need of construction.

And so, I don't want us to forget that Native students in the public schools also need construction support.

MS. ELLIOTT: Hi, Robin. Yes, we have --

CHAIR DENNISON: Thank you, Robin.

MS. ELLIOTT: We have a \$500 million request in for public school construction for especially that reason. That, you can find in our appropriations documents for this year.

We have an appropriations brief as well as a long document that I can share with the committee.

That amount comes from a report that

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came out a couple years ago, particularly on Impact Aid, that estimated over a billion dollars in need for Impact Aid schools. And the majority of that was concentrated in the schools located on reservations and tribal lands.

And so we have a \$500 million request in to help address some of those needs in those schools.

MS. BUTTERFIELD: Oh, great.

CHAIR DENNISON: Anyone else?

Are you still going? Are we just -- where are we on the agenda? Are you still presenting or are you done? I don't know.

MS. ELLIOTT: Yes, we can keep presenting, sorry, I was making sure that there were no more questions.

CHAIR DENNISON: Okay, go ahead.

MS. ELLIOTT: I just wanted to clarify that this new block grant would be to states. And so, some of the programs that currently go to our tribes and to our schools and to our consortiums up in Alaska would -- it would --

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those funds would go to states before they get to them which is a little bit of a concern for NIEA.

So, I will let our Leg Director back in.

MR. TOPOLESKI: Okay.

So, I think the --

DR. JOHN: No, I just want to support what Robin said about the state school students especially like in Alaska.

Due to climate change, there are several villages that have to migrate to another whole land. And we need to make sure that they have school buildings to go to next year.

For example, the village of Newtok was on the national news two times. Their whole village is going under water right now and not even half of the villagers have moved.

And there's no housing for the kids to go to in the new location. And I don't know how big the school is.

And another example from my village of 700, 800 people population, we have only one

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school, K-12.

Can you imagine 18-year olds going through the same door with the four year olds? And it's been like that for years.

And so when I imagine like, okay, little cousin or little brother, let's go to school together. Because that's the only facility they have.

And, you know, for villages that are growing and other villages that are migrating in because their villages are going under water due to climate change and warming weather, it's just like scary to think about what are the minds of these kids going to be like in four years down the line when they need to graduate, for example, and they don't have a place to go or they go to a whole new environment that they don't know about.

So it's kind of like, it's a very difficult situation up there.

Thank you.

CHAIR DENNISON: Thank you.

We can continue.

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MR. TOPOLESKI: Okay.

So, I think the bottom line here is that while NIEA is concerned and disappointed in some of the cuts that we see in the President's budget, we remain hopeful working with the appropriators in Congress.

And, you know, as we've seen in previous years across the board, there still have been increases in appropriations despite initial proposals to slash.

CHAIR DENNISON: There's music on the line.

MS. BOULLEY: Please mute your phone.

CHAIR DENNISON: Someone's music is on the line.

MS. BOULLEY: Someone's put their phone on hold.

MR. TOPOLESKI: That's right.

MS. BOULLEY: And, we're getting their background music.

MS. THOMAS: This is Virginia, it's not me.

CHAIR DENNISON: It's not me.

(Simultaneous speaking.)

MS. BOULLEY: Okay. If it's possible for the contractor to mute all the phone lines and then we can continue the presentation and then we'll reopen the phone lines to see if any NACIE members have any additional questions.

MR. TOPOLESKI: Okay.

So as I was saying I think, you know, again, we were obviously concerned about the budget request, although we -- again, as we know, it's just a request in itself and we continue to work with the appropriators and the rest of Congress.

Because as we've seen over the past few years, we have seen increases across the board in funding for Native education, despite some of these initial budget cut requests.

We're going to continue to work with the Congress. In fact yesterday we did testify in front of the House Appropriations Subcommittee on Interior Environment to support the goals that

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we have and talk a few -- about some of our priorities which I will go into in the slide.

So, next slide, please?

So these are kind of the six areas that I want to focus on briefly. We're looking at, obviously, Title VI Indian education formula grants. We're asking for \$198 million more there. And that would recommend -- represent an increase of about \$17 million over the current enacted appropriations.

We mentioned school construction before. We're going out there and talking to appropriators about a \$500 million increase in that. And, that would actually -- or \$500 million, and that would actually be an increase of \$500 million over the current system.

So that's a little, that's, you know, somewhat ambitious I think but it is important, and it doesn't even, I think, begin to address what is needed to be done in terms of school renovations, replacement, expansions. While 500 sounds like a lot of money, it's not enough. But

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we're going to go out and start with that.

Obviously, Native language emersion programs, we're looking at -- talking with them about \$7 million in that right now.

And then in general, BIE constructions, \$430 million we're asking for, which is about almost \$200 million over, if we round down \$190 million over what was enacted.

And then Impact Aid, about \$2 billion there.

So, those are kind of our main overall priorities for when we're going in and talking to the appropriators. And that was what was presented as of yesterday as well.

Yes?

MS. WHITEFOOT: Just -- this is Patsy, just clarification I think in Impact Aid. Did you mean \$2 billion instead of \$2 million?

MR. TOPOLESKI: Yes.

MS. ELLIOTT: Two billion.

MR. TOPOLESKI: Billion.

MS. WHITEFOOT: Okay.

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MR. TOPOLESKI: Sorry, billion with a B.

MS. WHITEFOOT: Thank you.

MR. TOPOLESKI: It's very, yes, that is an important distinction.

So, just as an aside, I used to work at the Congressional Budget Office and I can think that my former colleagues and bosses are probably just, if they heard that would just be shaking their head, billion versus million, it's a big difference. Big difference.

Okay so, do we want to talk about the administration priorities?

MS. ELLIOTT: Sure.

MR. TOPOLESKI: Okay. Oh, we do have some time still, okay.

So, if we move into the next slide, please?

Okay, so talking a little bit about some of the administrative priorities.

Obviously, within the administration working towards education sovereignty, tribal

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consultation and that and the like is really the foundation to all of the work that we're doing with the administration in the implementation of the bills and laws that have been passed.

So obviously, tribes do have a critical opportunity to create the long-term impact for their communities through the negotiated rulemaking process.

And so the -- under ESSA, the BIE is required to develop a system of standards, assessments, and accountability that does serve the unique needs of Native students.

And since the committee first met, we have actively engaged in negotiated rulemaking to support tribal representation as they develop the regulations for education systems associated with ESSA.

So at this point I think that the BIE will finalize a set of regulations based on some committee recommendations and publish them in the Federal Register for public comment.

And then these will have to go

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through, obviously, the formal tribal consultation process.

I think it's important, though, given some of the challenges that have happened in the past in terms of a number of things with the administration that comments, engagement from all aspects of the public, including and especially the tribes, will be critical to inform these final regulations.

So we're going to continue to remain engaged on ESSA, obviously, at the federal and state levels.

We've provided comments, I think, on 11 state plans, is that correct? Okay.

And we've expanded our advocacy work since the last of the plans were approved in the fall of 2018, so a little over a year and a half ago.

We've expanded our advocacy work to launch partnerships with states, tribal organizations, for technical assistance. We have toolkits and kind of how-to -- to go through that

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process.

We've also increased our field operations managers and hired two new folks over the past year to engage tribal communities, state officials, community stakeholders, and others to ensure effective ESSA implementation and support the needs of the tribal communities across this nation. So, we're very engaged in it.

And as far as my role is concerned, you know, I'm kind of focusing on legislative things. But once you get it past the goal line, that's not the end. Obviously, it needs to be implemented.

And I've been on both sides of that. I used to a lot of regulatory work. So really, the details of how it gets implemented and the intent of the law is really important to get through.

And that public process and all stakeholders is really important. So, we're working to hopefully get folks engaged on this issue as well.

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We're also continuing to look forward to building state partnerships that elevate our priorities and supporting Native students, educating schools. So, just really working throughout the whole process.

Final slide, please?

So, there are our contact information.

I do want to make a kind of a plug for our 51st anniversary convention this fall. And it will be out in Albuquerque, and I believe that had Martita been here today, she would have been like, my hometown, home community.

But we're looking forward to doing this. I'm looking forward to being part of this organization, as part of this community and these coalitions and to engaging and moving forward on a number of these priorities, both in the legislative and in the regulatory space.

So, Adrian, did you have anything you wanted to add? No?

Okay, so with that, I think we've finished what we wanted to present, and we're

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open to any additional questions.

MS. WHITEFOOT: I have a question.
Patsy or Patricia Whitefoot.

CHAIR DENNISON: Okay.

MS. WHITEFOOT: So, just -- I heard you say something about some of these resources going to the state. You didn't identify which ones that are being discussed.

MR. TOPOLESKI: With state -- you mean with our state plans? Are you talking about the state plans?

MS. WHITEFOOT: No, the funds.

MS. ELLIOTT: Oh, yes. So, the -- I didn't do a whole list, we can send you a list of all 29 that listed out.

It included Title I plans and the Alaska Native programs, education programs. It includes the Native Hawaiian programs.

It does not include the formula grants.

MS. WHITEFOOT: Okay.

MS. ELLIOTT: And, it does not include

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Impact Aid. So, it's pulled out of that 29-program list.

MR. TOPOLESKI: The block-like grant, yes.

MS. WHITEFOOT: Okay. All right, that's what I wanted to get clarified here to make certain.

And then, along that line, in the future, I think it'd be helpful if we had something under the migrant education program because we've had presentations here about migrant education.

And, when I asked about, you know, staffing that migrant education, and yet, you know, when we take a look at the eligibility or the definition, our -- many of our students meet that criteria to be in migrant education.

However, the advocacy at the state level isn't necessarily there. And so, this is one of those issues that we've been harping away at with regard to definitions.

And so, would like to see what kinds

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of resources they have, and effort being made to be inclusive of American Indian, Alaska Native students.

MS. BUTTERFIELD: This is Robin.

MS. BOULLEY: Go ahead, Robin.

MS. BUTTERFIELD: One of the other issues that I think I've asked several times if we could have presentations on kind of where American Indians are in the services provided in special education.

A couple of years ago, the one Technical Assistance Center that was created to specifically address the underrepresented or under support, I guess, for Native parents of children with special needs was eliminated.

And so, I'm curious about what the Office of Special Ed is doing to ensure that, you know, Native parents and Native students are funded fairly because of the elimination of that Technical Assistance Center.

But, just in general, because most of our students, or many of our students, I don't

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know if it's most, but many are coming from rural communities where it's a little harder to address their needs.

And, I remember when I was working in the BIE, that I think 25 percent of the students within the BIE system were classified as special ed, whereas, nationally, it's like 10 percent.

So, we know that, you know, we have a lot of student needs out there in the area of special ed.

But specifically in providing technical assistance to parents and to the other resource centers. There are about a hundred of them, as I understand, that were created to address the need of parents of children with special needs in general.

But many of them have Native communities and parents that they don't address.

And, unless there's an ongoing program to build capacity, even within those other centers, it'll continue to mean that Native parents don't get that kind of support.

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So, I think special education is one area.

The other area is just in terms of technical assistance in general. And, I know NIEA has worked in general with kind of ESSA requirements. But when we got the regional Technical Assistance Centers or Comp Centers, I can never remember which name we use, they did provide additional technical assistance, but it was to the states. It didn't provide support to districts.

And so, many of those needs continue to go unmet for just in general technical assistance.

MS. BOULLEY: Dr. Dennison, are you on the line?

MS. THOMAS: We kind of got cut off when we were muted. I don't know if her line --

MS. BOULLEY: Right.

MS. THOMAS: -- got back on.

MS. BOULLEY: Okay. All right, do you have other --

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MR. TOPOLESKI: We do not.

MS. BOULLEY: Okay.

All right, are there any other questions online? Okay.

If not, it's 2:47 and we'd like to take a break and then have our next presenters ready. But I ask you to please, NACIE members, please keep your break to 15 minutes maximum.

Thank you.

(Whereupon, the above-entitled matter went off the record at 2:47 p.m. and resumed at 3:07 p.m.)

MS. BOULLEY: We're going to turn over the presentation to Dr. David Cantrell.

DR. CANTRELL: Good afternoon, everyone. It's a pleasure to be here again. I was joking with my friends over here that I think I'm a regular with this group.

So, it's a pleasure to represent our office and the Office of Elementary and Secondary Education. We've got some exciting news regarding the activities that are provided by the

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comprehensive centers to many of the states and we're also going to talk about a supplement that we awarded to the National Comprehensive Center last fall.

So, next slide please. So, this includes the agenda and notice that we will be talking about specific projects that the regional comprehensive centers have identified nationally.

And as you recall, last October we awarded new grants for the comprehensive centers.

We have 19 centers across the country and one national center.

Next slide, please. We are going to allow a significant amount of time for the comprehensive center members and they can introduce themselves later in the presentation, to talk about the supplement, the planned activities.

And we're really interested in hearing the feedback from the NACIE members regarding the objectives of the activities, the timeline and any input that you have to make the activities

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more effective for the balance of this fiscal year.

Next slide, please. So, this slide provides an overview of our office. I am the director of the new Office of Program and Grantee Support Services.

I say new. But we're actually, we've been in place since January of last year, 2019 with the reorganization of the Office of Elementary and Secondary Education.

To my -- if I could just have our -- so we have some of our staff with us and I'll ask them to introduce themselves. But the remaining staff we, since last summer we have been in the process of hiring several experts and technical assistants.

I'm very pleased with the work we've done. And they have contributed to the direction we're going in working with the comprehensive center. So if Ed, Esley and Bekka could introduce themselves.

MR. VITELLI: Good afternoon. My name

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is Ed Vitelli and I'm the group leader in coordinating with grantees.

MS. NEWTON: Hi, everyone. My name is Esley Newton and I'm a program officer with Program and Grantee Support Services working with the national center and several other regions.

MS. MEYER: Hello. My name is Bekka Meyer. I am also a program officer with Program and Grantee Support Services. And I am supporting certain regional centers and helping Esley with the supplement with the national center.

DR. CANTRELL: So next slide, please. So, with that I'm going to turn it over to Esley who will talk about the comprehensive center structure.

And please don't hesitate to ask any questions. And then we will follow up with a detailed overview of the specific projects for Alaska Native and American Indian students. And then finally, we will dive into the supplemental grants.

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MS. NEWTON: So, just a quick overview of the comprehensive centers. So, the Comprehensive Centers Program is under the Education Technical Assistance Act of 2002, with an annual appropriation amount of \$52 million.

So, as David had mentioned we have made new awards for the 2019 cohort. Work began October 1, 2019. So, work is underway.

David had mentioned that we have 19 regional centers and one national center. So it's a little different with our previous cohort from our 2012 year. So, the structure is slightly different.

So, the big aim of the comprehensive centers is really to think about building capacity with our state education agencies, LEAs, schools and so forth and really improving educational outcomes for all students.

Next slide, please. So this is just an overview of our service delivery model. So, you can see here that it consists of three tiers of capacity-building support.

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We have intensive support which is really the big focus for our regional centers. And when we say intensive support within the context of the comprehensive centers, that really means work that is being done with individual states.

We're talking about onsite capacity-building support and services with an ongoing relationship. The next is targeted and universal. Our national center is really tasked with providing those supports to states.

So when we're thinking about targeted services being provided that could look something like multiple states coming together around communities of practices and things of that nature.

When we're talking about universal supports we're talking about resources that are being provided to everyone. It could be in the form of webinars that's open to anyone, White Papers, things of that nature.

Next slide, please. So, for the

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Comprehensive Centers Program they're really tasked with providing support with, in the following areas.

So, really helping the states carry out approved consolidated state plans. That's one big task.

And also, the implementation and scaling up of evidence-based practices for schools that are comprehensive and targeted support. Also, Title I.

But also, thinking about addressing the unique needs of our rural populations and also being tasked with helping some of our states in terms of corrective actions by Department monitorings and those things.

Lastly, also working with the national center to identify trends and best practices to really make sure that the work that they're doing is available to a wide array of people and just LEAs, SEAs, you name it. We want to make sure that the work is widespread.

Next slide. So this is just to give

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you guys an overview in terms of what we've been doing at the Department, where we're at with this Comp Centers Program.

As we have mentioned, kick-off for this new cohort took place in October. Grants were awarded. And then also in November our CCs or comprehensive centers, they signed cooperative agreements.

This also will give you an idea in terms of if you're wondering like, how is needs sensing being conducted with states? How are we getting that information to inform the plans that we're collecting from states?

So, when we're thinking about needs sensing with states our regional centers, they are reviewing the consolidated plans with states.

They are also engaging in meetings with the chiefs of each state and also engaging advisory boards to really get the input that's needed to make sure that what they're including in their service plans is, you know, just really representative of the high priority needs.

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In terms of what we're doing in the Department, we're reviewing the annual service plans that have been, that we've actually received from states. The draft service plans were due to us by the end of December.

We're currently reviewing those and providing feedback. And then final plans are due to us by the end of this month. So that just kind of gives you an overview of the process when you're thinking about 'how are these priorities determined?'. .

And Bekka, my colleague here, is actually going to provide you with a highlight of some of the work that's being done by our comp centers as it relates to native education. So, we're excited to share some of that with you. Next slide.

MS. MEYER: Hello again. My name is Bekka Meyer in Program and Grantee Support Services.

So to build upon what Esley was just sharing, with the needs sensing that has happened

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with the comprehensive centers now we have received some examples of projects and we're getting a sense of what they'll be working on.

So, next slide, please. And we will show you a few of those examples. First of all, here's a map showing the different comprehensive center regions.

This is actually a visual that's available on the comp center network website. We enhanced it here to highlight a few different regions that you'll see do have projects right now that are serving native students.

These are living state plans. So, we expect them to change and be adapted all of the time.

But you'll notice that we'll quickly give you an example from Region 11, which is the North Central states there and Region 13 which, please do note that includes New Mexico, Oklahoma and the Bureau of Indian Education highlighted there in blue.

And Region 16 in the Pacific Northwest

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and Alaska and Region 17 which is Montana and Idaho. Next slide, please.

Here is an example of one of the projects that has been submitted and is currently being reviewed for Region 11. So, in this project the South Dakota Department of Education is working to operationalize bright spots that help schools to achieve and sustain improvement in Native student learning.

One of the long-term outcomes from this project is increased teacher and school leader use of culturally responsive practices, among other things. So again this is just a brief snapshot of one of the projects that's happening in the state of South Dakota which is under Region 11.

Next slide, please. Region 13, this is the region that includes the Bureau of Indian Education. So you'll see, here is an example of one of their projects.

The comp center will assist BIE in establishing data system policies and practices

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that support effective data use and reporting. The outcomes of this project include improving the quality of data collected and reported by BIE and to improve the BIE data system's ability to provide ESSA accountability data.

I know you're going to hear more from BIE tomorrow. So, just so you know these projects are being discussed and coordinated within the Department of Education with the many different entities that work with BIE.

And so, here is an example of how a comp center is also supporting BIE with their goals. Next slide, please.

Here is an example from Region 16, which includes Oregon. This project will focus on continuing to assist the Office of Indian Education in Oregon in the revision of their Native Student State Plan.

The specific facilitation from the comp center will support the Tribal Education Alliance. One of the long-term outcomes from this project is to establish a well-functioning

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community of practice with working knowledge of working with sovereign tribal governments and relations and Native American communities.

Next slide, please. Our final example from Region 17, this is for both Montana and Idaho. This project is a collaboration between the Region 17 comp center and the Indian Education directors of both Montana and Idaho.

They are going to facilitate ongoing strategic planning to support achievement of both their short, and long-term goals, and to connect stakeholders in Idaho and Montana to better share promising practices.

They have numerous exciting outputs and long-term outcomes that include assisting with tribal consultation efforts, attending Indian Education Association conferences and state Indian Education conferences and facilitating strategic planning-s for the Indian Education Departments.

So, that's an example for you of what is happening in some of the states with the

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assistance of the regional comp centers. We have, as Esley said, just learned about these projects and we are very excited to see where they all go.

With that I'm going to turn it back to Esley.

MS. NEWTON: Okay. Next slide, please.

So, this is just another example of the work being done on Native education within our office.

So, in addition to the comp centers we also have the State Support Network. Here's an example of some of the work that they're doing to support Native education.

They have a peer-to-peer series supporting tribal nations with standards, assessment and accountability planning. We just want to highlight that as well. So next slide, please.

MS. MEYER: And this is Bekka Meyer again. Now we want to set up the next portion of this presentation which is to discuss the supplemental funding that is focused on Native

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students.

So, this is funding that became available and the award process happened since the last NACIE meeting in September. The dollars you'll see there are just under \$700,000 and this was awarded to the National Comprehensive Center.

The Office of Indian Education did determine the purpose of these funds and then they were processed through our office, the Program and Grantee Support Services Office, because it was a good fit with timing with the National Center award and with the work that the National Center does.

So, you are going to hear more about how they are going to be using these dollars to build the capacity of the comp center network. And Esley is going to tell you a little bit more about the supplement before they take over.

MS. NEWTON: Next slide, please. So, just a segue before we hear from the National Center about their plan for the supplement.

The primary purpose for the supplement

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is to really just develop a system of supports for states, LEAs, TEAs and TEDs to just really better meet the needs of Native education students and just thinking about increasing those outcomes and making sure that educators are equipped to provide culturally responsive practices and approaches in classrooms and so forth.

So, I'm going to go ahead and turn this over to our folks here from the National Center. Next slide, please.

Sorry, I forgot to mention that. This is our contact information for the Program and Grantee Support Services Group. So, if you have any questions who you contact here is the information here. Thank you.

MS. SCOTT: Next slide, please. Good afternoon, everyone, and thank you very much for having our team here to talk with you today about the supplemental funding.

We're extremely honored to be here with you. And we are really looking forward to

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hearing your thoughts and feedback around the supplement.

As you can see, the title of the project is Resources for the State Education Agencies to Support American Indian and Alaska Native Students. We know that this is a really important time.

We also know that we have a limited amount of time. And so, we have really thought about this funding in a way that has sustainability at the heart and how are we able to ensure that the funds that we have for the next nine months are able to sustain past the end of September.

Before I turn it over to my wonderful colleague and our lead advisor, I'm going to throw our team a quick curveball. You'll hear from many of our voices.

But if we could all just, I think maybe quickly introduce ourselves just briefly. So, my name is Jenna Scott and I am with WestEd as part of the National Center. And I am very

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excited and honored to be working on this project.

MS. BITTERMAN: I'm Amy Bitterman, also with WestEd and the National Center.

MS. KAUFFMAN: Jo Ann Kauffman with Kauffman Associates, partner with WestEd.

DR. GORDON: Hi. This is Janet Gordon. And I work for Kauffman and Associates and I represent Region 16.

MS. MAYNOR: Hi there. I'm Priscilla Maynor with imagined Partners, partnering with WestEd. But am also serving as the co-director for Region 6 Comprehensive Center.

MR. REDDING: Sam Redding, and I am one of the capacity leads for the National Center and have worked with regional centers and content centers for about 15 years.

So, I was asked by our Director, Dean Nafziger, if I would help get this project up and off the ground so we can accomplish something in a hurry because we don't have much time. So, I'm very pleased to be working with this fine group.

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MS. SCOTT: All right, thank you all. I promise I won't throw any more curveballs. So, I'm going to turn this over to one of my colleagues who I finally was able to meet in person.

And I am just very honored to be working with her. She's been living this work for a long time. And so, without any further ado, Jo Ann Kauffman.

MS. WHITEFOOT: I have a clarification. I see Mandy, one of our colleagues here, it sounds like she is on the team as well.

MS. SCOTT: Yes. Mandy is on the team. Mandy, I am so sorry. Please.

MS. BROADDUS: Mandy Smoker Broaddus and I work for the Region 17 Comprehensive Center. And, yeah that's good.

MS. SCOTT: Thank you. My apologies.

MS. KAUFFMAN: Well thank you. (Native language spoken.) It's nice to be here with all of you. I'm a member of the Nez Perce Tribe and have had the opportunity, was that a

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hand off to me?

Next slide, thank you. I've had the opportunity to work with the, with OIE and also with the NCES on the National Indian Education Study before it was changed over the years to become regional studies and then now I think has landed kind of full circle back with the National Comp Center.

I'm pleased to be able to provide some assistance to the National Center. And in looking at this, this slide here you can't read that writing.

But this photo here was taken during a STEM initiative project at Grand Cooley, Washington. And what you can't hear is one of the young girls is telling the other that there's a lot of stuff that I have to learn to do what I want to do.

And it's, I just love the photo because it kind of brings us back to this opportunity that we have to do in a short amount of time, let's try to make as big an impact as

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possible to change the systems that will influence how our children are educated.

So, I'm just happy to join this team.

Next slide, please. We're going to walk through this project. And so that you know, you know, much has already begun in terms of the foundational work.

We'll bring you up to speed about that. But also share the outcomes and goals for the project and the activities and products that will be coming out, the expert panel that has been engaged, the timeline.

And then we're going to move quickly because we want to open it up. We have some specific questions that we want to ask. But we realize you may have your questions to ask as well.

And so, we want to save as much time for dialogue as possible. So, I would stop there and hand it off to, hand it back to Jenna to walk through the project.

MS. SCOTT: Thank you, Jo Ann. Next

slide, please. So, as my colleague and collaborator, Esley described the purpose of the project is very much aligned with Title 6.

And so, at the heart of this is impacting the learning lives of American Indian, Alaska Native children and youth. And it's through the development of resources to enhance the effectiveness with state education agencies in collaboration with local education agencies or districts and tribal education agencies or departments.

And I just want to take a moment to pause and highlight that collaboration piece. And in thinking back to the NIEA's discussion around ESSA and thinking about the tribal consultation piece, that really is at the heart of what we're thinking, and the purpose of the project is to really focus on this notion of collaboration.

So, how are SEAs able to really learn effectively from tribal communities on the most beneficial ways for Native students to have

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outstanding experiences throughout their educational careers?

So, that's really how we're framing kind of the purpose of the project. But we definitely want the focus to be on this deep, collaborative and meaningful collaboration to create sustainable change.

And so, just emphasizing that piece again. Next slide, please. So, in tying to the purpose when we think about the expected project outcomes in this short time the bullet actually at the end is probably, if I had to do it again would be put at the top.

And that is this notion of the effective collaboration and partnership. That again, is really the heart.

And so, as we're thinking about the collaboration we really would like to see SEAs be able to clearly describe their work on Native education to better understand the ways in which they can support or increase their efforts and then to develop this plan to ensure success.

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So, this action plan around sustainability that is ongoing and lasting. As we walk through the activities we'll dig deeper into these areas of focus that we will be thinking about in the partnership and collaboration.

Next slide, please. I'm not really going to read through the goals. I think we've established what the goals really are and that is to really share the project with you all and then to really hear from you around your thoughts, ideas and expertise to help guide the project.

Next slide, please. So, I'll just quickly just talk about our project team. So, myself and my colleague, Amy are the organizational leads for the National Center on this project at WestEd.

And two of my colleagues that you heard from across the table, Sam Redding and Janet Gordon led much of our needs sensing efforts. And they are underway, and many have kind of wrapped up.

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Our capacity building leads, you've heard from Janet Gordon. Mandy, who I unfortunately am still embarrassed that I did not include you in the initial introduction, so Mandy Smoker Broaddus and then my colleague, Priscilla Maynor across the table who you've also heard from.

We also have a bench of additional capacity building team members that will really be helping to work with our state education agencies in the collaboration process that we'll walk through. So, you see some additional team members on this slide.

But we also have a significant, significantly more numbers of people also on the bench. And the idea really was that we could capture the lived experience and authenticity of people on the capacity building team that represented experiences across the country and also at different levels.

So, people who have worked in state education agencies who are working with the

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tribal education agencies and departments as well as local education agencies and in addition, also higher education.

We also have people from the team that represent organizations such as NIEA as well. And in your handouts you'll also see the expert panel that really helped with our needs sensing efforts.

And again, the idea was to have the same, to have a similar representation. So, please feel free to review the panel and their bios.

And then you've heard from my colleague, Jo Ann Kauffman who is our lead advisor and will also be leading our communication and dissemination efforts for the project.

Next slide, please. Now I'm going to turn it over to my wonderful colleague, Sam Redding.

MR. REDDING: Thank you. Okay, I'll start over. So, I think this is kind of a visual

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representation of what we see as a logic model for what we're trying to get done in one year.

If you look at the first two bars a lit review and annotated catalog of resources and expert interviews with the 15 or 20 folks that you have copies of their bios. That is what we've been doing so far about the first third of this year so that we develop a knowledge base to inform everything that we do hereafter.

The self-reflection process and guide and as I've suggested, Jenna, is kind of a wimpy name for what we really intend because we really intend that to be the vehicle for change in states.

It's going to be a facilitated process that will start in state agencies who will engage tribes, will engage LEAs and it will encourage states to take a hard look at what they're doing relative to Native education, consider what they could be doing differently and plan change.

So, that's our vehicle for change. The last two bars are how we intend to embed this

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in existing structures by training up those at the 19 regional centers that wish to participate to be able to work with their states on that process and by then disseminating what we've learned and have best practices resources and so forth more broadly.

Next slide, please. So, this is just a little more detail on what I just went through with the blue bars. And the first one is a succinct lit review.

And we've engaged Marty Rinehart who many of you may know from Northern Michigan University and from the Center on Native Studies.

All right. So, he's going to, he is -- we've already got this underway.

He is our lead on a succinct lit review. And we say succinct because we're not taking on the whole world of Native America. But we've got to get a little focused. We're talking about education.

We're looking primarily at the state role and the state in collaboration with tribes

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very directly and LEAs. So, we're doing a lit review and Marty is heading that up.

Catalog of resources, we're looking at all the great organizations out there and federal agencies and people that have resources available for Native education to try to get a handle on that, get a catalog of it, annotate it so that we can point states in the right direction when they're ready to make change.

The interviews, each of these is about a two-hour interview of the protocol. We are somewhere between 15 and 20. You've got the list of people.

We've got let's see, Clint back there. We've got his boss, Tony Dearman. But we've also got three state directors of Indian Ed. We have district superintendents who have districts on reservations.

We have several TEA directors. So, we've got a good variety and we're gathering a lot of good information that's going to inform what we do and will also come out as its own

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product when we summarize that and pull that together.

Next slide, please. That interview protocol is also in your material so you can see the questions we ask them and what we derive from them.

The facilitated reflection guide, again kind of a wimpy title. We might have to work on that, Jenna, because what we really see this as kind of heavy duty process to take a state agency, get the core people at the agency whether the agency has an office of Indian Education or not all states should be looking at their roles relative to Native education.

So, we would see that all state agencies would want to engage in this process that will ultimately be facilitated by the regional centers. And they will, as part of the process be sitting down.

We're going to model good tribal consultation. We're going to sit them down with the representative tribes with LEAs to walk

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through this process to look at what they could do and decide what changes they might want to make at the state level.

Next slide, please. We will field test this process directly from our project from Mandy and Priscilla and Janet, who will probably be leading the way as we take this to some states, and we field test the process directly with states.

In three to five states we will see what we learn. We will reconvene. We will make this ready for us to then train up regional centers initially to be able to utilize that same process, change process with their state agencies.

And then we, finally and now we're getting to about September as the year is coming to a close we will take what we've learned and wrap it up and make some materials to disseminate and some webinars and some resources on websites and make that available to a broader audience.

But what we really want to

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institutionalize is the process of the states where it's a facilitated process to get them to take a real hard look at what they're doing, what they could do and make their plan for change.

And my colleague, Janet Gordon will walk you through some of the types of topics that we are going to take the states through in consultation with her, with their tribes. And the topics were derived from the interviews, the lit review and the resource scan.

Next slide, please. Janet, Dr. Gordon.

DR. GORDON: Hi. This is Janet Gordon. So, in looking across all the interviews I'd like to share some of the major topics that came out from our expert panel and what they said had the largest and most positive impact on the education of Native students.

So, first the alignment of efforts across state and tribal agencies and then schools, local education agencies. So, alignment of efforts.

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And then a thorough understanding of the ability and how to navigate federal programs and funds for Native students. And then tribal consultation and sovereignty.

There is four bullets underneath that, that the state engage in tribal consultation. State support in monitoring of tribal consultation at the school level.

Government to government relations, a better understanding of that. And then tribal management of schools specifically compacting and tribally operated schools.

Next slide, please. And then another predominant theme across the interviews was Native culture and language. So, history and culture in curriculum for all students.

And I want to emphasize that word all and draw your attention to the design by Roger down in the lower left there. That's the design for the Since Time Immemorial curriculum that Washington State has available to all the social studies and all the history schools for all

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students or courses.

And also place-based tribal history and culture involving the community in that development and design. Place-based tribal language, language immersion programs.

And then culturally responsive and culture-based teaching again involving the community. The expert panel also said to identify and support successful local programs and practices for the state to collaborate with tribes to support successful local programs.

And then to represent Native student interest in the design and adoption of state programs. Next slide, please.

The teachers and leaders also was a major topic that was pervasive in the interviews.

Gathering, recruiting and preparing Native students, the next generation of teachers and leaders.

And infusing the knowledge of culture and history in all teacher preparation programs.

And then creating a pathway that offers

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certification of tribal leaders, tribal speakers, culture bearers so that they can teach in the schools.

Next slide, please. And across the expert panel interviews culture and career readiness emerged as a common theme.

We had to put a state lens on this. We interviewed many people in several levels of agencies. So, this is from a state perspective to recognize high achieving Native students.

For the state to identify barriers to school success experience and then ways to address the barriers. Also, to expand education and career awareness in rural areas.

And then last, to create pathways to careers beyond those that are locally available.

So, remote or virtual entry points there. Next slide, please.

The last slide I have to share with you emphasized that, the importance of educating the whole child and that states and schools should be, offer services not only on academics

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but also on physical and behavioral health.

So, programs that have had the largest and most positive impact on Native students would have circles of care, wrap-around services, behavioral health supports for the children and the youth and services to offset the effects of trauma.

And then also services to promote physical health of Native children and youth. I'm going to turn it back to Jenna. Thank you.

MS. SCOTT: Thank you, Janet. And now my colleague, Amy Bitterman will walk through the timeline.

MS. BITTERMAN: Next slide, please. This is Amy Bitterman. And to kind of wrap things up we just wanted to walk you through the timeline that we have proposed.

These are all the activities that Sam has gone through. A number of them are well underway if not pretty much wrapped up at this point.

The literature review and our scan of

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the resources we've accomplished most of that as well as pulling together a number of folks for our expert panel.

And you saw in the handouts who all of those individuals are that are onboard and have been working with us to complete this expert interviews that we've done over the last few months and begun analyzing and summarizing.

We heard from Janet already kind of what our preliminary findings are. But we'll continue to dig more into those interviews of course.

And all that kind of leading to putting together, like Sam had mentioned, a succinct literature review and an annotated catalog of resources. And we're hoping to have those ready by, and available for review by the Department at the end of March.

Also, the end of March is where we plan on having our self-reflection guide, the process, the framework, all of that ready also for review.

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And that also will encompass, I don't remember if Sam mentioned this, but as part of that reflection process and guide we're going to build in that, those annotated resources that we have in a separate product but also embed those in the self-reflection tool as well.

And again, sort of by the end of March we'll have that ready. And then moving into April and May is when we plan on pilot testing that process, that framework with three to five states over those couple of months and then taking what we learn from that experience and then starting to develop trainings and materials to have webinars and an in person training too with the regional centers so that they will be able to sustain this work moving forward.

And we really are trying to be very intentional about building sustainability throughout all the work we're doing in the hope that can continue, this work can continue.

We have other ideas like putting together communities of practice as well for

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regional centers or states to continue with this work beyond the end of the fiscal year.

And then also Sam mentioned in August, September time frame we would be putting together a webinar that would sort of culminate in all of the work we've done, what lessons we've learned.

We would highlight the resources we've developed and definitely promising practices that we hear along the way.

So, that wraps up our timeline. We also just wanted to mention that we want to continue to update NACIE on the work that we're doing.

And one idea we had was to maybe develop a newsletter that we could periodically share with the group that would give you highlights and updates and if there's questions we would like feedback on that sort of thing.

So, we definitely want to keep you all apprised and continue to engage with this group.

So, that kind of wraps up our presentation. At this point I think Priscilla and Jo Ann are going

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to lead us through discussion questions and Q&A.

So, thank you all so much.

MS. BOULLEY: First, we do have a question.

DR. PAYMENT: So, actually this might help facilitate to answer your question. So, I served as one of the two negotiators, rule makers on ESSA along with Leslie Harper.

Somehow both of us were Anishinaabe. But so we took advantage of that. But so the expertise that we brought to the table was my background in government and policy and consultation and her background in language medium schools.

She works at the Buck School and she's their language medium. It's not language immersion. It's language medium. She taught me that.

And so, one thing that was clear to me in that process was the need, the group that was on that was several representations from industry, from states. There was three

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superintendents, I think.

And so, the one part that just was not registering is the need for consultation and to engage tribes. And so, what we did was we pushed really hard to make sure that the language for consultation and requirement for state consultation be included in the final rule.

And so, what's a little puzzling is that a meeting we had about two years ago, I think, I had asked for an update on this and somebody from the Department of Ed explained that was taken out, the requirement for consultation was taken out.

It was when I called in to that meeting and I was really surprised by that. And I asked for that to be documented. It never was documented.

But as we know now that's not true because you're implementing a grant, or a contract based on consultation. So, that's fine. So, I'm glad we're past that part.

And so, in Michigan what we've done

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potentially as a model is we have a really good relationship with the Department of Education in Michigan and even before the requirement. And so, they were starting down the process of how do we implement appropriate curriculum in the schools?

And so, my understanding of what we got out of the negotiated rulemaking was a requirement for appropriate, culturally appropriate assessment for language, first of all. But also culturally appropriate curriculum for the contributions of American Indians.

And so, in Michigan they actually wrote a consultation policy to comply with in submission for the plan. And it's a very, very good document.

In fact, the current governor just drafted a consultation requirement across the spectrum on all agencies in the state and it's patterned after that consultation language in the state education consultation requirement.

And in Michigan one other thing that

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we've done is we have adopted a central curriculum from a textbook that was written 25 years ago. My tribe acquired it.

It's the People of the Three Fires. And it's both a textbook that's heavily researched by three doctors in Native studies and education field and also it includes a workbook and a teacher's guide.

And so, the State Department is making that available with our tribe's permission to just freeware, shareware use it. And then they're also providing portals to each of the tribes so they can respectfully allow the -- so in Michigan we're all Anishinaabe.

But you have Chippewa, Ottawa and Potawatomi. And then you have regional differences. So, everybody sees things a little bit differently.

But the individual portal will allow the respective tribe to upload their own history as they understand it through oral tradition. And so, it was done in a very respectful way.

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The only problem, the weakness is the additional step. So, expecting schools to implement curriculum, to write curriculum and then implement curriculum without the tools and the resources to be able to write that curriculum is asking for something that is never going to happen.

And so, what needs to happen next is we, and I'm hoping this comes out as a result -- so we're willing to serve as a model for consultation for the rest of the country. But also, what's needed is some resources to be able to assist school districts with writing the curriculum to match that central curriculum.

And without that it isn't going to happen because teachers are already doing their CEUs, maintaining all their requirements for standards and Common Core and all that. And this is just another task for them to do.

And if there is some way that we can collaborate on getting that additional resource to facilitate teachers to be able to write that

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curriculum to match some central, agreed upon curriculum, that's how we're going to make this actually happen. I just wanted to share that.

MS. WHITEFOOT: So, I have a quick question also. So, as we go into this facilitative process it's going to be important for me to understand what does 'self-reflection' mean?

What is this self-reflection process for the SEAs and the various stakeholders? It's an interesting term that's being used.

MR. REDDING: Well, I'll tell you what it means at this point. And right now we're just on the cusp of pulling all the people together to get a lot of looks at it before we actually take it to the field.

What it looks like now is Dr. Gordon took you through all those topic areas. So, one was, how does a local school include place-based local tribal history and culture in a curriculum?

I mean that was one of a couple dozen topics. So, what the process looks like now and

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I think it's subject to a lot of change, what it looks like now is we would start with the core people inside the state agency.

If they have an Office of Indian Education and we've been talking to several what I was, I interviewed Julian Guerrero in Oklahoma and Johanna Jones in Idaho and we've got John Claymore who was just hired in Washington ready to interview, is how small those offices are.

So, in Oklahoma, you know, it's Julian and Julian. And so, we have to ask so who do you interface with in the agency when, because he says he's ubiquitous. He has to meet with curriculum people, special ed people, whatever to represent the interests of Natives.

So, we would ask if we were working with Julian in Oklahoma we would ask him pick four or five people that you work most closely with in the agency.

And they as a group we would put them through a facilitated look at all those points that we made and said, and have them basically

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describe what does your state do now with this?
What does your state do now with this?

Well, in a lot of cases they're doing nothing, in some cases doing something. In some cases, like Dr. Payment said they are doing something exemplary.

And so, this is the time to put it there and we can capture that. So, after the core state people go through that process they would then convene a group of representatives from, we suggest four TEAs or four leaders of tribes and four LEAs that have Indian populations.

So, bring those people. Show them what you've just created in terms of your response to what the state does in all of these areas and get their critique and input back on it.

Then bring it back to the state again and evolve it into two things, a 90-day action plan that says we're going to get this done in 90 days and some longer term more ambitious goals

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that go into your, sometimes they have to go to state legislatures.

You know how that is. Some things take time. But we don't want everything to take time because some things can happen pretty quickly. And so, we want some crisp 90-day plans to get the state kind of off the dime.

And again, the process has modeled their engagement with TEAs and LEAs. So, that's kind of what we've got in mind. But, like I said, we're getting a lot of input now and I think it will evolve before we take it out to the field.

MS. BOULLEY: I wanted --

MS. BUTTERFIELD: This is Robin.

MS. BOULLEY: Hi, Robin. Can I make a clarification, first? David, if you could clarify about the requirement regarding the consultation of tribes with the states?

I want to make sure that we have that clear and then that this project is not related to that.

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DR. CANTRELL: Yes, Angeline, sure. So, I recall answering this question last time and the time before.

So, our office is charged with awarding grants for specific purposes. One is the comprehensive center. And this supplemental grants are supplemental funds for the purposes of supporting needs of American Indian and Alaska Native students.

It is a, while we're pleased with the funding it is a relatively small grant. It's \$700,000, right.

So, my office's role when working with the states is that the states have the autonomy to identify what are those projects which they want to work on with the comprehensive centers. So, Bekka earlier went over some examples of some projects that happen to target these subgroups, right.

And those states have gone on record and said we are going to work on these projects in addition to others. That being said, many

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other states across the country have not sought the assistance of the comprehensive centers for these subgroups of students.

So, it's not my office's role to say to the states that they must either consult with leaders within the state or that they must develop projects to service these centers. States do have the autonomy to identify how they want the resources to be expended for the regional centers.

MS. BROADDUS: Can I just say one really quick thing? Okay, this is Mandy Smoker Broaddus. And I want to just piggyback on that and what Dr. Payment said and Sam.

This is really about two things. It's about will within a state education agency and it's also about the isolation often of Native education staff within those SEAs.

So, with the first round of comprehensive center money that went out to several states or regions we actually, I was a member then because I was the director of

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Montana's Indian Ed team, we created with that funding an indigenous educators/state leader's network.

So, that was all the Indian ed directors from all the staff. And we've been convening for about seven years now to, because we were -- Montana was fortunate.

The other states Idaho, Michigan, Oklahoma we understood that they're very frustrating context that they were trying to elevate these very important issues in. And we're often facing really, you know, tough resistance not being included in your plan as a point of emphasis or a project, just among one thing.

But I will say that network is still functioning and should be tapped into because I, when Dr. Payment is talking about Michigan's wonderful tribal consultation work I know about that because the Indian ed director in Michigan shared it two years ago with the entire team.

But the problem is other states can't

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take that tool and implement it or embed it in their state education agency if there's no will from the state chief to do so.

DR. CANTRELL: And on a positive note though, I would like to say that the new model of the comprehensive centers, we have 19 regional centers that are charged with working with specific states.

One of the reasons we went with the model of the twentieth center being a national center was that office could be charged with working on a range of educational topics that we, in the Department, also want to emphasize but at the same time that we're hearing from states nationally that they need additional support on.

So, the beauty of this project I see that while granted the funds are only for this fiscal year, at the conclusion of it, it's not that these resources are going to go and not be used. They will continue to be resourced to the National Center.

But we will also put into place

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supports so that all the states across the country and ancillary areas can access these services going forward.

Now our plan for establishing enduring processes to do that may modify itself over the next years or so. But that's really the goal that we're taking advantage of these additional resources right now to develop some products, resources, tools to assist states and districts going forward.

I certainly appreciate your point, Dr. Payment. But this is a step in the right direction. I know there's more work to be done.

But -- So.

MS. BOULLEY: Okay. And Robin had wanted to speak. Go ahead, Robin.

MS. BUTTERFIELD: Yes. Well, first of all welcome to NACIE. And I just want to say hello to Priscilla and also acknowledge Patricia Whitefoot, you know, and myself.

We've all been former directors of Indian Ed for our respective states. And I think

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you get a real bird's eye view of, you know, what's happening in Indian education.

But the devil is in the details. And when I look at your kind of ambitious list of things to cover one of the things that I have always hoped we could capture is teacher training best practices.

And I think that, you know, the most powerful resource in the classroom is the classroom teacher. And, you know, it would be really helpful to identify, you know, what are those characteristics.

But whatever is identified as a best practice I would hope that you would identify what was, what constituted success. How was it, you know, impacting, you know, Native students and communities?

So, that's one thing. The second thing is I don't really see anywhere in our list that refers to the engagement of Native parents.

And during the Indian nations at risk that was one of the most frustrating but most requested

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area needing support.

And, you know, actually I authored the paper of parental engagement. But when we started looking at where in the country did people want to identify best practices that was one of the ones that was most difficult to identify.

But, you know, given that historical trauma of our community, you know, that was one of the needs that remains to be really, I guess, highlighted. So, those are just a couple of thoughts.

But hello, Priscilla. Long time, no conversation.

MS. MAYNOR: Hello, Ms. Robin. I was disappointed not to see your smiling face this morning. But I am very excited for the opportunity to work with NACIE and continue our good work together.

MS. BUTTERFIELD: Awesome, thank you.

MS. MAYNOR: I would add one comment about the engagement of families that I think in

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our material it was all couched under communities. But you do make a really good point about separating that out.

I am working with the OSEP centers in Region D and Region B for children with disabilities and on an outreach strategy for working in Native communities. So, I do feel that it warrants us looking at that and pulling that out separately. Thank you for bringing that up.

MS. BUTTERFIELD: Well, just to add to that the no longer funded NAPTAC Center, Native American Parent Technical Assistance Center for special ed, we developed a number of webinars and White Papers, digests I guess you would call them on that very topic of engaging Native parents.

And we also developed a training for cohorts for the other special ed centers so we could share all those resources with them.

MS. BOULLEY: Thank you for that, Robin. Dr. Proudfit.

DR. PROUDFIT: With this group's expertise and some of the experts that you talked

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to I'm hoping that maybe you can provide like a one-page synopsis of what's going on in California.

We have very much a part-time one person in California who seems to be responsible or, the buck stops with that individual. And I think we need to move beyond that with a state with 109 federally recognized tribes and the two largest urban Indian populations and 70 plus tribes seeking federal recognition.

That state cannot be excluded from these types of conversations. And over the years there have been several attempts to pass legislation, unfunded legislation which Dr. Payment mentioned, you know, you get what you pay for, right.

And some of this legislation even has timelines attached to it like curriculum must be developed by December 2020, I think is the most recent.

And I would really like to take this back as a NACIE member who is coming from

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California to our superintendent of public instruction and our tribal leaders to clearly articulate what is happening in the state and what we must do to get out in front of this.

Developing curriculum and addressing tribal consultation for one tribe is difficult at best. Try 180.

So, I would really like your help in just covering a brief synopsis of what do you think is happening and just a basic cursory overview and, you know, a couple of three recommendations that we can take back to get this moving and perhaps anything, any recommendations on how you can help in that endeavor would be most helpful. Thank you.

MS. BOULLEY: Dr. Payment.

DR. PAYMENT: So, all right. So, there is a little bit of mixed messaging going on right here.

And so, our intent in writing the regulations in the final rule did include the requirement for consultation of states to consult

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with tribes. And I could go through the whole legislative history of how we got that.

Dan Evans was a critical component of that. He is now Governor. And I understood that there was legislative action after that, that took it out. But whatever.

One other piece that I'm looking for and this is for the Department of Education to provide us, are we out of time? Is that a fire alarm?

What I have to say next is so important. Is, so I've been asking for, actually for two years now for an audit or a report on the status of respective states because there's a number of Native organizations that help facilitate tribal leaders in the realm of education that could help facilitate.

And so, the work that you're doing is facilitative. But if we don't collectively know where each respective state is then we, you know, collectively we can't help.

And I don't see that as a

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confrontational thing. I don't see it as a radical thing at all. And it's been two years I've been asking at this table for a report on the implementation across the states.

And that's in no way diminishing the state sovereignty or anything. It's just information.

And then those of us who have networks across the country can reach out to tribes and say number one, did you know that other states are doing consultation? Number two, that was in the negotiated rulemaking.

It does make for better outcomes. And maybe you want to reach out to your education lead in your respective state and ask him what's going on.

And for the work that you're doing to help facilitate then to implement. So, we're spending a lot of federal dollars on this. So, why wouldn't we have that information to try to help facilitate.

I'm going to put my formal request

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again for an update of the variances across the states of who is implementing consultation, who has maybe some best practices.

Maybe that will come out as a result of this so that tribal leaders can have a report on that and accountability back to Congress.

MS. BOULLEY: To clarify, are you asking about the tribal, about the consultation states were to do with tribes in creating their ESSA plans?

DR. PAYMENT: Yes, very specifically. And my first request of that was before you were hired. It was at a National Congress of American Indians mid-year meeting in Kansas City.

And I think at every meeting we've had since then I've been requesting that information.

And I know it's kind of slipshod because they're implementing as we go.

But certainly we, somebody centrally at the Department of Education has that information that we can get to.

MS. BUTTERFIELD: This is Robin.

MS. BOULLEY: Go ahead, Robin and then Dr. Cantrell. Theresa, Dr. John wanted to ask a question and David Cantrell is ready to answer, respond to it as well.

MS. BUTTERFIELD: Okay. I just wanted to share, you know, in my previous lives I was in Washington State when we were developing the Since Time Immemorial curriculum and got involved in a couple of things.

One is the creation of tribal compact schools which was, you know, very unique in that it was using state funds to, as well as BIA funds to operate schools in Washington State. So, that would be a very interesting kind of unique take on Indian education.

The second one is that when we were doing this Since Time Immemorial in-service for professionals one of the things that I observed was that a lot of teachers, they didn't know what they didn't know.

And so, we ended up, you know, we had a curriculum that was there for anybody to use.

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But if they didn't really know how to use or weren't, you know, kind of gotten excited about what was in there it was a great resource that just went unutilized.

Secondly, in Oregon we have our version of Since Time Immemorial that we are just implementing. We don't even have all of the lessons completed yet. But they started delivering teacher in-service.

And I think it's really critical to look at just trying to re-emphasize how important it is to look at teacher practice so you can have the best things out there. But if the teachers themselves don't use it, it's not going to have any impact.

And I'm not sure how you get at looking, well it was just a basic question, you know, when you have actually developed curriculum, you know, how do you know if teachers are going to use it and secondly, use it appropriately? That's it.

MS. BOULLEY: Dr. John.

DR. JOHN: Yes, thank you for your presentation. I'm from Alaska and Alaska schools are run by the state.

And in our villages we have several government organizations. We have municipal, tribal, corporate in small villages. And State of Alaska has adopted culturally responsive curricula for the elder schools.

And they also have officially adopted the indigenous languages as an official language.

And to this date the University of Alaska has developed Alaska Native Knowledge Network that surmised with many years of work between the tribal leaders, elders, university faculty, university staff and village community members.

And that effort has evolved like guidelines for indigenous knowledge system, indigenous ways of knowing, the holistic way of learning instead of linear way of learning.

And we, when we give out the guidelines we specifically identified to include administrators, the local leaders, the elders,

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the community members because in the child's world we're all involved. We're all part of that capacity building for the child's learning, best learning practice, right.

The problem has been the same. All these wonderful curriculum that we have developed have not been funded to be implemented properly into the schools.

They have hired like math experts that are retired to go to villages to mentor. But that's not enough. So, we need to think of a way to, like she was saying the best practices.

What are the best practices? Who are the best people that can give out these guidelines? We need guidelines and standards.

And when we talk about the language and culture of the children, Alaska has five ethnic groups: Inupiat, Y'upik, Athabaskan, Tlingit, Haida, Tsimshian. And we have distinct languages, distinct cultures and distinct history.

So, as I'm looking at these terms in

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our presentation, how do you define culture? How do you define language? How do you define their land?

How do you define that relationship and that collaboration that you're talking about?

How, when you are sitting in Washington D.C. and there's children in Barrow, Alaska how do you make those connections work effectively, the dialogue, the analysis of the literature review so that we provide what the students need in that region, in their culture, in their language?

And there is resources like I just said the Alaska Native Knowledge Network is one resource. I'm sure that your universities and your tribes have their own research.

The National Indian Education Association probably has a bunch of resources. We have resources that are already developed. We don't have to reinvent the wheel.

So, my goal and my hope is that this center you're talking about, the comprehensive center will advance to become the best model so

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that our students will be provided efficient educational context that they really need.

And I just want to thank you again for the work that you're putting together. Thanks.

MS. BOULLEY: Thank you.

MS. WHITEFOOT: Angeline, I feel like I should ask for the questions so we can go back to being in a facilitated discussion.

DR. CANTRELL: That's exactly what I --

MS. BOULLEY: Thank you, Patricia. It had to be you.

DR. CANTRELL: Thank you very much for your comments. It's actually very validating the direction we're going in and the plan that we're putting in place.

So, thank you. I appreciate that. So, if we could take some time to circle back to our questions. I think we've already tipped our toes into some of the themes.

DR. GORDON: Yes. I think we've covered the first three questions have already been answered, already and so you've already

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provided input in terms of, you know, whether or not the themes that emerged were correct.

We have some additions in terms of the teacher training and engaging Native parents which had not, you know, it was just a matter of words. But the, you know, how to engage the states, you know, we have a lot of good strategies that you all shared.

If there are other things, other strategies that you can share with us about maximizing participation realizing that this is a voluntary effort to make sure that states and LEAs and TEAs and TEDs engage in this process.

And I guess the reason it's called a circle of reflection is really, you know, it could be called a needs assessment, a self-assessment. But those sound very cold.

And we're really trying to figure out how to push this to the local level at the regional and state and tribal community level to be more engaging. And self-reflection seemed to bring us to that point.

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So, I think, you know, the last questions that we haven't talked about really have to do with sustainability and, you know, how to keep this going.

If this model can be developed in the next nine months and pushed and trained at the regional comp centers to engage with each of the states in their area and with the, to bring in the tribes and the groups in, cultural groups that make the sense each region being so unique.

And then how do you do that in a way that's going to sustain beyond this funding and this time period?

MS. BUTTERFIELD: This is Robin.

DR. PAYMENT: I will defer to my elder.

MS. BUTTERFIELD: Well, thank you. One of the other issues that I think often gets overlooked and I just don't see it identified specifically, even though we talk about state and now that we're using, you know, the terms TEAs and LEAs, you know, a lot of our Native students in Oregon live in the urban districts.

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And, you know, we all know the statistic that, you know, 93 percent of our Native kids approximately, you know, attend public schools. And so, where in this conversation are you going to identify practices that target specifically, you know, urban districts?

MS. MAYNOR: Robin, I can try and answer that. What I think our intent in terms of the sustainability is really leveraging the comprehensive center network and working with each of the, you know, each of those centers who are working with the states.

So, I think that is a first step in addressing, you know, addressing all which would include public schools, rural, you know, the rural education components as well as some of the, you know, as some of the urban issues as well.

DR. PAYMENT: So, to get to Robin's and then I'll come back to -- Actually let me do that first. Part of what I had to say and what

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Dr. John had to say in the response for sustainability is embedded in our comments is Alaska has been an amazing leader in education and the involvement of tribal leaders.

Part of that is because of a former senator who excluded them from BIE education. So, they've had to be innovative in order to make it happen.

But as much as they've done where the rubber meets the road and where it falls off is the implementation. And then what I talked about was similar to that which is the, writing the curriculum.

And actually it's one thing to do a wonderful, beautiful, shiny polished up report that the teachers don't ever implement because they don't have the resources.

So, one of the things I'm hoping comes strongly as a result of this is to, an indication or a recommendation for implementation strategy and resources for implementation. And then with regard to urban populations so I'll acknowledge

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one-third of my tribe is in our service area.

One-third is in lower Michigan and then one-third are across the country. And we're the largest tribe east of the Mississippi and we do absolutely nothing for our people that live down here or live outside of Michigan.

And I'll admit that. It's embarrassing to have to admit it. But we don't do anything for our tribal citizens that don't live near our service area.

We don't get any funding for them that don't live in our service area. So, if we could conceive of some kind of strategy to get to the populations that are disconnected physically from their home communities.

And also, if you look at the census of the six million of us about 60 percent of that are members of federally recognized tribes. The other 40 percent are self-identified Natives which I'm sure they are Native.

And so, their needs need to be incorporated in any kind of needs assessment.

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So, how do you do that?

There's urban coalitions. There's IHS in urban areas that potentially community meetings you could gather information there.

I will tell you and I'm going to admit something, and I'm embarrassed by this is that tribal leaders are generally reservation-centric.

They generally don't, they're not that concerned about the kids that are not near them.

They don't have a plan for them. But hopefully this will be able to elicit that.

One final thing is Title 6 is another potential opportunity because Title 6 programs exist all across the country. Some are near reservations, some are not near reservations.

And so, the parent committees that are involved in that have something to say. And probably really valuable input because Title 6 is all about resources to be able to assist locally the parents to advocate for their Indian children.

So, they're probably going to have

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really good input too. So, those might be some additional ways to gather that data.

MS. MAYNOR: Okay. Thank you for all of your, you know, all your input.

MS. BUTTERFIELD: This is Robin. Could I add one more comment?

Just thinking about the idea of sustainability, I think it would be really valuable to highlight those places where they have been successful at legislating certain kinds of things whether it's curriculum or whether it's tribal compact schools or, you know, instituting an ongoing Native Advisory Council to the state superintendent or, you know, whatever.

But I think you have to look at infrastructure. What's in place that will help things go into the future and it's not just vested in the hands of one person that's, you know, a go-getter?

But that it actually gets into the systems that impact our kids and communities.

MS. WHITEFOOT: So, I'd like to add

also other comments around sustainability. I don't know if this got discussed through Aaron.

But want to make certain wherever you go that we pay attention to our large school districts, medium and the small school districts and not just the tribal, the Bureau-funded schools because a reminder, 95 percent of our children are in public education.

So, if we're going to be looking at Bureau-funded schools then we need to take that into consideration as well. And then along these lines too is that in the northwest with the Affiliated Tribes of Northwest Indians we've developed an MOU, the tribal leadership with Education Northwest.

And we've identified a major research topic that we've been focusing on is Native student identity. And it has to do with all of these eligibility criteria regarding Native students.

And so, as a result of that work we have an organization that's been moving forward

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on migrant education. And we've been able to access migrant education funds for an arts initiative.

So, I think emerging trends would be important. But also, what are they using, what is evidence and what is helping to propel them. And in addition to them with that work we're also going back to the superintendent's office to ask for resources and health education as well under migrant education.

And so, it's just starting to snowball. And we have a team of people that are working on this along with Dr., with Mandy as well.

So, emergent trends I think are important to take a look at as well.

MS. BOULLEY: I wanted Robert Salley to clarify some things regarding the ESSA plans and consultation.

MR. SALLEY: Thank you so much. So, I'm Robert Salley. I work in the U.S. Department of Education, the Office of School Support and

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Accountability.

I primarily work on the Title 1 team.

Part of my responsibilities at the Department are not only I serve as BIE's program officer, but I work with several state Departments of Education as well.

The Title 1 Office in particular throughout the transition from No Child Left Behind to ESSA has worked very diligently to talk about what are state's responsibilities as far as what consultation looks like.

So, throughout the development of those state ESSA plans states were required to receive broad and targeted feedback from all of their stakeholders along with specifically the requirements in Section 8538 which affects local educational agencies.

So, those local educational agency feedback that targets specific affected, local affected areas that have high concentrations of Native American populations. That's where you'll see much more of the engagement that should be

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happening regularly.

Those local educational agencies are required to document what their consultation requirements -- are for covered programs underneath Elementary and Secondary Education Act, that they do have to feedback and provide back to the states.

What the Department looks at is specifically when the larger ESSA plan comes in whether that's a one-time change after the law passed and also any subsequent amendments that come in we're looking at what is the state's process for receiving consultation?

So, that's broad. At the local level that's where the state is looking at how the affected LEAs are actually going about and receiving targeted feedback from the local affected areas with high concentrations of Native youth.

So, Dr. Payment, I appreciate your comments regarding the information that you're looking for, something that we can take back to

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our leadership team at the Department of Education.

And I'm happy to take back that message today. If there's any questions about what those consultation requirements are that's something that we do message very regularly at the Department in terms of our relationship and working with the states and then state's relationships with their LEAs to uphold the requirements of 8538.

DR. PAYMENT: Just to wrap this up and close it out is while that is the current state of affairs that is not the intent as we articulated it during negotiated rulemaking because we were, we had this conversation.

We had this debate between some state superintendents who were saying everything is fine. We have no equity issues. We have no equality issues.

Just move past it sort of thing. And so I met with a school superintendent or whatever his title was, Dan Evans at the time. And I said

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can you help me to explain this to your colleagues.

And he said, yes. So, then we had a good talk and then we brought it back and we explained what consultation was. That was the intent in the negotiated rulemaking.

And somewhere between then and the transition at the end of the Obama administration into a new administration it got changed whether by -- and I've asked for how did that happen. That didn't come clear whether it was through legislation or whatever.

And so, and the language that was just used is forthcoming and supportive and in the spirit of what I took it. For tribal communities when you say stakeholders you're saying you're diminished.

You're less than. You're subordinate to states. And we have a pre-eminent constitutional right. In the Constitution it regulates the commerce that's an authority in Congress.

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Congress created the negotiated rulemaking. The expectation was consultation requirement with states, not with stakeholder or with tribes, not with stakeholders.

Tribes are not stakeholders. They are sovereign governments with a unique constitutional right to an education.

It surprises people to know that we as American citizens don't have a right to an education, not a federal right. We have a right to an equal education under the Thirteenth Amendment.

American Indian tribes have a pre-eminent, unique treaty right to an education. That's why that language was in the negotiated rulemaking.

And if it got watered down, so be it.

It's no longer there. So, we'll help facilitate it and hopefully states will do the right thing and we will try to engage it that way.

And I don't, we don't need to keep going back and forth on it. I'm good.

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MR. REDDING: I would just like to share this. So, I've worked with a couple of the STEP projects Nez Perce. So, they've had two rounds of them.

I think they've done beautiful work out in Idaho. The Muskogee Creek down in Oklahoma, those are two big tribes one reservation based the other one not.

They're big, high capacity tribes. But this last fall I got to work in Virginia with a new STEP project of five little tribes that came together to form a consortium.

Angeline, you attended virtually one of their meetings. What I see on the ground there is actually beautiful. They pull together their state office which actually to me showed no indication they had any understanding of tribal consultation.

But through the engagement with these little tribes in this project have been very responsive and put a person on task to work with them. The district superintendents at the first

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or second board meeting in this little consortium had all the district superintendents that had kids from those tribes in them at that consortium board meeting.

They were eager to help and were responsive. So, kind of from the grass roots up seeing tribes engage with their local districts and with their state you see a little bit of magic there of understandings changing and hearts changing and people starting to work together.

So, I would offer that as a word of -- it also shows what tribal consultation really can be when it's done well and why it should be encouraged.

DR. GORDON: I believe we've wrapped up all the facilitated questions we wanted to cover and then some. So, I thank you all very much for your input. It's been very helpful.

MS. BOULLEY: And I think our intention or my intention in these discussions of this project was to provide a framework for states to self-assess where they're at in serving

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Indian students and what are some best practices of states that they could strive to do.

And I do appreciate Mandy's input that sometimes states, yes, right, right. Yes, and so that's, you know, the intent for this short-term project which is only funded for this year what can we produce.

So, I appreciate the discussion from everyone. Only if it's short.

DR. PAYMENT: In terms of optimism, a lot of times states don't do it because they have no clue about what it is all about.

And so, the work that you're doing is invaluable because if we can pull together a compendium of what those states that are doing it in best practices and show how it can be done it will be much easier for them to do and it won't be so scary.

MS. NEWTON: Just one last thing. So, this is Esley Newton. So, I just want to say that I really appreciate you being here. I really appreciate all the feedback.

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We look forward to taking this back and also providing an update to you all in June and just thinking about how this will inform our work and how we can move forward. So, thank you.

MS. BOULLEY: Could I get everyone's attention for a moment? Hi, could I get everyone's attention in the room, please and online?

Please, we do have on our agenda any public comments. And hi, thank you. So, we do have on our agenda any time for public comments at this time.

And so, I am asking if there are any public comments at this time? I am asking a second time. Are there any public comments for today?

And a third time, are there any public comments for today? All right, that concludes our agenda for day one and we will resume tomorrow at 9:00 a.m. Thank you.

(Whereupon, the above-entitled matter went off the record at 4:38 p.m.)

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