

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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PUBLIC MEETING

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FRIDAY
OCTOBER 23, 2020

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The National Advisory Council on Indian Education met via Videoconference, at 12:45 p.m. EDT, Dr. Deborah Jackson-Dennison, Chairperson, presiding.

MEMBERS PRESENT

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

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ALSO PRESENT

ADYEL DURAN, Program Officer, Office of School Support and Accountability, U.S. Department of Education

CAITLYN FEITER, General Attorney, U.S. Department of Education

JULIAN GUERRERO, JR., Director, Office of Indian Education, Office of Elementary and Secondary Education, U.S. Department of Education

ANGELA HERNANDEZ-MARSHALL, Designated Federal Official; Program Specialist, Office of Indian Education, Office of Elementary and Secondary Education, U.S. Department of Education

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

MICHELE MATTESON, Tribal Tech, LLC Staff

JESSICA McKINNEY, Grants Policy Officer, Office of Planning, Evaluation and Policy Development, U.S. Department of Education

REBEKKA MEYER, Program Officer, Office of Program and Grantee Support Services, U.S. Department of Education

CRYSTAL MOORE, Supervisory Group Leader, Formula Grants, Office of Indian Education, U.S. Department of Education

MARDELLA RICHARDSON, Tribal Tech, LLC Staff

PHILLIP ROULAIN, Tribal Tech, LLC Staff

RUTH RYDER, Deputy Assistant Secretary for Office of Policy and Programs, Formula Grants, Office of Elementary and Secondary Education, U.S. Department of Education

DONNA SABIS-BURNS, Alternate DFO; Supervisory Program Officer, Discretionary Group Leader, Education Program Specialist, Office of Indian Education, Office of Elementary and Secondary Education, U.S. Department of Education

BIANCA WILLIAMS, Discretionary Grants Program Officer, Office of Indian Education, Office of Elementary and Secondary Education, U.S.

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

12:56 p.m.

MS. FEITER: Hi everybody. My name is Caitlyn Feiter. I am an attorney in the General Counsel's Office in the Ethics Division. I apologize I wasn't able to log on so I had to call in but I'll be going through your ethics training this afternoon.

I understand you all have been standing members of NACIE so I don't believe this will be new information to you but more of a reminder. I'm happy to take any questions after the presentation but I want to be conscious and respectful of your time. I know you have a busy afternoon.

Hopefully what you're looking at is a document on the screen called Ethics Training 2020. I believe you all should be familiar with this page. What I request is after the briefing if you could fill out your name and sign and date and then either scan and send the document back to me or you could take a picture and send it

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back to me. That way you'll get credit for this training. Essentially just make sure you get this form back to me.

Julian, if you can switch to Ethics Primer and we'll start on page 4. At the top it says Ethics Log and Rules Applicable to SGEs (special government employees). Let me know when it's up.

MR. GUERRERO: Okay. I am there now.

MS. FEITER: Great. So, like I said, we'll just be going over the ethics rule today. I just believe this will be a quick refresher for most of you. As you know, you were recruited for temporary service to the federal government because you provide outside expertise that would be unavailable in many of the department's regular employees.

As an SGE you've been appointed to NACIE and in that role you're expected to perform your duties for not more than 130 days during a 365-day period from your appointment. We ask, obviously, that you keep track of your hours.

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As you know, because you're an SGE, the ethics laws and rules to apply, but I think the simple principle that you can always remember is that you should never use your public office for private gain either for yourself or any third party.

I just quickly want to review -- this really isn't on the screen but I want to review the 450 Form, the Confidential Financial Disclosure Form. You know you have to fill out this form. It helps us identify any potential real or apparent conflicts of interest.

The duty of this form is generally the end of January and the reporting period covers the previous calendar year. I know that I was in contact with everybody, I think, over email over your last -- your form that you turned in January 2020. Just keep a lookout for that notification in upcoming months for your next form.

Once you get the notification to turn in your 450 form, if nothing has changed from the previous year, feel free to email me. I can then

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-- we can work out essentially you just signing the first page of the report. I can send you your report from 2019.

You can verify that nothing has changed and then you can just sign the cover page instead of submitting a brand new report. Once you get that notification, reach out to me. Feel free to reach out to me and we can work through that.

The first ethics law that I want to talk about with you is 18 USC 208, Conflict of Interest Statute. Section 208 bars you from participating personally and substantially in your capacity as a NACIE member in any particular matter before the federal government that has a direct and predictable effect on your own financial interests, or the financial interests of others with whom you have a strong relationship with.

The law has a provision that the financial interest of some people such as yourself, your minor child, a general partner, or

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organization in which you serve as an officer, director, trustee, general partner, or employee.

Those are imputed to you so keep that in mind for 208 purposes.

Also please keep in mind that if you do have some kind of disqualification, then you would have to recuse yourself from the entire -- for example, if it was a contract competition you would have to recuse yourself from that entire competition.

That means that you wouldn't start reviewing proposals and then recognize the conflict and then start recusing yourself. You'd want to ideally identify that conflict before the contract competition started and then you'd be able to recuse yourself from the entire competition.

And on page -- sorry. So 208 really goes over on page 5, and on the bottom of page 5 there are some examples that lead into page 6. I do want to point out the exception for 208.

Because you are serving on a committee

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that falls within the meaning of the Federal Advisory Committee Act, also known as FACA, you may participate in particular matters of general applicability if the disqualifying interest arises from your non-federal employment or your non-federal perspective employment.

There are some exemptions to this exception and that goes over in detail on page 6.

I believe all of you should have memorandums from when you first joined NACIE from my college Morris. If you don't have access to that, or you've misplaced yours, please let me know and I can be sure to get that back to you.

If you have employment that fell under this exception, I'm sure that he was able to point that out to you. Please make sure you read those memos and pay attention to the disqualifications as well as if you fall under this exception.

Moving to page 7. At the bottom of page 7 it talks about how to resolve a conflict of interest. If you find yourself with a

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financial conflict of interest, you have basically four options to resolve that conflict.

The first would be to disqualify yourself. That's generally the most common. This way you won't participate in any way in the disqualifying matter.

Then the second is to seek a waiver from the Ethics Division. This is something that we don't do very often so, again, I would say disqualification is generally the most common way to resolve any conflict.

The third option would be if it's something financial. If you have stocks, for example, you could sell or divest the stock. The fourth would be to resign from your outside activities that is causing the conflict. Again, most of the time we can resolve the conflict with you disqualifying yourself from the particular matter.

Stay on this page, letter C, or conflict of interest laws that apply to SGEs. Sometimes you don't have a conflict in financial

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interest under 18 USC 208 which is what we just talked about, but you still may appear to have a conflict. In that case, we generally are looking at the standards of ethical conduct from employees of the executive branch, particularly 5 CFR 2635.502.

Pursuant to that regulation an employee should not participate in that particular matter involving specific parties, where here she notes that such a matter is likely to have a direct and predictable effect on the financial interest of a member of his or her household, or knows that a person with whom he or she has a covered relationship is a party, or represents a party for the matter, and where he or she determines that the circumstances would cause a reasonable person with knowledge of the facts would question his impartiality in the matter.

So essentially this is about impartiality and whether or not somebody -- if you were to do something, a reasonable person

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would question your impartiality in doing that thing.

On page 7 still there's an example that I think highlights 2635.502 pretty well. And regarding 502, if you find yourself with an issue under 502, the remedies for 502 essentially there are only two of them.

The first is to disqualify yourself, again, from the potential issue. Then the second is the authorization from the Ethics Division. Like I said, it happens very rarely. Again, we would probably look toward using the disqualification remedy.

On page 7, the bottom of page 7 goes over resolving conflict of interest which is what I briefly just touched on. Again, disqualification. Onto page 8, waiver authorization divestiture and then resignation.

On the top of page 9 of your packet the next question, "What restrictions apply to my representation of third parties under Section 203 and 205." As you can see, these two laws, 203 and

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205, they prohibit you from representing a third party with or without compensation before any court or agency whether that's federal, state, or local in connection with any particular matter involving the specific parties in which the U.S. is a party or has a direct and substantial interest in which you participated in personally, substantially as an SGE as part of your duties.

Essentially you can't make an appearance or communication back to the federal government on behalf of someone else on a matter in which you worked on in NACIE. That's 203 and 205. Again, that's on the top of page 9.

In the middle of page 9 you can see post-employment. This is 18 USC 207. Essentially sometimes after you complete your community service there's going to be some restrictions on you.

Pursuant to that statute, you may never represent any third party before an officer or employee or any department, agency, or court of the United States in connection with the same

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particular matter involving specific parties in which you participate in personally and substantially on the committee.

We also refer to this as a lifetime prohibition. Essentially it stops people from leaving the government from flipping sides. That is generally how we like to think about 18 USC 207, post-employment restriction.

Moving on to the bottom of page 9. Again, touching on some standards of ethical conduct. This, again, the citation is 5 CFR 2635 and there are some regulations that I just want to bring to your attention.

Moving to page 10, the first restriction I want to talk about is fundraising.

Essentially, you may not use your department or committee title, position or authority to solicit funds for any organization.

However, I just want to point out that you are allow to solicit funds or other support if you're doing so in your personal capacity as long as -- in your personal capacity from a

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prohibited source if the prohibited source does not have interest that may be affected substantially by the performance or non-performance of your official duties.

We like to refer to it being like wearing two different hats. You can't wear both hats at the same time so you have your hat at your personal capacity and then you have your hat as a NACIE member as well. There are different rules if you're operating in your personal capacity versus operating as a NACIE member.

The next letter B talks about gifts. Again, gifts have a pretty specific definition under the regulations. A gift is anything of monetary value. It includes services such as gift of training, transportation, meals. Again, it has some particular definitions.

The rules to remember about gifts is you are prohibited from accepting gifts. Again, anything of monetary value from a prohibited source, or gifts given to you because of your official position on the committee unless there's

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an exception that applies.

I just want to point out the definition of prohibited source on page 10. That includes any person seeking official action from the department or NACIE, doing or seeking to do business with the department or NACIE, conducting activities regulated by the department or NACIE, or having interests that may be substantially affected by your official duties on the committee. Please keep that in mind if you're offered a gift.

On page 10, as you can see, there are some exceptions to the gift rules that would allow you to accept gifts. There's a lot of them as you can see. I don't want to go over all of them. Again, I want to be respectful of your time but two that I just want to point out that tend to be a common exception.

The first is about the fifth bullet point down and it says gifts valued at \$20 or less per occasion totally no more than \$50 a calendar year from one source. This is the 20/50

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rule. As long as the gift is valued at \$20 or less and you're not receiving more than \$50 in a calendar year of gifts from one source, generally that would be okay.

The other exception that I want to point out is almost at the bottom. Gifts resulting from your outside business activities including those of yourself. Those tend to be some common examples. As you can see, there's much more. The thing about gifts is generally the situations that employees find themselves in to me are really fact specific.

If you find yourself being offered a gift and you start thinking why am I getting offered this gift and is it because of something that has to do with NACIE, I would encourage you to reach out to me and we can work through that.

That way you are avoiding any potential issues with gift rules.

I just also want to highlight to please remember notwithstanding any exceptions except in connection -- not receiving any

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exceptions, it's important to note that in relation to gifts an employee shall not accept a gift in return for being influenced in performing some official act, solicit or coerce the offering of a gift, accept gifts from the same or different sources so frequently that a reasonable person would be led to believe the employee is using his own public office for private gain.

That highlights what I said in the beginning of this presentation. Also, you can't accept a gift in violation of any statute. So, again, with gifts I find them to be very fact specific so I would encourage you to reach out if you have any questions about gifts.

Moving to page 11, what does the misuse of position mean. Again, you may not use your official position on NACIE for any nonpublic confidential information gained through your service on NACIE to seek an advantage for yourself or others.

Further, you may not use your NACIE title in any manner that makes it appear that

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NACIE or the department is sanctioning your personal views or enterprises, as well as any product or service. Obviously, you can list your membership on your CV, for example, but you just can't use your membership in NACIE to advertise or promote your personal activities.

Page 11, moving forward, letter D. What restrictions do I face if I want to teach, speak, or write on matters that are related to the duties that I perform on the committee. We refer to these as outside activities which would be anything that you do outside of the committee.

I just want to highlight the bullets.

Essentially, you may not receive compensation for teaching, speaking, or writing if (1) the activity is performed as part of your official duties, (2) the invitation to engage in the activity was extended primarily because of your official position on the committee rather than your expertise in the subject matter, (3) the invitation or the offer of compensation was extended to you by someone with interest that may

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be affected financially by your duties for the information conveyed through the activities for substantially nonpublic information obtained for your service on the committee, or (5) the activity deals in significant part with a matter involving specific parties to which you are currently assigned or have been assigned during your current employment on the committee.

As you can see, bullets (2) and (5) are bolded and that goes to the paragraph at the bottom of the page 11. The restrictions in bold type do not apply if you're accepting compensation for teaching a course requiring multiple presentations offered as a part of the regularly scheduled curriculum of various specified types of educational institutions, or educational training programs sponsored and funded by federal, state, or local government.

This goes to -- I remember some of you have teaching positions outside the committee and that goes to deal with that issue. I believe that you've received advice of you teach outside

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the committee.

Moving down to page 12, just quickly what do you do if you're called to be an expert witness. Again, you can read this paragraph, but essentially you may not participate as an expert witness on behalf of -- other than on behalf of the United States, but there are some different caveats with that. And again if you have questions about that or that happens to come up in the course of this next year, I'd be happy to work through that with you.

Letter F on page 12, frequent flyer miles, I don't know how much -- how many people are traveling these days, but just so you know, you are generally -- you may generally use frequent flyer miles for other airlines or rewards or promotions accumulated on official committee travel for your own personal use.

Moving on to -- still on page 12, lobbying Congress. So essentially with lobbying, the rule is in your official position as a NACIE member, you may not urge others to contact

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Congress or state legislators to urge the passage or defeat legislation.

This comes from the Anti-Lobbying Act, and that also requires that any permissible direct communication with Congress in your official capacity as a NACIE member is made through official channels. If you have questions you can contact NACIE staff about NACIE's authority to communicate with Congress directly and then about the official channels that exist.

However, those restrictions do not prohibit you from lobbying members of Congress or state legislators urging others to do so on your own time in your own personal capacity. That harkens back to what I was saying before about the hats, your NACIE hat versus your personal hat.

On page 13 one thing that we're highlighting now particularly as the election is upcoming, letter C, are there any restrictions on political activity. Basically it essentially mirrors the lobbying rule that you can't engage

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in political activity while you're on duty or in a federal government building or a federal government vehicle.

And you can never use your title, or official title, as a member of NACIE in connection with political activities. Please keep that in mind, especially as the election is coming up but then also, obviously, after the election is over.

And then finally I just want to touch on the bottom of 13, the restrictions apply to your interactions with foreign entities. This just hearkens -- brings back the emoluments clause of the U.S. Constitution which prohibits you from receiving any emolument, office, or title of any kind from a foreign government including political subdivisions of a foreign government.

Please keep that in mind. And if you're interested in knowing more about the clause, that was just a brief overview but there's about three paragraphs on it.

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Now page 14. My presentation is over.

I just want to give you all basically a quick recap of the ethics rules. Please feel free to reach out if you have any questions either about the ethics rules or about the 450 filing. That will be, again, the filing deadline is January -- the end of January.

Please fill out that ethics training certification that is part of your packet. Put your name, sign it and date it and, then again, either scan it and email it to me or you can take a picture of it and attach it to an email, something like that so at least I get the signature.

Again, I believe -- I think we've contacted all of you through email at least once previously but my email is my first name caitlyn.feiter@ed.gov. I look forward to working with you and please feel free to reach out if you have any questions or anything comes up.

MR. GUERRERO: So that's it for the briefing?

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MS. FEITER: Yes, that's it.

MR. GUERRERO: Oh, wow. We scheduled a whole hour. You went through that like lightening.

MS. FEITER: I wanted to be respectful of everyone's time.

MR. GUERRERO: Yeah. No, we appreciate that. Are you able to take questions?

MS. FEITER: Yeah, absolutely.

MR. GUERRERO: Okay. I'll just go back to the top of the briefing document and ask if any members had questions.

CHAIR JACKSON-DENNISON: This is Robin. Can you hear me?

MS. BUTTERFIELD: This is Robin. Can you hear me?

MS. FEITER: Yep.

MR. GUERRERO: Yes.

MS. BUTTERFIELD: If you are in a position that's ex-officio to a board, is that a conflict of interest?

MS. FEITER: I think -- I have some

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questions, Robin, without just saying yes or no.

Is it okay with you if I just shoot an email with some questions and we can work that out offline? I don't want you to put any information out there that we won't be comfortable sharing with the group and I just think it would be more efficient if you and I just discussed offline.

MS. BUTTERFIELD: Sure. That's fine.

MS. FEITER: No problem. I will send you that email. I recognize that you'll be in a meeting this afternoon but I'll just do it today so I don't forget.

MS. BUTTERFIELD: And do you have a fax number if we want to fax that signature page in?

MS. FEITER: I can send that out. We have like a fax number of the Ethics Division. Because we're on telework right now I'm not sure how often it's being checked but I will double check with that and let everyone know if that's a viable option.

MS. BUTTERFIELD: Okay.

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MR. GUERRERO: Those are some great questions. Thank you, Council Member Butterfield.

Any other council member questions?

DR. PROUDFIT: Yes, this is Julie. Can you just send us a digital form so we can just sign it digitally instead of taking pictures and faxing it? I mean, a digital copy would be preferred.

MS. BUTTERFIELD: Like DocuSign.

MS. FEITER: I will have to check on that. I'm not sure about like the -- I don't know if they need that wet signature. There are some weird requirements sometimes so I'll look into that and see if I can turn it into a digital form for you all.

MR. GUERRERO: Great question.

Any other additional questions from council members? Great.

Just to make use of some time here, Caitlyn, the standard form that needs to be filled out, I don't believe I shared that with

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the council members. The council members need to turn in that form when is that again?

MS. FEITER: I mean, as soon as possible. Obviously, I wouldn't expect -- everyone's in the meeting today -- it popping up today but by the beginning of next week would be ideal.

MR. GUERRERO: Okay. Okay, great. So one of the areas for follow-up that we will engage on is making sure the standard form is sent. What was the name of the form again, the 450?

MS. FEITER: The 450 is separate than -- so there's the certification which I believe was shown and has Ethics Training 2020. That's the certification that I need just that everyone attended the training today and I'll look into if that can be digitized.

Then the 450, that's not due until January and I believe the committee members, someone from the Ethics Division, will reach out to you when you should start thinking and fill

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out your 450. Like I said, if nothing has changed from 2019, please reach out to me and I can make it so that you can just sign the cover page.

If you remember the 450, it just has essentially like your name, address, and a couple questions. If nothing has changed, I can just have it so you sign a new cover page and I can attach a new cover page to your old report. That way you don't have to fill out your 450 again. That doesn't need to happen right now.

I believe the email should be coming from Taronda Wallace in my office once she reaches out to you about the 450. That's when we can start communicating about that and seeing if you need a new 450 form or we can just sign the cover page for your 2019 form, so two different forms. The certification is just a name, signature, and date. A 450 has a little more information as you all are aware.

MR. GUERRERO: Wonderful. Thank you for the clarification. My mind easily goes to,

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okay, what forms do I need to fill out and when are they due.

MS. FEITER: Yeah, yes. So the 450 don't worry about right now. Just know that it's upcoming. That certification is the form I need back now that just shows that you attended this training.

MR. GUERRERO: Wonderful, great.

Do any other council members have questions for Ms. Caitlyn? Okay. Great, great.

Caitlyn, just one last final question that I had. Do you -- you've been doing this awhile. Do you know kind of like common mistakes or pitfalls that are kind of accidental for an SGE? They didn't realize that, you know, they were engaging in something that they should have contacted OGC if they knew ahead of time. They should have done that. Just common pitfalls.

MS. FEITER: Sure. This is like nothing specific to NACIE at all because we deal with the 450 form for hundreds of people in the department. I think the common mistakes are

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conflict.

That's obviously what we use the form most for, so really sitting down and thinking about any outside positions that you have, any assets that you have that need to be reported, reading the directions of the form. Again, this is certainly not to anyone specific on this committee. I'm just talking the department as a whole.

The most common mistake is just not reading the directions on the form. We use it to identify conflict so a lot of times like what just happened, for example, with Ms. Butterfield.

There's an entry on the form and one of our ethics officers had a question so being able to provide that information because a lot of times for me it's not just an easy yes or no. A lot of times ethics issues are really fact specific.

This happens to me personally a lot of times. I'll ask a round of questions and a filer will respond and that will then kick off like four more questions so having that back and forth

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and not getting frustrated or angry about the questions.

I'm certainly not trying to do anything more than just get the information that I know I need to look out for for any potential ethics pitfalls going forward. But, yeah, the 450 I would say those specifically.

I think anytime that an ethics issue becomes an issue, just having that gut feeling and saying, oh, I'm not sure if I'm doing this right or wrong. For example, like a gift. If someone offers you something just shoot an email over or give us a call so we can discuss it before anything gets too far in one direction and we run into some issues.

I don't -- I certainly don't want to be specific like these laws are broken all the time. That's certainly not the case, but just having those things in mind, especially when you're filling out the 450 and then just being out and about and doing your committee work on behalf of NACIE and the department.

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MR. GUERRERO: Thank you. That's very helpful. I think just speaking out of my own recent professional circumstance, you know, I'm recently an outgoing board member for NIEA and one of the applicant's for one of our competitive grants was in NIEA so immediately that's how real it became for me to recuse, step away and separate from the competition process.

It happens very quick. I think immediately my mind was sitting in the position, okay, we need to make sure it's documented, it's clean, and make sure there's due diligence involved in the process. I think the scariest part of that was just reaching out to Marcella and say, okay, I know I haven't done anything bad but what all do I need to do to make sure I'm safe so I don't stress about this.

I say all that to say that even when I had reached out to OGC Ethics it was very helpful, very responsive, and a lot of it is fact based and, you know, in those email communications I think there's plenty to say in

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terms of, okay, just explaining the whole who's who, what's what, and really outlining all those facts. We just really appreciate OGC Ethics' assistance throughout this entire process, and especially for this training.

MS. FEITER: Well, thank you. I mean, ultimately I say this in all sincerity to all the committee members on the call, like I'm here to help you. I'm here to make your life easier. If there's anything I can do, please feel free to reach out. Again, I'm excited to work with everybody and go through this process with you together.

MR. GUERRERO: Wonderful, wonderful.

Just one final call out to council members. Are there any questions, lingering questions, that you have for Caitlyn while we still have her? Okay. Great.

Well, Caitlyn -- Caitlyn has informed me that she's going to stay on the line with us.

She's very gracious and generous with her time.

Caitlyn, feel free to come and go as

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you need to. We appreciate your attendance.

For everybody on the screen here, I'm going back to the agenda. We are ahead of schedule which is good. I didn't realize that we were going to be in this position ahead of schedule so this is a great time to perhaps take -- if we could take a 20 minute break.

I know that's quite a bit of time but if we could come back at 1:50 p.m. Eastern Time -- 1:50 p.m. Eastern Time. That way we could be ready and prepared for our 2:00 call to order by Chairperson Dennison.

Does that sound okay, Chairperson Dennison? You might be on mute. I don't hear you. Oh, okay.

Caitlyn, are you still on the line?

MS. FEITER: Yes, I am.

MR. GUERRERO: I had -- for any -- I have one additional question to communicate to NACIE members. For those NACIE members who weren't able to make this training, what are next steps for them if they did not participate today?

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What are the next steps to make sure that they attend the training so that they can be?

MS. FEITER: So depending on how many members there are. I can't see the list obviously. Couple things, there is a requirement to take a live ethics training each year so whoever is on the call today, that will satisfy this requirement until next year.

Whoever is not on the call, I'm happy to reach out and we can either set up another group, a short group meeting at a different time that's convenient for everybody who missed the training or, depending on how many people it is, I can set up individual annual ethics training and not wait to go through that to make sure all committee members meet that requirement.

MR. GUERRERO: Wonderful, wonderful. What was your email again just so that I can put it on the screen for everybody.

MS. FEITER: My first name Caitlyn.Feiter@ed.gov.

MR. GUERRERO: Wonderful. Thank you

for that. Thank you, Caitlyn, again.

MS. FEITER: No problem.

MR. GUERRERO: Okay. For the folks sending me messages on the chat box, I'm just now getting to them. I apologize. I was mostly scrolling through the document there.

I didn't hear -- Dr. Dennison, Chairperson Dennison, are you on the line with us now?

Okay. What we'll go ahead and do is, again, like I mentioned before, at 1:50 p.m. Eastern Time we will come back to get ready for a roll call and call to order for 2:00 p.m. I'm going to go ahead just mute myself and be in the background, get some coffee. Please stretch and move about because we're about to go through quite a bit of sitting until 5:00 p.m. Eastern.

(Whereupon, the above-entitled matter went off the record at 1:37 p.m. and resumed at 2:00 p.m.)

CHAIR JACKSON-DENNISON: Okay. Good morning, ya'at'eeh abini, everyone out there,

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whether it's morning or afternoon where you're at. It's good to see everyone today.

And I just want to start by asking -- I want to call on Patsy, if she's okay with opening us up with a prayer today. Patsy, I think you're online, so if that's okay to ask of you?

(No audible response.)

DR. PAYMENT: We can't hear you, Patsy, if you're speaking.

MR. GUERRERO: This is Julian. I do not see Councilperson Whitefoot's name in the chart box.

CHAIR JACKSON-DENNISON: Okay, let me, since I know Aaron's on, Aaron, would you mind opening up with a prayer?

DR. PAYMENT: I would love that.

CHAIR JACKSON-DENNISON: Thank you.

DR. PAYMENT: Thank you for asking. Yes. (Native language spoken.) So I just did, real quick, a blessing in my Anishinaabemowin language, and gave thanks to each of the

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directions, to our Mother Earth, to our water, our first sustenance.

And then I did a special thank you to all of our children, and our responsibility, collectively, to educate. And also I asked an old prayer, a reaffirmation of our relationship to each other, and our responsibility to each other. Okay, great.

CHAIR JACKSON-DENNISON: Thank you, Councilmember Dr. Payment, for that beautiful opening prayer. We are on call to order, so I'm officially calling the meeting to order. And, Julian, do you want to do the roll call? I think you have access to everyone.

MR. GUERRERO: Sure, I'd be happy to do it. I'd be happy to. For the record, this is Julian Guerrero speaking at 1:03 p.m. Roll call. Dr. Deborah Jackson-Dennison, Chairperson?

CHAIR JACKSON-DENNISON: I'm here.

MR. GUERRERO: Robin Butterfield?

MS. BUTTERFIELD: I'm here.

MR. GUERRERO: Chief Phyliss Anderson?

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(No audible response.)

MR. GUERRERO: Chief Phyliss Anderson?

(No audible response.)

MR. GUERRERO: Dr. Aaron Payment?

DR. PAYMENT: I'm here.

MR. GUERRERO: Dr. Theresa John?

DR. JOHN: Present. Good morning.

MR. GUERRERO: Dr. Joely Proudfit?

DR. PROUDFIT: Present.

MR. GUERRERO: Mandy Smoker Broaddus?

MS. SMOKER BROADDUS: Present.

MR. GUERRERO: Virginia Thomas?

MS. THOMAS: This is Virginia.

MR. GUERRERO: Doreen Brown?

MS. BROWN: Present.

MR. GUERRERO: Patricia Whitefoot?

(No audible response.)

MR. GUERRERO: Patricia Whitefoot?

(No audible response.)

MR. GUERRERO: Patricia Whitefoot?

(No audible response.)

MR. GUERRERO: Okay. And one final

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callout. Chief Phyliss Anderson?

(No audible response.)

MR. GUERRERO: Patricia Whitefoot?

(No audible response.)

MR. GUERRERO: Chairperson Dennison,
we have eight members present.

CHAIR JACKSON-DENNISON: Okay. I
believe that's a quorum. Am I correct?

MR. GUERRERO: Yes.

CHAIR JACKSON-DENNISON: And I know
that Patricia Whitefoot and possibly Chief
Anderson will be joining us in and out, but for
now, we do have a quorum.

So thank you, everyone, for joining in
today. This is a long-awaited meeting. I know
that we've all been experiencing a lot of
situations in our communities, especially across
Indian Country.

We've been hit hard with the
coronavirus. And I know that it's just been
really a tough time. So I just want to thank
everybody for taking some time out for the

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meeting today. It's really important that we have this meeting. And I think we can go on to the brief introductions. And I guess I'll go ahead and start with that, and introduce myself as the Chair of NACIE.

I'm Dine Navajo from the Navajo Nation. I'm Bilagaana Scottish, born for the Kiyaa'aani Towering House Clan. And my paternal clans are, again, McPherson, Scottish, and then Ashii'hii, which is the Salt Clan.

I've been an educator for over 30 years, I think 35 years now, and a superintendent for 17 years. I'm very honored to be a part of the National Advisory Council on Indian Education.

And it's just been a good time, being involved with what's going on in Indian education across the country. So I'll start by saying that, and then going on to the next person.

MR. GUERRERO: This is Julian Guerrero speaking. For the sake of ease, we'll just go through the same order, from the roll call. So

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Council Member Butterfield?

MS. BUTTERFIELD: Oh, good morning. I'm Robin Butterfield, Ho Chunk, Anishinaabe, and I see on the roll call list that you have Winnebago. Ho Chunk is Winnebago, so it's a duplication of my tribal affiliation, and --

MR. GUERRERO: Got it.

MS. BUTTERFIELD: Just FYI. Anyway, I'm happy to be on the call. I finally am hopefully pain-free from -- I had had two surgeries since May on my back.

So I've gone through a lot of physical therapy, and they found some bone chips, I think, as a result of the first surgery. So I'm happy to be pain-free.

I've been busy, mostly with recovering, but I'm also connected to NIEA, still, as the ombudsman, and I'm officially retired, and participating in our state American Indian/Alaska Native Advisory Council. And I think that's about it for now.

MR. GUERRERO: Dr. Payment?

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DR. PAYMENT: (Native language spoken.) So my name's Aaron Payment. My spirit name is (Native language spoken). It means a place right above our territory where the spirits can pass directly through.

When I first got on here, I kept telling you all, I'm almost done with my doctorate, I'm almost done with my doctorate. So I have a doctorate in education.

And I have an Ed Specialist master's, and a master's in Higher Ed. And an MPA. So I don't know when to stop. So that part's pretty clear. But my most impressive credential is my GED.

(Laughter.)

DR. PAYMENT: We say G, but if you know Ojibwe, you know that's a bad word. So I'm just -- get to our effort. We have one of the best teams that I know of in the country. We have a lot of talent.

Robin, yesterday I mentioned that you've been on this board probably since Indian

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Education and Self Determination was enacted.

(Laughter.)

DR. PAYMENT: So we have a really, really, really good group of experts on this board, and I'm hoping that we can shine and we can reset and we can make this everything that it can possibly be. Miigwetch, I'm glad to be here.

MR. GUERRERO: Thank you. Dr. John?

DR. JOHN: Good morning. It's nice to hear your voices. It's nice to be with you all again in the cyber-world, as we know it to be. I'm a Yupik Eskimo from Southwest Alaska. And I'm still one of the faculty members for a research center, Center for Cross-Cultural Studies in University of Alaska Fairbanks. And I hope everybody's well. Quyana.

MR. GUERRERO: Dr. Proudfit?

(No audible response.)

MR. GUERRERO: Dr. Proudfit, if you're on mute, we can't hear you. Okay. We will circle back, just in case you're having technical difficulties.

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DR. PAYMENT: There she is.

MR. GUERRERO: Oh, okay. Dr.
Proudfit?

DR. PROUDFIT: Miiyum -- can you hear
me?

DR. PAYMENT: Yes.

DR. PROUDFIT: All right.

MR. GUERRERO: Yes.

DR. PROUDFIT: Miiyum, good morning.
I'm Dr. Joely Proudfit. Glad to be here with all
of you. I am descended from the Pechanga band of
Luiseno Indians the Ngeesikat Clan.

I am the Chair of American Indian
Studies at Cal State San Marcos, and the Director
of the California Indian Culture and Sovereignty
Center. And I've been a professor for 26 years
now.

And we are in the, kind of, fight of
the century right now in California. We passed
an ethnic studies requirement that must be
implemented by next fall. And, you know, with
any piece of legislation, the details are always

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in the implementation.

So you can imagine the fights that are happening right now for implementing, and where American Indian Studies is in all of that. So I've been busy working on that, amongst other things, and writing and film projects.

And I hope you all saw the announcement of a new show that we have coming out next year called Spirit Rangers -- which will be wonderful, it'll be fun and educational for our young people -- which centers on a California Indian family, on Netflix.

So I hope that this is an informal way to educate both Native and non-Native children about our diverse and thriving contemporary tribal nations and communities.

So thanks to all of you for all your hard work, and I miss seeing you in person, and I look forward to seeing you in the near future.

MR. GUERRERO: Mandy Smoker Broaddus?

MS. SMOKER BROADDUS: Hau mitakuye pi.

Mandy Smoker Broaddus. I am coming to you today

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from Montana, where we are expecting about a foot of snow in the next 24 hours. But hey, we choose to live where we live. Right?

So I'm Fort Peck Assiniboine and Sioux from northeastern Montana. I work at Education Northwest, which is one of the regional comprehensive centers, and also a Regional Education Laboratory.

But we're a nonprofit educational support organization, and my role there is a practice expert in Indian education, which just means that I get to do wonderful collaborative work around the country with schools and tribes and communities.

I'm just really appreciative for all the good people out there across Indian Country, doing work for our students and our families and our communities.

Before I joined Education Northwest two years ago, I worked for the State of Montana for almost 15 years, and I was the Director of Indian Education for the State for almost ten of

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those years.

And then previous to that, tribal college instructor, high school administrator, and teacher. But I'm just glad to be back with you all today. And welcome, Julian.

MR. GUERRERO: Thank you, Mandy. Virginia Thomas?

MS. THOMAS: This is Virginia. I'm a member of the Muscogee Creek Nation. I am also retired, after 43 years in education.

Right now I am the Chairperson of the Okmulgee Indian Community Center, and working with my tribe on different education issues that we have.

I, too, have been on this advisory council for several terms now, and my hope is that some point, before I get off of this board, that something of ours is accomplished, that we can see a big difference is happening.

But it's good to hear everybody. I hope everybody is safe and well, and I apologize right now, if I have to step off early from this

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meeting. I do have another virtual appointment that I must keep.

So with that, I'm so glad that you're all here. Please stay safe and well. Thank you.

MR. GUERRERO: Thank you. Doreen Brown?

MS. BROWN: Good morning. At least it's morning here, from Anchorage, Alaska. So I'm Doreen Brown. My Yupik name is Agafia. My family's originally -- my mom's family is originally from Negtemiut, which is upriver from Bethel. And my father's family from Washington.

First and foremost, I'm a proud mom. You can see the two -- when they were younger. They're 24 and 13 now, so time goes by fast.

And I am currently the Senior Director -- I've actually taken on one more responsibility -- the Senior Director for Title VI Indian Education and also Migrant Education.

And this is actually my 31st year in education. Actually, a little bit more than that, but as a teacher. Thank you. And welcome

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on board, Julian.

MR. GUERRERO: Thank you, Doreen. I appreciate that. And we're just going to try again for Patricia Whitefoot?

(No audible response.)

MR. GUERRERO: Or Chief Phyliss Anderson.

(No audible response.)

MR. GUERRERO: Okay. You've got to let them know I tried.

MS. BUTTERFIELD: I texted Patsy, just a reminder. So I don't know if she'll get on or not.

MR. GUERRERO: Okay. Great. And Chairperson Dennison, if you don't mind, I'll try to take the lead in having my Ed colleagues introduce themselves, too, if that's okay.

CHAIR JACKSON-DENNISON: Yes, of course. Thank you.

MR. GUERRERO: Yes. I want to start -
- Deputy Assistant Secretary Ruth Ryder.

MS. RYDER: Oh, thank you, Julian.

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I'm trying to get my video on, but it isn't cooperating. Oh, there we go.

Thank you all for for being here. I'm Ruth Ryder. I'm the Deputy Assistant Secretary for the Office of Formula Grants.

We administer all of the formula grants and many discretionary grants under the Elementary and Secondary Education Act. It's good to be here.

MR. GUERRERO: Thank you, ma'am. And then calling out colleagues, we'll start with, in the Title I Office, Mr. Adyel Duran.

MR. DURAN: Good afternoon, everyone, and Julian. My name is Adyel Duran. I'm the Title I Part, A team under the Office of School Support and Accountability at the Department of Ed.

On the team, I serve as the main point of contact for BIE, for items related to Title I, Part A of the Elementary and Secondary Education Act. I work closely with Julian on other matters related to BIE, which is always a pleasure.

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Before joining the Department of Ed, I worked closely with Lakota youth on the Cheyenne River Sioux Tribe Reservation for a few years. And it's very inspiring to hear all the council members introduce themselves today. It's a pleasure to be here. Thanks, everyone.

MR. GUERRERO: Thank you, Adyel. And a colleague from the GPO, Jessica McKinney.

MS. MCKINNEY: Hi, this is Jessica McKinney. I work in the Office of Planning, Evaluation, and Policy Development, specifically the Grants Policy Office.

And I coordinate with Julian and with Ruth on a number of programs, including those in the Indian education portfolio. There we go. And it's a pleasure and an honor to be with you today. I look forward to hearing about your vision.

MR. GUERRERO: Thank you. And then Mr. Ron Lessard?

(No audible response.)

MR. GUERRERO: Mr. Ron Lessard?

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MR. LESSARD: Hello, everyone. How are you? I hope you're all doing well. This is Ron Lessard. I'm Mohawk. Family, way back, originally from Kahnawake. I lived many years, Akwesasne, and lived on Pine Ridge for a number of years.

I am a Sun Dancer. And with, you know, a lot of prayers going out to our Sun Dance relatives who weren't able to make it to ceremony this year because of the coronavirus, so -- hard to do virtually, but we did what we could.

So I'm Acting Executive Director for the White House Initiative on American Indian/Alaskan Native Education, as you all know. Next month will be four years as Acting Executive Director, under the same executive order.

Also, prior to that, I was Chief of Staff for three years, and then worked as the Strategic Advisor of Indian Affairs for the Corporation for National and Community Service, which is the AmeriCorps Senior Corps and those

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groups under the executive branch.

So thank you all. I'm so glad you're here. I hope we can see each other in person soon. Thank you. Aho.

MR. GUERRERO: Thank you, Ron. Before I move on to OIE staff, have I missed any other Ed colleagues that have joined us today?

(No audible response.)

MR. GUERRERO: Okay. There will be other Ed colleagues kind of joining us throughout today's agenda, but I wanted to move over to the Office of Indian Education, the OIE, starting with Dr. Donna Sabis-Burns.

DR. SABIS-BURNS: Hello. Good morning. I'm here in Hawai'i. I am an enrolled member of the Mohawk Tribe, along with Ron Lessard, so that's really exciting.

I am the Discretionary group leader with OIE, and I used to work in OIE, about ten, 12 years ago, and I do see some wonderful faces returning. And it's a wonderful time to be back.

And working with you, I am serving as

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the Alternate DFO, and so you'll see me in and out on some of the NACIE agendas. I'm very, very excited to be part of this discussion.

And thanks, Julian. I'm happy to have you on board as our new Director, and I'm looking forward to helping to serve whatever good things that we do. So thank you very much.

MR. GUERRERO: Thank you, Dr. Sabis-Burns. And then, Dr. Crystal Moore?

DR. MOORE: Halito, everyone. Good afternoon. And good to see familiar names and faces again.

I am currently the Supervisory Group Leader for the Title VI Formula Team. You know, we have roughly \$100,000 of OIE's grants. We gratefully have four program officers now on the team.

My history is, long-term education professional, doctorates in education technologies, previous professor, K-12 teacher, and education technology support professional. So, good to see you all again, and I hope that

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you all have a good day.

MR. GUERRERO: Thank you, Dr. Moore. And before we move to additional OIE staff, Ms. Karen Aikens? Are you on the line with us today?

(No audible response.)

MR. GUERRERO: Okay. Angela Hernandez-Marshall?

MS. HERNANDEZ-MARSHALL: Good morning, and good afternoon, everyone. It's wonderful to hear people's voices, and I'm really glad to see everybody is safe and well.

I just want to echo others' sentiments. Really excited as we continue to work on efforts to build OIE capacity, to have Julian and Donna with us to support our discretionary grants work. We just got a lot done over the last couple of months that I know they'll be sharing.

So, again, really happy to hear all of you today, and I look forward to hearing the rest of the meeting. Thanks.

MR. GUERRERO: Thank you, Angela. Any

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additional colleagues from the Office of Indian Education?

MS. WILLIAMS: Hi, Julian. This is Bianca. Sorry I couldn't join online.

MR. GUERRERO: It's okay.

MS. WILLIAMS: My meeting wasn't working on my computer. But yes, hello, everyone. Welcome to the new fiscal year. I'm Bianca Williams, enrolled tribal member of Lummi Nation.

I've been with the Department of Education, working on demonstration grants for a little over a year and a half now, and worked for several other Native programs in the federal government. Thank you.

MR. GUERRERO: Thank you, Bianca. Any additional colleagues from the OIE, or from outside of the OIE, but still within the Department of Education?

(No audible response.)

MR. GUERRERO: Okay. And then my name is Julian Guerrero, Jr. I currently serve as the

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Director of the Office of Indian Education. Newly minted, brand new, so green. I couldn't be any greener.

But it is a tremendous honor for me to be able to join you virtually and get to connect with NACIE members who I admire and I'm big fans of.

And I have just watched so much of the work around Indian Country, and it is compelling, to me, that we have a lot of work to do. And I will share my vision later on during today's meeting.

But I just wanted to say, you know, in my Native tongue, (Native language spoken). (Native language spoken) is my Indian name. It means, smiles a lot. So as you come to learn is seeing me virtually, you'll know that I'm always in a position where I'm smiling.

I'm just incredibly, again, excited to work and engage with NACIE on this very important work. And I look forward to sharing more here soon. Dr. Dennison, Chairperson Dennison, back

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to you.

CHAIR JACKSON-DENNISON: Thank you. And it's good to meet you, Julian. And I look forward to your smile throughout our term working with you, and welcome aboard.

I know later on the agenda we have your introduction, more formally, and your vision. I'm looking forward to hearing that.

But already we were able to meet with you the last couple days. Or actually it was maybe Friday. Wednesday, I was able to join the committee on the Annual Report, and then a little bit on yesterday's session.

But I know, over the years, you've all worked on the report off and on, as far as the council members that have been on for quite a while.

And I know this time, it's led by Patricia Whitefoot as the Chair, and -- or is it Aaron that's the Chair? I don't know which one of you are Chair.

But regardless, we had some good

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sessions with our new Director, and I'm looking forward to the Annual Report, and that's the next item on the agenda.

So I know, years past, Robin has taken the lead, Virginia has been involved. Their names are on here as well. Mandy was involved with years past, and she's on this year, as well.

But we decided, I just want to go into this item a little bit and give a little overview of what we decided, and then I'll turn it over to Aaron, because I know he's been working on it for two days with Patricia and others.

So we decided that it would be best to really include some of the challenges that we've been experiencing throughout Indian Country with the coronavirus.

We know that, as I mentioned in my own introduction, the coronavirus has been heavily -- has disproportionately impacted Indian Country, and I know that needs to be put into the Annual Report.

And as I said, it's put a spotlight

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across all areas of the work that we do as educators, and whatever it is that we do. I know in my case, as a superintendent, it sure put a spotlight front and center on the social ills that we deal with each and every day.

And it made us confront them head-on.

And it's very difficult right now, as I know everybody can agree. So I'm just going to say that much.

As we work through the Annual Report, we wanted to include some of those statistics that we're going to do. And Patricia's been very helpful with sending out articles that she's finding, and that we can add to the data that we put into our various reports.

I'm going to turn it over to Dr. Payment, because Patricia's not on. I know he was majorly a part of the last two days' work. So go ahead, Dr. Payment.

DR. PAYMENT: Yes, thank you. And while I'm speaking, if you see my head kind of cocking around, looking that way and then looking

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up and looking down, it's because I've got bifocals on, and I've got two different screens.

So if it looks strange, more strange than normal, that's why.

So we had our session yesterday, and I don't know if you can -- Julian, if you could call up just the table of contents?

MR. GUERRERO: Absolutely. Yes, I can do that.

DR. PAYMENT: Yes, and I also want to recognize, Theresa has joined us in the re-write, and so what we've got so far, and it looks very overwhelming, looking at it, but it's not as bad as it looks.

But what we've done is, we've just thought through updating any stats that we have from year to year, and asking the Department of Education to support us in that, helping pull any changes from year to year together.

And then we will be reaching out to our partner organizations, NCAI, NIEA, AIHEC, for any updates on data clips from year to year.

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We had talked about maybe raising a little bit of -- humanizing the document, making it a little more interesting, and theming it with a couple of principal themes.

And so one of those is reinforcing the treaty and trust responsibility, in the beginning of it and the executive summary, but then also throughout, wherever it's appropriate.

And not elaborating it and, you know, going on and on and on, but just making sure that the document ties back into education as a treaty and trust responsibility.

And Patsy had asked if we could look for evidence of that through writings and citations, so we can say how many treaties were signed, how many had education provisions, et cetera, et cetera.

And then Dr. D. had brought up, and I think it's a great theme that we focused on, the impacts of the pandemic. Because as we go forward, you know, we want to preview what might become the new normal for a while.

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You know, with the pandemic, we know that we've had losses. We know that, you know, with not only the deaths, but also some unique challenges, culturally, with not being able to come together and grieve in our traditional way, because of the need to social distance.

But also some of the very practical impacts on technology, lack of access to technology. You know, if we're depending on social distancing and virtual learning, some communities are very disadvantaged.

I think a lot of Indian communities, especially in rural communities, but certainly Arizona and Alaska. And so that's where Theresa's help is going to be very appreciated.

And, you know, we're the sub-committee, but as we write the re-writes and we theme these concepts throughout, we will be reaching out to everybody and hopefully sending copies as we go.

So if anybody sees anything at any point that you want to add, that we missed,

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please feel free to join in. We won't tax you and have you have to come to our meetings, but certainly we'll circulate the redrafts.

In preparation for that section on the pandemic, like, the overview section, that we'll then theme throughout the document, we also talked about maybe a couple little more clear statements on historical and inter-generational trauma, as an explanation for why we find ourselves with some of the worst of the worst statistics, as revealed in the Broken Promises report.

That's the U.S. Civil Rights Commission report that was published in December of '18. So we will pull out an extract from that some data that relates potentially to why we're at higher risk for pandemic. But also specifically education outcomes, because it's explainable through historical and inter-generational trauma.

So we realize that the audience for this is potentially members of Congress or other

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administrators in the Cabinet. And we want to be succinct, but we want to have enough information that somebody who doesn't have an orientation can understand what they're looking at.

And so I volunteered, also, to strengthen the section on consultation, because it'll flow from the treaty and trust responsibility, and having a specific treatment on the issue of ESSA implementation.

And so we're just taking a look at what we did last year, the great work that's a culmination of years of work of people who worked on this document, and just strengthening it and giving it more of a flavor of our voice, in our document.

So I'm not sure what happened with our leader, here, but she'll join us and maybe she'll supplement anything additional.

She's very hands-on on reading through the sections and rewriting some of the headings.

Just one example, under 1.8, we had Revitalizing Native Languages, and we knew that there was

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probably a better word for that.

So we did reach out to some language experts, and they had advised Reclaiming as, like, a better word, because revitalizing sounds like we were at the brink of extinction, which might be true, but reclaiming it sounds more self-determined.

And so we've been making tweaks throughout the document to strengthen the language in a more affirmative way and a positive way.

And then, just one final comment is, when we're done with all of this -- I know we've been told that we cannot do this -- but throughout our conversations the last couple of days, we talked about our reset, and refocusing on the time and effort that we're all putting into this.

And, you know, for writing this document, we really want it to be a document that it reviewed and utilized. And I know I had asked at one point if we could have our leadership and

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the Secretary request to be able to present and testify on our document, and the Senate Indian Affairs Committee would be a good place for that.

And so we're hoping that when we're done with this document, that we make sure that we unveil it and deliver it in a way that is going to be seen and appreciated.

I guess the only other thing, and I think, maybe Julian, you should talk to this, is we were asked if we thought we could get it done before -- how do I say this? The first Tuesday in November.

And we know that we could get it done.

We're professionals, we know we could get it done. But we didn't think that was necessary, to have to scramble to try to get it done. And we want to make sure that we're inclusive of everybody on this committee and all of our voices.

And so we would like, if there's an action required, to not have to complete it until the end of November.

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CHAIR JACKSON-DENNISON: Thank you, Dr. Payment.

DR. PAYMENT: Thank you.

CHAIR JACKSON-DENNISON: And so I guess that's going to be the action item that we request the rest of the council to consider, being that it is important that we look at this as a, in a sense, a living document that captures the exact situation of Indian education.

And no other time than now is important to capture what's happening. And I know it's day by day for -- I know the experience I'm going through in my job as a superintendent, it goes day by day. But I know the statistics are starting --

MS. BUTTERFIELD: This is Robin. I just wanted to note that my name's on the --

CHAIR JACKSON-DENNISON: -- statistics there are. It's hard to really look at the statistics -- some starting to circulate. So I think it's really so new, but yet really important to make some of it back. Was somebody

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talking? Okay.

MS. BUTTERFIELD: Well, this is Robin

--

CHAIR JACKSON-DENNISON: So I don't know if we want to -- I said --

MS. BUTTERFIELD: Hello? Oh.

CHAIR JACKSON-DENNISON: Yes, Robin. Go ahead.

MS. BUTTERFIELD: Yes. Well, I just noticed my name is on the sub-committee, but I've gotten no information on when that committee meets or any inclusive participation.

So I just want to apologize. I did not realize that I was part of this committee. So I apologize for not --

DR. PAYMENT: We'll still take you.

MS. BUTTERFIELD: Oh, I'm more than willing, especially since you've done all the work, to do a final review.

(Laughter.)

(Simultaneous speaking.)

CHAIR JACKSON-DENNISON: -- but you

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weren't on the committee. We went back through the notes. We tried to research who was all on, because it's been so long ago that we formed the committee.

But this particular committee, the people that signed on were, Patsy was Chair, to my recollection, Dr. Payment, Theresa, Dr. John, Mandy, and I think that was it. The four of them. Did I leave anybody off?

DR. PAYMENT: Julian --

CHAIR JACKSON-DENNISON: And then --

DR. PAYMENT: Oh, go ahead. I'm sorry.

CHAIR JACKSON-DENNISON: Oh, of course. Go ahead, Julian.

DR. PAYMENT: Well, my comment or question or whatever was Julian was, I forwarded you my notes from the time of the committees, including the bylaws committee, too, and is what we have consistent with that for the Annual Report committee?

MR. GUERRERO: Yes. And thank you for

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the question. This is Julian, for the record. I'm still trying to compare those notes.

But I think to resolve, and to apologize to Councilperson Butterfield, that wasn't the intent, to leave you out. So I think moving forward, you will be on the communique, moving out, from this point on.

DR. JOHN: And my name is not on --

MS. BUTTERFIELD: I just want to be clear, if the report's great, I'll take credit for it, if there are any problems at all.

(Laughter.)

MS. BUTTERFIELD: I see Patsy's on. Welcome.

MS. WHITEFOOT: Yes, and I apologize. I'm involved with virtual learning with my kindergarten, so I'm a little late. But I knew our committee would do what needs to be done. Thank you.

MR. GUERRERO: And this is Julian again. I also wanted to call out that, members, you'll notice in your binder that under the names

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for the sub-committee in the agenda portion, Dr. Theresa John's name is omitted, and that is my accident.

So again, I wanted to extend apologies, and we will correct that to make sure that Dr. John is reflected in that portion.

CHAIR JACKSON-DENNISON: Thank you, Julian. Are there any other comments, as far as -- I know Patsy just joined us.

Do you want to say anything more about -- Dr. Payment just gave an overview of what we've been working on, what you all worked on yesterday, and then what we talked about on Wednesday. So if you want to do -- the section is up on the table of contents. Right?

MS. WHITEFOOT: Yes. I'll just be very brief, because I don't want to repeat what Dr. Payment shared. But I'm assuming he talked a little bit about the table of contents, and we're really just trying to be consistent in the language that we're using throughout the document.

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And I appreciate Dr. Payment also taking on the role of really taking a look at how we're addressing sovereignty, and treaty responsibility, trust responsibilities of the federal government.

And then in addition to that, I appreciate Theresa in the role that she's doing, in response to the pandemic. We really want to make certain that we're addressing the pandemic.

You all know that I'm a part of the Affiliated Tribes of Northwest Indians. And this was a major conversation that we had at our last annual meeting in October, the first of this month.

And so the tribes also completed a resolution about that, particularly with regard to distance learning and the kind of learning that we're going through in our homes here.

But I know there's communities, like in Alaska, that simply do not have access to the kind of technology that some of us may have access -- that might be a little bit poor, but

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it's not, you know, to the degree that folks in Alaska and other places are experiencing.

Let me jump back in. And then we're just going through taking section by section. And appreciate Deborah Dennison being involved with this, too, because she's going to be providing, I think, some emphasis in areas that are important to the work that we're doing. I'm just being very brief.

And one of the final conversations I guess I want to explain is that we all go through transitions, so this time, I was looking at a report as if there were new members of Congress coming in.

And then also, new NACIE people, or new staff, just because of transitions that go on with elections, or transitions that occur not only with the federal government, but transitions that occur with state government, and transitions that occur with our tribal governments, as well.

Having been there, done that, you know, it's important to elaborate perhaps, in

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some sections of our document. So if you were a new person coming in, you would have some idea of what we're talking about.

And I think that's pretty much it. Oh, I do want to say, Chair, with the team, I did -- because we've had this conversation before -- I did insert a statement.

Because we've discussed this, was to make certain -- or we recommend that this report also be shared with the Senate Select Committee on Indian Affairs, and that we also report it out.

So there's a statement in there about that, simply because we don't get a response from Congress, and so we want to make certain that, you know, at some level of government, that there is response and respect for the work that we're doing. Thank you.

CHAIR JACKSON-DENNISON: Thank you, Patsy. Are there any other questions or comments from the rest of the council on the work that we've been doing on, whether you want to be a

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part of the committee?

Because it's really fascinating to me right now, so I just want to say that if you want to be a part of it, I know I saw that there's a timeline that's been drafted to some degree.

And that should be probably a part of the motion, I guess, if there is a motion, this section. But is there any other comments before that?

DR. JOHN: This is Theresa. I just want to commend the expertise of Patricia and Aaron on this, because I was just sitting there, awed by all the wisdom and knowledge that they have, so quyana.

MS. WHITEFOOT: Thank you, Theresa.

MR. GUERRERO: Awesome.

MS. WHITEFOOT: Appreciate it. Thank you. And I rely on you, as well.

CHAIR JACKSON-DENNISON: Okay, anything else from anyone? Okay. Julian, you have this down as an action item, so do we go ahead and call for a motion?

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MR. GUERRERO: Yes, Chairperson Dennison. So you could call for a motion on whatever action the membership would like to take on it. And before we do that, just to check in with DFO Angela, is that correct?

MS. HERNANDEZ-MARSHALL: Yes. That is.

MR. GUERRERO: Thank you.

MS. BUTTERFIELD: This is Robin. I'm not sure what we're motioning.

DR. PAYMENT: Can I make a motion? Then it might clarify it.

MS. BUTTERFIELD: Okay.

DR. PAYMENT: So I would like to make a motion that we set the timeline for completion of our 2020 Annual NACIE Report to be completed by the end of November 2020.

CHAIR JACKSON-DENNISON: Okay. Dr. Payment made a motion that we --

MS. BUTTERFIELD: I'll second.

CHAIR JACKSON-DENNISON: Okay. Second by, who's that? Robin?

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MS. BUTTERFIELD: Robin.

CHAIR JACKSON-DENNISON: Okay. Dr. Payment made a motion, and it's seconded by Robin, that we continue the work to complete by the end of November. Now I'll call for the vote. So I guess you can take the vote by --

MS. WHITEFOOT: I think we need discussion first.

CHAIR JACKSON-DENNISON: Okay, discussion. Go ahead.

MS. THOMAS: This is Virginia. I have a question.

DR. PAYMENT: Go ahead.

MS. THOMAS: Hello?

DR. PAYMENT: Go ahead, go ahead.

CHAIR JACKSON-DENNISON: Ask --

MS. THOMAS: Oh. Thank you. The motion is that we continue to the end of November. Does that imply that we approve of this report to go forward? Or are we just approving that it'll be done by the end of November?

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DR. PAYMENT: Yes. Number two.

MS. THOMAS: Okay.

CHAIR JACKSON-DENNISON: We're moving forward with -- be done by November.

MS. THOMAS: Okay.

DR. PAYMENT: Yes.

MS. BUTTERFIELD: I think that's really important, to extend the timeline, since some of us who were not on the committee calls, we don't even know what revisions have been made.

So we need probably some timelines in between that, in terms of when the whole committee can review the document --

DR. PAYMENT: Yes.

MS. BUTTERFIELD: -- so that we're ready to approve it in full by the end of November. And then my question is, how do we approve --

MS. THOMAS: Wait, wait, before we go farther, just more clarification here, on my question, is that my name is on there as a subcommittee, but I haven't received anything.

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And like Robin, I'm more than willing to help in any way, and I really like the idea that John and me and Robin could just walk in and just say, okay, this is how it's been done.

But I am, and you can double-check my email. I don't know if it's going to spam, or what's happening, but sometimes I'm not getting everything.

And if you'll just give me a call and say, okay, Virginia, we're going to be doing this, I'm more than willing to do whatever I can.

DR. PAYMENT: Yes, those are good comments.

MS. WHITEFOOT: Thank you, Virginia.

CHAIR JACKSON-DENNISON: Anyone else?

MS. BUTTERFIELD: My question is about, how do we approve it by the time -- I mean, we don't have a NACIE meeting, as such, scheduled. So once the document's done by the end of November, when do we officially approve it?

DR. PAYMENT: Julian?

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CHAIR JACKSON-DENNISON: We'll have to have a NACIE meeting to approve it --

MR. GUERRERO: Correct.

CHAIR JACKSON-DENNISON: -- when it's written. And that --

MR. GUERRERO: Yes.

CHAIR JACKSON-DENNISON: -- will rely on --

MR. GUERRERO: For the record, this is -- yes. For the record, this is Julian speaking.

There would need to be a reconvening to approve the final version.

DR. PAYMENT: Can I jump in? So maybe --

CHAIR JACKSON-DENNISON: Go ahead, Dr. Payment.

DR. PAYMENT: Yes, so just to address the concerns, I think we set next Friday at 3:00 as our next subcommittee meeting. And what we could do is we could work up a schedule, because I'm sure we'll set up a regular meeting date, from now until, you know, until we can bring it

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back to you.

And I think at the end of today, one of the other things that should be understood is that we need another meeting. And if our DFO can schedule that, or get the process rolling, because it's, you know, all the encumbered processes of hosting it and listing it in the Federal Register, all of that.

But it looks like we have time to be able to do it before the end of November. You know, looking at Thanksgiving, which I don't celebrate, but looking at Thanksgiving, we might want to book, like, the 20th.

Or, nobody's going to want to do it on the 27th. That's the day after Thanksgiving. But we will need another meeting. It could potentially post the meeting for, like, Friday, December 4th. Because we'll have the draft done, and then it has to be approved by the committee.

MS. WHITEFOOT: I have a question. This is Patsy. Angela, how many days do we need? We complete the meeting, and we have to call,

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like, 30 days before we have our actual meeting?

MS. HERNANDEZ-MARSHALL: We need to have -- I'm sorry, this is Angela Hernandez-Marshall, for the record. We need to have a 15-day post on the Federal Register.

MS. WHITEFOOT: Okay.

MS. HERNANDEZ-MARSHALL: So I'm hearing a couple of things, and I'm just going to kind of walk through this, and I'll just turn it back over to you all for discussion and feedback.

So I'm hearing, one is, you want to set forth some milestones for the subcommittee members, of edit, finalize, and chairing out for feedback amongst the NACIE members.

Then, two, you want to get some actual deadline by which the subcommittee wants to have a quote-unquote final Annual Report.

And then three, following that deadline, that you set for yourselves, scheduling a date -- and I concur with you, Dr. Payment, the idea of looking outwards to maybe the first two weeks in December.

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And I think it would be ideal to look at your calendars today, to offer some prospective dates during those first two weeks in December, for what could be, again, you know, a meeting, probably of this length, I would gather, I would expect.

And we might better know the length by the end of today's meeting, if there's other business to be addressed. But the first two weeks in December would be my recommendation for considering next steps for approval.

CHAIR JACKSON-DENNISON: Thank you, Angela. If I can ask the subcommittee Chair to put a timeline together?

And then also send out what areas each committee member, or others that are working with you, are working on, so that we can go by that, and follow that as best kind of -- I'm seeing the same thing that Angela just expressed.

It's necessary, but to get more clear, because we have people that work on the committee that were left off, or some that are on that

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didn't know they were on, and that kind of thing.

So we can get that after this meeting, set so we can start working in our different areas.

MS. WHITEFOOT: Certainly, and I agree with that. As Aaron said, we are scheduled to meet next Friday, from, let me see, that's 3:30 to 5:00, again, to just touch bases, and we can work up a schedule at that time. And thank you, Angela, for that timeline, too. Appreciate it.

CHAIR JACKSON-DENNISON: Yes, thank you. Okay, any more discussion before we call -- we do have a motion and a second.

MS. BUTTERFIELD: Is that 3:30 to 5:00 Eastern Time, Patsy?

MS. WHITEFOOT: Yes, I'm sorry. Yes.

MS. BUTTERFIELD: Okay.

MS. WHITEFOOT: So, Robin, it'd be 12:30 to 2:00 our time.

MS. BUTTERFIELD: Got it.

DR. JOHN: Patsy, this is Theresa. I have a graduate committee meeting, 1:30 to 3:00 on the 30th. I didn't see that yesterday.

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Sorry.

MS. WHITEFOOT: Oh, okay. Yes, we discussed that yesterday. So we didn't put it in writing yet, but we discussed having that meeting.

DR. PAYMENT: So this -- I think you're okay. I think you're okay, Theresa.

DR. JOHN: Okay, yes. Yes.

DR. PAYMENT: Yes, this is --

MS. WHITEFOOT: And you're already submitting, you know, sections to the report.

DR. PAYMENT: It's like 6:00 p.m. your time.

DR. JOHN: Oh, no problem.

DR. PAYMENT: What about you, Virginia? And Robin?

MS. THOMAS: Are you talking about the meeting on Friday?

DR. PAYMENT: Yes.

CHAIR JACKSON-DENNISON: Yes.

MS. BUTTERFIELD: Works for me.

DR. PAYMENT: The 30th.

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MS. THOMAS: Yes, works for me.

DR. PAYMENT: Awesome.

CHAIR JACKSON-DENNISON: Okay,
wonderful.

MR. GUERRERO: This is Julian
Guerrero, for the record. Mandy had posted a
question. Could we repeat the time for this
committee meeting on the 30th?

DR. PAYMENT: Did you say --

MS. WHITEFOOT: This is Patsy. 3:30
to 5:00 p.m., Eastern Standard Time.

DR. PAYMENT: Yes.

CHAIR JACKSON-DENNISON: And Mandy, I
still see that you are on the subcommittee. If
you're able to join, that's a question that we
have, that's another question you're asking. Is
she still on the subcommittee. I still think you
have --

DR. PAYMENT: I'm looking, Madam
Chair, I'm looking drastically. I have --
looking through my outgoing emails to see what I
sent to Julian, and I still can't find it.

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But I took notes at the time that we created the subcommittees, and I sent it off to Julian. So Julian, if you can find -- it has the names of the subcommittee members in it.

Because right now, we have a lot of subcommittee members that I don't think comports with what we said. But as long as we're not violating any rules, I say the more the merrier.

MR. GUERRERO: This is Julian --

CHAIR JACKSON-DENNISON: Okay, we can get that, yes.

DR. PAYMENT: Yes.

CHAIR JACKSON-DENNISON: Yes. Are there any other --

MS. THOMAS: This is Virginia. I'm going to call for the question.

CHAIR JACKSON-DENNISON: Yes, let's call the question. Can you take an individual -- or just, how do we do this online?

MS. BUTTERFIELD: Roll call vote?

CHAIR JACKSON-DENNISON: Roll call vote, okay.

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MR. GUERRERO: Yes. Okay. I'll facilitate the roll call. Chairperson Dennison? This is Julian, by the way.

CHAIR JACKSON-DENNISON: Yes.

MR. GUERRERO: Okay.

CHAIR JACKSON-DENNISON: I vote yes.

MR. GUERRERO: Okay, so Chairperson Dennison, yes. Councilperson Butterfield?

MS. BUTTERFIELD: Yes.

MR. GUERRERO: Councilperson Payment?

DR. PAYMENT: Yes.

MR. GUERRERO: Councilperson John?

DR. JOHN: Yes.

MR. GUERRERO: Councilperson Proudfit?

(No audible response.)

MR. GUERRERO: Councilperson Proudfit?

(No audible response.)

MR. GUERRERO: Councilperson Proudfit?

(No audible response.)

MR. GUERRERO: Councilperson Smoker Broadus?

MS. SMOKER BROADDUS: Yes.

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MR. GUERRERO: Councilperson Thomas?

MS. THOMAS: Yes.

MR. GUERRERO: Councilperson Brown?

MS. BROWN: Yes.

MR. GUERRERO: Councilperson
Whitefoot?

(No audible response.)

MR. GUERRERO: Councilperson --

MS. WHITEFOOT: Yes.

MR. GUERRERO: Eight in the
affirmative, Chairperson Dennison.

MS. BUTTERFIELD: I have one more --

CHAIR JACKSON-DENNISON: Okay, thank
you. The motion carries.

MS. BUTTERFIELD: Okay.

CHAIR JACKSON-DENNISON: Okay.

MS. BUTTERFIELD: I just have a quick
question on who is going to send the most current
draft out to the members of the committee?

MR. GUERRERO: This is Julian
Guerrero, for the record, and that was
Councilperson Butterfield, asking the question,

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who's going to send out the documents. And that will be DFO, Designated Federal Official Angela Hernandez-Marshall will email those documents.

MS. BUTTERFIELD: Okay. Thank you.

MR. GUERRERO: No problem.

DR. PAYMENT: Good deal. We are efficient.

(Laughter.)

MR. GUERRERO: Chairperson Dennison, this is Julian Guerrero, for the record. I didn't want to mess with the line of business for the motion.

But maybe, again, this is just a suggestion, would the council be comfortable with trying to go ahead and schedule their availability for a meeting in the early December?

CHAIR JACKSON-DENNISON: That's fine.

We can do that now. Is that what you're asking, to do it now?

MR. GUERRERO: Well, if that's possible, since I know it can be cumbersome for everyone involved to try to schedule that via

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email.

CHAIR JACKSON-DENNISON: Okay. Let's do that now, because I think you're right about that. It's usually hard to get everyone, as we've experienced. So I'll turn it over to either Patsy or Dr. Payment to go ahead and discuss the dates again.

DR. PAYMENT: So the dates -- we have our date set for the committee meeting, but you're asking us the date for the meeting that we'd need to notice to approve an Annual Report?

So if that's correct, what about -- everybody get their calendars out. Look at maybe December 4th, or December 11th. It's a Friday. And being mindful of scheduling it so we're not too early for our Alaska and California people.

DR. JOHN: I'm available on the 4th.

MS. WHITEFOOT: What's a good time for you, Theresa?

DR. JOHN: Any time. It's pretty open.

DR. PAYMENT: How about 3:00 p.m. on

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the 4th, Eastern Time?

DR. JOHN: Okay. So 11:00 a.m. my time. That'll be fine.

DR. PAYMENT: Does anybody on the call -- take your time and look at your calendars, but anybody have any conflict on the December 4th at 3:00 p.m. Eastern?

MR. GUERRERO: This is Julian Guerrero, for the record. I have no conflicts that day, the 3:00 p.m. Just a clarification, is it 3:00 to a certain time? So just the duration?

DR. PAYMENT: Oh, yes, that has to be in the notice. I would say 3:00 to 5:00. Would that be enough time? We should be circulating drafts out before then, so it shouldn't be anything new.

MR. GUERRERO: 3:00 to 5:00. And this is Julian again, for the record. For the DFO, the alternate DFO, does December 4th, 3:00 to 5:00 p.m. work?

MS. HERNANDEZ-MARSHALL: Can I ask, before I commit to that, I mean, as far as my

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availability, yes, that's fine.

What would be the date by which the department might see what looks to be your final version of the report? Because I would imagine that internally we don't approve anything, but I know that we'd want to see that.

DR. PAYMENT: Madam Chair of the subcommittee? Do you think we could commit to being done by the 20th of November, so they have two weeks to look at it?

MALE PARTICIPANT: We're not on muted.

MS. WHITEFOOT: Oh, your hands are freezing.

DR. PAYMENT: Virtual learning. Patsy, did you hear that question?

MS. WHITEFOOT: (Laughter.) I forgot to turn off the mic. It is freezing here.

(Laughter.)

DR. PAYMENT: Grandma, turn up the heat. Patsy, do you think we could conclude our subcommittee work by Friday, November 20th, in order to give them two weeks' time to review it?

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MS. WHITEFOOT: Okay. Yes, I think we can. I think the report is pretty much done, it's just that we're, you know, we're just doing a little more details, you know, further elaborating in certain areas. But, you know, based on previous work that we've done, we've just basically updated.

DR. PAYMENT: Yes.

MS. WHITEFOOT: And taken a look at one study in particular to see if we want to continue with that study, or, you know, take a look at other research, as well.

DR. PAYMENT: Angela, does that two-week time period sound good?

MS. HERNANDEZ-MARSHALL: I think it does to me. Julian, your thoughts on that?

MR. GUERRERO: And this is Julian, for the record. I think so. A two-week seems pretty decent. Ms. Ryder, do you have any thoughts on a two-week review window?

MS. RYDER: Thanks, Julian. This is Ruth Ryder, for the record. I think two weeks

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sounds like a reasonable period of time, especially if we know it's coming. We can get people lined up to take a quick look at it. Again, recognizing that it's your report.

MS. HERNANDEZ-MARSHALL: Great. So, coming back to the question, December 4th, 3:00 to 5:00 p.m. seems reasonable, given those milestones.

DR. PAYMENT: Anybody have a conflict? If we don't hear any, after posting for it, but if we don't hear any, I'll make a motion that we set that up. That would be our next meeting.

All right, I'll make a motion that we set our next NACIE meeting, for the purpose of approving the Annual Report, for December 4th at 3:00 to 5:00 p.m.

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

DR. PAYMENT: Dr. D., are you there?

MS. BUTTERFIELD: We might have lost her. So can I add, at whatever time frame, when the committee is meeting, that we create a

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dissemination plan?

Because it feels like we do a lot of work on this document, and I think it's very substantive, but we never know, you know, where it goes, at what time frame.

And because they're, as Patsy said, this is going to be a real time of transition, it would be very helpful to try and think through how we're going to get the document shared with all the constituent groups that need to look at it.

DR. PAYMENT: That's a great idea.

MR. GUERRERO: This is Julian Guerrero, for the record. I think that's an excellent opportunity to look at the audience, the target audience, for the document itself. Chairperson Dennison, are you here?

(No audible response.)

MR. GUERRERO: Not hearing a response from Chairperson Dennison. Is the membership okay if I go ahead and do the roll call vote for that?

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MS. BUTTERFIELD: Sure.

MS. WHITEFOOT: Yes.

MR. GUERRERO: Okay. Great. Moving forward with roll call vote to approve December 4th, 3:00 to 5:00 p.m., Eastern Time, for the next NACIE meeting. Roll call vote. Chairperson Dennison?

(No audible response.)

MR. GUERRERO: Chairperson Dennison?

(No audible response.)

MR. GUERRERO: Councilmember Butterfield?

MS. BUTTERFIELD: I approve.

MR. GUERRERO: Councilmember Payment?

DR. PAYMENT: Yes.

MR. GUERRERO: Councilmember John?

DR. JOHN: Yes.

MR. GUERRERO: Councilmember Proudfit?

DR. PROUDFIT: Yes.

MR. GUERRERO: Councilmember Smoker Broaddus?

MS. SMOKER BROADDUS: Yes.

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MR. GUERRERO: Councilmember Thomas?

MS. THOMAS: Yes.

MR. GUERRERO: Councilmember Brown?

MS. BROWN: Yes.

MR. GUERRERO: Councilmember
Whitefoot?

MS. WHITEFOOT: Yes. I approve.

MR. GUERRERO: Thank you. For the
record, that is eight votes in the affirmative.
Motion passes.

CHAIR JACKSON-DENNISON: I lost signal
for a little while, but I'm back on. I don't
know what you voted on, I just missed that.

MR. GUERRERO: Sure. This is Julian
Guerrero, for the record. Chairperson Dennison,
we just voted in the affirmative -- well, NACIE
just voted in the affirmative, not including me -
- the passage of December 4th, 3:00 to 5:00 p.m.,
Eastern Time, being the next NACIE meeting date
to approve the Annual Report.

CHAIR JACKSON-DENNISON: Okay. Thank
you. So we would go on to the next item on the

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agenda, which is --

MS. BUTTERFIELD: This is Robin. I'm sorry, Deborah, but I just have a point of order.

We never really approved the agenda, and I was wondering when we would activate the subcommittee that was supposed to be working on the bylaws. Can we add that to the agenda?

CHAIR JACKSON-DENNISON: Okay. That's a question for the DFO, or for Julian. Is it possible to amend the agenda at this point, and add the bylaw committee work? Or --

MR. GUERRERO: This is Julian Guerrero, for the record. The subcommittee is fine to proceed. I think I would advise -- this is NACIE's meeting. Adding that to the agenda, that's up to NACIE.

MS. WHITEFOOT: This is Patsy Whitefoot --

CHAIR JACKSON-DENNISON: Well, I'd like to make a motion -- oh, go ahead, Patsy.

MS. WHITEFOOT: This is Patsy Whitefoot. Along that same line with the

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subcommittee, perhaps, can we also include the election?

Because earlier, before the agenda was sent out, there was a request made for action items, and I also put in elections. The Advisory Committee elections. And I didn't see it anywhere on the agenda.

DR. PAYMENT: Julian?

MR. GUERRERO: This is Julian Guerrero, for the record. Again, I would suggest that NACIE -- this is NACIE's meeting -- to add it to the agenda for discussion, action, however you please.

I think in the interim, I'm working and coordinating with OGC, Office of General Counsel, our FACA attorney, to bring some written clarification on the best way to legally move forward with those.

So I think it'd be -- I believe it's fine to have that discussion, and I hope to build trust with the NACIE membership by bringing written clarification on the best way to move

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forward legally.

DR. PAYMENT: I'd like to be heard.
Dr. D., are you there?

CHAIR JACKSON-DENNISON: Yes, go
ahead, Dr. Payment. Go ahead.

DR. PAYMENT: I'd like to make a
motion to add to the agenda at this time period,
because we have an opening, both discussion and
possible action on the bylaw subcommittee, and
officer elections.

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

CHAIR JACKSON-DENNISON: There's a
motion and a second to add two items to the
agenda. The bylaw subcommittee, and then also
elections of officers. We'll discuss that.
Anybody want to discuss anything about that?

MS. THOMAS: This is Virginia. I have
a discussion point.

CHAIR JACKSON-DENNISON: Go ahead,
Virginia.

MS. THOMAS: Hello? I didn't write

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down everybody that was here, but who are we missing on the Advisory Council today? I know we're missing Chief Anderson. Who else are we missing?

DR. PAYMENT: That's it.

MR. GUERRERO: This is Julian --

CHAIR JACKSON-DENNISON: She's the only one that I think we're missing.

MS. THOMAS: She's the only one?

DR. PAYMENT: Yes. That's correct.

CHAIR JACKSON-DENNISON: Yes.

MS. BUTTERFIELD: So, were you --

MS. THOMAS: My only concern was, for after the adding, which is fine, I just didn't want someone to say, well, I didn't see it on the agenda, and I would've gotten on if I had known that this was going to be an item. And that was my only concern, if we have more than one person that's not here.

MS. HERNANDEZ-MARSHALL: Hi, this is Angela. I'm sorry, Dr. Dennison. Can I speak?

CHAIR JACKSON-DENNISON: Yes, Angela.

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Go ahead.

MS. HERNANDEZ-MARSHALL: My understanding, from our FACA attorneys, is that because the agenda was published in the Federal Register, we cannot make a real-time amendment to this.

What we can do is raise it in the context of the public comments, or discussion section, in order to be able to schedule and incorporate this topic into a future NACIE meeting.

But at this time, my understanding is that we cannot move forward on action or discussion of a topic that was not published in the Federal Register. So I just want to offer that feedback from our FACA attorneys.

MS. BUTTERFIELD: This is Robin. So could we get in writing, where that's written, that you can't add anything to the agenda once it's published? Could you send that out to all of us?

Because a third item that I had is a

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discussion about filling the vacancies that we still have on NACIE.

MS. HERNANDEZ-MARSHALL: Okay. I'm happy to inquire and ask the attorney to provide that in writing, that feedback.

DR. PAYMENT: Madam Chair, can I ask a question?

CHAIR JACKSON-DENNISON: Yes, Dr. Payment. Go ahead.

DR. PAYMENT: So, all right. So I'm strictly trained in Robert's Rules, and we have to abide by them back home. But since we apparently aren't completely following it -- because the motion and second should've been taken.

We went right into a discussion. It's tantamount to a motion to suspend the rules to add an item, but that's usually not discussable.

However, we have opened it up for discussion, so what I would say is that Patsy, as the agenda was solicited for agenda items, Patsy did request that this item be put on the agenda.

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And I understand we're transitioning from a former director to a current director, but certainly, Angela -- unless you didn't see that request from a council member, after the request was made out to the council, if you have any items.

We need to get this clarified, because it's becoming very difficult for us to do our job, especially when it's not clear what the rules are.

We asked for an agenda item. A committee member asked for that agenda item to be included. It's not included. And so here we are today, though. And we can't add the item. We can have a discussion, because we are. I mean, because it's happening, real-time.

We previously took a vote on a co-chair. After the fact, we were advised that we weren't permitted to do that. At a previous meeting, we then made a motion, and we approved the creation of a bylaws subcommittee.

We started work on that. I did a

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bunch of work on it, and found that in the bylaws, this part's really disturbing. The bylaws include a vice chair already. It also calls for the requirement of an annual election.

And so what's not tenable is when we're advised of what we can't do, and the people who are advising of that haven't either apparently read the bylaws to know that there already is a vice president position. We already do have a requirement for an annual election of officers.

And so I'm frustrated by that. We can't do it today. You know, if we need to take a vote at the end of the day, or a consensus to add it to our next meeting agenda, I'm fine with that.

But this is a moving target that's beginning to become very frustrating to the committee, because whether everybody agrees with that or not, a majority has agreed, as was clarified at the last meeting.

And so I'm hoping we have a reset. I

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had that voice of reconciliation the last two days on our subcommittee meeting.

And so if legal could, in addition to that, while you ask legal, have them review the existing bylaws and the requirement for an annual election, which we have not had since I've been on this committee. That's over five years now.

So we're not doing our duty and not following our bylaws. We need to make sure of that, and review the bylaws for any clarification of if there is a vice chair, which in black and white, I've seen it, there is.

So with that, I think that we should go back to the order of the day.

MS. THOMAS: This is Virginia. May I be heard?

CHAIR JACKSON-DENNISON: Yes, Virginia. Go ahead.

MS. THOMAS: Thank you. I was on the original bylaws committee, where we tried this draft, and I don't recollect that we ever finished drafting the whole bylaws, or has it

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ever been approved.

Because I remember working so hard and putting that thing together, and then we were told, after so many administrations of the secretary, that we did not need bylaws, and then that was kind of thrown aside.

I don't ever remember them ever being approved. It was always in a draft form that we have here.

And as far as, you know, adding in the agenda item today, I think that if we could get Karen on the line, just to make some clarifications.

I for one do not want to step out of the line of the authority of the council, or to overstep any kind of ethics that we're, you know, supposed to go through to do that. I don't want to do something that would put us in jeopardy.

Because I think these are some valid ideas that we need here. The election, the bylaws, and the vacancies are very valid points.

But I want to make sure that when we

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address them that we'll be able to say they've been addressed, and we can go forward and not have to back up and say we did it wrong.

So my recommendation is, right now, if we get Karen Akins on the line with us, to give her opinion on this, and then go forward from there.

MS. BUTTERFIELD: This is --

CHAIR JACKSON-DENNISON: Go ahead, Aaron.

MS. BUTTERFIELD: Can I --

CHAIR JACKSON-DENNISON: Aaron had his hand up. But I can see your mouth moving, Aaron, but I think you're muted.

DR. PAYMENT: Okay, there. Thank you for recognizing me. So here's the thing. So just to make sure this is not an exercise in filibustering us to not move forward, for those people who were on the call in our last meeting, we had a full-throated discussion on this issue.

And we had created the subcommittee in order to move forward on this. It's a year now.

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It's been a year. And we started drafting in earnest, looking at the bylaws -- and I do recognize what you're saying, Virginia, because I couldn't find where they were approved.

But if we're saying we don't have any bylaws, then I'm not sure that we're even legally constituted, then, because we've been operating for however long under the existing bylaws, or not under the existing bylaws.

And so I just, I'm not comfortable with going back to having and asking Karen to tell us what she already told us a year ago. A whole calendar year ago.

And at that point, we were advised, actually it was in absentia of those draft bylaws, and there was no knowledge of it, or nobody was recalling it. So we got a copy of it sent to us. They were draft bylaws, you're correct.

It does have an annual election. It does have a Vice Chair position in it. And so we know that. And I've circulated those. I've done

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a redraft.

We were told by Angela that we were not permitted to continue to have subcommittee meetings until we had a new director.

We have a new director now. And so it's time for us to -- if we can't, and I'm not asking to take any kind of action today, because I've already conceded that.

If we're being advised, Angela's advised us that the notice went out in the Federal Register, notwithstanding requests from members of the committee to add items to the agenda. Those were ignored.

But that's where we're at now. And if we're not going to vote on it, we need to, I think Julian's already said, that our committee is not barred from continuing our work.

So our committee should continue its work, and look at the bylaws, and then bring our bylaws back for an action. Thank you.

MS. BUTTERFIELD: This is Robin. Can I go ahead?

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CHAIR JACKSON-DENNISON: Yes, Robin.
Go ahead.

MS. BUTTERFIELD: Okay, thanks. I just want to add to what Aaron was saying. It does feel like we just keep postponing and postponing the ability to freely operate.

And I would also like to remind the council that at one point we did have co-chairs, when Thomas Acevedo was the original Chair, and when he, of his own volition, decided to leave the Board, that's when Deborah stepped into the position of Chair.

So, you know, we have precedent that we've had that position in the past. So I don't really understand any kind of resistance.

But I do want to make sure that we're all clear about what the expectations are, both for the subcommittees and for the infrastructure of this Board, because it's getting in the way of us being able to do our business. So I call for the --

MS. THOMAS: This is Virginia again.

CHAIR JACKSON-DENNISON: Go ahead, Virginia.

MS. THOMAS: Thank you. I thoroughly agree that we need to put some effort behind putting these on the agenda, if at all possible, because we set the date on 12/4, for this.

And it seems like our only agenda item now is the Annual Report. Could we not guarantee right now that these issues will be on that agenda?

MS. WHITEFOOT: This is Patsy. Can I also speak?

CHAIR JACKSON-DENNISON: Go ahead.

MS. WHITEFOOT: Okay. Thank you. To me, this needs to be a priority, because this is, as you heard, this topic we've been discussing for several meetings now.

And I just think, you know, there's just been so much inconsistent communication and disjointed communication regarding this. And it feels like we're just going in circles, and it's getting to be frustrating.

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So I agree with Virginia. Let's just put it on the agenda for the next meeting. So I make that motion. See, we haven't had to do that, either. This is why it's so frustrating.

CHAIR JACKSON-DENNISON: Thank you.

MS. THOMAS: I'd like to make a motion.

CHAIR JACKSON-DENNISON: I think that the bylaw committee would also be a lot like the Annual Report committee, and be able to meet and finalize the bylaws, and have that on the agenda as well, so that -- and that subcommittee can meet without -- as the meeting.

So I think that we can get that one thing, as long as it's on the agenda before the elections, so you have it solidified, I think that would be a good way of doing this. Thank you.

MS. THOMAS: Did my second get recognized?

CHAIR JACKSON-DENNISON: Who seconded?

MS. THOMAS: This is Virginia.

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CHAIR JACKSON-DENNISON: Okay, yes. So Patsy motioned, and Virginia seconded, to have this on the next committee -- or next NACIE meeting.

MS. BUTTERFIELD: There's a point of order. There is already a motion. That's why we were having the discussion.

So I will withdraw my motion, in support of the one that Patsy's made. And I don't know who seconded my motion, but mine was originally to add items to the agenda. So I will withdraw that motion.

CHAIR JACKSON-DENNISON: Okay. So the motion's been withdrawn and amended. And so --

MS. BUTTERFIELD: No, not amended. Patsy's was a completely separate motion. But I just wanted -- there was already a motion on the floor, so I withdraw that.

CHAIR JACKSON-DENNISON: Okay.

DR. PAYMENT: So Madam Chair, asked without objections, the motion's been withdrawn.

CHAIR JACKSON-DENNISON: Okay, the

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motion has been withdrawn. And there is a new motion to add this to the December 4th Agenda. Is that when the next meeting date was, that we came up with?

DR. PAYMENT: Yes.

CHAIR JACKSON-DENNISON: These two items will be on the agenda. Okay.

DR. PAYMENT: I'll second that.

CHAIR JACKSON-DENNISON: A second --

MS. THOMAS: I already have a second on that.

DR. PAYMENT: Okay. Thank you.

CHAIR JACKSON-DENNISON: Okay. Then there's a --

MS. BUTTERFIELD: Could we also include the filling of the vacancies? So there's three items?

MS. THOMAS: It's three. I asked for the three, the election, the bylaws, and the vacancies.

CHAIR JACKSON-DENNISON: Thank you. Okay.

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DR. PAYMENT: Good job.

CHAIR JACKSON-DENNISON: All right.
There's a motion and a second for the three items
to be added to the December 4th agenda. Any more
discussion?

MS. WHITEFOOT: Just a point of
clarification. Does that include the election,
then?

CHAIR JACKSON-DENNISON: Yes.

DR. PAYMENT: Yes.

MS. WHITEFOOT: Thank you.

CHAIR JACKSON-DENNISON: I think it
should be in the order of the bylaws, the
election, and I forget what the third one was.

DR. PAYMENT: Vacancies.

MS. THOMAS: Vacancies.

CHAIR JACKSON-DENNISON: Vacancies.
Okay.

MS. WHITEFOOT: Okay. Thank you.

CHAIR JACKSON-DENNISON: Thank you.
Let's call for the question. So we'll do a roll
call again.

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MR. GUERRERO: This is Julian Guerrero, Jr., for the record. Proceeding with roll call for that motion. Dr. Dennison?

CHAIR JACKSON-DENNISON: Yes.

MR. GUERRERO: Councilmember Butterfield?

MS. BUTTERFIELD: I agree.

MR. GUERRERO: Councilmember Payment?

DR. PAYMENT: Yes.

MR. GUERRERO: Councilmember John?

DR. JOHN: Yes.

MR. GUERRERO: Councilmember Proudfit?

DR. PROUDFIT: Yes.

MR. GUERRERO: Councilmember Smoker Broaddus?

MS. SMOKER BROADDUS: Yes.

MR. GUERRERO: Councilmember Thomas?

MS. THOMAS: Yes.

MR. GUERRERO: Councilmember Brown?

MS. BROWN: Yes.

MR. GUERRERO: Councilmember Whitefoot?

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MS. WHITEFOOT: Yes, I approve.

MR. GUERRERO: Chairperson Dennison,
that is nine in the affirmative.

CHAIR JACKSON-DENNISON: Thank you,
everybody. So now we're on to the next item on
the agenda. We'll go back to the agenda.

DR. PAYMENT: Yes. It is OIE. Ruth.
I think that's your -- Ruth. Right?

MS. RYDER: Hi, this is Ruth. This is
Ruth Ryder.

DR. PAYMENT: Thank you for being
here.

MS. RYDER: Thank you. It feels a
little anticlimactic to be introducing Julian to
you, because I know that many of you have already
been working with him.

But I think you may remember that back
in February, when we had our last meeting, we
said goodbye to Angeline Bouley, who had
previously been the OIE Director.

She did a great job, but went off to
pursue her dreams, and we certainly all wish her

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well in her efforts around her book, and it sounds like it's just really fabulous. So we are very happy for her, and proud of the great work that she's doing.

We were very fortunate that we were able to post the OIE Director position very quickly. And we went through a rigorous interview process that included the NACIE subcommittee, included an interview panel within the department, and a senior leaders interview, and then of course Secretary approval.

And we selected Julian Guerrero, Jr. for this position. And I do have to say that Julian has really kind of defined hitting the ground running. That would be an understatement.

He came in the end of August. It was a very busy time for us. We were working on three discretionary grant competitions, very high-profile and important discretionary grant competitions around the staff and the NAL and demonstration grant, the ACE project.

We were also working on getting our

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formula grants out to our over 1,300 grantees, and so there was a lot going on. And he really pitched right in and started contributing, and also greatly enriching my leadership team.

I have seven directors that report directly to me. And Julian is one of them, and he has been a major contributor already.

One of the things that Julian and I have talked about is his interest in NACIE being the best council that it can be.

And I heard that same sentiment coming from Dr. Payment, and from Virginia Thomas, that we really want to be a productive and high-functioning group, and Julian is definitely committed to that.

Before I turn it over to Julian, I just want to say that I was really honored to have the opportunity for six months to be the Acting Director of OIE.

And I worked closely with Angeline before she left in February, and picked up the responsibilities to the best that I could.

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I was excited to have the opportunity to bring Dr. Donna Sabis-Burns on board, to lead the Discretionary Grant Office, and she is doing a great job there. And also to bring on Dr. Crystal Moore to lead our Formula Grant Office. And she is doing a terrific job, as well.

And to get to know Angela, Annabelle, Wanda, Shahla, Bianca, Marie, Tawanda, all of the OIE staff. I just want NACIE to know that we have a really great team.

We are looking at doing a little bit more hiring. I think we, Julian and Donna have some interviews set up over the next couple of weeks, and it looks like we have some good candidates.

So we are staffing up. We have a mighty team under Julian's leadership, and I'm very, very, very pleased to be working with Julian and the team.

So Julian, welcome to OESE, and thank you for your great work so far. And I'm going to turn it over to you to share your vision.

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MR. GUERRERO: Thank you so much, Ruth. And there's a reason why this portion was after the business of the, you know, the action item on the agenda in front of you. It's because the value of your work comes first.

And truly, as Ruth had mentioned, I'm committed to however you want to describe it, resetting, breathing life into it, recognizing the past, working with NACIE nonetheless, to reaffirm a commitment and a responsibility that every single one of us have on this call, is to our Native children.

The Indigenous communities, tribal villages and peoples all across our United States of America deserve our professionalism, and this is a huge feat to accomplish in our responsibility to help Indigenous communities, but I'm committed to it.

And I can't do it alone. And I'm very encouraged by my Ed colleagues that I've already met, and Ruth is right. We started, you know, fiercely, at the end of August.

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And I have only been witness to the incredible amount of hard work already put in, day in and day out, night after night, weekend after weekend, to not only award discretionary grants, but also to make sure that our grantees have sufficient technical assistance in front of them, in their hands, at their fingertips, to feel supported.

So I don't want to ramble too much, other than to share essentially the text of my introductory letter, that I wanted to kind of maybe set a tone of how I imagine my view of not only NACIE, but my responsibility to each and every one of you, as NACIE members.

But I'm just going to read verbatim, for the record, here. Today is October 23rd, and this is my message to you.

Honorable NACIE members, on March 1974, the National Advisory Council on Indian Education, NACIE, submitted an inaugural report to Congress.

The report itself outlined a series of

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issues across Indian Country, ranging from chronic absenteeism to local control, to accountability. The report is titled, Indian Education, A National Tragedy -- A National Challenge, which profoundly inspires my correspondence to you today.

In less than four years, we will be celebrating the bicentennial anniversary of NACIE's inaugural submission. My question is, have we met the challenge?

No matter how you answer that question, there is likely a common thread between all of our answers. That thread being, we know there remains more to be done.

My late great-grandfather's favorite phrase was, one more. One more, meaning that no matter how futile, or how tired we may be, there's always room for more. In our United States of America, there is room to remember how much more we still must give to our Indigenous students.

The resilience that flows through the

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ancestry of every single Indigenous student emboldens my resolve to serve both the mission of the Office of Indian Education and NACIE, together.

The opportunity for us to engage in meaningful collaboration and thoughtful planning remains true now more than ever. It's my pleasure to work with you, a strong and diverse body of experts, in the field of Indian Education.

So I return to my question. How will we meet this challenge? So I am eager to prepare for NACIE's bicentennial milestone, and collectively hear a voice for all of our Indigenous students, educators, administrators throughout Indian Country.

So I look forward to virtually making your acquaintance, and sharing in this journey with you. Signed, myself.

But really, I wanted to transition to a ten-point vision that I have been working with the grantees, OIE staff, already. And it's not

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in your packet, but I wanted to verbally go over each point and the meaning of each point.

And there are ten. So if you could bear with me, it's on my extended monitor, so I'll be kind of, like Dr. Payment, moving back and forth here.

The first that I wanted to bring to your attention is stronger and meaningful technical assistance, offering TA that is in plain language, recorded, and accessible to our constituency.

The grantees that we award, they're in challenging times right now, because coronavirus, COVID-19. You know that. We know that. And it makes it that much more important. We support those grantees in their mission and service to our Indian students.

Number 2. Improving relationships with grantees, providing orderly listening sessions whenever possible, to allow opportunities for grantees to interact with OIE staff.

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And again, highlighting those on the call, whether that be Dr. Sabis-Burns or Dr. Crystal Moore or Angela or Bianca or Tawanda or Annabelle. You know, the names that you've seen time and time again.

We want a grantee to have every opportunity to meet our people, our professionals who are working day in and day out.

Number 3. Continuous improvement planning, grantee satisfaction. Using constituency input to drive the way we deliver our services.

Number 4. Increased discretionary and formula collaboration. Building crosswalks for Indian Ed professionals to understand and explore sustainability. The work that our discretionary grantees do should not be in a silo from the work that our formula grantees do.

And I'm committed to ensuring that there's every opportunity explored to make sure that these grantees can share success and share challenges amongst each other, to overcome those

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challenges.

Number 5. Streamlining internal procedures. This is more of an internal one, as in the title. But I want to capitalize on service delivery patterns, and to inform consistent practices.

There are questions that we receive all the time that sound like a webinar. There are calls that we receive all the time that sound like a listening session. A listening ear is important for us, and we're committed to doing such.

Number 6. Improving employee morale.

Enabling personnel numerous opportunities to express their ideas and concerns with leadership.

The OIE team has been a small and mighty team. Many vacancies to fill.

And I can only imagine, and I witnessed it myself, employees in the OIE wanting to know what the direction is for our team. And I'm committed to working with each and every one of them to not only support them, but to cast a

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bold vision where they are included.

They have knowledge and expertise in working with grantees, and I don't want to forego what they can offer to make us even stronger as a team on the federal level.

Number 7. Increase OIE visibility. Elevating the profile of Indian Education for expanded community engagement. We are only one title amongst many others.

And it's easy to get overlooked. It's easy to be invisible. And the work remains in doing everything we can to elevate the profile of Indian Education.

And that's what each and every one of you have already been doing. This is why you're on the NACIE. And it's an incredible opportunity we have to take on that challenge, to elevate that profile.

Number 8. Timely and transparent support. Ensuring communication is timely and transparent. This applies to our work with NACIE. I'm committed to working with our FACA

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attorneys to give you information that enables us to move forward in the best way possible for everyone.

Number 9. Stronger connections with state Indian Education Offices. Collaborating with state education agencies to deliver technical assistance.

And this one's pretty dear to me. And it made my ten-point list because my former employment was with the Oklahoma State Department of Ed, as an Executive Director of American Indian Education.

And I understand what my colleagues go through, and Mandy definitely understands what State Indian Ed colleagues go through.

And it is a constant need to increase visibility, increase TA, increase connections, build those crosswalks, to engage and empower Indian Education.

And our state Indian Ed colleagues deserve a network with the OIE. I'm willing to provide and open the door for them to be

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networked with us.

Number 10. The last, but very certainly the most prominent with us right now, is consistent communication during COVID-19. Hearing the challenges and needs of all stakeholders impacted by the novel coronavirus.

And I just want to call out my own personal privilege at this moment, to say how lucky I am to be selected for this position during a national pandemic.

When we have Native children impacted by coronavirus, it's a tough time. It's tough time for Indian Country. And what an incredible privilege it is right now, for me to have this opportunity to work with you.

I'm committed to the work. Our ancestors made it this far. Take us further. I ask that each and every one of you join me, be with me, because, again, the only way we can complete this is together.

So I apologize for the brief emotion, there. But it's important that I communicate how

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invested I am into the success of OIE.

I appreciate the time, and I welcome NACIE, and I look forward to the further ways we can collaborate. Chairperson Dennison, thank you.

CHAIR JACKSON-DENNISON: Thank you, Julian. That was beautiful. I am looking forward so much to working with you on NACIE, as part of NACIE.

And I can honestly say that I've already seen, as a superintendent, the work that you're doing at that level, and communicating out with the different state levels, with Arizona, in fact, and some of the work that trickles down to the school level.

It is very important, and I'm glad that we have somebody there that has that knowledge and wisdom that you hold.

So I welcome you, and look forward to all the great things that we can work on together with your vision. It's beautiful, it's a beautiful vision, and it's prayers being

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answered, I guess, in many ways, for the leaders of our paths that have wanted this type of a relationship with NACIE.

So I can see that good things are going to happen with you there. Thank you. And thank you, too, Ruth Ryder, as assistant secretary, and all the staff that are there working with you already.

It sounds like you really did hit the ground running. And like I said, I see the evidence of it in my role as a superintendent at San Carlos on the Apache Reservation.

So thank you, Ruth and the staff that are there with you. Do we have any other comments or questions to our new Director?

MS. BUTTERFIELD: This is Robin.

MR. GUERRERO: Yes?

MS. BUTTERFIELD: I just wanted you to give me your Number 2 again. And I also appreciate the list. I think it was very helpful, and I hope we can actually get it in writing at some point. But what was Number 2?

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MR. GUERRERO: Number 2 was improving relationships with grantees.

MS. BUTTERFIELD: Okay. Thank you.

MR. GUERRERO: Absolutely.

CHAIR JACKSON-DENNISON: Are there any other -- anyone else on the council that wants to say anything, or remarks, questions, for our new Director?

DR. PAYMENT: So --

CHAIR JACKSON-DENNISON: Go ahead.

DR. PAYMENT: Yes, just also, I appreciate your sentiment. I'm looking for a reset, so that we can be effective. And so the last two days, I'm pretty impressed with what I've seen so far, so I appreciate that.

If you could find the subcommittee members for the bylaws, and send that out to me as one of your tasks, I'd appreciate it.

I'm still looking for -- I thought that yesterday or the day before, that I found them and I forwarded them to you, but I can't find that I did. So sometimes when I multitask,

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I don't complete the task. This might have been one of them.

So that way, if I did forward you the draft bylaws, and the latest version that I got when Angeline was in your role, and if you could just forward those out when we're done today, that would be helpful. Thank you.

MR. GUERRERO: Sure.

CHAIR JACKSON-DENNISON: Okay, so --

MS. THOMAS: This is Virginia.

CHAIR JACKSON-DENNISON: Go ahead, Virginia.

MS. THOMAS: Hi, I just want to say that I'm not asking anything of you, or not wanting anything from your office right now. I just want to say welcome.

MR. GUERRERO: Thank you.

CHAIR JACKSON-DENNISON: Thank you, Virginia. Anyone else?

(No audible response.)

CHAIR JACKSON-DENNISON: Okay. If there's no other comments or questions or

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discussion, again, thank you --

MS. BUTTERFIELD: I'm sorry.

CHAIR JACKSON-DENNISON: Okay. Who's that?

MS. WHITEFOOT: This is Patsy.

MS. BUTTERFIELD: Deborah? I mean, Madam Chair. This is Robin.

CHAIR JACKSON-DENNISON: Yes? Well, I think Patsy was first.

MS. BUTTERFIELD: I just wanted to just note that NACIE's responsibility is even broader than OIE, that we are supposed to be looking at all of the programs and funding streams that impact Native communities.

And so, you know, that's one of the reasons why, over time, we've advocated over and over again that the OIE position be elevated within the infrastructure of the department, because it isn't limited, or it should not be limited, to just one program, overseeing the grants of one program.

And I just want to sort of note for

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the record that, you know, we still would like to have that happen, because our Native students don't receive Title III resources the way they should, Title I resources, bilingual, I mean, migrant.

And so, I just want, you know, to let you know, Julian, that we've been working on that for decades, really, to be heard. And I think you included that in the visibility and elevating the office.

Because we're not just overseeing Indian Ed, which is a lot of work in and of itself, but we're also trying to impact the other resources on behalf of our Native communities. So thank you. Miigwetch.

CHAIR JACKSON-DENNISON: Thank you, Robin. Let's go to Patsy. She also wanted to say something.

MS. WHITEFOOT: Yes, this is Patricia Whitefoot. I just wanted to, I guess, just think about the communication that we just had with Julian.

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And the fact that he even mentioned the pandemic. You know, it's a major issue in our communities right now, and one that we're having to work through on a daily basis.

And so I'm just thinking about the staff at OIE as well, because they're so far from home, and then they also are having to deal with these issues that we've experienced before, you know, with our people.

And I think we just need to pay attention to that, as an advisory committee, and be mindful of the staff that are in Washington, D.C., as well.

And I know that we all are -- just wanted to make certain that we are reaching out to one another, and I'm glad we were able to do that yesterday, or the past few days with the committee members on this issue, because it impacts us in many, many, many ways.

And I just wanted to say thank you for pointing that out, about the pandemic, because that's how we want to start the report, as well,

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just by talking a little bit about the pandemic, but also integrating it throughout our report.

I also just want to acknowledge Julian for agreeing to take all of our comments that we're making, and he'll be adding those into the report.

So for the other individuals who were named to the committee, and I wasn't aware that some of the individuals were on the committee, but like, Aaron, we welcome that continuing dialogue on the report. And so look forward to that. Thank you, Julian, for agreeing to do that.

And just one final marching order for you, Julian, is to make certain that our report, once it's finalized, that we do get, you know, a meeting before the U.S. Senate Select Committee on Indian Affairs.

I think it's only appropriate that we do, and so of course, us out in the field will also advocate for that, and look forward to that opportunity opening up for us. Thank you.

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CHAIR JACKSON-DENNISON: Thank you, Patsy. Is there anybody else? I can't see everybody's hands go up, but is there anyone else that wants to make a statement or remarks or anything?

Okay. Well, again, welcome, Julian, and thank you for taking on this huge task and responsibility. Go ahead. Okay.

We're ready to go on to the next item on the agenda, which is the updates from the White House Initiative.

MR. LESSARD: Hi everyone, this is Ron. I'm so happy that we could meet virtually today. Again, I just want to mention, as everyone has, how thankful I am that Julian's there.

It's a difficult thing to accept the position when you're far away and there's a pandemic and you're not sure how things are going to be face to face in Washington.

So, that's pretty amazing and also, that I've worked with Julian over the years and I

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really was excited to know that Julian's going to be there so, I think you'll all be happy and all be pleased.

I only have a little bit of time, you know, I could go on for a long time. A lot has happened this year, you know, we are still somewhat limited by the Executive Order.

And by the lack of staff that we have and the capacity to do everything in the Executive Order so, we've had to take things out of that.

And, you know, I'm looking forward to the next administration, whoever that is, that we can really work hard in getting a new Executive Order either on this, on the initiative and then also in the Executive Order hopefully we'll have, see one come out on Tribal Consultation.

Because we work off 13175 and I think it's time that that should be redone. I want to mention a couple of things I'm doing.

I serve on the Alyce Spotted Bear and Walter Soboleff Commission on Native Children for

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the Department of Education. It's a, for those of you who don't know, I think most of you do.

But it was mandated by Congress, it's an 11-member Commission. I serve as one of the federal detailees, one of four. And it's charged with conducting a comprehensive study and programs and support available for Native children, government agencies.

And it's a more comprehensive effort because it includes justice and health and education and other things. A report will be provided to Congress.

It's going to be quite some time because originally it was going to be due, I believe in 2020, actually the end of 2021 but due to the pandemic it's been extended.

In that Commission, I serve on the hearing Sub-Committee but I think more importantly, I also serve on the Coronavirus Sub-Committee where we have done lots of things.

And I'm happy to gather that information and send it to you if it would be

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helpful. One of the things we did was a hearing discussion recently on supporting our Native youth through, during and after the Coronavirus.

Because I think that's important and some of that included some of the barriers that we see that our Native youth see that is not happening with other folks. Especially when it comes to like tablets and distance learning.

One of the things that, you know, we found and have reported, including in the report that a lot of these tablets that are given to students to use, in Indian Country, it's similar.

They're offered the opportunity to get a tablet but some of the conditions around taking a tablet, which means if they get lost or something like that, the family has to pay for the tablet.

And just a lot of things around the financing of it, not to mention the fact that we don't have connectivity in most of our reservations.

So, I just wanted to mention one of

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the things we're looking at is that not only is there a pandemic but that we don't have the tools and resources, I see we in general, some Tribes do and some schools do but to fill this gap during this time that our students are out of school.

So that's one thing that we are looking at. The other thing that we're doing is we hold public hearings, the last one was scheduled face to face in Phoenix.

We got there and had to cancel it due to the pandemic. So, we're actually doing virtual, we've held two virtual hearings. One of them was at NIEA during the NIE conference.

And we're going to be holding another one at the end of November with AIHEC and a number of Tribal Colleges and University Presidents will be joining us on that.

So, that's something that's coming up and I'll make sure I get that information out so you can see that. The Native, the Alyce Spotted Bear and Walter Soboleff Commission is finishing

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updating the website so that should be up there soon. That'll have all these issues on there.

But the other thing that is still important to me, very important is we have our Memorandum of Agreement with BIE and with ANA on the preservation and revitalization of Native languages.

And, Diane, I'm really happy you said that because I've been bringing that terminology up a lot about revitalization but certainly preserve and preservation.

Sometimes we have languages that are extinct and they're not even preservable, so I like the term reclaiming and we're going to be holding our seventh Native American Language Summit.

It'll be in November, it's around the 6th through the 9th. It'll be virtual and we'll have again, several speakers on that. That's going to be, the title of that will be Building Upon Our Resilience Through Our Languages.

One of the things that we're doing at

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that is working with National Museum of American Indians, you know, they're recently opening the Native Veterans Memorial. I'm a Native veteran, I'm an Air Force and give away some of my age, I'm also a Vietnam veteran.

So, this was important that we could include some of these things. But what we're doing is the ANA has worked with Commissioner, with Jeannie, to come up with an award that would be given on behalf of the code talkers, Native -- the NMAI, which will be presented during the time that we do the summit.

So, that's been good because it's been having a lot of contact with NMAI and the new memorial which I think is really great.

I only have a few minutes so, I just want to, the other thing I want to mention is, you know, as we go forward on Tribal Consultation and I think we're due to look, I think redo our Tribal Consultation policy.

There hasn't been a push on that, you know, as there was before when the Executive

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Order was signed, 13175, all the federal agencies were pushed. But we really should be looking at it and revising it in any way we can.

And with certainly, we want your input on that when start looking at it. And then the other thing again, we'll be working at the end of the month with, we're going to be holding the -- there are several things coming up for Native American Heritage Month that's, you know, that's kind of, happens.

You know, we always put -- I like to remind people, we are here the other 11 months but they tend to want everything in November so, we have several things going on that I can let you know about.

One of them is, Julian is involved in this, we have, you know, we're going to be doing a session, a panel on Native Americans and rock and roll. You know, there's a lot of people may not realize.

Well the museum did a session, I mean an exhibit on that, so we're going to have the

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museum, the curator of that speak at our panel and just talk about some of those things.

So, there'll be some other things going on. We have, I'm also doing one on, it's kind of on culturally appropriate teaching, you know, for culturally appropriate issues around teaching Native children if that's the way I can put for now. We'll have a full title on that.

But it's going to be a panel, it'll be involved, we'll have OELA, Office of English Learning and Acquisition involved in that panel.

And then there's some other things we're working AIHEC and some of the TCU's Presidents pulling together a national master calendar of all the events the TCU's we were in.

We were going strong with that but due to the pandemic it's, we had to kind of stop on that because a lot of the calendar events were face to face in person events and seminars and things so, we had to kind of back off of that.

But we're hoping to start up again, you know, after of course, we move into November

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and see what happens on the 3rd.

We're going to keep going. We've had a lot of contact Native youth during this pandemic and I liked, Patsy, I liked what you were saying about transitioning.

One of the things that, you know, however we transition to the next administration we have to keep in mind, be cognizant, but our kids don't need to transition because of politics or anything else.

So, we have kept things going as strong as we can and I look forward to seeing everyone and please let me know if I can provide any information on any of these things or other things.

Just, you know, I'm happy to do that and look forward to this coming year. So, thank you all. I hope --

MR. GUERRERO: Thank you, Ron. This is Julian Guerrero for the record. Chairperson Dennison, let me know that she lost connection. Are you back, Chairperson Dennison?

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CHAIR JACKSON-DENNISON: (No verbal response.)

MR. GUERRERO: Okay. In the interim, I will just facilitate the agenda until Chairperson Dennison returns. Again, Ron, thank you so much for those comments and updates.

The next agenda item is public comments. I do not believe we have received any written public comments to the email. Angela, do you know if we received any public comments per the register notice?

MS. HERNANDEZ-MARSHALMR. DURAN: I have no record of receipt of any at this time.

MR. GUERRERO: Great. Thank you very much. Having no public comments being received we will move to the next agenda item, which is Departmental updates. Oh, and I should probably show the agenda on the screen here.

Departmental updates and just for the sake of going back to your binders, again, on the very front of it is the corresponding letters and the sections to each of the information.

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So, if you just bear with me, we could go to Adyel. Adyel, are you on the line? Okay.

MR. DURAN: Hi Julian, I am on the line. Sorry about that.

MR. GUERRERO: Oh, great. Great.

MR. DURAN: Had to toggle my microphone.

MR. GUERRERO: Oh yes, I understand. If you'd like a few minutes to, feel free to take your time, I know we're ahead of schedule so, the floor is yours.

MR. DURAN: Thanks, Julian. Just for the record, my name is Adyel Duran with the Title I Part A Team in the Office of School Support and Accountability at the Department of Ed.

I'd just like to provide a very quick update regarding the Bureau of Indian Educations CARES Act Education Stabilization Fund Allotment.

As most of you already know the Department of Ed and BIE signed the final agreement governing the CARES Act ESF BIE fund on June 12th and the Department of Ed transferred

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these funds to the Department of Interior on June 15th.

Now there's a broad range of allowable uses of these funds under Section 18003(d) and 18004(c) of the CARES Act.

And part of the agreement outlines the responsibilities about the Department of Ed and Interior related to communication and reporting.

Now this includes BIE submitting a first and third quarter report and a final report that includes a copy of the budget with information on activities being funded.

An internal control's plan for monitoring all BIE funded schools and information on allocations to BIE funded schools and other BIE funded programs.

In addition to this, BIE will be providing to the Department of Ed copies of the report to Congress and the Office of Management and Budget under 15011(b)(1) of the CARES Act.

BIE will also have the opportunity to discuss any updates on these CARES Act funds at

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quarterly joint meetings as well as to ask any questions for the Department of Ed -- as well as to ask any questions and for the Department of Ed to provide a technical assistance.

Now, one thing that I'd like to mention is that at a previous joint meeting, the BIE stated that the CARES Act ESF funds were distributed to BIE funded schools within five days of receiving them.

It was also stated that 70 percent of those funds had been obligated by BIE funded schools.

And we should have more up to date information on activities, obligations and expenditures in the coming weeks as the end of the first quarter approaches.

Now for any questions related to the BIE ESF CARES Act funds, please don't hesitate to reach out to me at OESC.TitleI-A@gov and I believe my contact information is included in the meeting invitation.

And that's all I have for today as far

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as this quick update goes and with that, I'll turn it back to you, Julian.

MR. GUERRERO: Thank you, Adyel. I appreciate your time and again, for signaling the support by being with us today during the NACIE meeting. The next departmental update I'd like to go to is --

MS. BUTTERFIELD: Can we ask a question?

MR. GUERRERO: Oh yes, please, go ahead.

MS. BUTTERFIELD: I was just curious, I know you're being very specific about your work with the BIE schools but isn't there a way to track Native students in Title I programs overall, including, you know, the 90 plus kids that are in public schools using Title I funds?

MR. DURAN: And are you, just asking clarifying question, so you're referring to students, Native students that aren't necessarily attending schools that are under the BIE system?

MS. BUTTERFIELD: Right.

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MR. DURAN: Yes. So, states are required, states that receive Title I funding are required to publish student achievement data on their websites.

So, those report cards are supposed to also provide student achievement of different sub-groups of students.

So, I would encourage anybody to go to a state's website of their Department of Education's website and look at those report cards.

MS. BUTTERFIELD: But is there anybody in your office that can provide us an overview of those report cards?

MR. DURAN: I would be happy to look into that for you. Would you be able to email me that question? Or I'd be happy to take your email right now.

MS. BUTTERFIELD: Sure. Great.

MS. WHITEFOOT: Could I speak?

CHAIR JACKSON-DENNISON: Go ahead Patsy.

MS. WHITEFOOT: Okay. Yes, this is

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Patricia Whitefoot from Washington. I think that's, part of that question would be, I think appropriate for all of us to have access to that information as well and support, you know, your inquiry, your request.

CHAIR JACKSON-DENNISON: Okay. I think that's it's possible for someone to get on to the different state websites and just pull that information off from -- if you're talking about the public schools is what she's asking for so --

MR. DURAN: Yes.

CHAIR JACKSON-DENNISON: -- that would be something that's doable I would think.

MS. BUTTERFIELD: Yes. Just to kind of clarify, you know, one of the charges of NACIE is to be looking at all the resources that are available to Native children.

And, you know, those of us who've worked at the District level as well as the State level, you know, Patsy has been at the State level as have I, you know, for over a decade.

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And, you know, we worked with our Title I offices at the State level trying to get those kinds of report cards. So that we know how those Title I funds are impacting and supporting, you know, our Native children.

So that's what I'm asking for is I think it's important for the Department itself, the whole Department of Education to be aware of, you know, the largest funding stream is Title I, I believe, how is that impacting and serving our Native children.

So, I don't know how you pull that data together but I think it's really important, you know, it's one of the treaty obligations with, you know, our Tribal people is to provide a quality education.

And our kids always seem to be in the pool of students that need extra help so, Title I is one of those sources. So that's what I'm asking for is that the Department also inform, not just NACIE, but itself about how those funds are helping us.

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CHAIR JACKSON-DENNISON: Thank you for that, Robin. Anyone else?

MR. GUERRERO: Well again, this is Julian Guerrero for the record, thank you Adyel for your time. We appreciate your attendance and, Chairperson Dennison, if it's okay we have another update. Chairperson Dennison, is it okay to move on to another update?

DR. PAYMENT: Without objection.

MR. GUERRERO: Thank you. Our next is going to be from another Ed colleague who, her name is Rebekka --

CHAIR JACKSON-DENNISON: Okay. I lost you there for a minute. Yes --

MR. GUERRERO: Okay, okay. Thank you.

Rebekka Meyer has joined us and she is a Program Officer with PGSS and she has graciously submitted an update on the Native Education Collaborative and want to give Rebekka the floor to provide some explanation.

MS. MEYER: Hi, everyone, and thank you, Julian. Hopefully you can hear my okay, I

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am on the phone because I have to make a GoToMeetings to work with audio.

But the document that was submitted for the meeting yesterday is a summary of what's really happened since the last NACIE meeting when there was a presentation about this funding, which was supplemental funding that went to the National Comprehensive Center.

So, it's a nice succinct summary. I think one of the biggest things just to highlight, is that as with everything, the timelines have been thrown off because of the pandemic. So, there's been an extension of the timeline, which you'll see laid out really well there.

The circles of reflection process, which the National Center has developed is being piloted and actually I know Mandy can speak more in detail to that because she has been very involved in that process.

But that's, you know, I think this is a very high-level update, is that since we last

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saw you, you know, the pandemic happened and we've had to adjust.

But the National Center team has laid out a very clear plan of how they're going to be moving forward. And, Mandy, I don't know if you want to add anything to that. Or I don't know if there are any questions.

CHAIR JACKSON-DENNISON: Do we have any questions from the Council?

MS. WHITEFOOT: This is Patricia Whitefoot. I didn't hear your name.

MS. MEYER: This is Bekka Meyer.

MS. WHITEFOOT: Okay. Rebekka, is this also the Comprehensive Centers that you're talking about?

MS. MEYER: Yes. Yes. So, this is the work that's happening with the National Comprehensive Center and then the Regional Comprehensive Centers will be able to use this as a tool when working with SEAs after the pilot process is done.

MS. WHITEFOOT: Oh, okay. So, as I

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understand it, because we're in Comprehensive Center as well, so we have some states that have various priorities.

So, I'm curious how a Native education is able to participate in the Comprehensive Centers when Native education is not a priority?

MS. MEYER: Well, and that is part of the goal of this effort is to get SEAs and TEAs and LEAs talking together about how services to Native students can be more fully integrated and the state can be more aware of what those needs are.

So that's something that is, you know, a hopeful endpoint of this work.

MS. WHITEFOOT: Okay, thank you. Great. I'm glad to hear you say that then because that's a question some of us had regarding that.

When I think about, you know, especially states like Alaska and I just, you know, am wondering and worrying about our Alaskan Native colleagues that we work with.

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And families that we work with and so, just want to make certain that we're providing, you know, all the support that we can.

And I know that one of the issues we've been discussing with regard to the pandemic is the distance learning and the availability and access of technology in some of our villages and communities.

And I'm just curious because this also impacts, you know, what we write in our report and thank you for bringing this up because I didn't think about the impact of these Comprehensive Centers.

I just share this with you because I'm with Washington and our Superintendent has prioritized Native education, whereas in other states that isn't necessarily the priority.

So, I just want to make certain that we're all aware, you know, of this change that has occurred with these Comprehensive Centers. Thank you.

MS. MEYER: Yes, thank you. And I

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think, you know, that sort of dialogue is what, you know, everyone is hoping will become more established.

And more of a standard communication that'll be happening in the FTA level in terms of all of the different elements of FTA taking into account what was happening in the Tribal communities in that state and what their needs are.

MS. WHITEFOOT: Okay. And so, just one final comment I guess is, because we worked over the years, many, many years, not beyond our northwest borders.

And so, because we'd been split now and the Comprehensive Center includes not only Alaska but also Washington and Oregon and we already have had practice working together with, you know, Idaho and also Montana as well in some of our collaborative work.

And so, it is our goal to be able to continue reaching out to those as well where Tribal communities exist and we've already had

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working relationships beyond those that are in the current geographic location of the Comprehensive Centers.

MS. MEYER: Yes. And that makes a lot of sense. I will take that feedback back to the National Center and to the, I don't work specifically with those regions, with the states you just mentioned.

But I can take that back to my colleagues to just, so that that is something that everyone's aware of in terms of previous work or established work and how that could, partnerships could still continue. It sounds like that's what you're saying.

MS. WHITEFOOT: Right. And I guess what I'm saying too is that this work is based on the work that our Tribes do with one another. In my case I'm also part of the Affiliated Tribes of Northwest Indians.

And so, we work beyond these boundaries, these state boundaries because we are, you know, basically related to, you know,

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the Tribes in other states. We didn't create those boundaries.

Our relationship extends into Oregon with people who speak, you know, with Tribes who speak similar languages, have similar customs, practices, all of that. So, I mean, that is our intent, is to continue that communication and collaboration with one another.

So, I think that's a whole educational process that's essential for, you know, folks that work with these types of centers. Just wondering how that is taken into account when establishing these centers?

MS. MEYER: So, I --

MS. WHITEFOOT: So I would like, definitely love to have your email as well.

MS. MEYER: All right, yes. It is Rebekka, with two Ks, R-E-B-E-K-K-A, dot, Meyer, M-E-Y-E-R, @ed.gov.

MS. WHITEFOOT: Okay.

MS. MEYER: And I was not around when they made the regions but again, I'll take that

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question back to my colleagues and that feedback.

MS. BUTTERFIELD: This is Robin. Could I just ask, under number four, where you say you've produced, curated and disseminated resources aligned to the themes that are covered in the self-reflection process. Is it possible to get a copy of what those themes are?

MS. MEYERS: Yes. And it's actually on that website, the Native Education Collaboration.

MS. BUTTERFIELD: Okay.

MS. MEYERS: So, on that site there's the different, you'll see like a different graphic with each of the themes and then you can view the resources.

MR. GUERRERO: This is Julian Guerrero for the record. I went ahead and put in the website link for you, Rebekka and for you, Councilperson Butterfield, that way you can just go into chat box and you have it there.

MS. BUTTERFIELD: Thank you, Julian.

MS. MEYER: Thank you for doing that.

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And again, I'll say it, if Mandy wants to add any comments, by all means because she's been very involved in all of this.

MS. BROADDUS: This is Mandy.

(Simultaneous speaking)

MS. BROADDUS: I just would add, you know, to everything that's been said about the National Comprehensive Center work, that the team of folks that are working on that have been, they've been, you know, very, they've not only brought expertise and experience.

But they've brought, you know, real compassion and intention and purpose to this work and I'm just really grateful to be a small part of it and to be able to hopefully help it grow around the country.

And really help a lot of barriers that exist in states in regards to Native education, you know, to really be broken down. So, that's all I'd add.

MR. GUERRERO: Excellent. This is Julian Guerrero for the record. I appreciate

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that, Rebekka and Mandy. Thank you so much. Chairperson, is it okay to move to the next update?

CHAIR JACKSON-DENNISON: Yes, let's go ahead and move on to the next update. Thank you, Julian. And thank you for your report, Rebekka.

MS. MEYER: Thank you.

MR. GUERRERO: The next update is going to come from our OIE colleague on the formula side, Dr. Crystal Moore, who will be giving Title VI Part A Subpart 1 Formula updates.

DR. MOORE: All right. Good afternoon again, Honorable Members of NACIE. For the record, Dr. Crystal Moore, I'm an enrolled member of the Choctaw Nation of Oklahoma.

And honored to be serving as the Formula Group Leader and Supervisory Program Officer for the team since middle of March and wanted to thank everybody that has really supported my transition to the Supervisory Group Leader over the past roughly seven months.

It's been exciting, especially due to

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an unforeseen pandemic and we've got a lot of good work done. I believe we have, thank you for putting up the update documents.

One of the several things we've done over the past several months to really strengthen our support and technical assistance to our grantees throughout the continental U.S. and Alaska is to, we reassigned some of our Program Officers to new states.

And with much more of a regional focus and that will allow us, once COVID-19 is hopefully, relaxes or diminishes over the, hopefully a shorter amount of time than longer, will allow us to do very regional specific grantee TA hopefully in person.

To support the great work that's already happening by a PGSS and our other TA support teams. And so, you'll see the new Program Officer state assignments reflected there.

It also highlights that we have two new Program Officers to our team. We are very

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excited to have them, Ms. Tawanda Avery onboarded to our team in the beginning of August.

She is a returning Ed employee. We recruited her back, got her back. She had briefly went to BIE as a Special Ed Director specifically assigned to the Navajo Nation in Arizona.

So, she decided she wanted to come back to us and we were grateful to hire her and certainly incorporate all of her wonderful in depth, boots on the ground knowledge of BIE.

And we are especially appreciative of her SPED experience, her Special Ed experience. So, she will be overseeing grants in Utah, Nevada, California, Arizona, Wyoming, Colorado, New Mexico and Texas.

Roughly each Program Officer will have about 275 grants each, which is quite a bit because each one of these, each one of our entities need a significant amount of support due to our specific Title VI statutes.

As well as just being very localized

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and culturally specific. So, we do need to provide and do provide very detailed and extensive one to one support at each of our grantees.

So, Tawanda, Marie, who's the third line and Annabelle, roughly have about 275 grants each. Ms. Wanda Lee has about 400 because she has all of Oklahoma and roughly 40 percent of our grantees are in Oklahoma.

So, there's -- we feel that's equitable for a variety of reasons I can go into if you'd like but overall, this new system of assignment seems to be working very well.

And back to the chart, Wanda Lee has been with us for about six-ish years and she is a member of the Lummi Tribe of North Carolina and is now again, assigned to Oklahoma.

And Dr. Marie Julienne is one of other new employees, grateful to onboard her. She started with us in June and you see her states there, Montana, Idaho, Oregon, Washington, Nebraska, North Dakota, South Dakota and Alaska.

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So, kind of that Northwest region and she worked at the State Department of Education in New Mexico. Has a lot of great previous experience in data.

And worked significantly with their NAEP team so, she brings a wealth of knowledge and experience to our team as well. We're really grateful to have her.

And then I think most of you know Annabelle Toledo, who has been with us for about 16 years and she is a member of the Pueblo of Jemez. And she will be covering our Eastern states.

And continues to be a wealth of knowledge regarding the, kind of the history of OIE and everything that's kind of happened over the years. So, that is our small but mighty team.

And another of our highlights or highlights that we can cover, again there's been a lot of work that's happened. We made roughly \$105 million of awards, Title VI awards in

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August.

That is later than our typical July and that's because we gave grantees a one-month extension to their Part 2 award to accommodate, to be supportive of the COVID pandemic that hit right around March.

So, mid-March is when most people started going 100 percent online and working from home so, we did provide that one-month extension-ish to the applicants to turn in their Part 2.

That meant we made awards in August. We have every plan to make awards back in July next year again to stick to our regular timelines.

We are diligently working to update all key personnel. That's always an ongoing effort for us to make sure we have accurate communication information.

And then as well as DUNS numbers, that's definitely a key part of our work is to make sure that we have correct business entity names so that we can make payments or allow draw

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downs in a timely manner.

Third bullet point is that we have also been working really hard on making sure that our EASIE registration opens on time in early November, which is extra exciting this year.

Because we, as you may have heard, we are moving platforms from the, from our traditional EDEN under ED Facts system to the OMB MAX platform.

We just finished a 60-day comment period collection on, it was Wednesday, no I'm sorry, Tuesday the 20th.

And we're going to be answering it, roughly the nine comments that we got and then we're going to be opening up the 30-day comment period by the Federal Register hopefully very soon, if not within a week to two weeks.

And we will be sending out a plethora of communications, broadcasts via email as well as our Community of Practice to make sure that all grantees and potential applicants have every opportunity to submit their application in a

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timely manner.

Our goal, our plan is to keep all the same deadlines, all the same timelines and we're on track with all of that.

It's been quite an effort to switch platforms, as any of you who have -- went through that practice may know. I think we're on a good trajectory.

Circling back to our COVID response, our pandemic response to support our grantees, our communities, our families that have really been, in some cases devastated but certainly impacted by COVID.

We published a flexibilities letter, it's linked there. I believe that was published in May.

And one of the things I'll note about that because you can read it is that we had a special interest about, a focus on highlighting the ways that we are instituting flexibilities to support remote distance learning.

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of that and that's all covered in the letter but our goal was to support the times during the pandemic in order to provide those technology resources and supports that are so desperately needed across all Tribes and LEAs.

We do have an ED Fact Sheet that is listed there and links there and then you can also find Coronavirus updates.

And of course, as always if there's questions or concerns you can email the Formula Team Indian.Education@Ed.gov or myself Crystal.Moore@Ed.gov and we will respond in a very timely manner.

MR. GUERRERO: This is Julian for the record. Are there any questions?

CHAIR JACKSON-DENNISON: Do we have any questions for the presenter?

MR. GUERRERO: Great. Okay. Chairperson Dennison, this Julian, we have one final update and are we okay to proceed?

CHAIR JACKSON-DENNISON: Yes, go ahead. Thank you.

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MR. GUERRERO: Okay. Our next presenter and we're not going to do all of the slides but we wanted to give an opportunity to Dr. Sabis-Burns, Group Leader for the Discretionary Grant Team an opportunity to provide some updates.

DR. SABIS-BURNS: Hello. Thanks, Julian. Let's see, okay. Almost there, okay the organization chart. So yes, Donna Sabis-Burns here, Group Leader of the Discretionary Grant Program for a quick update.

Like Crystal, Dr. Moore, we are happy and are very much looking forward to hiring new people to expand our team. On the other side of OIE of course is the Discretionary Grant Program.

I have a couple of very awesome Program Directors or Program Officers. One of which is one this, well I think they're both on this call. Angela Hernandez-Marshall, who wears many, many hats.

Not only is she of course, the DFO for NACIE, she is also the Program Officer for our

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Professional Development Grant and is also stepping in to work with the Native American Language Grant. And so, you'll see her quite a bit throughout the OIE Office.

Next, we the State Tribal Education Partnership Grant that is led by Shahla Ortega. Shahla has been out on medical leave for the past couple of months but we received good news that she should be back the beginning of November, so we are looking forward to having her back on staff.

And then there's Bianca Williams who is our Demonstration Grant guru and is holding up the fort for the NYCP grant and the new ACE, Accessing Choice in Education grants.

And just a quick overview, and I say quick, it wasn't quick -- well it was quick but it was very painful, getting, we have three simultaneous grant competitions going on in the fall.

And very, very, very proud of the team to say that we were able to publish and get out

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over \$27.5 million within a six to eight-week period. And of that, we have the new Demonstration Grant, the ACE of which were 40 awards totaling \$24.1 million.

Then we had the Native American Language grants, we had 11 new grantees for that, \$2.1 million and also, we had the Tribal Education Partnership grants, four new grantees, totaling \$1.3 million.

So, with just a couple of people on the team and a lot of help from across the Department, we're very happy to be able to get that out. And so that's, in a nutshell, our work for the past couple of months.

And here's a great slide, just a picture. If you want to take a picture of it with your camera showing who were the awardees for the new Demonstration Grants. Again, we had 40 of them.

And here's a beautiful picture of where all of our Demonstration Grants are dispersed and I think we have a very well

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distribution across the country.

Kudos to Alaska, they've got quite a bit up there too. But yes, it's a great representation all across the country.

DR. PAYMENT: Can you go back one page? I see, I saw a dot that looks like it's my Tribe but I don't see our name on the list.

That little blue dot there, that's where my Tribe is, could you back one more where the list of the grantees. Yes, so they're not on this list but there's a little dot where my Tribe exists.

DR. SABIS-BURNS: It could be prior grantee or, because I think it, that's the list right there for the new ones but the map shows all for different competitions --

DR. PAYMENT: I got it, I got it.

DR. SABIS-BURNS: -- cohorts. So, maybe, prior cohort.

DR. PAYMENT: Okay. Thank you.

DR. SABIS-BURNS: Sure. Then the Native American Language Program, then we have

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three continuing awards with the, in addition to the new awards.

We do anticipate any new competitions for this program but we will be moving forward of course with the continuation of this year's new awardees.

And these are the winners and there they are at the center of the map. Once again, very well dispersed across the country.

MS. WHITEFOOT: Donna --

MS. SABIS-BURNS: Yes?

MS. WHITEFOOT: -- I'm assuming these are in our packets, which I didn't receive yet? Okay, thank you.

MS. SABIS-BURNS: Then we have, of course, the Professional Development Grant. We did not have a new competition for FY20. We do have 37 continuing awards.

But the exciting news is we are having a brand-new competition for FY21 and we are busy getting that notice, getting ready for it to be published soon. So, stay tuned on that.

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But yes, that's upcoming. About \$10 million worth will be coming to that program. And these are the PD programs out there.

And then finally, our STEP, the State Tribal Education Partnerships. No continuing awards. The fiscal year prior was just a one-year grant. However, this past year it was for new awards.

We, again, will not have any new competitions for this program but we will of course be maintaining the continuation of the new grantee awards. And these are the new STEP grantees.

And there they are dispersed from one side of the country to the other literally. And if you, you have all of this I assume in the packet. There are the emails and contact information for all of us and who is doing what.

It will be changing as we alluded earlier, we are in the process of hiring and so hopefully we will have some adjustments made to these, to our new employees.

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But for now, this is where it's at, so if you have any other questions, please reach out to myself or my wonderful team and we will be happy to help you.

MR. GUERRERO: This is Julian Guerrero for the record. That's it for the Discretionary, are there any questions?

MS. BUTTERFIELD: This is Robin, I just wanted to know if there's a list of the Professional Development grantees? I see the map in the power point but I didn't see the list.

MS. SABIS-BURNS: Yes, the list only highlighted the new awardees for the Fiscal Year '20 and we did not have a competition, so that's why there wasn't a list shown for the PD.

MS. BUTTERFIELD: Oh, can we get a list?

MS. SABIS-BURNS: Sure. We can give you list.

MS. BUTTERFIELD: Okay. Thank you.

MS. SABIS-BURNS: Sure.

CHAIR JACKSON-DENNISON: Thank you,

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Dr. Burns. Is there anybody else that has questions or comments from the Council?

MR. GUERRERO: This is Julian Guerrero for the record. Doreen Brown had made a comment in the chat box saying, it's imperative to show and include Alaska and Hawaii and we did our best to make sure that those graphics were included.

So, you'll see here to the left there's Alaska and then I'm sure on the, are there any Hawaii one?

MS. SABIS-BURNS: There was some, maybe a previous one with the NAL but not currently.

MR. GUERRERO: Got it, got it. Okay.

MS. SABIS-BURNS: Because I would be looking out for that, trust me.

MS. BROWN: Ms. Burns, were there any PD grantees in Alaska?

MR. GUERRERO: I'm sorry, we didn't catch, what was the question Doreen?

MS. BROWN: On the PD grantees, it doesn't include Alaska and I was just wondering

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if there were any new grantees?

MS. SABIS-BURNS: Oh, no on the PD we don't have a new grantee program. We're going to be competing in that this year. So, the ones that are shown are just the existing current grantees.

MS. BROWN: So, there were no PD grantees in Alaska?

MS. SABIS-BURNS: Not for PD, not for this current fiscal or for the FY20 fiscal year.

MS. BROWN: Thank you.

MR. GUERRERO: Julian Guerrero for the record. Chairperson Dennison, that completes the Departmental updates. Back to you.

CHAIR JACKSON-DENNISON: Thank you. Thank you and thank you for all the updates from the Departmental staff. I really did, I made a note in the chat that I enjoyed looking at the org chart because it makes so much sense how things work together.

And I think that really helped as well so, if we can just get the list that would be

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even greater too. So, I look forward to that as well. I think that's what Angela sent us, right?

The cohorts? Okay, maybe that's not it.

MS. HERNANDEZ-MARSHALMR. DURAN: Yes.

For the active grants for Professional Development that were awarded in prior years, the awards list is on our website. So, I've provided a link to that site.

CHAIR JACKSON-DENNISON: Okay, great. Thank you so much for that. I guess that concludes our agenda because it looks like we didn't have any public comments or do we have any public comments? If we don't, we skipped over that?

MR. GUERRERO: This is Julian Guerrero for the record. We did not receive public comments, Chairperson Dennison. So, we just went straight to Departmental updates.

CHAIR JACKSON-DENNISON: That concludes our agenda today --

MS. WHITEFOOT: So, I don't, I have question. I have a question.

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CHAIR JACKSON-DENNISON: Okay, Patsy. Go ahead.

MS. WHITEFOOT: I ask this question through the Title VI Program overview but I did have a concern about school districts LEAs that aren't accepting the Title VI Programs due to the Tribal Consultation requirement.

And I know that's been an issue that's been brought up in our, in the Northwest area that these grants aren't being accepted any longer but yet the Native students still are present in those LEAs.

And so, I didn't know whether it was appropriate for us to address that. Of course, we're going to address it in the report. We did have this discussion about addressing it in the report.

But I'm just wondering about a statement coming from the National Advisory Council about this issue or -- and I'm not sure what Julian's role would be in that or if that's something he could just continue to monitor.

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I know that, you know, in his area as well this has become an issue again, because Tribes are, you know, exerting their authority around, you know, government-to-government relationship. Just raise that, an issue that we need to be aware of.

Not only be aware of but also just communicating perhaps with our state education agencies, Native education offices or I'm just not sure what it would be.

CHAIR JACKSON-DENNISON: Is that a question to Julian or --

MS. WHITEFOOT: I guess just a question to the Council as well. I don't know whether they're experiencing it or if they're aware of this that's going on.

But if there isn't a, you know, if no one is experiencing it and it's only in certain parts of the Indian Country it has me worried. And maybe I'll just ask Julian --

(Simultaneous speaking)

CHAIR JACKSON-DENNISON: -- are

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experiencing this --

MR. GUERRERO: Yes. This is Julian Guerrero for the record. In my former role as a state Indian ED Director, we had instances where LEAs would avoid placing Formula applications for Title VI, Formula Grants.

And there were a number of them and it kind of, the way the numbers played out were maybe half of the population who didn't want to apply for those grants there was an opportunity for Tribal Nations in the State of Oklahoma to apply in lieu of those of those LEAs, which there is a process for that, that's delineated.

And they were different, most of the population that did not want to give the permission for a Tribe to apply in lieu so, you know, there's a lot of diversity out there and it certainly does happen in Oklahoma for sure. Speaking from my former role.

CHAIR JACKSON-DENNISON: Okay. I don't know anything of any other states but I would, does anyone have that experience in their

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states that they're representing or Tribes that they're representing?

I do know that, and I don't know, Julian, if this is a part of it but perhaps it has something to do with when Superintendents don't want to do the Consultation with the Tribal Councils or the Tribal Leaders.

And to avoid that, that's what they're doing. Is that what you're experiencing, what you had experienced in Oklahoma?

MR. GUERRERO: This is Julian Guerrero for the record. Again, speaking from my former role, I've seen it. I've been a witness to districts who don't want to apply for those funds, you know, for many reasons. One of those reasons being burden, Consultation being seen as a burden.

MS. WHITEFOOT: Well, I just wanted to bring this up before we close and we'll make certain that we include it in the report. If it's just in the Northwest and Oklahoma that's pretty interesting. But thank you for allowing me to bring this up.

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CHAIR JACKSON-DENNISON: Yes, Patsy. I think it's a good point. I do know that there is some hesitation on the Consultation part on the part of, especially border town Superintendents that don't want to meet.

And I know that for grants like the Impact Aid Grant, they're tied into it because they need that money but they don't want to meet sometimes with the Council.

So, if it's somehow connected to, I don't know if it's possible to (audio interference). That's what I do in San Carlo because I meet with the Tribal Council for both.

It's not just the -- but that's something that we should include in the report and let's just leave it at that. So, ways to make certain it happens.

So, the kids are not, are ensured the services through the Title VI grants.

Okay, motion to adjourn?

MS. WHITEFOOT: So moved. Patsy.

DR. PAYMENT: I'll second. Aaron will

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second.

CHAIR JACKSON-DENNISON: Aaron moved or Patsy moved and Aaron second?

DR. PAYMENT: Patsy moved, I second.

CHAIR JACKSON-DENNISON: Did I get that backwards?

DR. PAYMENT: Yes.

CHAIR JACKSON-DENNISON: All in favor, I don't think we need a roll call vote. Let's just, if anybody doesn't want to adjourn, you can stay one. No, I'm just kidding. Everyone in favor say aye.

(Chorus of ayes)

CHAIR JACKSON-DENNISON: Okay. It's nice seeing everybody. We will -- or hearing everybody, I didn't see everybody. Thank you.

(Whereupon, the above-entitled matter went off the record at 5:00 p.m.)

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