

UNITED STATES DEPARTMENT OF EDUCATION

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NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

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MEETING

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THURSDAY
APRIL 25, 2019

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The National Advisory Council on Indian Education met in the Grand Hyatt Washington, Constitution A, 1000 H Street, NW, Washington, D.C. at 9:00 a.m., Deborah Jackson-Dennison, Chair, presiding.

PRESENT

- DEBORAH JACKSON-DENNISON, Chair
- PHYLISS ANDERSON, Member
- THERESA AREVGAQ JOHN, Member
- DAHKOTA BROWN, Member *
- DOREEN BROWN, Member
- ROBIN BUTTERFIELD, Member
- WAYNE A. NEWELL, Member *
- AARON PAYMENT, Member
- JOELY PROUDFIT, Member
- PATRICIA WHITEFOOT, Member

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ALSO PRESENT

ANGELINE BOULLEY, Designated Federal Official;
 Director, Office of Elementary and
 Secondary Education, Office of Indian
 Education

FRANK BROGAN, Assistant Secretary, Office of
 Elementary and Secondary Education

MARK WASHINGTON, Deputy Assistant Secretary for
 Management and Planning, Office of
 Elementary and Secondary Education

RUTH RYDER, Deputy Director, Office of Special
 Education Programs

KAREN AKINS, Committee Management Officer, Office
 of the Secretary

MICHAEL CHAMBERLAIN, Special Assistant for Rural
 Outreach, U.S. Department of Education

DIANA COURNOYER, Interim Executive Director,
 National Indian Education Association

ADRIANNE ELLIOTT, Legislative Analyst, National
 Indian Education Association

ANGELA HERNANDEZ-MARSHALL, Discretionary Team
 Member, Office of Indian Education

WANDA LEE, Formula Team Member, Office of Indian
 Education

JILL MARTIN, Attorney, U.S. Department of
 Education

JUANITA MENDOZA, Program Analyst, Bureau of
 Indian Education

SHAHLA ORTEGA, Discretionary Team Member, Office
 of Indian Education

PHILLIP ROULAIN, Logistics and Event Planner,
 Tribal Tech, LLC

KIMBERLY SMITH, Formula Team Member, Office of
 Indian Education

ANNABELLE TOLEDO, Formula Team Member, Office of
 Indian Education

BIANCA WILLIAMS, Formula Team Member, Office of
 Indian Education

* present by teleconference

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

2 9:17 a.m.

3 MS. BOULLEY: Good morning. My name
4 is Angeline Boulley. I'm the director for the
5 Office of Indian Education and welcome.

6 I'm going to turn this over to Dr.
7 Deborah Dennison who is the chair for the
8 National Advisory Council on Indian Education.

9 DR. JACKSON-DENNISON: Good morning.
10 (Native language spoken) everyone. Welcome to
11 the long-awaited National Advisory for Indian
12 Education Council meeting.

13 I'm going to yield this over to Patsy
14 who is a member of our council to start us off
15 with a blessing for the morning. Thank you.

16 MS. WHITEFOOT: Good morning to each
17 and every one of you. Good to see all of you
18 here again. I'm glad to be here with you.

19 I'm going to start off with a blessing
20 this morning, one that we've been praying with at
21 home.

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1 (Invocation given.)

2 MS. WHITEFOOT: Please raise your
3 right hand with me and say aye.

4 (Chorus of ayes)

5 MS. WHITEFOOT: Today I share this
6 blessing song with all of you here in this room
7 and around the world as well.

8 Today the song as it's interpreted by
9 my people speaks to the beautiful land. At this
10 time of year as we travel we're reminded of our
11 homelands where we come from.

12 As has been done for centuries our
13 people have gone out and provided support for our
14 own communities, but we also recognize that our
15 Creator endowed us with many gifts and that is of
16 the land and all those foods and medicines that
17 flow out of the land and all the people and
18 animals, and all the birds and fish that depend
19 on the gifts of the land and the river and the
20 water.

21 So at this time of year we're out

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1 gathering. Last week we went out and we held our
2 feast and this song came up on our floor as the
3 women prepared to go out and gather in our
4 longhouses.

5 So we have a dirt floor and this song
6 came out on the floor by one of our women.

7 And I share it because it's a reminder
8 even though I know it's a reminder that the Earth
9 gives much to us and that we also have that
10 responsibility to respect the land and the
11 resources that are part of the land.

12 And I'm thankful for the teachings of
13 the many, many Indian tribes, First Nations
14 people that have this value of honoring and
15 respecting the land as the Earth opens up to us
16 and we're able to go out and gather new foods
17 again.

18 So I ask the Creator to continue to
19 bless each and every one that's here in this room
20 and to also -- to bless our homelands for where
21 we may come from and to bless our families and

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1 all the gifts that are provided to us on this
2 Mother Earth and this prayer I share with all of
3 you this morning.

4 DR. JACKSON-DENNISON: Thank you very
5 much, Patsy. We're going to go ahead and call
6 the meeting to order and we're going to start
7 with welcome and introductions.

8 We want to start by saying thank you
9 to Frank Brogan for being in attendance with us
10 today. So we want to start with Frank and we'll
11 start with introductions. Thank you.

12 MR. BROGAN: Good morning. First of
13 all, it is I who should be welcoming you all this
14 morning not only to this table but especially to
15 Washington, DC.

16 As you probably know because most if
17 not all of you have been to Washington, DC it's
18 a very special time of year.

19 I am so proud to be a fixture now in
20 Washington, DC and realize that shortly after I
21 began my tenure with the Department of Education

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1 that I was no longer a tourist, I actually --
2 this was a part of my and my family's life and we
3 are very proud of that fact to call this our home
4 and be a part of Washington, DC.

5 But along with that came the knowledge
6 that there was immense responsibility with being
7 a part of all of this for the entire nation, our
8 states and our territories, our tribes in making
9 sure that to the greatest degree possible as
10 those charged with that responsibility have
11 carried out for many years that we see after the
12 needs of people all over the country in making
13 sure that their unique and individual needs are
14 met to the greatest degree possible.

15 But I've also come to learn that the
16 answers to many of the problems that plague us as
17 a society, those answers are destined to be found
18 at the local level.

19 Anyone who believes that Washington
20 has all of the answers to everyone's problem
21 probably is in Washington.

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1 The reality is that people out there
2 in states and communities understand best that
3 the children whose eyes they look into each and
4 every day are the people who have the keys to how
5 to open the door for our students all over the
6 country.

7 There are presently some 50 million
8 young people in pre-K through 12 scattered all
9 over the United States and our affiliate
10 territories.

11 It's a gigantic population of students
12 who are every color of the rainbow, every native
13 tongue, every family structure, every
14 socioeconomic level that you can possibly
15 consider.

16 And that includes all of the
17 differences in a very positive way in terms of
18 the cultures that those young people carry with
19 them each and every day.

20 No more to find is the group that we
21 represent here today. Here before all of us and

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1 know that those cultures are best left intact
2 while we are helping to prepare those young
3 people for their place in society in the 21st
4 century, a century that is quite a bit different
5 than those that have come before. We've never
6 seen anything like this.

7 And that's both on the positive side.
8 I look at my own son who's now 14 years of age
9 who is fearless as it relates to technology.
10 He's never met anything that lights up bells,
11 whistles that he can't handle.

12 I am still very timid. I remember
13 when I walked into my first fifth grade classroom
14 as a teacher 40 years ago there was not only not
15 a computer in that classroom, there were no
16 computers in the school period. Not in the front
17 office for business purposes.

18 The library was not a media center.
19 It was a library at the time. There were no
20 computers or technology present there.

21 And in 40 years you go back to that

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1 same elementary school as I have, it is now awash
2 in a sea of technology. It's everywhere and it
3 is certainly completely ingrained in the boys and
4 girls who attend that school, not only in school
5 but in the homes from which they come.

6 It's an extraordinary thing that's
7 happened. If you think of it in a very, very
8 short period of time.

9 But also our young people today across
10 the board face enormous challenges. Life has
11 gotten harder in many ways. That's difficult to
12 think especially for those of us who grew up in
13 times that weren't always easy in their own way.

14 Young people are facing in part as it
15 relates to the technology pressures and changes
16 that have also made life in the 21st century for
17 our young people considerably more complicated.

18 And the genius of technology also
19 comes associated with challenges. But just in
20 general it should not and does not change our
21 fixation on the notion that every child deserves

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1 the right to be able to acquire an educational
2 experience of high quality to help them be able
3 to grow and live and enjoy the dream come true
4 which is the ability to have the knowledge base
5 not only in terms of reading, writing and
6 arithmetic, but the ability to solve problems and
7 think for themselves and grow with a sense of
8 independence that will help them find their own
9 way for themselves and their family well into the
10 21st century.

11 So the challenges are great. The
12 payoff is wonderful. And as I travel the country
13 and have the chance to look into the eyes of all
14 of these children whose eyes are just as wide as
15 ours were when we were their age and know that
16 they rely on every single one of us, those who do
17 look them in the eye every day and those that
18 they rely on from afar to give them the
19 opportunities that we all hope we can provide to
20 them to be everything that we know that they are
21 capable of being.

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1 Your participation in all of this is
2 incredibly important. You come from your parts
3 of the country. You come from your tribes. You
4 come from your philosophical bent as it relates
5 to the work that we have to do, not only here at
6 this table but at tables just like it all over
7 the country on a regular basis to assure that we
8 can help our young people find their rightful
9 place without having to give up anything by way
10 of what brought them to that opportunity.

11 That's the unique challenge, isn't it.
12 Making sure that we're not trying to create a one
13 size fits all of children turned adults, but that
14 it is not only acceptable, it is important that
15 those children carry with them their heritage,
16 their history, their family and the knowledge
17 that that is what brought them to where they are.

18 And if they can also acquire along the
19 way without divesting themselves of any of that
20 the importance of an educational experience they
21 will be destined to grow up and be everything we

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1 know that they are capable of being and continue
2 to make this country the amazing tapestry that it
3 is of diversity and difference, but difference in
4 a very positive way because when brought together
5 this tapestry becomes something incredibly
6 beautiful.

7 So, I am delighted to be here. I just
8 wanted to -- if you will please work with me on
9 this.

10 I have talked to a number of you. I
11 have read up on all of you. But I thought as the
12 chairwoman said this might be a good opportunity
13 in the brief time that I'll be with you this
14 morning just to run around the table and
15 introduce yourself and point of origin, et
16 cetera.

17 So if we can do that that would be
18 helpful to myself.

19 And by the way, this is Mark
20 Washington. Mark is one of our deputy assistant
21 secretaries and he is here this morning because

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1 he is also instrumental in getting you here and
2 working behind the scenes to make all of this
3 possible. And we appreciate the work that he
4 does in that regard at the same time. So he was
5 kind enough to join me here this morning.

6 You'll also before you're finished be
7 joined by one or more of our additional deputy
8 assistant superintendents.

9 I know Ruth Ryder is going to be here.
10 I think this afternoon. She had a doctor's
11 appointment this morning, but she'll be joining
12 you this afternoon.

13 And Ruth helps to oversee the many
14 grants that we put out in the Department of
15 Education but specifically in this case our
16 Office of Indian Education. So you'll meet her
17 as well over time.

18 But can we start, Madam Chair, on that
19 end and work around? Is that okay?

20 DR. JACKSON-DENNISON: Sure. Yes, we
21 can start. Thank you. And we're really

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1 appreciative that you're here. So we thank you
2 for helping us get it organized.

3 Why don't we start with Angeline first
4 because she's our new director of Indian
5 education so I think that would be appropriate.
6 We all know each other so we want to know from
7 Angeline and then we'll start from this end after
8 that.

9 MS. BOULLEY: (Native language
10 spoken) Angeline Boulley (Native language
11 spoken).

12 My name is Angeline Boulley and I'm
13 from Sault Ste. Marie, Michigan. And I'm very
14 pleased to be here. It's just my honor to be the
15 new director for the Office of Indian Education.

16 My career has been in Indian
17 education. I come with a tribal education
18 director background and also contractor, federal
19 contractor experience. And so I'm just really
20 happy to be here and I look forward to really
21 working together with you and getting -- fully

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1 embracing everything that is in your purpose
2 which is to advise the Secretaries for Education
3 and for Interior, and to have a meaningful impact
4 on all of the programs and offices that serve our
5 American Indian and Alaskan Native children and
6 their families.

7 And so that's my life's work and I'm
8 just happy to be here to do that with you. So
9 (Native language spoken).

10 DR. JACKSON-DENNISON: Thank you.
11 Can we start with Chief Anderson?

12 CHIEF ANDERSON: (Native language
13 spoken) Hello, good morning.

14 My name is Phylliss Anderson and I'm
15 the tribal chief of the Mississippi Band of
16 Choctaw Indians.

17 We have approximately 11,000 members
18 in our tribe. In order to become a member you
19 have to be at least one-half blood quantum.

20 We do operate six elementary schools,
21 tribal schools. Also a middle school and a high

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1 school.

2 We have approximately 2,200 students
3 in those 8 schools.

4 We also have land that's about 36,000
5 acres, but the reservations are what you call
6 checkerboard that we have lands in probably 10
7 different counties.

8 So that's why we have the elementary
9 school. Once they complete the elementary school
10 they come to the middle school and to the high
11 school.

12 So we're very fortunate to be able to
13 send our children to our own tribal schools
14 because it allows us to help continue to teach
15 the Choctaw language and that's one of the things
16 I continue to advocate for in education is more
17 dollars in allowing students to be taught the
18 language.

19 I continue to advocate for school
20 construction dollars as it's very important.

21 And also I believe that it's important

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1 that we all continue to make sure that all of our
2 children whether in public school or in tribal
3 schools continue their education.

4 We do have a property in Tennessee.
5 It's a little bit over 180 acres. So we have a
6 housing system there that's about 25 houses. So
7 we do have land in that area as well.

8 With our population, I talked about us
9 having 11,000 members half of that is under the
10 age of 25. So you can see what a very young
11 tribe we have and how important it is to continue
12 to provide education for our tribe.

13 And I could sit here and talk all day
14 about the Mississippi Band of Choctaw Indians,
15 but I just want to say thank you for being here.
16 And I'm glad that I'm able to make it here this
17 time.

18 And it's good to see all of you all.
19 And it's wonderful that we are starting to meet
20 again after, what, two years maybe. Longer.
21 Well, last year. Okay.

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1 So I'm very excited to be here and
2 just very excited to see all of you all. Thank
3 you.

4 MR. BROGAN: Happy to have you, Chief.
5 Thank you.

6 DR. JACKSON-DENNISON: Good morning
7 again. (Native language spoken) Deborah
8 Jackson-Dennison.

9 I'm Bilagaana Scottish born for the
10 Kiyaa'aanii Clan of the Nav People, Navajo
11 People. And my paternal clan is 'Ashiihi which
12 is Salt. And Towering House is the Kiyaa'aanii
13 Clan and that's a leadership clan. That's many
14 of the Navajo people that you'll meet across the
15 nation because they're all over the place as
16 everyone knows.

17 Many of them have the clan of Towering
18 House because that's a leadership clan. So it's
19 an honor to be here to serve on the National
20 Advisory Council for Indian Education.

21 I've been an educator. It just runs

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1 in our blood, my family. I've been an educator.
2 I'm nearing retirement in the state of Arizona so
3 I've got a couple of more years to go.

4 I've been a superintendent for 16
5 years now. I can't believe that. It seems like
6 it was just yesterday that I started as
7 superintendent, but it went by fast.

8 And I'm looking at what to do next,
9 but in the career so far I've really enjoyed.
10 It's a hard career in Indian Country to have
11 especially as a female, but I'm very proud of the
12 progress that we've made in both Navajo Country
13 and now I'm at the San Carlos Apache Nation in
14 southern Arizona.

15 There in San Carlos we have an
16 elementary school with close to 1,000 kids, 900
17 kids. And then our middle school has about 300.
18 And then our high school has about 350. So you
19 can see how the trend is where we have such high
20 numbers at the lower school and you see the
21 dropout starts to happen just in that school

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1 alone.

2 So it's a real challenge to the
3 communities. I know we're very similar to many
4 of the communities throughout Indian Country.

5 Education is really very important and
6 it's important to keep that forward progress. So
7 my background has always been systemic reform in
8 Indian Country and that's really where my heart
9 and passion lies.

10 So it's an honor to be here and work
11 with the other NACIE members. I've been on this
12 council since 2010 and some of our council
13 members have been a lot longer because they've
14 carried over from previous administrations.

15 And so we have our work cut out and
16 we take this responsibility very seriously. So
17 it's very nice to be here, it's very nice to have
18 you here again. Thank you.

19 MR. BROGAN: Thank you, Madam Chair.

20 DR. JOHN: (Native language spoken).

21 Good morning. (Native language spoken).

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1 My name is Arevgaq. I'm from Bering
2 Sea Coast, the farthest part of the United
3 States. And I'm the daughter of late Chief Paul
4 John from southwest Alaska.

5 I learned to speak English maybe when
6 I was in fifth grade because I'm the first
7 generation to be experiencing western schooling
8 in southwest Alaska.

9 And I belong to Yupik Tribe which is
10 the largest Yugtun speaking of the five ethnic
11 groups in Alaska.

12 And I teach -- my title is associate
13 professor at the research program Center for
14 Cross-Cultural Studies, University of Alaska
15 Fairbanks. And I've been there for about twenty
16 some years. Like you I'm thinking about
17 retirement. I'm hoping to get more doctors under
18 my belt.

19 But anyhow, as you all know the state
20 of Alaska is going through massive funding cuts
21 and university is impacted severely.

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1 The equivalent of the proposal to cut
2 is to close down two of the major three, top three
3 universities.

4 So there's a lot of fear and a lot of
5 stress. Our program is the only indigenous Ph.D.
6 program in University of Alaska system which is
7 the whole statewide.

8 And our major concern and issue has
9 always been funding for more faculty. In fact
10 I'm the only tenured faculty among the 4 that
11 cover 40 students, 40 Ph.D.'s. So it's very,
12 very tight. They keep us very busy.

13 They're starting a tribal school.
14 The former Alaska Pacific University is becoming
15 a tribal school there in addition to Ilisagvik
16 College in Barrow. So those are the two tribal
17 schools in Alaska.

18 But I am very, very happy that you are
19 here with us and I'm very, very grateful to see
20 everyone once again after such a long time it
21 seems like. And I'm looking forward to having a

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1 productive time here the next two days. (Native
2 language spoken)

3 DR. PROUDFIT: (Native language
4 spoken). Dr. Joely Proudfit. I'm a descendant
5 from the Pechanga Band of Luiseno Indians from
6 Temecula, California. And I'm from the Ngeesikat
7 Clan.

8 I've been a college professor for 24
9 years. Oh my gosh.

10 MR. BROGAN: We know, you're thinking
11 about retirement.

12 DR. PROUDFIT: No, I can't. I think
13 I need 40 to get that full retirement. So, 24 -
14 - well, it seems like a lot. It's halfway there,
15 right?

16 But very similar to what my colleague
17 here Theresa has said there's a lot of stress, a
18 lot of tension in higher education in a time where
19 we're talking about issues of diversity and
20 inclusion in all various forms and capacity.

21 American Indians are still not

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1 included in that conversation and it just is so
2 frustrating.

3 The erasure of native peoples. We see
4 that in every capacity and every level.

5 And so our jobs are hard as it is, but
6 they're much more difficult when we have to
7 constantly educate our administrators and our
8 colleagues that we exist, we're still here.

9 In California where we have 109
10 federally recognized tribes and about 85 who seek
11 recognition and the two largest urban Indian
12 populations it's a challenge to say the least.

13 I happen to teach at a university that
14 is on my traditional homeland, the Payomkawichum
15 and Luiseno people which is something I always
16 wanted to do. I'm a three-time tenured
17 professor.

18 But even with 35 tribes within driving
19 distance the issue of inclusion and erasure is
20 still very much there.

21 We have the largest American Indian

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1 student population per capita of any university
2 in the state of California.

3 That is definitely a result of a very
4 simple tactic. If you build it they will come.

5 You not only have to build the
6 infrastructure to support our native students,
7 but you have to have the capacity, the human
8 capacity and infrastructure which means we need
9 more native teachers and professors that look
10 like our students, that have the same shared
11 experience of our students.

12 And when you set up that kind of model
13 it's success.

14 And so those programs that have proven
15 that, we just need them to be supported and
16 replicated so that we don't get burnt out because
17 I too am the only tenured -- I'm a full professor
18 in the department with lots of lectures.

19 And I have people fly in from all over
20 the place to come see me, to want to teach in the
21 department because our department is so

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1 innovative, because we have native students,
2 because we have the opportunity to spend the
3 classroom in the tribal community because of
4 where we're located.

5 But it's always about resources and
6 funding. And one of the issues that resonates
7 with me as a university professor is this issue
8 of erasure in terms of our native student
9 identity.

10 If a student marks the box as Latino
11 and American Indian the American Indian part does
12 not get counted.

13 And therefore we have lots of Hispanic
14 serving institutions, for example, in California
15 and we don't have a single non-native tribal
16 serving institution.

17 And that threshold of a 10 percent --
18 you have to have a 10 percent American Indian
19 student population. We have 4 percent. But we
20 have more people in California than in the entire
21 country of Canada.

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1 So some of these policies and
2 regulations need to be changed. Otherwise we
3 will never seek the benefit of federal funding
4 and resources to serve the most neediest and
5 where they're intended to serve.

6 So, I hope that as a committee we can
7 continue to look at some of those issues to better
8 serve our students who have the good fortune of
9 graduating from high school which we know is a
10 challenge. I'm the first person in my family to
11 graduate from high school. My mom had a 10th
12 grade education and my dad had a 6th grade
13 education. So to be a three-time tenured
14 professor and to be a full professor now in the
15 university, but to be facing the same challenges
16 that my mother's generation faced I think is
17 shameful.

18 And so I hope that in 2019 and beyond
19 we can do more to continue to service our tribal
20 youth.

21 But I chair the American Indian

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1 Studies Department. I direct the California
2 Indian Culture and Sovereignty Center where we do
3 produce research like our State of Indian
4 Education Report for California as we found the
5 state wasn't doing it. No one was doing it, not
6 even our national organizations because the
7 numbers of California Indians or Indians in
8 California was insignificant in comparison to
9 other populations because they're always
10 comparing us to the larger general population.

11 So even though we have a large number
12 of tribes we often don't get counted. And if
13 you're not counted you're not serviced, right.
14 And you're not funded.

15 So we end up doing our own reports and
16 financing those through tribal funds. And this
17 is another issue of concern is that the
18 responsibility of tribes to do the roles and
19 responsibilities of both the state and federal
20 government, I think that needs to be addressed
21 and challenged.

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1 Tribes are sovereign nations that are
2 responsible for their healthcare and their
3 infrastructure and their own people. And to do
4 the job that would not be asked to be done for
5 any other group, ethnic group is quite frankly
6 discriminatory and shameful.

7 And lastly I would like to just remind
8 everyone that when we're looking again at issues
9 of diversity and inclusivity and having these
10 conversations the fact that we still have to deal
11 with mascots in public schools, public schools
12 that get federal dollars is just ridiculous.

13 And so the fact that our children have
14 to go to school. California, we have 146 K-12's
15 with Indian mascots. One hundred and forty-six.
16 We lost one which was great and we did pass the
17 legislation that was implemented in 2017 that no
18 school in California could use the moniker
19 redskins, but there was only three using that
20 one. And we were the first state to pass that
21 type of legislation.

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1 But this piecemeal legislation that's
2 being passed by counties and various states is
3 not the answer.

4 Why can't we just say any school
5 receiving federal funding cannot make fun of
6 other human beings, especially human beings that
7 attend those schools.

8 It's 2019. We just don't accept it
9 for any other population, but it seems to be okay
10 for American Indians.

11 And you know, I have a 7-year-old.
12 When she was in kindergarten she came home and
13 her neck was bloody. And it was bloody because
14 she was scratching off her moles because she
15 didn't want to be brown anymore.

16 So we have to instill a sense of pride
17 in our young people. We have to remind them that
18 they're important and that they're special.

19 And we can't do that when we have
20 images of stereotypes on their school walls. So
21 when we know better we do better. And I think

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1 by now we all know better.

2 So I hope that I could work with all
3 of you to make a dent and some changes in those
4 areas. Thank you.

5 MS. WHITEFOOT: Good morning.
6 (Native language spoken) Patricia Whitefoot. I
7 introduce myself in our language of the Yakama
8 Nation which is one of the tribes that speak the
9 Sahaptin language in the northwest. That
10 includes not only central Washington but also
11 Oregon, parts of Oregon and Idaho. So we have
12 relationships amongst the Warm Springs tribes,
13 the Umatilla tribes of Oregon and the Nez Perce
14 tribes of Idaho plus the Yakama Nation.

15 And I come from the Yakama Nation
16 which is the largest tribe in the northwest and
17 I'm also associated with the Affiliated Tribes of
18 Northwest Indians which is made up of the 56
19 tribes in the northwest that also include western
20 Montana, southern Alaska, northern California.

21 I'm the mother of three adult

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1 children. Yay. And I don't have to babysit. I
2 mean, I do babysit but they don't stay with me.

3 MR. BROGAN: Yay.

4 (Laughter)

5 MS. WHITEFOOT: And I also have a
6 great granddaughter from one of the southern
7 tribes that Joely talked about in southern
8 California. So it's wonderful to be a great
9 grandmother today.

10 I also just want to say that I'm also
11 retired having been involved in education for
12 about 50 years from preschool to higher education
13 and taught at preschool, elementary, middle
14 school, high school and college. So I should
15 have just said preschool to higher education.

16 But yes, I've done that work and have
17 been actively engaged with Indian education over
18 those years.

19 And also have been an elected official
20 of my tribe meaning I've been on tribal council
21 and I've also been serving as elected official in

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1 other capacities of the tribe as well.

2 And then elected official with the
3 Affiliated Tribes of Northwest Indians too.

4 So having that broad background is
5 important because just in my work with education
6 in the classrooms with Native students and non-
7 Native students there still is a definite need
8 particularly for communities where you have
9 poverty, where there's a need to also address the
10 health needs of students, all students.

11 Health and education just naturally go
12 together because if children aren't able to
13 learn, have healthy foods and have health
14 conditions in their home that are reflective of
15 the needs that we want to see in society students
16 aren't able to function.

17 Children have family members at home
18 who are dealing with cardiovascular disease, rare
19 health conditions, you know, all of those issues.
20 Our children wouldn't be as stressed as they are,
21 families wouldn't be as stressed as they are as

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1 well and I wouldn't be stressed as well.

2 And so I just want to add that to the
3 conversation that health is -- the health and
4 well-being of our children, our families, our
5 tribes and our communities where we come from is
6 important.

7 I can also echo all of the concerns
8 that have been shared here as well. And language
9 and culture is so critical and the use of our
10 language connects us to who we are as a people,
11 connects us to our family, connects us to the
12 land, the water, the universe.

13 And so language is vital that we
14 continue to share the work that we've been doing
15 collectively, but also looking at resource and
16 funding and also policy that is in alignment with
17 the values that the tribes hold dear to their
18 hearts. So I just wanted to mention that about
19 language and policies.

20 In addition to that I just want to
21 speak just very briefly about the work that we've

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1 been doing with Education Northwest in Portland,
2 Oregon through the Affiliated Tribes of Northwest
3 Indians.

4 And again, we're all volunteer
5 community members have been working with
6 Education Northwest over a number of years.

7 And the topic that Joely talked about
8 about obscured identities. In our work with the
9 northwest we were able to do some research in
10 some of our northwest communities and came up
11 with this paper on obscured identities on
12 American Indian and Alaskan Native students.

13 So it is a major issue that we face
14 when it comes not only to providing service to
15 students but also the funding and the ability to
16 be able to count those students.

17 What happens in school systems.
18 Because, just again because of our numbers we're
19 not necessarily involved in the registration of
20 our students in those public schools so that's a
21 major issue right there is just making certain

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1 that our students are being reflected and counted
2 accurately.

3 I could go on, but I won't. But just
4 my background, preschool, having been in the
5 preschool to higher education.

6 So I think preschool set the
7 foundation for me in terms of making certain that
8 we're addressing the holistic needs of our
9 children and the families and the community as
10 well with parents. Thank you.

11 MS. BUTTERFIELD: And I'll add to
12 Patsy, she's also been the past president of the
13 National Indian Education Association twice. As
14 well as her state Indian ed organization.

15 (Native language spoken). My name is
16 Robin Butterfield. I'm Ho-Chunk and
17 Anishinaabe. I actually identify more with the
18 Ho-Chunk side. I'm enrolled in Winnebago,
19 Nebraska, but my grandmother was from White
20 Earth, Minnesota.

21 And my granddad was the first American

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1 Indian to graduate from Yale in 1910. And my
2 grandmother on the Ojibwe side was American
3 Mother of the Year in 1950. So they were some
4 of the movers and shakers back in their day.

5 So I inherited a long legacy of
6 responsibility from my grandparents. My mother
7 and her sisters were sent off to Vassar,
8 Wellesley and Mills and my mom was 16 when she
9 went to Vassar.

10 We knew we were going to college from
11 day one and out of the seven siblings all of us
12 have either gotten undergraduate, master's, law
13 degrees. Some of my nephews are medical doctors
14 now. We have lots of attorneys.

15 So the belief that education is kind
16 of a way to protect our people I think has been
17 ingrained in me for a long time.

18 Out of the 47 years of Indian
19 education I've worked for 3 different state
20 departments of Indian ed. The longest period of
21 time was in Oregon.

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1 So I've seen Indian ed from both the
2 classroom level, the state level and then I've
3 also worked for three different regional
4 technical assistance centers. So my real love
5 is professional development and teacher training.

6 I've had the good fortune to actually
7 be in classrooms, I would say hundreds of
8 classrooms and worked with thousands of teachers
9 over the years doing quite a variety of kind of
10 innovative things to include things like the
11 Indian Reading Series which spanned the
12 development of the -- actually it was the
13 collection of 137 stories that were written and
14 illustrated by tribes throughout the northwest
15 over a period of 10 years.

16 And those stories and booklets still
17 exist and can be used for classroom resources.

18 In Oregon right now, in fact I'm the
19 president of Oregon's Indian ed association. We
20 have state legislation that has mandated the
21 development of a series of lessons that will be

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1 required of all students in the state.

2 Each of the nine federally recognized
3 tribes will also be developing their own versions
4 of lesson plans that can be used more locally.

5 But we also passed -- well first of
6 all, around the mascot issue, the state board
7 banned the use of mascots it was supposed to be
8 as of 2017.

9 And then a couple of legislators
10 passed a bill saying well, you might be able to
11 keep your mascot if you agreed to do some
12 educational programming with your students and
13 you got sanctioned by a local tribe.

14 So we still have about -- I think
15 there's 5 out of the originally I think there
16 were 17 schools in Oregon that -- so at least 12
17 of them have gotten rid of the mascots
18 completely.

19 I don't know that anybody has circled
20 back around to check on the educational
21 programming requirement, but I was involved in

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1 the legislation around kind of bringing back
2 mascots after the state board got rid of them.

3 And so after the study group that I
4 was facilitating which was an interesting process
5 because you were either really for them or you
6 were really against them. So trying to come up
7 with some parameters around how would you
8 accommodate those two very diverse perspectives.

9 We took it back to the state board
10 with the recommendations that we had come up with
11 and the state board said no. We want them gone.

12 So then we had the question of what
13 trumps what, is it the state board or is it a
14 piece of legislation.

15 So obviously the legislation won out
16 and there are still some schools in Oregon that
17 still have mascots. But there's a lot greater
18 awareness about what the issues are and why those
19 mascots should not be considered.

20 And one of them was a tribe that had
21 been terminated that chose to use the mascot

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1 American Indians because they are. And so
2 there's always this interesting variety of
3 perspectives, especially from a tribe that had
4 been terminated. They were fiercely protecting
5 their I guess newly reclaimed identity.

6 I also am involved in the state
7 organization and the National Indian Education
8 Association. I'm currently the president.
9 Going out on the 50th anniversary of our
10 organization. So we are expecting a really big
11 kind of culmination and celebration of 50 years
12 of NIEA.

13 It will be in Minneapolis which was
14 the birthplace of the organization. And that's
15 October 9th through the 12th. So you should
16 come.

17 MR. BROGAN: Sounds great.

18 MS. BUTTERFIELD: It would be very
19 interesting convention.

20 MR. BROGAN: I love a celebration.

21 MS. BUTTERFIELD: So I think that's

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1 all I'm going to share. Thank you.

2 DR. PAYMENT: (Native language
3 spoken). So I just shared -- my spirit name is
4 (Native language spoken) and it means a place
5 above Bahweting where I'm from where the spirits
6 can talk directly through.

7 I'm the chair of the Sault Ste. Marie
8 Tribe of the Chippewa Indians. We have 44,000
9 members so we're the largest east of the
10 Mississippi.

11 And my story is one from GED to Ed.D.
12 And I'm a high school dropout. I dropped out at
13 15 years of age. I didn't feel comfortable in
14 the public schools. I was a dark-skinned person
15 in an environment that didn't welcome dark-
16 skinned people. And so I dropped out when I was
17 15.

18 And my sister and I dropped out at the
19 same time and we both -- we studied for one week
20 the GED study guide at our tribal GED program and
21 we both said well, we're ready to take the test.

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1 So we went up to the college and our
2 education director scheduled it. He said I'll
3 schedule it but I'm not going to lie for you
4 because you have to be 18.

5 And we took it and we passed it.
6 Somehow we passed it. You needed a 50 to get
7 into college. I got a 49.6 so I got admitted on
8 probation which was probably the best thing that
9 could ever happen because I remediated a bunch of
10 courses that I never had. Actually it wouldn't
11 be remediation, I never had it.

12 And she got a 65 percentile, but she's
13 my older sister.

14 (Laughter)

15 DR. PAYMENT: And so I went on and I
16 got my bachelor's degree.

17 When I was in high school I basically
18 failed out of high school. But in my bachelor's
19 degree I carried above a 3.0 which really
20 surprised me.

21 And in my master's, my first master's

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1 was in public administration and I got a 3.72.
2 And then I've since went back and got a master's
3 in education administration focusing on higher
4 ed, a master's in education specialist focusing
5 on K-12 because I think that's what's wrong with
6 public education is the disconnect between K-12
7 and higher ed.

8 And I wanted to -- in my traditional
9 way wanted to comprehensively understand the
10 whole system.

11 And then just finished up my
12 doctorate. Last time we were together I was
13 saying I'm almost done, I'm almost done. And I
14 got sick of saying that so I finished it.

15 Oh, also I am a former BIE and charter
16 school president. And a faculty from a
17 university including writing political science
18 research and statistics course into curriculums
19 to prove that I was not a minority hire because
20 I know that most of my colleagues could never
21 teach such a course, and a retention

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1 administrator at the university level.

2 I currently serve as the vice
3 president for Bay Mills Community College as
4 well.

5 And so I wanted to share all that with
6 you because as a high school dropout there's a
7 constituency that is largely ignored and that's
8 people who drop out who could drop back in.

9 And generally we don't focus on that.
10 There isn't really resources available for that.

11 And if we have the highest dropout
12 rate of any racial ethnic population we have the
13 highest need for bringing people back into the
14 fold.

15 I'm really just amazed at this group.
16 And if it isn't evident yet we have one of the
17 most distinguished group of people and a think
18 tank if you want to call it that of people with
19 expertise.

20 We've got a past president for NIEA
21 and a current president of NIEA. We have faculty

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1 that have published that are leading the charge
2 across the country.

3 And we have former superintendents.
4 No, you're a current superintendent. Former
5 school board. Doctoral mentors and people who
6 have dedicated their life to bringing other
7 people and pulling them up with us.

8 And people who have worked with state
9 departments of education. You have a diversity
10 of expertise at this table that runs the gamut on
11 -- that could answer any question and investigate
12 any solution.

13 And so I would urge the Department of
14 Education to see this as an opportunity. We've
15 I won't say floundered because it's not us, but
16 we weren't sure where we were.

17 At different times some of us have
18 thought well, why are we wasting our time. But
19 we stuck it out because that's what Indian people
20 do. We're persistent. We're still here.

21 But if we look at the opportunity we

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1 represent we really can solve some really big
2 problems across the country.

3 You have the expertise sitting right
4 here at the table. And I'm honored to be part
5 of this group.

6 One thing I wanted to say very
7 specifically is a lot of times people think that
8 Indian education is some kind of liberal concept,
9 but it isn't. It's a very conservative concept.

10 Because when we signed the treaties
11 the federal government obligated itself and
12 acknowledged the treaty and trust responsibility
13 to provide education for American Indians.

14 That's unique. That doesn't exist --
15 and this surprises people. That doesn't exist
16 for the rest of the population.

17 All Americans have an equal
18 opportunity to an education, but we don't have a
19 constitutional right to an education. American
20 Indians do. And sometimes that's lost and so I'm
21 here to help remind the federal government of

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1 that.

2 And finally since the last time we've
3 been together I have adopted my nephew. He was
4 in foster care with me and then my brother passed
5 away and so I've adopted him. So I have a 14-
6 year-old and life is very different.

7 (Laughter)

8 DR. PAYMENT: And he's at home right
9 now and my nephew, other older nephew, adult
10 nephew is watching him. And I have to call and
11 check in to make sure nothing's broken.

12 MR. BROGAN: Especially bones.

13 DR. PAYMENT: So having a young child
14 that's being educated, he's now at the age of
15 going to the public schools.

16 He's at our charter school right now
17 in our tribal school, but we don't have high
18 school yet. And I just hate the idea that he's
19 got to go to high school because I didn't make
20 it. None of our people in my family, my
21 immediate family made it through that system.

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1 And I just hate the idea that he has to go there.

2 So I want to improve that system so
3 that he can succeed. He's the kind of kid that
4 will either get A's or D's or E's. And so with
5 the right opportunity he gets A's. And so he
6 deserves that opportunity. It's his
7 constitutional right as an Indian to have an
8 education.

9 And so finally, just if you can look
10 at what we represent and fully utilize us. We
11 almost didn't exist coming into the new
12 administration. I had to write some
13 justifications behind the scenes so that the
14 Secretary could understand this opportunity.

15 We're not partisan. American Indian
16 education is not partisan. We're very
17 conservative in many of the ways that we try to
18 educate our children and we are very interested
19 in looking for choice opportunities for American
20 Indians.

21 Ninety-three percent of our kids go to

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1 public schools. Only a small percentage are
2 addressed through the BIE system. And so we are
3 dedicated to improving public education.

4 MR. BROGAN: Thank you.

5 MS. BROWN: Good morning. My Yupik
6 name is (Native language spoken). My English
7 name is Doreen.

8 My family is originally -- my mom's
9 family is originally from Aniak and I'm a tribal
10 member of Aniak.

11 And my father's originally from
12 Washington. And one day if you ever want I will
13 tell you a great love story which happens to be
14 about my mom and dad and one of their guests which
15 would be me. But that's another day.

16 I do want to talk about gifts today.
17 Number one, we have the gift of being able to be
18 here today so thank you and having lots of staff
19 and of course our esteemed members of NACIE. So
20 that is a great opportunity to continue our
21 efforts for Native education and our students.

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1 I have a couple of other gifts that
2 I'd like to mention today.

3 First and foremost is I am the
4 director for Title 6 Indian education for the
5 Anchorage school district. We have 45,000
6 students that are in that particular district.
7 Eight thousand of them are Alaskan Native or
8 American Indian.

9 We have just in Alaska over 200
10 tribes. We have over -- we have 21 official
11 languages, 20 of them being indigenous, 1 of them
12 being English.

13 Here's the win. Through a federal
14 grant, through NALA which is new we have our first
15 Yugtun Yupik immersion classroom.

16 This year is our first kindergarten
17 classroom of 23 students that will be finishing.
18 We will start first grade next year.

19 So this is a huge win and I appreciate
20 the fact that the federal government gifted us
21 the ability to have an indigenous language in an

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1 urban setting. So we look forward to having many
2 more.

3 The other win is that we were gifted
4 this school year the first time in the Anchorage
5 school district that our students are actually
6 able to wear an object of cultural significance
7 for graduation. This is huge.

8 We look forward -- right now as of
9 today we have 35 notifications for our students
10 because they have to notify the principal that
11 they will be able to -- what they're going to
12 potentially wear for graduation.

13 We look at this as really a learning
14 opportunity for our principals, our staff to
15 really understand what does culture mean, what is
16 an object of cultural significance.

17 I look forward to graduation this
18 year. I look forward to the process. I look
19 forward to it being bigger and better each and
20 every year.

21 Another win. I know you probably hear

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1 -- I just want to talk about wins today.

2 The next one is that out of 3,500
3 teachers we have about 150 Native teachers. We
4 just gathered them together through the efforts
5 of NEA and AEA, our local unions help sponsor
6 this. We haven't done this in a long time.

7 We want them to get together. I need
8 help with the lift. I'm one. I'm one of
9 administration that's Alaskan Native or American
10 Indian. I'm actually one person of color.

11 So I need them to help. I need them
12 helping when we adopt a curriculum. Is it
13 culturally responsive. Are our kids included in
14 this. Does it infuse culturally responsive
15 pedagogy. These are some things.

16 So gathering those teachers together,
17 number one, to help with the lift.

18 Number two, to see where else they can
19 insert themselves so we can get more educators so
20 they too can be role models and help our students
21 be the best educated in our nation. So that was

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1 our fourth win for the school year.

2 So more importantly my son just
3 graduated from college. One out of the house.
4 He's not coming back. I'm super sad, but I'm
5 also really excited about that.

6 And then I also have my midlife
7 miracle who's still at home and she's 12. And
8 so I relate to Frank and with Aaron with the
9 preteen. Love it. And it's been fun. So I too
10 have been checking in for bones and other objects
11 that will be maintained. But thank you.

12 Yes, so thank you and I appreciate the
13 minute just to say that there are some great
14 things and we still have a lot of work to do.

15 In some ways -- it's bittersweet in
16 some ways because these are wins, but they
17 actually should just be. Right?

18 Like I'm a human being and they should
19 just be. We should be able to speak our own
20 language and be taught that, or be able to wear
21 objects of cultural significance. So I leave you

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1 with that. Thank you.

2 MR. BROGAN: Thank you. And we
3 alluded to them a few times as we went around the
4 table, but could I ask my colleagues, I call them
5 the wallflowers over there. Would the garden
6 speak up now?

7 Some of you have probably spoken on
8 the phone. Some of you have met face to face
9 because they're all not new. Some of them have
10 been here quite awhile.

11 But could you run down the wall and
12 introduce yourselves to everybody so they can put
13 faces with names?

14 MS. HERNANDEZ-MARSHALL: Good
15 morning, Angela Hernandez-Marshall, Education
16 Department specialist.

17 MS. WILLIAMS: (Native language
18 spoken). Good morning, my name is Bianca
19 Williams. I'm the newest program specialist for
20 OIE. I just came from the Office of Head Start
21 for Region 11 that serves Alaskan Native and

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1 Native Americans. So I'm happy to be here.

2 MS. SMITH: Kim Smith, head of the
3 formula grants program.

4 MR. BROGAN: Good morning.

5 MS. TOLEDO: (Native language
6 spoken). I just wanted to say that I wanted to
7 acknowledge my elders first and readings from my
8 Pueblo which is the Pueblo of Jemez.

9 And I just want to say that it's a
10 good day to hold this meeting, to have a meeting
11 of minds, to all come together.

12 And I work in the Office of Indian Ed.
13 And I am an education program specialist and I'm
14 one of three. I work on the formula grants.

15 And I've been with the Education
16 Department since 2003. I just wanted to say
17 welcome.

18 MS. LEE: Wanda Lee, formula grants.
19 And I'm not ashamed. I'm Lumbee with a little
20 bit of Cherokee blood and I wouldn't know what
21 else.

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1 MR. BROGAN: Did we get everybody?

2 MS. BOULLEY: We also have -- oh, I'm
3 sorry.

4 MS. ORTEGA: Shahla Ortega, OIE.

5 MS. BOULLEY: Okay. Thank you,
6 Shahla. We also have some NACIE members who are
7 online or have called in and I'd like to give
8 them an opportunity to introduce themselves as
9 well.

10 If you can unmute the phone and then
11 Dahkota, if you are there?

12 MR. BROWN: Yes, good morning. Can
13 everyone hear me all right?

14 MS. BOULLEY: Yes.

15 MR. BROWN: Great. (Native language
16 spoken) Good day, everyone. For those of you in
17 the room who don't know me I am Dahkota Brown.
18 I'm from the Wilton Miwok Rancheria in northern
19 California.

20 I'm currently a college student here
21 at Stanford University in the Bay Area. I don't

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1 know what everybody else's weather has been like,
2 but it's been real nice here.

3 But right now majoring in theater
4 writing with a minor in Native American studies
5 and currently applying to do an honor's thesis in
6 education.

7 (Simultaneous speaking)

8 MR. BROWN: Oh, hey Wayne. As far as
9 my front goes a lot of positive things looking
10 up.

11 We have a new director of education
12 for our education department who's doing a lot of
13 great things.

14 And also recently broke ground for a
15 tribal gaming facility which if things go right
16 means a lot of great stuff for our education
17 department as well.

18 I know that our tribal council and
19 chairman have already kind of set forth plans for
20 what income will look like for the education
21 department. So yes, a lot of good things looking

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1 up for our tribe.

2 And it's great to talk to everybody
3 again and be here.

4 DR. PAYMENT: We're proud of you.

5 MS. BUTTERFIELD: Good job.

6 MS. BOULLEY: Okay. Wayne, would you
7 like to introduce yourself, please?

8 MR. NEWELL: Hi. Good morning,
9 everybody. My name is Wayne Newell. I'm up here
10 in Maine in the woods. And I'm glad to be a part
11 of the meeting. Even though I'm not there
12 physically I am there in spirit.

13 I have -- this is my second round on
14 NACIE. I was appointed originally by Jimmy
15 Carter when he was President and I served there
16 until Reagan got in and there was a mass firing
17 of all the NACIE people.

18 Somehow they found 15 Republican
19 Indians somewhere. So we were all fired.

20 Anyway, the first experience was
21 unusually different from experiences today. We

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1 did have enough in our budget to travel all over
2 the country and visit many, many of the Native
3 communities at that time.

4 I don't know if that's possible now.
5 I gather it isn't.

6 The second time I was appointed by the
7 Obama administration. Unfortunately my health
8 deteriorated. I do have cancer and unfortunately
9 or fortunately I am in remission for about six
10 years which is great.

11 And I just had a very successful heart
12 operation. And so I was very anxious to be part
13 of the meeting today and so I'm glad to be here.

14 I have worked hard for 40 years in the
15 Native language, the Passamaquoddy language is on
16 the endangered species list. I guess that's the
17 proper way of saying it.

18 So we have been working hard. We did
19 publish a very successful dictionary. And I am
20 about to publish several books that I have
21 written over the years. I just figured it was

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1 time to publish them and share them with a bigger
2 community.

3 And the most -- nicest part of my work
4 is working with young people and helping them
5 through high school, for example. And using the
6 language as a part of their basic education.

7 The other thing is training staff,
8 Native and non-Native, to be receptive to the
9 needs of the Native communities.

10 And all of this accumulated in just a
11 vast -- a life for education.

12 I am now retired but I actually have
13 more to do now than I did when I was working.

14 So that's my brief resume. Thank you
15 very much. And I am so glad to be part of your
16 organization. And I'm still part of NACIE and
17 I'm so happy about that. Thank you.

18 MS. BOULLEY: And then I am unsure if
19 Virginia Thomas was able to call in or not.
20 Virginia, are you there?

21 Okay. All right. Thank you. Dr.

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1 Dennison, if you'd like to call the meeting to
2 order and do a roll call.

3 DR. JACKSON-DENNISON: Okay. We'll
4 call this meeting to order officially. And thank
5 you, everyone for your introductions. That was
6 so -- I even learned more new about one another.
7 I thought we knew everybody, but I guess we do
8 that and it goes right into one of the items on
9 our agenda which is re-envisioning NACIE.

10 It gives us more opportunity to know
11 what that is. So again, calling to order and
12 then right into the next item would be to re-
13 envision NACIE.

14 MS. BOULLEY: Okay. We do need to
15 officially do a roll call --

16 DR. JACKSON-DENNISON: Okay, so you
17 want to do that?

18 (Simultaneous speaking)

19 MS. BOULLEY: -- the transcript.
20 Okay. All right. Ms. Doreen Brown.

21 MS. BROWN: Here.

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1 MS. BOULLEY: Dr. Aaron Payment.
2 DR. PAYMENT: Here.
3 MS. BOULLEY: Ms. Robin Butterfield.
4 MS. BUTTERFIELD: Here.
5 MS. BOULLEY: Ms. Patricia Whitefoot.
6 MS. WHITEFOOT: Here.
7 MS. BOULLEY: Dr. Joely Proudfit.
8 DR. PROUDFIT: Here.
9 MS. BOULLEY: Dr. Theresa John.
10 DR. JOHN: Here.
11 MS. BOULLEY: Dr. Deborah Dennison.
12 DR. JACKSON-DENNISON: Here.
13 MS. BOULLEY: Chief Phylliss
14 Anderson.
15 CHIEF ANDERSON: Here.
16 MS. BOULLEY: Mr. Dahkota Brown.
17 MR. BROWN: Here.
18 MS. BOULLEY: Mr. Wayne Newell.
19 MR. NEWELL: Dr. Wayne Newell.
20 MS. BOULLEY: Dr. Wayne Newell.
21 MR. NEWELL: Here.

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1 MS. BOULLEY: Ms. Virginia Thomas is
2 not able to be with us. Ms. Mandy Smoker-
3 Broaddus also sent her regrets that she was not
4 able to attend.

5 We do have a quorum and we are able
6 to conduct business.

7 DR. JACKSON-DENNISON: Thank you.
8 Now we'll go right into the re-envisioning NACIE.

9 I know that we had a conversation a
10 few weeks ago when Ms. Boulley first entered the
11 -- am I saying your name right?

12 MS. BOULLEY: Boulley.

13 DR. JACKSON-DENNISON: Boulley.
14 Okay. First entered the position and we talked
15 about what really we need to -- I'm feeling real
16 giddy too. It's really early in the morning for
17 me right now.

18 But we're very -- I felt like we
19 discussed and among some of us we've talked here
20 and there about where we're going from here.

21 We have had that and some of you

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1 brought it up in your introductions the gap in
2 our meetings. Just really struggled for a while
3 there to make some kind of movement. In fact,
4 we've missed a couple of the reports to Congress
5 that we were supposed to -- the annual reports.

6 We've been working on them but we just
7 haven't been able to get a quorum at times. It's
8 very difficult because everybody is so busy as
9 we've heard around the table.

10 But just re-envisioning what we want
11 to do, what our purpose is. So I wanted to start
12 there. And I don't know if you had anything in
13 mind to start with?

14 MS. BOULLEY: Yes. I would like
15 Frank Brogan to give an update about some of the
16 things that are going on with OESE. I have only
17 been in my position for five weeks now, six weeks
18 I believe, and we've had some really great
19 conversations.

20 And so I think it would be really good
21 to hear from him about a few specific things that

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1 I think we -- would be a good way to start our
2 meeting.

3 DR. JACKSON-DENNISON: Okay, thank
4 you.

5 MR. BROGAN: Thank you, Madam Chair.
6 First of all, I want to start with Angeline. I
7 was more than impressed with her interview. I
8 was impressed with her as we often are when we go
9 through the hiring process with her on paper,
10 that's impressive enough. The chance to meet her
11 personally and talk with her and listen to her
12 obviously turned the trick. She was in my
13 opinion a great candidate and is going to make an
14 outstanding director for Indian education.

15 We are a small if you will subset,
16 very important but a small by volume subset of
17 Indian education. Obviously Interior is the
18 large body of Indian education.

19 But we are fiercely proud in the
20 department of our contribution to Indian
21 education through the Office of Indian Education.

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1 And I think Angeline brings to us great
2 leadership skills and helping to continue to make
3 sure that that office and all that goes along
4 with it remains relevant and also helps us to
5 evolve now with the Department of Education into
6 a role that we hope will be even more significant
7 in the future.

8 The department itself is just coming
9 off of a major reorganization. The Secretary
10 decided that after many, many years of remaining
11 fairly consistent in terms of how the department
12 was organized perhaps now was a good time to
13 review all of that and see what possible changes
14 could be made to make sure that we were aligned
15 appropriately within the Department of Education
16 to meet the challenges of today and the future.

17 And so it was about an 18-month
18 process from the beginning until this recent
19 January 1 which was hailed as the implementation
20 date of this reorganization.

21 The philosophy behind it was rather

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1 simple but important, and that was that we were
2 a series of boxes on page after page after page
3 of organizational structure.

4 But we seemed to lack a certain
5 alignment of mission and of individual
6 contributions to that mission.

7 So the Office of Elementary and
8 Secondary Education is a good example of that.
9 We have wonderful divisions within the Office of
10 Elementary and Secondary Education, but we
11 onboarded as part of the reorganization what was
12 an independent office that is now a part of
13 Elementary and Secondary Education and that is
14 innovation and improvement.

15 The idea was this. With the passage
16 of the Every Student Succeeds Act which does
17 several things, but if you pulled out what are
18 considered to be the two major pillars of that
19 legislation that was passed by Congress, signed
20 into law, the idea number one is the
21 identification and return to much more by way of

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1 local control, local authority.

2 I touched a little bit on this in my
3 preliminary comments about the idea that
4 Washington had begun to pull more and more to
5 Washington, DC in the world of pre-K through 12th
6 grade education.

7 And by virtue of that fact Congress
8 felt it was important that we begin to recognize
9 what I mentioned earlier that much more should be
10 in the control of the people who actually look
11 these boys and girls in the eye every single day
12 and give back some of that greater local control
13 and authority to give people the chance to create
14 for their children in their communities and
15 states that which is rightfully theirs, but also
16 that which they are in the best position to create
17 for the children in their charge.

18 That's the philosophical bent with the
19 Every Student Succeeds Act.

20 Each state and we are working with
21 Indian Education and the Department of Interior

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1 as a part of the Every Student Succeeds Act. By
2 the way, I'll call it ESSA heretofore. It's just
3 easier to say.

4 I'm always sensitive to acronyms
5 because as I joined the federal government I
6 found where all acronyms actually go to die.
7 It's in Washington, DC. There's every acronym
8 humanly possible in Washington, DC.

9 I've been around a long time, but I
10 met my match in acronyms when I came to DC. DC
11 which stands for District of Columbia.

12 (Laughter)

13 MR. BROGAN: So by virtue of that fact
14 the second underpinning of ESSA is
15 accountability. And the title goes along with
16 that.

17 We went through No Child Left Behind.
18 We went through the Elementary and Secondary
19 Education Act which was actually signed into law
20 way back in the early nineteen sixties.

21 But this law was passed with two

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1 pronouncements. One, a return to more local
2 control. But two, underscore the word every
3 student succeeds. And that's a big part of the
4 accountability strand in ESSA is making sure that
5 when we ask people so how are the students in
6 your charge faring the answer is just not
7 generally it's going very well because generally
8 is in my opinion the old code in public education
9 for if you shoot for the hole in the doughnut
10 it's okay, but things around it, maybe not so
11 much.

12 But we do things in the aggregate in
13 public education and by virtue of that fact it's
14 easy to lose people in the wash of the aggregate.

15 So there was an emphasis paid on that
16 title Every Student Succeeds Act and the law was
17 actually created to make certain that indeed we
18 are looking at every student, not only in how we
19 work with children every day but also how we
20 report their achievement levels every single day.

21 So an inherent and really important

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1 part of the law on the accountability side is
2 that no longer can you just give a general
3 assessment and report how generally everybody is
4 doing.

5 Every state who has now an approved
6 plan is required to report not only generally how
7 their students are doing, but also the subgroups
8 that they serve at the same time to make certain
9 that everyone's success is being scored and
10 counted, and everyone's weaknesses are being
11 identified for purposes of then finding ways to
12 reach children that we have not been reaching as
13 well as we should across the board.

14 So it's a significant body of
15 legislation, but more importantly it is a massive
16 sea change the likes of which this country has
17 not seen in a long, long time.

18 We're actually and technically in the
19 third year of the Every Student Succeeds Act from
20 the time it was signed into law, but the reality
21 is we are right now in what we call the first

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1 year of implementation.

2 This is the year where all states must
3 now produce their report cards which must by law
4 include certain metric and accountability
5 standards laid out in the Every Student Succeeds
6 Act with an emphasis on making them
7 understandable to average folks.

8 We sometimes do education speak and we
9 understand it, but unfortunately the general
10 public which very importantly includes mothers
11 and fathers don't.

12 They look at the aggregate because
13 that's what they have put in front of them.
14 Along with it oftentimes comes a significant amount
15 of education jargon. And when it is finished
16 they're still not sure not only how the children
17 in the school are doing, they really don't have
18 much of a clue as to how their son and their
19 daughter are faring specifically.

20 So we're trying to turn the page and
21 get this thing down to the point where every

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1 mother and father understand exactly how their
2 sons and daughters are faring, not only where
3 they are succeeding but when necessary where they
4 aren't so that they can be better shepherds
5 because now they understand what's going on
6 during the day and can therefore contribute to
7 those things great and those things that are
8 demonstrated weaknesses on their sons' and
9 daughters' part to make sure that ultimately
10 those are corrected. That is the Every Student
11 Succeeds Act.

12 Language proficiency is a subgroup now
13 that stands. And a long-term need as has been
14 mentioned here at this table exists among
15 speakers of other languages in terms of making
16 sure that we create systems where their success
17 even though their native tongue is not English
18 can also be calibrated to assure that we're not
19 losing students in terms of the accountability
20 process because they don't happen to qualify for
21 the accountability strand because they speak a

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1 different native tongue. That's a little
2 backwards.

3 Because we know they're capable of
4 learning just the same way everybody else is, but
5 we've never done a very good job of counting that
6 way to assure that we're not losing students or
7 misdiagnosing students for programmatic needs
8 because of a language barrier. So that's now
9 getting more attention than perhaps it ever has
10 and still a lot of work to do in that regard.

11 So, it is a very complicated bill as
12 significant pieces of legislation are that come
13 from the federal government. But truly the two
14 pillars I believe that make it work are the
15 philosophical change to putting back more local
16 control, getting away from the idea that if
17 Washington could solve all of our educational
18 problems we wouldn't have any problems in
19 education.

20 It doesn't work that way. And that
21 great change bubbles up from the local level. It

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1 is not handed down from the top.

2 The second part again is the
3 accountability strand to make sure that what is
4 happening either in compliance with the law or in
5 compliance with local rules, regulations,
6 policies, practices, is somehow measurable to
7 make certain that indeed every student is able to
8 be successful.

9 So that is a big part of what we do
10 in the Office of Elementary and Secondary
11 Education is help to oversee ESSA.

12 As I mentioned that was the genesis of
13 the approval of all 52 plans that are currently
14 in place.

15 Now we're into the implementation
16 phase with those plans to begin to monitor and
17 review report cards, make sure people are
18 complying with the requirements that are laid out
19 in ESSA as well.

20 Also very importantly beginning to
21 identify and catalogue innovation that works.

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1 Because while there are so many well-intended
2 people out there in schools that are truly
3 struggling to a great degree academically and
4 socially.

5 Ofttimes the answer that we hear is
6 we'd like to do different and we'd like to do
7 better, we're just not sure what to do.

8 And we think it's incumbent upon us
9 because we in the department are -- we rather
10 have an interesting vantage point, able to sort
11 of survey the landscape of the whole nation and
12 our territories to be able to begin to identify
13 those things that are working.

14 Because contrary to the myth there's
15 a great deal of innovation taking place out
16 there. But we need to help to try to identify
17 what those innovative practices are, show the
18 track record of success more importantly that
19 they are evidencing with the children that we're
20 working with in those circumstances and begin to
21 inventory and catalogue them so that we can then

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1 push those ideas back out into the field for
2 people who are starving in some cases for new and
3 innovative ways to reach the children that
4 they're charged with educating.

5 And so we're beginning to do that at
6 the same time.

7 We've also in the reorganization in
8 the Office of Elementary and Secondary Education
9 added two new groups.

10 One is Grantee Relations Team to be
11 able to work with those who do look to gain access
12 to a grant, not just from the Department of
13 Education but in our case the Office of
14 Elementary and Secondary Education specifically.

15 We oversee just in our office about
16 \$23 billion in grant awards every year. And by
17 virtue of that fact both formula and
18 discretionary grants.

19 We also are the funneling point for
20 dollars for recovery and restart following
21 natural disasters. Those -- the doctor in

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1 California with the wildfires is a perfect
2 example.

3 Right now Congress is getting ready to
4 put yet another package together for natural
5 disasters which will include the wildfires in
6 California as well as the hurricanes that hit the
7 northwest coast of Florida this past year.

8 We still work with Puerto Rico, the
9 Virgin Islands, Guam on some of the natural
10 disasters that they have faced in the tropical
11 climates with hurricanes and typhoons, for
12 example.

13 But this country as you know is almost
14 biblical in nature as it relates to natural
15 disasters. It's just a matter of who's next and
16 what kind of natural disaster it's going to be
17 from floods in Nebraska to earthquakes and right
18 up the line.

19 And by virtue of that fact we've begun
20 an office within an office in Elementary and
21 Secondary Education that is completely focused on

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1 moving those recovery and restart grants from
2 Congress out to the people who have been hit with
3 those natural disasters and targeting education
4 with the dollars that flow through us to get
5 schools back up and operational, to help families
6 that have been displaced get resettled and back
7 into the mainstream of educational life and the
8 like.

9 And it's a first time ever for the
10 department. We're really excited about it.

11 We also have started an evidence-based
12 research component to elementary and secondary
13 education.

14 Contrary to the myth in education for
15 some years children are not laboratory mice. We
16 should not be just trying the next new shiny
17 object out on them to see how it goes and if it
18 doesn't work out in four or five years we close
19 it and move on to the next new shiny object.

20 It really is important and my friends
21 in higher education know this better than anybody

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1 that it is important to employ new strategies,
2 but new in terms of the fact that they have been
3 employed elsewhere and they bring with them an
4 evidence-based research strand giving people the
5 confidence that it has been and is being done in
6 other places and it has a track record of success
7 that stands behind it to prove it.

8 So that people can then select from
9 changes that they would like to make, but know
10 that they're not just trying something out on
11 their school children, that these are changes
12 that are in place in other places under the
13 umbrella of innovation and they've got an
14 evidence-based research track record of success
15 to bring along for the ride which is incredibly
16 important and a rather new approach to all of
17 this, sadly.

18 Because I myself after 40 years in
19 education have seen them come and seen them go.
20 And largely the things that go the fastest go the
21 fastest because they were just a new idea that

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1 had no track record that came along with it and
2 didn't work.

3 That might be sad for some, but for
4 others who are the students they spent four or
5 five years with something that didn't work and
6 they're never going to get that four or five years
7 back.

8 And so this will help to assure that
9 the changes we're making are guaranteed in terms
10 of what they've already demonstrated by way of
11 success with students at the same time.

12 We also are now onboarding and
13 finishing that up the -- what was the Independent
14 Office of Innovation and Improvement which
15 contains the whole notion of innovation and also
16 oversees grants that go out the door for specific
17 innovation and improvement kinds of efforts all
18 over the country.

19 The rest of the department has also
20 gone through some sort of restructuring. But the
21 idea behind it is to try to better assimilate

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1 together those things that when together serve
2 students as opposed to fragmenting individual and
3 breaking things down into individual components
4 to give people more of a menu of opportunity for
5 students as opposed to pigeon-holing great things
6 and almost keeping them from students because
7 they are broken and fragmented and segmented into
8 so many different forms and fashions they're hard
9 to get your arms around.

10 So that is something that we're very
11 proud to be finishing now. Finish is a bit of
12 an overstatement because as you all know many of
13 you have been through some sort of
14 reorganization.

15 Once you get everybody in the chairs
16 when the music stops you really actually begin
17 the reorganization, making sure that you are now
18 working together, planning together,
19 strategizing together for the benefit of those
20 that you serve which is taking us from one page
21 to the other in the reorganizational effort.

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1 I want to leave you with a couple of
2 thoughts. And then Mark and I are headed back.

3 Believe it or not in terms of the
4 world of scheduling today is Take Your Son and
5 Daughter to Work Day where we're going to have a
6 record number of boys and girls flying around the
7 hallways of the LBJ Building all day long. And
8 it's really very exciting. And we're a part of
9 that so we're going to be heading back to help
10 oversee that.

11 It's a great day for not only young
12 people to engage in lots of different activities
13 that they'll enjoy, but I always look at it this
14 way. It's also a great way to see where mom and
15 dad go every day and what they do. Because lots
16 of children never really fully understand when
17 they leave the house where they're going and what
18 they're doing which takes me to this.

19 The bio is in there, but like some of
20 you my upbringing was not terribly easy. Most
21 of that was because of me, not as a result of me.

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1 But I'm one of six kids and my mother
2 had an eighth grade education. Our dad died when
3 we were babies. My twin brother and I who are
4 the youngest of the six -- yes, there is a twin.
5 It's terrifying. I am much better looking and
6 smarter than he, but I can say that since he's
7 not in the room and don't put that in the
8 transcript.

9 When my dad died very early we're fond
10 of saying dear old dad left us with a lot of
11 wonderful things. Money just didn't happen to
12 be one of them.

13 And so my mother had to turn her
14 attention from raising six children to going to
15 work. And was -- with an eighth grade education
16 she worked in kitchens and restaurants and
17 cleaning houses to make sure that we had food on
18 the table and clothes on the back and a roof over
19 our head.

20 But she was also rest her soul the
21 smartest human being I've ever come in contact

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1 with in my entire life. And I've been around
2 some really smart people.

3 Because she understood, preached and
4 virtually willed that the education that we
5 received was our responsibility to take advantage
6 of. It was not a passive exercise. It was our
7 responsibility to take full advantage of it if we
8 were going to be able to have it better than she
9 and my dad did.

10 And it was a tough neighborhood, but
11 she became something of a rock star because that
12 was a long time ago. In those days a high school
13 diploma was the gold standard in that
14 neighborhood.

15 And if you could get your kids to a
16 high school diploma you hit the mother lode.

17 She went six for six and became a rock
18 star in that neighborhood. People could hardly
19 imagine how she made that happen.

20 And I used the word will before. It
21 was sheer will. We were on the business end of

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1 it. We didn't know there was an alternative to
2 not finishing high school.

3 I was very lucky. I wanted to be a
4 teacher from the time I was a middle school kid.
5 Don't ask me why, I just did.

6 And to do that I needed to go to
7 university and commuted for four years to the
8 University of Cincinnati, an hour and change in
9 and an hour and change back every night because
10 I couldn't afford to live on campus to get my
11 degree in elementary education. I wanted in on
12 the ground floor, elementary ed.

13 And my late wife and I, she an
14 elementary ed major as well right out of the
15 University of Cincinnati moved to Florida and
16 started a life there.

17 I was a fifth grade teacher for years
18 and then I went back, Dr. Payment, and got my
19 degree in administration and supervision in
20 education.

21 And with that I was a dean of students

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1 and assistant principal. I was a middle school
2 principal. And now with a 14-year-old remember
3 all the joys of having 1,500 sixth, seventh and
4 eighth graders and all the things they go through
5 beyond learning to read, write and count.

6 And was then a superintendent of
7 schools which was a great job contrary to the
8 myth. I loved every minute of that.

9 I was Florida's commissioner of
10 education, preK-12. That's a big state for those
11 of you who know something about Florida. That's
12 almost 3 million school children just in that
13 state and loved that.

14 I was the lieutenant governor of
15 Florida for one full term and then after
16 reelection stepped down in the second term.

17 In the middle of all of that, I
18 mentioned late wife. I lost my first wife in my
19 first year as lieutenant governor. She fought
20 breast cancer for two years and I ultimately lost
21 her in my first year as lieutenant governor.

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1 And we were never able to have
2 children which was okay with us. We were busy
3 raising everything else's. We were in education.
4 So it worked out.

5 But ultimately I met and married a
6 beautiful young attorney and I stepped down as
7 lieutenant governor when I was invited to go back
8 to my alma mater Florida Atlantic University
9 which is where I received my master's degree and
10 become the president of the institution which
11 terrified, Doctor, most of the faculty members
12 who were there when I was a student there at the
13 time.

14 But we did that for seven years and in
15 the second year defied some of the stereotype
16 about university presidents when the students
17 woke up one Saturday morning and on the lawn of
18 the university president's home was a 6 foot
19 plywood stork bearing the words it's a boy.

20 You don't see that a lot on university
21 president's front lawns, but he spent -- my son

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1 spent his first five years right smack dab in the
2 middle of a university campus. I can't think of
3 a better way to raise a child than being in that
4 environment. It was amazing.

5 And we talk about mascots. He was the
6 mascot for the university whether he knew it or
7 not for that five-year period of time.

8 I then was very fortunate to get
9 called back to Tallahassee as the chancellor of
10 the Florida university system, 12 incredibly
11 public universities that serve about 400,000
12 students in total and did that for a number of
13 years and was invited to go to Pennsylvania where
14 I served as the chancellor of the Pennsylvania
15 state system of higher education.

16 And that's where I was when I got the
17 call and the invitation to join the Department of
18 Education about a year and a half ago.

19 The Secretary wasn't quite sure what
20 to do with me by way of job. You heard the
21 resume.

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1 Ultimately she decided on elementary
2 and secondary which was fine with me. That was
3 like going home. I was actually delighted she
4 came up with that one. So that's where I've
5 served ever since.

6 We want to make certain that the work
7 you do is fulfilling. It should be. Nobody
8 should be asked to be a volunteer anything
9 without knowing that they have a chance to come
10 away fulfilled with the work they've been asked
11 to do.

12 I agree with Dr. Payment. It is an
13 incredibly impressive set of CVs that sit around
14 this table and join us by way of telephone. We
15 need to make certain that we are not only
16 maximizing the talent, Madam Chair, around this
17 table but also ultimately see children as the
18 beneficiaries of it.

19 I think with our new leadership, I
20 think with the great staff we have in OIE and the
21 ability to better organize around all of this as

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1 it relates to you all our goal is to try to make
2 certain that you feel fulfilled in the work that
3 you've been called upon to do. And we're going
4 to do everything we can that's in our power to
5 make sure that we're good to that commitment.

6 So, we thank you very much for
7 serving. We do welcome you to Washington,
8 District of Columbia. And thank you very much
9 for your continued service and look forward to
10 working with all of you.

11 And thank you, Angeline, for giving me
12 so much time here this morning. I appreciate it.

13 We also, as I give way know that one
14 of the obligations that you have is to turn out
15 an annual report.

16 I will further commit to you that that
17 is not something you just hand to a group of
18 volunteers and say good luck with that. It
19 requires support.

20 There are logistics that go along with
21 that. There's data that needs to be pulled and

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1 organized. There's formatting that needs to be
2 done. All those things that go along with making
3 sure that it's not just an annual report, but an
4 annual report of high quality.

5 And I commit to you that we'll work
6 with you and especially those who are fortunate
7 to be assigned to the subcommittee by the
8 chairwoman who will work on this.

9 But really we do not want to leave you
10 out there hanging out to dry on that. We will
11 do whatever needs to be done to make sure you're
12 in a position to turn out a high-quality piece of
13 work that's in all of our best interests. So
14 wanted to get that on your radar screen at the
15 same time.

16 We'll get out of your way, but thank
17 you so very much for coming together and thank
18 you for the continued work you do for us.

19 DR. JACKSON-DENNISON: Thank you.

20 MR. BROGAN: Thank you, Madam Chair.

21 DR. JACKSON-DENNISON: Are you Dr.

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1 Brogan? Okay, thank you so much, Mr. Secretary.
2 But we do have a couple of questions I know. I
3 see hands going up. I have one.

4 MR. BROGAN: No, it's okay.

5 DR. JACKSON-DENNISON: And I know
6 you're probably not going to be able to answer it
7 right now, but it's one that I've been asking
8 since the time I stepped foot into this council
9 and it regards the accountability piece -- well,
10 actually the A through F grading system.

11 I've told -- in fact, it was one of
12 the last conversations I had before I left for
13 this trip with one of my principals there. We
14 were talking about how in Arizona I know the --
15 it was kicked back from the federal level.

16 How is it that the federal government
17 can ensure state plans include the unique issues
18 and social challenges? Because I can honestly
19 tell you the school district that I'm working in
20 right now, the A to F grading system is not
21 anything that we can even think about because we

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1 know we're not going to make the grade. We know
2 it.

3 Our challenges are so unique and so -
4 - and to have the state just not even acknowledge
5 that we have these specific challenges, but to
6 give us a label, a letter grade, it's just more
7 insulting and it's more difficult.

8 That's something that I've been
9 harping on even before the letter grades came in,
10 but when it was the labels or whatever the system
11 is. It just doesn't ever fit schools on Indian
12 reservations because we have such unique
13 challenges.

14 I mean, just even getting -- the
15 social and emotional needs are so great that it
16 doesn't even fit into -- I can't even think about
17 the letter grading system. And we're lucky if
18 we make a D and C, but even to get there it's
19 almost impossible sometimes.

20 MR. BROGAN: What you're discussing,
21 and you're right. That's big and complicated and

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1 will require a much broader conversation.

2 But I do want to try to at least
3 briefly address some of the concerns that you
4 have.

5 One of the complexities that we have
6 with going to the Every Student Succeeds Act is
7 the fact that it does return significant local
8 control to the people at the state level. We
9 call them the SEAs, there's another acronym.

10 And then the LEAs who are the local
11 education agencies, right, school districts, et
12 cetera.

13 Is that how we do these kinds of
14 things a great deal of is going to reside and the
15 decisions will be made at the local level as to
16 how they are reported.

17 The plan that was approved for all of
18 the states have requirements through the Every
19 Student Succeeds Act that had to be a part of the
20 plan.

21 But how those plans are implemented as

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1 long as they don't run afoul of the law are left
2 to the people at the state and local level.

3 There is no A through F grading within
4 ESSA. It doesn't include an A through F system.
5 It includes calculations on graduation rates and
6 some of the other metrics that are pretty much
7 standard, but each state then will determine
8 either through their state legislature or by the
9 state board of education, whatever the governance
10 structure looks like, exactly how the state will
11 report on the annual report card that they're now
12 creating. Some are actually out already.

13 But there is no mandate that they
14 include an A through F system.

15 On the bigger side of that it is very
16 important to know that public engagement,
17 stakeholder engagement is a broad part of the
18 Every Student Succeeds Act.

19 In other words, how people do things
20 with that local control they've been afforded is
21 not according to ESSA a function of whatever the

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1 superintendent thinks it ought to be, or the
2 school board, or the state board of education, or
3 the state superintendent or commissioner of
4 education.

5 All of these things must be created
6 with the engagement of parents and stakeholder
7 groups at the local level first.

8 Even now that we're in the waiver
9 process because that's a part of the ESSA law
10 where once your plan is approved you have the
11 ability if you decide to utilize it to ask the
12 Department of Education for waivers from certain
13 things.

14 That tacks, and very importantly so,
15 right along with asking for a waiver to change
16 something. That waiver must have included within
17 it evidence stakeholder input and engagement.

18 Why? It's to keep people from saying
19 we know what our plan said. That was created
20 with stakeholder engagement. But we'd like to
21 change from it and do it a different way and that

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1 not include the same stakeholder engagement.

2 It's to assure that people are not
3 making decisions for the children in their charge
4 in a vacuum, that all of these changes and all
5 the different approaches must include that
6 stakeholder and local engagement.

7 So that's -- and I'm glad you
8 mentioned that because I didn't, and that's a
9 very important part of the philosophy that stands
10 behind this law at the same time.

11 DR. JACKSON-DENNISON: Thank you. I
12 think the unique relationship between the federal
13 government and Indian Country is where the state
14 sometimes forgets that.

15 And so it's like a one size fits all
16 when they submit to the federal government for
17 approval.

18 And I can tell you I was pretty
19 grateful that it was kicked back from the federal
20 government because I'm thinking to myself as a
21 superintendent maybe the federal government is

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1 thinking, okay, how are you going to handle this
2 unique group of people.

3 I mean, I always say it. We're the
4 lowest performing -- across the country it's that
5 way, Indian Country. We have the lowest
6 performing.

7 And I think sometimes the states would
8 be glad to get rid of us because we bring the
9 score down.

10 But you know, it is what it is. And
11 so my thinking is okay, when will that day come
12 when the federal government tells states you have
13 to include -- and I know that relationship
14 between the tribes, that's important to have
15 there, but it's almost -- many times just becomes
16 a check off the box again.

17 MR. BROGAN: Yes. And Chairwoman,
18 you've touched on something else too.

19 I alluded earlier to Interior and BIE,
20 Bureau of Indian Education. One of the caveats
21 laid out in ESSA is also for Indian education as

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1 I touched on very briefly creating a state plan
2 for lack of a better term with Indian education
3 with the recognition that indeed Indian education
4 is not just one education system, right.

5 DR. JACKSON-DENNISON: Right.

6 MR. BROGAN: The basic caveats may be
7 laid out in that plan, but that plan also has to
8 be reflective of the differences within Indian
9 education.

10 I think the figure we use is 93
11 percent of students are educated under ESSA plans
12 because they attend traditional public schools.

13 But this plan that I'm talking about
14 once it's created and signed off to also needs to
15 talk about the different kind of approaches that
16 people are using in Indian education beyond that
17 93 percent, beyond the traditional.

18 And that includes how Indian education
19 programs meet certain accountability
20 requirements and make changes, et cetera, et
21 cetera, the same way.

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1 But also recognize there is not one
2 Indian education. There is one state of Ohio,
3 but there is not one Indian nation. When it gets
4 down to the issue of education there are
5 different approaches based on tribal
6 circumstances, beliefs, philosophies,
7 approaches, cultural and academic and then the
8 two joined at the hip.

9 And that is why I think the creation
10 of that plan is going to be considerably more
11 complicated than perhaps even a general state
12 plan even for a state as big as California.

13 It's one thing to come up with a state
14 plan. It's another thing to come up with a plan
15 for something as diverse and different as Indian
16 education is in our nation.

17 DR. JACKSON-DENNISON: Dr. Payment.

18 DR. PAYMENT: Actually, I want to
19 reinforce that.

20 So I served on the negotiating and
21 rulemaking team for ESSA. There was two of us.

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1 The other one I always want to recognize because
2 she was amazing, Leslie Harper.

3 And so sometimes stuff is lost in
4 translation. Even though we speak English
5 sometimes it's still lost in translation.

6 What I haven't heard yet from you --
7 that's why I want to make sure and get clarity is
8 -- so when we were meeting with the negotiating
9 and rulemaking team which was about 20 people it
10 included 5 state superintendents.

11 Clearly they weren't understanding
12 what we were talking about with respect to treaty
13 and trust responsibility and making sure that the
14 ESSA included consultation.

15 A lot of talk especially from that
16 group, that subgroup of our committee was on
17 state sovereignty, on sovereignty and the right.

18 So education is a local administrated
19 right. It's not a federal one. And that's for
20 good reason.

21 And there are federal protections, and

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1 that's for good reason as well.

2 And so we were trying to articulate
3 this and it just, it wasn't registering.

4 So the second morning we met I asked
5 if I could do a blessing for the meeting. And I
6 did it entirely in Anishinaabemowin which is
7 Ojibwe language.

8 And then at the end of it I informed
9 them that I was going to assess them at the end
10 of the meeting in their understanding of what I
11 said. And it got very uncomfortable.

12 MR. BROGAN: Create a bit of panic,
13 did it?

14 DR. PAYMENT: It did. That's
15 important because when we are doing language
16 medium schools and when we're doing assessment
17 always it's translated through English with the
18 exception of Puerto Rico.

19 Puerto Rico is not that way. Puerto
20 Rico they develop the assessment in their own
21 language and so it's not having to be interpreted

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1 through English. So that was a learning moment.

2 Another learning moment was for me to
3 educate my colleagues on that committee about
4 sovereignty.

5 And one threshold moment was when Dan
6 Evers who was on our committee is now the Governor
7 of Wisconsin asked if I would have lunch with him
8 because he said I see you're getting frustrated.
9 I see my colleagues at the state superintendent
10 level are not -- it's not registering. He was a
11 former superintendent for Wisconsin.

12 And so we met and then I explained it
13 to him, gave him an Indian 101 over lunch and
14 then he understood.

15 And he said okay. And so we went back
16 in. Then we explained it again and basically he
17 said you cannot reinforce and support state
18 sovereignty with respect to education without
19 understanding tribal sovereignty.

20 Sovereignty is derived from the exact
21 same paragraph in the Constitution for states and

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1 tribes. It's Article 1 Section 8 Paragraph 3
2 that Congress shall have the authority to
3 regulate commerce with foreign nations among the
4 several states and with Indian tribes.

5 And so we insisted and we finally had
6 the others capitulate because we had a consensus
7 decision-making so we had to all agree.

8 And finally everybody agreed with the
9 consultation requirement for states and the Every
10 Student Succeeds Act with tribes.

11 And so I'm very interested in doing a
12 score card. And Department of Education should
13 expect a score card and evaluate from those
14 individual plans what portion of it relates to
15 American Indians.

16 That's something I think we can be
17 facilitative and helpful. Not as a gotcha
18 exercise, not as anything like that.

19 But if a state doesn't have the plan
20 fully developed we can be helpful and
21 facilitative in looking at the states that do

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1 have it very well.

2 Finally, and I had a whole bunch of
3 things but I know you've got to go, and I know
4 there's others that want to speak.

5 Michigan did develop a very advanced
6 tribal consultation template booklet. And I
7 think it's a very good example for other states.

8 We're still in the process of
9 implementing it. It did require consultation
10 with local tribes.

11 And they created a portal so that
12 local tribes can upload our individual histories
13 and our expectations in it.

14 So it's one thing to expect teachers
15 to be culturally sensitive and to educate about
16 American Indian history and contributions,
17 language. It's another to give them the tools
18 to do it. And so that's what that plan did.

19 So we can be helpful with that, but I
20 would like for us ongoing to be part of the
21 evaluation and advisory in that evaluation.

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1 MR. BROGAN: I appreciate that as well
2 as the issue of tribal consultations which are
3 going to be very important in this process at the
4 same time.

5 I also didn't mention our relationship
6 with Interior/BIE. Many of you, maybe all of you
7 know but there is a new assistant secretary. As
8 a matter of fact she and I were confirmed by the
9 Senate at almost the same time, Tara Sweeney.

10 And I have met with her and she's
11 terrific. She's very smart. She has been
12 around. This is interesting. She doesn't come
13 from education which with some people is always
14 a knock when they're working on education.

15 Not with Tara. She is willing to take
16 a very fresh look at how things have been done in
17 the past. She will be a very important player
18 in the creation of an ESSA plan. As a matter of
19 fact Interior will be the prime driver behind the
20 development of that plan. We'll be involved
21 tangentially.

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1 But I feel very good about having her
2 in that particular chair. She doesn't need me
3 endorsing her at all, but I do for what it's
4 worth.

5 As a matter of fact Angeline and I are
6 going to go over there and meet with her in the
7 not too distant future not only to introduce
8 Angeline to her but also to begin to have more
9 conversations about the development of the plan.
10 And I forgot to mention that earlier.

11 DR. JACKSON-DENNISON: Okay. Robin
12 has a question.

13 MS. BUTTERFIELD: Yes. Thank you so
14 much for your personal background. I thought
15 that was very helpful in terms of giving us an
16 opportunity to understand sort of who you are and
17 where you come from.

18 I guess my question is really about -
19 -

20 MR. BROGAN: It's really a resume of
21 a man who can't hold a job if you really cut right

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1 to the chase. That's what you've got here.

2 (Laughter)

3 MS. BUTTERFIELD: But you see
4 education from a wide perspective and I think
5 that's very helpful.

6 And I really appreciate the fact that
7 you are here at our meeting. Having been
8 involved in NACIE for a while we really struggle
9 to have access to decision-makers.

10 So my question is really, I was
11 looking at the organizational chart. And for
12 years we have, and I'm saying we in terms of like
13 the Native community. I've been connected with
14 NIA for decades. I'm serving out my sixth three-
15 year term as a board member so I'm well aware of
16 the positions of the organization.

17 And we have advocated always that our
18 Indian education office be elevated within the
19 department because we want that federal trust
20 responsibility to be met by the department.

21 I guess we've always felt that if it's

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1 kind of buried down within multiple levels that
2 our voices are not heard the way we need them to
3 be heard.

4 And also along with the charge of
5 NACIE we don't just oversee the Office of Indian
6 Ed. Our charge is to look at any funding source
7 or any services that could be provided to our
8 communities as a result of that trust
9 responsibility.

10 So I want to thank you for being here
11 because it's suggesting to me that maybe we will
12 be heard.

13 And I don't know how often your
14 offices meet, but I guess my question is when we
15 make suggestions or recommendations where do they
16 go within the department. Because we've crafted
17 letters to the Secretary over the years. We've
18 done our due diligence in creating our annual
19 reports and summarized our recommendations, but
20 I think we feel frustrated that now what. You
21 know, what happens with the suggestions.

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1 MR. BROGAN: What I would actually
2 like to do and I was thinking of this some time
3 ago after a meeting with Angeline is -- this might
4 sound a little quirky, but I would like to when
5 the annual report is complete and ready to go I
6 would like to perhaps have the chairwoman come
7 and present that personally to the Secretary.

8 And then talk through it. Not just
9 present it. For purposes of making sure
10 everybody understands what an important document
11 that is.

12 That is not just a compliance
13 document. That document is a statement full of
14 very important information that everyone should
15 have, thus not only creating a hard copy but
16 putting it on the web.

17 But also I thought maybe it might be
18 even more personalized if we might be able to
19 orchestrate and organize around that.

20 I know that sounds almost symbolic,
21 but maybe it is. Maybe that's okay.

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1 MS. BUTTERFIELD: Actually I think we
2 would appreciate that.

3 MR. BROGAN: We also, and I take full
4 responsibility for this. We have changed the
5 placement in the reorganization of OIE.

6 We are in a funny-shaped building.
7 It's very long and it's just a giant rectangle.
8 And it's full of cubicles. And hard offices are
9 largely on the outside.

10 It makes organizing people a very
11 difficult thing to do. You either put people in
12 a location where they feel completely detached
13 and in the shadows, or you stick them right out
14 in the middle. And there's really no perfect
15 placement.

16 But as we were looking to -- because
17 it wasn't just about onboarding new offices with
18 us, it was about where everybody was for greater
19 efficiency and organization, et cetera.

20 I made the decision that as we were
21 looking to where to put people there are two very

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1 long hallways that cut down the middle of the
2 third floor where we are, elementary and
3 secondary education, about 265 people total.

4 I call them Broadway because if you
5 come onto the third floor or go off of that third
6 floor you can't do it without walking up and down
7 one or both of those long stretches. And they
8 go from one end of that building all the way from
9 the other.

10 And so now the Office of Indian
11 Education is on Broadway. And that was important
12 to me.

13 I felt -- and again, there's no right
14 placement for everybody, but the thought was, and
15 they've already started to adorn the fronts of
16 those cubicles which are on Broadway with
17 information about Indian education because part
18 of our problem in a big department like the
19 Department of Education is oftentimes we don't know
20 what each other does or do in the Department of
21 Education.

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1 And I'm not talking about the Office
2 of Elementary and Secondary Education knowing
3 what goes on in Post Secondary Education, I'm
4 talking about everybody in Elementary and
5 Secondary Education knowing what everybody in
6 Elementary and Secondary Education knows.

7 You've seen the chart. We are lots
8 of offices within a big office. And everybody
9 loves each other and everybody gets along, but it
10 doesn't mean you know exactly what those people
11 do during the course of the day.

12 So OIE is now on Broadway. And I've
13 gotten some really good comments from some people
14 not in OIE from some of the other offices about
15 the placement because nobody I think ever
16 intended to put OIE in a position of being in the
17 shadows. It's just the nature of that building
18 and the way it sets up.

19 But I just thought it was a good time
20 to put them on Broadway.

21 MR. BROGAN: Thank you for that. And

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1 Patsy has a question also.

2 MS. WHITEFOOT: Yes, just a comment
3 and a question. So thank you for acknowledging
4 the work that we do on the report. I am part of
5 that subcommittee that does that report.

6 And one of the major issues I've had
7 is just the non-access to data. I mean, we've
8 had the data shared with us. However, we've not
9 been able to make it a part of the report because
10 we don't necessarily get that kind of
11 communication with the folks that have that data.

12 We did finally get it at the end of
13 one year and that was the first time -- we'd been
14 asking and finally began getting that.

15 But that would be very beneficial for
16 us to have, particularly when we put that report
17 together. As you said, you want to see quality
18 report, something like this. We want something
19 very quality with some of the photos of our
20 students, Alaskan Native students as well, and
21 show some of the data and the work that we've

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1 been working on.

2 In all of the -- I guess the
3 partnerships that we have, particularly with the
4 White House Initiative on American Indian and
5 Alaskan Native Education because that's one of
6 our charges as well, as well as that relationship
7 that we have with the Bureau of Indian Education.
8 So looking forward to it and really appreciate
9 your sharing that with us. And we'll look
10 forward to your follow-up.

11 I'm curious about that relationship
12 with your Office of Innovation and Implementation
13 if that's what that is? Improvement. Okay.
14 I'm curious about that.

15 MR. BROGAN: Yes. Again, they were
16 an independent office for some years. Grants
17 flow through there oftentimes dedicated to
18 innovative programs, innovative practice.
19 Oftentimes seed money to try to get a great
20 innovation kickstarted and get it up and get it
21 operational.

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1 A lot of the school choice issues flow
2 through there. Dr. Payment, charter schools was
3 a part of that office and now has moved in with
4 us. So charter schools now is under Elementary
5 and Secondary Education, for example.

6 But the improvement piece is also
7 important. How do you determine if the
8 innovations are successful. So they're going to
9 fit right in with the menu that we've got and be
10 an important part of both of those things.

11 MS. WHITEFOOT: So, I'm curious then.
12 I know one of our guests here, Jenelle is here,
13 so really appreciative of her being here too
14 because she has part of that history of the work
15 that we've done.

16 So in the past we were asked about
17 resources that were made available that weren't
18 available and so action needed to be done. And
19 so action was taken to provide resources to the
20 education centers, the regional education centers
21 and follow up.

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1 That relationship is important
2 because we're talking about local control. And
3 so a regional engagement as well is important.
4 So I think that's something we really need to
5 take a look at. So thank you.

6 MR. BROGAN: Thank you. And I'm
7 going to step away because you've got an agenda
8 that is long. She's going to keep you really
9 busy for the next day and a half, I assure you of
10 that.

11 But again I want to thank all of you
12 for coming together and thank you for giving me
13 all this time this morning. I'd stay with you
14 all day but you'd get tired of me after a while.

15 But I thank you very much for coming
16 together and we look forward to being great
17 partners with you along the way and those you
18 represent. Thank you, Madam Chair.

19 DR. JACKSON-DENNISON: Thank you.
20 And thank you for your time because we've never
21 had this before. We're so appreciative. I just

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1 want you to know you're a breath of fresh air for
2 us because I feel excited about the work we're
3 doing now just by having you here this long.

4 MR. BROGAN: My time is yours.

5 DR. JACKSON-DENNISON: Thank you.
6 And we're excited. Thank you.

7 (Applause)

8 DR. JACKSON-DENNISON: Do we want to
9 take a break? Okay, let's take a break.

10 (Whereupon, the above-entitled matter
11 went off the record at 11:20 a.m. and resumed at
12 11:42 a.m.)

13 MS. BOULLEY: Dr. Dennison, with your
14 approval if we can adjust the NACIE agenda. Our
15 morning time we had intended to talk with NACIE
16 about going over the charter and some issues
17 regarding that, and then getting into some
18 envisioning.

19 With our time right now I'm wondering
20 if we could take just about 15-20 minutes with
21 Karen Akins regarding the charter and the FACA,

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1 the Federal Advisory Committee Act.

2 DR. JACKSON-DENNISON: That's fine.

3 MS. BOULLEY: Okay, thank you.

4 DR. JACKSON-DENNISON: So we'll go
5 ahead and turn it over to Karen.

6 MS. AKINS: Thank you, Dr. Dennison.
7 First, just let me say welcome to all of you.
8 I'm glad you all made it here safely.

9 Let me just say that it seems like
10 this meeting so far has been an air of being able
11 to preset the button. Sometimes just like
12 marriage is different, partnerships maybe don't
13 work out or I'm not sure how to describe it, but
14 today is like I've heard a couple of the council
15 members already say that it's really exciting to
16 be here.

17 I concur that the opportunity to have
18 time with a senior official from the department
19 is -- just doesn't occur.

20 I think I'll take a few minutes in the
21 spirit of what I heard you all say just to

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1 introduce myself, tell you a little bit about me
2 and also acknowledge some of my colleagues that
3 were here earlier and had to go back to the
4 department. And then we'll get into just a
5 couple of things about the charter and FACA and
6 I'll be sure I try to stay on track.

7 So I started at the department in
8 2000. I came to the department as an intern.
9 Those of you who have known me for a really long
10 time know that I have a hidden disability. I'm
11 actually legally blind so I rely mostly on
12 peripheral vision.

13 And so I came to the department as an
14 intern through the Office of Disability
15 Employment. And I was an intern in what was then
16 called the Office of Intergovernmental and
17 Interagency Affairs where the committee
18 management program was housed at the time back in
19 2000.

20 So I was an intern for about six
21 months and I guess I probably did a fairly good

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1 job and so they hired me on to do ad hoc projects
2 within that division.

3 And the Committee Management Office at
4 the time was housed in the Intergovernmental
5 Affairs Office at the Department of Education and
6 so right when I was appointed as the committee
7 management officer for the department, the third
8 woman in the history of the department to have
9 the position we moved to the Office of the
10 Secretary.

11 And actually that move made sense
12 because the advisory committee management program
13 pretty much has two tracks.

14 There's the legal side, the Federal
15 Advisory Committee Act or FACA that you all have
16 probably heard about. Some of you have been on
17 the council for a while. So that side of it is
18 the legal side if you will about regulations and
19 making sure you have a charter and Federal
20 Register notices and all that jargon and those
21 things that you've probably heard about again,

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1 some of you, over the years that have served on
2 the council.

3 The other track is staffing. And so
4 typically the folks that I report to directly are
5 political appointees. We used to have a White
6 House liaison office. Now the office if you will
7 was reorganized into the Office of the Secretary.

8 So there's myself and a political
9 appointee who is the White House liaison.
10 However, we both now report to the same person
11 within the Office of the Secretary.

12 So each day for all of the advisory
13 committees some I guess we have about 15 now.
14 Each day I'm either working on staffing or on the
15 other track which has to do with again all the
16 legal, the charters, Federal Register notices and
17 I'm trying to think of what else.

18 So after doing that since 2000 what I
19 want to say is first of all let me back up and
20 say thank you for your work. I think I shared
21 with Dr. Dennison that NACIE was one of the first

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1 advisory committees I guess if you will that I
2 was assigned to work on and handle some issues.
3 And so I've never been a parent like a lot of
4 you, but I kind of felt like as my first child if
5 you will I've been attached to NACIE in that way.

6 And again brought in like maybe my
7 third day at the department to come down with one
8 of the legal folks that I worked with at the time
9 to handle some challenges. Members had some
10 concerns, some of the same things that you all
11 have expressed for the time that you've been
12 appointed.

13 I want to maybe extrapolate some of
14 the things I've heard around the room today. For
15 me day to day and I think I could speak for all
16 of the folks that are career staffers within the
17 Office of the Secretary that it's non-partisan
18 for us.

19 Our work is on behalf of the
20 constituents, stakeholders and taxpayers. And
21 that's the way I carry myself every day within

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1 the Office of the Secretary regardless of who's
2 there in terms of political appointees.

3 The majority of my work is I guess
4 framed by the Federal Advisory Committee Act and
5 so I know it may seem a lot of times especially
6 in my role that it's like no, no, no, no, no, no
7 and I so I want to say today that I think we want
8 to reshape that.

9 And the reason why I asked if I could
10 kind of start first is before you get into your
11 conversation about re-envisioning NACIE, just to
12 kind of share with you some context if you will.

13 So again, as I carry myself and do
14 this work every day I think about what would be
15 best. Even though it may not be a direct line
16 is what would be best to support our advisory
17 committees because your success is not only my
18 success for my program and as a staffer, but it
19 also means that I don't hear the stereotypes
20 where it is committee members only come to
21 Washington. All they do is pontificate and meet.

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1 What really happens. Where is the
2 deliverables.

3 So in having that said that I want to
4 acknowledge Angeline who has started -- not only
5 is she your executive director, but under the
6 Federal Advisory Committee Act by law we need a
7 designated federal official for every advisory
8 committee that we have as a department.

9 And this is also government-wide.
10 Let me just say that every agency manages and
11 conducts their committee management program
12 differently.

13 I go to quarterly committee management
14 officer meetings and so every agency is
15 different. So if you've served on other advisory
16 committees for other federal agencies that's
17 great. That's definitely a testament that you
18 all have great credentials and background I'm so
19 glad that we're able to utilize and get your
20 recommendations and advice.

21 I've said to our staffers and tried to

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1 advocate that this definitely is one of the best
2 groups. And I think I could say that since I've
3 been doing this job since 2000, one of the best
4 group of experts that we have in terms of Indian
5 education.

6 And so Angeline has stepped right in
7 and worked with me. Ron Lessard who's sorry that
8 he couldn't be here today. And as you know
9 you're also the advisory council for his
10 initiative.

11 But Ron and I sat down with Angeline
12 and I think we've had some frank conversations.
13 We tried to without scaring her give her some
14 recommendations and tips and concerns.

15 And I think between the three of us
16 we're committed to making sure we provide the
17 support that you need.

18 In terms of logistics and the Federal
19 Advisory Committee Act Angeline is always your
20 first point of contact as the designated federal
21 official. By law she's the liaison between

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1 yourselves and the department.

2 So in the past where it may have
3 seemed confusing or what have you I think I can
4 say, and I don't know if Angeline wants to say
5 anything or pinch me on the arm, but Angeline is
6 committed to being the first point of contact not
7 only within the context of the Federal Advisory
8 Committee Act, but she's committed herself to
9 making sure that she, myself and Ron, whatever
10 you need that we're going to work together and
11 make sure to the best of our ability that we can
12 get it and make the if possible bureaucratic red
13 tape that you may have felt like you've always
14 had to run through to get what you want, that we
15 kind of help either totally take that away or at
16 least give you a reasonable explanation about
17 what needs to happen for the things that you want
18 to do.

19 And so I just want to -- one of the
20 conversations Angeline and Ron and I had early on
21 is you all can't do your work if we don't help

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1 you in terms of giving you the things or the
2 priorities that the department is currently
3 working on and asking your opinion as it relates
4 to Indian education.

5 If we don't do that because the crux
6 of all the federal advisory committees is
7 advisory. As you know, you don't make policy.
8 You don't put together budgets or things like
9 that, but as I've heard around the room some of
10 your concerns, you should be involved in the
11 conversations.

12 You all are the experts. But if we
13 don't share with you what's going on. Not just
14 coming to meetings. Sometimes I step out of my
15 lane. I shared with Angeline that I try to
16 attend these meetings to make my program,
17 committee management program better for the
18 department.

19 So it's more than just a bunch of
20 presentations and you hear and then there's no
21 follow-up if you ask questions.

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1 And so again, Angeline, Ron and I and
2 other staffers and I think most of my colleagues
3 had to get back to the department and I'll weave
4 that in as I kind of make these comments.

5 But it's not just about coming to
6 meetings and then we don't provide the support
7 that you need when you ask us questions and things
8 if we're asking you to advise on certain items.

9 And so -- and as all you all know not
10 only do you advise Ron Lessard's White House
11 initiative but also the Department of Interior.
12 And I think I heard comments from the assistant
13 secretary today that he's going to work with
14 Angeline to make that bridge happen.

15 So I guess if I had to encapsulate in
16 the few minutes that I have FACA is pretty much,
17 there's I guess five top provisions if you will
18 that you want to remember.

19 The first one is that you have to have
20 a charter in order to meet. And the charter is
21 -- the format that you see in the charter that

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1 you all have, that format is if you will dictated
2 by us, by a division within GSA called the
3 Committee Management Secretariat.

4 So the Department of Education, VA, or
5 whomever supports advisory committees, we don't
6 make that charter format. The charters as GSA
7 dictates to us or trains us if you will in the
8 Federal Advisory Committee Act, the information
9 that you see under each category within the
10 charter, that is a mirror image of what's in the
11 authorizing legislation.

12 And if you will I'm a conductor within
13 my program to lots of other offices within the
14 Department of Education.

15 So the charter every two years has to
16 be renewed. And so in order for you to meet the
17 charter has to be in place.

18 So my responsibility for all of the
19 charters within the department is when that time
20 frame is about to occur, usually three to four
21 months before a charter is to expire I alert the

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1 designated federal official that we need to work
2 on updates.

3 In your case unless ESSA has changes
4 or something changes in your authorizing
5 legislation every two years we make sure that --
6 and when I say we that's the Office of the General
7 Counsel staff work with me.

8 You may have gotten to meet Morris
9 Barren personally. He's your ethics attorney.
10 He just makes sure that for anything that
11 pertains to ethics within the charter he and the
12 rest of the staff on the ethics side of our Office
13 of the General Counsel will review the charter.

14 And then we have a Division of
15 Business Law side that also reviews the charter
16 just to make sure that everything within the
17 authorizing legislation is inserted properly per
18 GSA into each category.

19 So, Lauren Friedrich who was here
20 earlier, the young lady that was sitting next to
21 me, she's our federal advisory committee attorney

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1 if you will.

2 Some of you all may have been here in
3 the past when we had Karen Mayo-Tall as our
4 federal advisory committee. She will be leaving
5 to go to another agency.

6 But Lauren shadowed Karen Mayo-Tall.
7 She's a really great attorney. She's been good
8 to work with. She started to work with me on a
9 regular basis. So from this point on if you have
10 questions about the Federal Advisory Committee
11 Act hopefully Angeline will have an opportunity
12 to go to the formal training that GSA provides,
13 but if you have any questions of course you can
14 always contact me directly. You can contact
15 Angeline.

16 But I just want you to remember that
17 in order for you to meet you have to have a
18 charter. So that's number one.

19 Number two, with Angeline being the
20 executive director, Assistant Secretary Brogan,
21 as it has been in years past, Assistant Secretary

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1 Brogan by I guess power of his position delegated
2 Angeline to also be the designated federal
3 official for NACIE.

4 And so to me as it has been in years
5 past that makes sense because now we have an
6 opportunity not to only have Angeline as the
7 executive director, but she also as the
8 designated federal official can ensure that your
9 meetings are going to be more productive because
10 she understands the policy pieces of the office
11 and can I guess help the chairwoman and you as
12 members inform your meetings in terms of maybe
13 there's things that are going on at Interior, for
14 example, or something else that the department is
15 working on that really may need NACIE's input.

16 Angeline can make that happen. And
17 so I think that that's great that the assistant
18 secretary did that.

19 He expressed to me early on during the
20 interviews that that's something that he desired
21 to do. I think if he was still sitting here,

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1 believe you me he knows that I also pushed for it
2 because again your success is my success in
3 showing that the work that we do behind the
4 scenes, all the other staffers not only in the
5 Office of Elementary and Secondary Education but
6 all the other staffers that work to put these
7 meetings together, and support you, and make sure
8 that all the Federal Advisory Committee Act
9 regulations are followed, it makes us look like
10 we're doing what we're supposed to do.

11 The other piece I want you to
12 remember, and I know it's frustrating. You all
13 are very busy. But we have to have a Federal
14 Register notice.

15 I'm not sure I know -- there's been
16 lots of numbers thrown around in terms of the
17 date that you have to post a notice, but per the
18 law it's 15 calendar days before the date of the
19 meeting.

20 There have been instances, and this is
21 not just for NACIE but our other federal advisory

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1 committees within the department where meeting
2 notices have been late.

3 But per the law unless you have an
4 extenuating circumstance, I mean something
5 really, really like something happened to the
6 meeting venue, it was flooded, or there was some
7 national security incident. Hopefully that will
8 never happen, but typically those are the reasons
9 that it's okay to post a late meeting notice.

10 When those instances occur though in
11 terms of if we think it's going to be late or in
12 this case we wanted to make sure that we had a
13 quorum.

14 So even though that kind of touches
15 the line I let our OGC folks decide on that. But
16 because we wanted to make sure we had a quorum of
17 members.

18 And hi, Wayne and Dakota. I didn't
19 get a chance to -- I know I've met both of you.
20 But thank you for being here as well because it's
21 important as you all know to make sure that every

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1 meeting as best we can that we have every member
2 participate and engage whether in person or by
3 phone because in order for you to conduct
4 business you have to have a quorum of members.

5 So you want to be sure that you always
6 do that. So I would say that that's one of the
7 other important FACA provisions.

8 Also, and you all did a really great
9 job. Thank you so much. You want to always be
10 sure that every year annually that you have your
11 ethics report submitted.

12 I think hopefully Morris did a great
13 job with working with everyone to make sure and
14 all the different things that need to happen
15 sometimes.

16 Well, let me just back up and say that
17 our mail service can be very slow. If you send
18 something through the mail not only -- it will
19 arrive at the department, but before it even
20 comes to the different offices where it needs to
21 go.

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1 We have a mailroom. I think there's
2 some scanning involved. Maybe some kind of
3 radiation or radiation of mail where if we get it
4 sometimes it might be all stuck together.

5 So you're best bet is if we can assist
6 you is to send it overnight or use a courier.

7 We have not caught up quite yet with
8 electronic mail. So me personally, if you're
9 okay with your personal information being sent by
10 email I'll leave that to your discretion.

11 But until we finally get to the point
12 where we can accept electronic signatures you may
13 want to try to use a courier service.

14 So, have I forgotten anything? Does
15 anyone have any questions for me? Hi, Robin.

16 MS. WHITEFOOT: So I'm not clear.
17 Are you saying that we need the new charter now?

18 MS. AKINS: So yes. I'm sorry, I
19 forgot that.

20 So when you last met your charter was
21 about to expire. And again I'll just share that

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1 typically when charters are about to expire I
2 always alert all DFOs three to four months ahead
3 that a charter is about to expire. We need to
4 begin to work on the internal processes to make
5 sure the charter is renewed.

6 And typically the charter is not going
7 to change unless the authorizing legislation is
8 going to change.

9 And so again, all the information
10 under each category mirrors the authorizing
11 legislation except for some of the things that we
12 do as a precedent within the department which is
13 for example, we always make sure we state the
14 exact amount of budget.

15 I'm trying to think. We also usually
16 state maybe differently from other agencies where
17 the committee is going to be funded and housed.

18 So if you read your authorizing
19 legislation you may say well, wait a minute, I
20 didn't -- this is not from our -- why is this in
21 the charter.

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1 So some of the wording and language or
2 verbiage if you will that you will see will be
3 the things that we've done as an agency to ensure
4 that we help I guess -- I'm trying to think of
5 the right way to say it.

6 So the verbiage is just information
7 that we've inserted in the charter as a practice
8 as a department.

9 But no, your charter is now good until
10 June of 2020. But again, as best I can which I
11 always do is -- and I don't think we'll have any
12 challenges this time around is your charter will
13 be renewed if you will well before or if I realize
14 that there's a meeting and there's going to be
15 some kind of -- I don't know what the right word
16 is.

17 We'll just say what happened the last
18 time won't happen again. Let me just say that.

19 MS. WHITEFOOT: So the question I had
20 had to do with the authorizing legislation. Are
21 you saying that's ESEA?

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1 MS. AKINS: ESSA.

2 MS. WHITEFOOT: ESSA now.

3 MS. AKINS: Yes.

4 MS. WHITEFOOT: Okay. So it sounds
5 like that then -- and it's that one page that we
6 received for the FACA policy or legislation about
7 -- is it the charter? And so it should also
8 reflect the authorizing legislation of ESSA.

9 MS. AKINS: Yes.

10 MS. WHITEFOOT: Okay, so it's ESSA
11 then. And I can't recall what the charter says
12 now.

13 MS. AKINS: No, that's okay.

14 MS. WHITEFOOT: But really just want
15 to highlight the importance of recognizing tribal
16 sovereignty, that federal trust responsibility.

17 And I think in ESSA that there has
18 been an increased volume of statements that are
19 made in ESSA today.

20 So the next time I see us really
21 highlighting that in the charter.

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1 MS. AKINS: I understand. Okay.
2 Thank you for that.

3 MS. WHITEFOOT: So, just looking --
4 to a committee I think it's going to be important
5 for us to work on that with a subcommittee. I
6 don't think we've spent the time that we really
7 need to devote to the charter and take into
8 consideration all those aspects of the work that
9 we're doing not only with the Department of
10 Education and the White House Initiative on
11 American Indian and Alaskan Native Education, but
12 also the shared responsibility that we have with
13 the Department of Interior Bureau of Indian
14 Education.

15 So I just want to highlight that for
16 the record. So that when the next time comes
17 around which isn't too far off.

18 I mean, we're on the verge of having
19 to do that now and so I'm going to suggest that
20 we establish a committee to be able to do that.

21 DR. JACKSON-DENNISON: Okay.

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1 MS. AKINS: And I think I probably
2 want to if the council and Chairwoman Dennison
3 are okay with that, if I'm able to ensure maybe
4 we have some of our general counsel folks dial in
5 and assist.

6 Because the other thing is I know
7 there were some discussions a while back about
8 the council doing bylaws. And so I'm by no means
9 the legal expert, but we want to make sure too
10 that we distinguish between those two.

11 And I would defer to my OGC colleagues
12 in terms of we want to make sure that we're
13 inclusive of the executive order for the
14 initiative and those kind of things.

15 We want to make sure we're inclusive,
16 but then not over-reach and do any wordsmithing
17 if you will or creative writing because our
18 language in the charters has to match for the
19 most part.

20 But yes, thank you for that and I did
21 make a note of that. Thank you.

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1 MS. BUTTERFIELD: So the other
2 question that I had was around the issue of a
3 quorum because I thought the original number of
4 NACIE board members was 15.

5 MS. AKINS: Correct.

6 MS. BUTTERFIELD: And we are shy of
7 some of those positions being filled. And so
8 that creates problems in terms of establishing a
9 quorum.

10 MS. AKINS: Yes.

11 MS. BUTTERFIELD: What will be the
12 process going forward to fill those positions so
13 that we don't keep having that problem?

14 MS. AKINS: So, what I shared with
15 Angeline and I tried to share with other folks
16 that might not quite understand the composition
17 of the council is the council I would call I guess
18 I would say a hybrid where you have authorizing
19 legislation statutory, but as members you are
20 appointed by the White House.

21 And so not to make any excuses, but

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1 sometimes I'll say that causes some challenges in
2 terms of appointing members to the council as
3 this is not secretarial appointments, this is the
4 White House.

5 And then if we get it to a point where
6 it's almost time for transition or actually to be
7 honest elections it's a little harder to get
8 focus on that.

9 In my role I don't have I would say a
10 direct connection to the White House, but my
11 counterparts or colleagues within the Office of
12 the Secretary can make sure that if NACIE has any
13 recommendations that they want to share with
14 Angeline in terms of appointees.

15 We actually, I don't know, maybe some
16 of you are aware received a letter within the
17 department from Senator Hogan recommending two
18 individuals from tribal colleges for appointment
19 to NACIE.

20 But to be honest writing to the
21 Secretary of Education, that's fine, but the

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1 President is the appointing authority for this
2 council. So the best that we can do within the
3 department is if we receive recommendations, or
4 information, or letters even from the Hill the
5 best that we can do is to transmit that
6 information to the White House.

7 And that information if Angeline
8 receives it, if I receive it, if Ron Lessard
9 receives it the best that we can do is make sure
10 we package it up and get it to the Under Secretary
11 or the Secretary's front office staff.

12 And then from there at least
13 definitely within my role there's nothing else I
14 can do.

15 We can also always check in with
16 Assistant Secretary Brogan for questions. But
17 to be honest, Robin, there's no process.

18 If I ventured to give you a process it
19 could be that way today and then change with staff
20 that change over at the White House, with
21 political appointees quite honestly that change

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1 within the Office of the Secretary.

2 And the process if you will could also
3 change with the change of administration,
4 whichever way that goes after the next election.

5 MS. BUTTERFIELD: But in terms of
6 steps it sounds to me like we would make the
7 recommendations to the White House and then the
8 White House would make recommendations to the
9 Secretary.

10 MS. AKINS: No.

11 MS. BOULLEY: The charter says the
12 council consists of 15 members who are Indian
13 including Alaskan Native as defined in the
14 statute and are appointed by the President from
15 lists of nominees furnished from time to time by
16 Indian tribes and organizations.

17 MS. AKINS: Right. So, and I
18 apologize, Robin, if that got confusing. The
19 President is the appointing authority for the
20 council.

21 So where the Secretary may be able to

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1 speak with someone at the White House and say
2 hey, we've gotten these recommendations. To be
3 honest in the end it's still up to the White House
4 presidential personnel office if you will.

5 DR. PAYMENT: So, I have the
6 experience of serving on HHS STAC and also HRAC,
7 Health Research Advisory Council under Office of
8 Minority Health as the chair and National
9 Institutes of Health Tribal Consultation Advisory
10 as chair.

11 And so the way that I think it should
12 work is the Secretary can manage the nomination
13 process up to the President and help facilitate
14 getting word out when there's vacancies and
15 provide that.

16 Because the President, his office of
17 -- it's EOP, whatever that stands for. They
18 aren't out actively looking to fill those
19 positions unfortunately.

20 But the Secretary's office can be
21 facilitative in that.

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1 MS. AKINS: That's correct.

2 DR. PAYMENT: But what I wanted to say
3 was a couple of things.

4 So, one of our traditional teachings
5 back home is that our orientation is facing
6 forward. And so whatever delays or whatever has
7 happened in the past we have a new opportunity
8 today to go forward.

9 And I'm excited about it. It seems
10 like we have a renewed commitment.

11 And however, Indian people also have
12 long generational memories. And so we know what
13 not to do and mistakes to do again. And so
14 focusing on how to move forward.

15 So one thing that we could consider is
16 both HHS STAC, well all three, HRAC and NIH all
17 have bylaws that they have drafted up. Like
18 operational bylaws that are consistent with the
19 charter.

20 So those are really good examples.
21 We've worked very hard to develop those and

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1 they're constantly being tweaked and changed and
2 improved.

3 So one thing that I would consider
4 because we -- the appointments are out of our
5 control. And if there's large vacancies then we
6 won't be able to get quorum or it becomes more
7 difficult to get quorum.

8 So consider changing the bylaws to
9 read a quorum of those seated no less than 10.
10 Because that's also a commitment that we don't
11 have like three people that are making decisions
12 or whatever.

13 But like a quorum of those seated no
14 less than 10 to be able to operate.

15 One other thing that I think is just
16 -- that we do at STAC that should allay any
17 concerns with scheduling is we shouldn't be
18 piecemeal scheduling as we go.

19 What we should consider doing is
20 setting our annual schedule because then we can
21 all commit to not scheduling in conflict with our

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1 meetings. And then we never will have the
2 problem ever again.

3 Once we have that annual schedule laid
4 out then we just build into it walking backwards
5 project management and posts when we will be
6 notifying and posting it in the Federal Register,
7 all of that.

8 Because we're all -- if you haven't
9 noticed yet we're all incredibly busy people
10 committed to everything back home. And so trying
11 to schedule even with three months notice is
12 almost impossible for this group.

13 But if we did it well in advance. And
14 I'm hoping before we're done today that we will
15 project out the balance of this year and
16 placemark some dates for next year.

17 What typically works is like if it's
18 quarterly meetings that we have that we commit to
19 like the third Thursday in the first quarter and
20 then the second quarter and so on.

21 So I think that in and of itself will

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1 really allay any concerns.

2 What it appeared like was a lack of
3 commitment to meeting. And I know that that's
4 not true because we convinced the Secretary to
5 continue our appointments rather than start over.

6 At the end of last administration --
7 what's the guy's name that's on the phone again?

8 MS. AKINS: Wayne.

9 DR. PAYMENT: Yes. He had said that
10 during the Carter administration Reagan came in
11 and just the massacre happened.

12 And so I was worried about that
13 because we have a different administration. But
14 we have ongoing work to do regardless of who's
15 President and who's -- what party we're under.

16 So I do think it bears well on the
17 Secretary that she continued our appointments.
18 And if that hadn't happened it would have been at
19 least a two-year lag.

20 Unfortunately it kind of ended up to
21 be a two-year lag anyway, but I think we can get

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1 around that and go forward.

2 And so my orientation and focus will
3 be how can we go forward, how can we serve the
4 Secretary, how can we serve, also incorporate the
5 Interior Secretary because remember before the
6 end of the last term we recognized that they have
7 a role to play here because they educate 7 percent
8 of our kids. So some accountability.

9 And I'm glad you guys are going to
10 meet with Tara Sweeney to make sure that she
11 understands she's got a role here too.

12 And then I think the BIE is going to
13 be here sometime today or tomorrow.

14 So my focus is going forward,
15 recognizing that we have long memories so we know
16 what not to do again. And we'll alert if that's
17 coming up again.

18 MS. AKINS: Right. And so thank you.
19 Because you've done such a great job in a short
20 period of time getting your doctor I always want
21 to call you Dr. Payment, but if you're okay I'll

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1 call you Aaron.

2 Thank you for your comments and I just
3 want to clarify a couple of things.

4 So yes, the Secretary can make
5 recommendations, but the thing we want to
6 remember is in the end the EOP or whatever the
7 acronym is, the President is the appointing
8 authority.

9 And so part of my role is to alert all
10 the staff that is appropriate within the Office
11 of the Secretary when we have vacancies. So
12 that's not only for the council, but that's for
13 all of our advisory committees. That's one of
14 my responsibilities.

15 So it's not that at any given time the
16 staff are not aware of the vacancies. And so
17 even if the Secretary advocates or whatever you
18 may want to call it about recommendations
19 wherever we get them from.

20 Sometimes it's out of all of our
21 hands. The staff from what I understand over at

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1 the Presidential Personnel Office are assigned
2 several agencies. Maybe one person may be
3 working on staffing not just for advisory
4 committees but for political slots within each
5 agency.

6 One staff person may be working on
7 three or four staffing projects for Ed, VA, or
8 what have you.

9 And so that's not to make excuses but
10 I'm just trying to be I guess real world that
11 it's not as seamless as you might think.

12 I think the fact that you all weren't
13 totally terminated is a testament again. Not to
14 toot my own horn, but myself and Ron as best we
15 can we advocated on your behalf to say hey, we've
16 got the best group of folks we've ever had.
17 Somebody needs to look at this.

18 So I don't know totally how the
19 decisions were made, I wasn't involved in the
20 conversations, but I know that folks recognize we
21 have a good group of people.

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1 At any point in time if the White
2 House because you all are I guess phrase in my
3 business is you serve at the pleasure of the
4 administration. So it could be midway, it could
5 be at the end of this administration.

6 And this is for all of our
7 presidential advisory committees. We don't
8 sometimes know.

9 We have several -- I shouldn't say
10 several. We have a couple of presidential
11 advisory committees that don't have any
12 appointees right now. They're still working on
13 it.

14 They haven't met. They don't have
15 members. The administration is still working on
16 it.

17 So I think that again a testament to
18 you all and your background and credentials and
19 your expertise.

20 And I think that folks recognize the
21 fact that there is a lot of value in continuity

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1 and the composition of folks and your backgrounds
2 that was important to make sure that the work
3 continued on.

4 And so my one last thing is to your
5 point about the calendar. And if Angeline and
6 Dr. Dennison and you all as council members do
7 come up with days for the rest of the year there's
8 nothing in the Federal Advisory Committee Act
9 that prohibits just we'll go ahead and announce
10 those days all at once.

11 So we can announce all the dates and
12 then we will have the Federal Register issue out
13 of the way unless there needs to be an amendment.

14 And I get those Federal Register
15 notices and make sure I coordinate them through
16 all the internal reviews. So I can make sure
17 that that happens in consultation with Angeline
18 and Dr. Dennison.

19 So I don't want to take up any more
20 of my piece but I thought it was important for me
21 to kind of share with you some of the things on

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1 the Federal Advisory Committee Act stuff if you
2 will before you go into your discussions about
3 re-envisioning NACIE.

4 Because I just want to be sure unlike
5 in the past as best I can I want to make sure
6 it's not about no, no, no, you can't do that, but
7 just to ensure that unfortunately no matter what
8 I may want to help you support, whatever I might
9 want to support you in doing I still have to make
10 sure just like I do with all of our other
11 committees we make sure the work that we're doing
12 is advisory recommendations within the Federal
13 Advisory Committee Act.

14 And thank you again, Aaron, for some
15 of the things you do on some of your other
16 committees that you serve on. But again, within
17 Ed I have a plethora of other people that I
18 coordinate with.

19 And so again, ethics, Morris Barren.
20 Jill Martin was here. I'm not sure if she's
21 still here. She's the program attorney. She

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1 does a lot of the programmatic legal
2 interpretation. I think Angeline has already
3 worked with her on some things.

4 But we will often turn to Jill to make
5 sure that anything programmatic within Indian
6 education at the council, not only is it ethical,
7 is it permissible under the authorizing
8 legislation. So it just depends.

9 We'll always -- at least I will try to
10 make sure I coordinate that. We look at things
11 you may want to do on a case by case basis. But
12 I definitely want it to be a more open discussion
13 back and forth rather than just from at least my
14 program and my side. And I think Angeline will
15 work with me on this. It's not going to be no,
16 no, no, you can't do that, no, just because. So
17 that stops as far as I'm concerned today.

18 MS. BOULLEY: Joely has a question.

19 DR. PROUDFIT: Real quick question.
20 So we have 12 members seated on NACIE. We're
21 supposed to have 15.

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1 MS. AKINS: Correct.

2 DR. PROUDFIT: What constitutes a
3 quorum then?

4 MS. AKINS: Well, so I got this from
5 our legal folks that because the authorizing
6 legislation states that you have 15 members the
7 way that it's calculated is half your full
8 composition plus 1.

9 Their determination is in order for
10 you to conduct business for every council meeting
11 you need eight members.

12 DR. PROUDFIT: And my second
13 question. When letters are going to the
14 Secretary about NACIE or the constitution of
15 NACIE from outside organizations or
16 recommendations is there any obligation to share
17 that with NACIE?

18 MS. AKINS: I'm sorry, I'm not sure -
19 -

20 DR. PROUDFIT: Letters, for example,
21 where people are writing to suggest names for

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1 appointments to NACIE.

2 MS. AKINS: I will check into that.
3 To be honest I don't know and I don't know about
4 Privacy Act, like if someone was to write from
5 their personal -- let me check into that to be
6 honest.

7 DR. PROUDFIT: Since a senator
8 recommended two individuals.

9 MS. AKINS: Well, and that was
10 something that would be public information and so
11 I knew I could share that.

12 But in other instances I'd rather
13 check than to give you guidance or make a
14 statement on that.

15 DR. PROUDFIT: I think that's
16 important for us to know the outside interests
17 and who's recommending whom to join the board.

18 MS. AKINS: I agree.

19 DR. JACKSON-DENNISON: Okay. I know
20 it's 12:23 right now and we have 1 o'clock BIE
21 coming.

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1 MS. BOULLEY: What is the pleasure of
2 the group? Would you like to reconvene at 1
3 o'clock sharp? Would you like to convene at
4 1:15?

5 I want to recognize that everyone has
6 been here all morning.

7 DR. JACKSON-DENNISON: I think 1:15
8 because maybe we can go find something to eat and
9 then come back.

10 MS. BOULLEY: All right. Then we'll
11 reconvene at 1:15.

12 DR. JACKSON-DENNISON: Okay.

13 MS. BOULLEY: Thank you.

14 DR. JACKSON-DENNISON: Thank you.

15 (Whereupon, the above-entitled matter
16 went off the record at 12:24 p.m. and resumed at
17 1:31 p.m.)

18 DR. JACKSON-DENNISON: We did make
19 some changes to the agenda. And I think we're
20 going to push the re-envisioning to tomorrow
21 morning.

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1 So we'll call the meeting back to
2 order and we'll go right into our agenda.
3 Angeline, you want to introduce?

4 MS. BOULLEY: Thank you. I'd like to
5 welcome Juanita Mendoza from the Bureau of Indian
6 Education. And she's going to be providing an
7 update for everyone.

8 I believe there are -- is there a
9 handout?

10 MS. MENDOZA: No, I don't have a
11 handout but I can provide the PowerPoint that I'm
12 going to be presenting to the group. After the
13 meeting I can send it to you.

14 MS. BOULLEY: All right. Thank you.

15 MS. MENDOZA: So, first off I want to
16 thank everyone for inviting a representative from
17 Bureau of Indian Education to be here.

18 Director Dearman apologizes that he
19 could not be here to provide the update. He is
20 in Albuquerque working with staff, our senior
21 leaders.

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1 But he does look forward to working
2 with NACIE in the future. He was very happy to
3 learn that the group will begin meeting and work
4 will continue to take place.

5 So let me just introduce myself. I'm
6 Juanita Mendoza. I am a member of the Pascua
7 Yaqui tribe.

8 I currently serve as a special
9 assistant to the director. However, I've been
10 with BIE for over 10 years and I've served in
11 different capacities.

12 I've worked on post secondary issues,
13 policy and then most recently I served as the
14 chief of staff before this position. Can you go
15 to the third slide?

16 So I wanted to just follow up on --
17 provide a little bit of information about the
18 reorganization.

19 I know the group, it's been several
20 years since the group met and at that time BIE
21 was initiating or implementing a reorganization.

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1 So we have continued to do work with
2 the reorganization over the past few years.

3 If you recall the reorganization was
4 to take place in two phases. Phase one was to
5 realign our associate deputy directors. They
6 were to be aligned to school types. So for
7 example, there's a bureau operated associated
8 deputy director, a tribally controlled ADD, and
9 then we have an ADD that focuses on Navajo and
10 Navajo has both operated and tribally controlled
11 schools.

12 Phase one of the reorganization also
13 established education resource centers. There
14 are 14 across the country.

15 We established an Office of
16 Sovereignty and Indian Education.

17 And we established the School
18 Operations Division.

19 Phase two of the reorganization will
20 focus on providing resources and technical
21 assistance to schools.

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1 Right now BIE is building up the
2 School Operations Division. We've created a BIE
3 Facilities Office and we have also hired school
4 safety specialists. Those individuals go out to
5 the schools to inspect them to make sure the
6 facilities are safe learning environments for our
7 students.

8 In addition, they are working with the
9 school staff to help with abatements when they
10 find issues.

11 We continue to look for staff to work
12 at the ERCs as well as into these other divisions
13 that we've established.

14 And I want to kind of give a plug here
15 for BIE in terms of hiring staff. We're always
16 looking for high-quality staff. It can be
17 difficult to recruit, recruit for positions like
18 special education, school improvement
19 specialists. So please if you know of somebody
20 who would like to work with the bureau refer them
21 to the USAJobs.gov website and there are always

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1 advertisements for positions, especially our
2 teachers and principals.

3 DR. PAYMENT: Just if I could add that
4 these are not political positions.

5 MS. MENDOZA: Not political.

6 DR. PAYMENT: So they extend past a
7 particular administration. They're considered
8 career positions.

9 MS. MENDOZA: Yes.

10 DR. PAYMENT: Yes. So there might be
11 greater stability in that in helping to attract.

12 MS. MENDOZA: Next slide. So I
13 wanted to talk about some of the accomplishments
14 BIE has made.

15 So again we've filled some key
16 leadership positions to oversee BIE acquisitions
17 and contracts. This has been a real serious
18 issue for BIE. When we need to provide supplies
19 to the schools we've had difficulty working with
20 our sister bureau in Indian Affairs for multiple
21 reasons.

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1 For example, we've had problems
2 getting food for our students in our boarding
3 schools because of contract issues. Getting a
4 contract officer, awarding a contract.

5 With school facilities we have
6 problems because BIE doesn't operate, manage our
7 school facilities. That is done by BIA. So
8 we've had difficulties there. So we're trying
9 to shift that so BIE has more of a -- they have
10 a contributing role in how facilities are
11 managed.

12 Again, we have the school safety and
13 we've really made an effort to recruit and bring
14 on new staff.

15 One of the recent accomplishments is
16 we've hired a student behavioral health
17 specialist. And this has been a huge -- well,
18 it's had a huge effect on the organization.

19 We all know about the problems that
20 our youth are facing in Indian Country and by
21 bringing this person on we've been able to really

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1 kind of look at the issues across our schools.

2 They've been collecting quantitative
3 data so they can really direct services. We've
4 been able to develop partnerships with Indian
5 Health Service.

6 We've had partnerships but to build
7 them up, make them more robust.

8 We've implemented a couple of programs
9 at our schools that provide professional
10 development to our staff.

11 We have mental health first aid which
12 provides training to staff. It's mental health.
13 It's like they're the first line staff to deal
14 with students that are having problems.

15 So we want to make sure that they're
16 able to recognize those signs.

17 And then also how to react to them.
18 So we've implemented that mental health first
19 aid.

20 And we're also bringing a trauma
21 resiliency program into 10 of our schools. It's

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1 a pilot program that we're working with
2 University of Montana.

3 We've changed our hiring practices.
4 In the past when we would look at hiring teachers
5 we had actually requirements that our applicants
6 meet that were even more strict than the state's.

7 So what we've done is we've changed
8 our practices so if a teacher is state certified
9 they are able to work at our schools. It just
10 did not make sense to make it harder for teachers
11 to get jobs at BIE. So we did change that.

12 We've hired talent recruiters. The
13 recruiters go out to post secondary institutions
14 to recruit for teachers and other staff at
15 schools.

16 And they've also been working with
17 national organizations that focus on teacher
18 recruitment.

19 And we've also established a data
20 governance board. BIE collects tons of data and
21 we've definitely needed to improve how we collect

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1 that data and how the data is organized.

2 And we also need to be sure that we
3 are making data decisions. So next slide.

4 We recently published the first
5 strategic direction, strategic plan. We call it
6 the strategic direction.

7 And part of that is we've created a
8 performance management system. So we are
9 monitoring how the work is being done, when it's
10 done, if it's not being done because we want to
11 be sure that we have transparency as well as we
12 want to make sure our staff is held accountable
13 for moving the work forward.

14 We continue to work with the National
15 Board for Professional Teaching Standards. We
16 offer this to bureau operated as well as tribally
17 controlled schools.

18 And I wanted to just give an example.
19 JKL Bahweting Anishinabe School is one of our I
20 guess highlight schools.

21 Since they started the program or

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1 partnership with NBPTS they have actually -- half
2 of the teachers have taken advantage of that
3 opportunity.

4 BIE pays for the certifications. We
5 help pay for travel. If they're a bureau
6 operated school we actually give bonuses for
7 teachers that are taking advantage of that.

8 And it's professional development
9 that our staff really need.

10 DR. PAYMENT: Can I say something real
11 quick?

12 MS. MENDOZA: Yes.

13 DR. PAYMENT: If you know of a school
14 that's interested our teachers are really excited
15 about it and they like to share that with other
16 faculty so that they can promote it.

17 But it's really catch/hold in our
18 community. And our teachers are so excited that
19 they will excite other teachers.

20 So when it starts out it's like why do
21 we have to do this, it's a lot of work, blah blah

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1 blah.

2 But then they pay for everything and
3 then they do get a bonus and an increase in their
4 salaries when they do it. So it's infectious.
5 Once the ball gets rolling then everybody wants
6 to do it.

7 And our goal is to have every teacher
8 certified.

9 MS. MENDOZA: Wonderful. We will
10 continue to work with the national board. It's
11 in our plan as we move forward.

12 And most recently the assistant
13 secretary initiated a separation of the BIE
14 budget from the BIA budget.

15 The plan is by doing this we will have
16 more responsibility for our acquisitions and our
17 procurement, school safety support.

18 But it allows BIE to really have more
19 control over the services that are being
20 provided. Next slide.

21 So as I mentioned earlier we've done

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1 some work with -- I believe I mentioned it.
2 Sorry if I didn't. BIE was recently designated
3 a high-risk agency by the Government
4 Accountability Office, the GAO.

5 Since 2013 there have been numerous
6 reports that have found mismanagement of funds,
7 just an array of different issues.

8 So what we've done is we've been able
9 to really dive into doing the work that the GAO
10 has found.

11 We've hired specific staff to deal
12 with these issues. And since this has happened
13 we've been able to close 9 of the 13 outstanding
14 recommendations.

15 And this has been a huge
16 accomplishment for BIE. I feel like we've really
17 started moving towards a better managed school
18 system. So this has been definitely an
19 accomplishment for the bureau.

20 DR. PROUDFIT: Can you speak to the 9
21 of the 13? Do you have those?

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1 MS. MENDOZA: I don't have them, but
2 I could provide that to you. I'm trying to think
3 because some of the recommendations were really
4 -- like one was developing a strategic direction
5 which we've done. Developing a communications
6 plan. We've done that.

7 Initiated a financial decision-making
8 policy. We've completed that. Overseeing the
9 school inspections. So there are quite a few.
10 And I can provide that information for you later.

11 DR. PROUDFIT: That would be helpful.
12 Thank you.

13 MS. MENDOZA: Okay. So speaking of
14 the strategic direction can you go to the next
15 slide?

16 So as I said we established the first
17 strategic direction in August of 2018. The work
18 that took place in order to get to that point, we
19 went out for five tribal consultations and we did
20 three listening sessions. We really engaged
21 stakeholders in having a voice in how this

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1 strategic direction was being created.

2 We also really worked with our staff
3 to make sure that there was buy-in, that they had
4 a say in how we developed our goals and the
5 milestones.

6 BIE wants to focus on the success of
7 the child from kindergarten through post
8 secondary and career. We believe that not all
9 students will be going -- will want to go to post
10 secondary institutions so we do recognize that
11 there are students that will want to go into just
12 a career and we want to make sure that they can
13 transition to that.

14 We want to make sure that our students
15 are obtaining an education that's culturally
16 relevant.

17 We want our students to -- so here are
18 the goals. We want to make sure our students are
19 learning in safe and supportive learning
20 environments.

21 We want to prepare our students to

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1 think globally and have the knowledge, skills and
2 behaviors to be leaders in their communities.

3 And we want our education system to be
4 effective and accountable to all stakeholders.
5 So, we want to be able to be accountable to our
6 parents, our tribes. So that's the system we
7 want to have instilled. Next slide.

8 So as we proceed with this work we
9 developed some guiding principles for our staff.
10 We wanted to make sure that the staff, as they
11 continued with the work they focused on
12 excellence, they focused on student-centered and
13 committed to holistic needs of the students, have
14 high standards of character and professionalism.

15 We wanted to foster communities of
16 support. And we wanted to support students
17 through proactive and responsive teamwork,
18 schools, tribes and communities. Next slide.

19 The strategic direction and a lot of
20 the supporting documents that were used to help
21 develop the strategic direction notes when we

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1 went through consultation the comments we
2 received, the recommended changes. That is all
3 n our website. So you can go to the BIE education
4 website and on the front page there's a link to
5 the strategic direction. Next slide.

6 A major effort right now that BIE is
7 undertaking is negotiated rulemaking for the BIE
8 Standards, Assessments and Accountability
9 System.

10 With the passage of the Every Student
11 Succeeds Act in December 2015 our Secretary was
12 required to develop new regulations to implement
13 the Standards, Assessments, and Accountability
14 System.

15 And the Secretary was to do this
16 through the negotiated rulemaking process.

17 We want to move away from our 23-part
18 accountability system. Right now we use the
19 assessments or the accountability system of the
20 23 states our schools are located in.

21 And this has been very difficult for

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1 BIE to really tailor the needs of the schools and
2 the students. So we definitely want to move away
3 from that to a unified system.

4 However, tribes are still able to
5 apply for waivers so they can have their own I
6 call it that SAAS, Standards, Assessments, and
7 Accountability System.

8 So this is a timeline of how we've
9 proceeded with the work. But I wanted to also
10 just go back further.

11 In August 2016 we did announce that we
12 intended to establish a negotiated rulemaking
13 committee. We requested comments and we did
14 request committee member nominations.

15 When the new administration came
16 onboard they wanted to have a more active role in
17 the negotiated rulemaking process. So they asked
18 us to go back out and request nominations for
19 committee members.

20 So the people that we had vetted and
21 agreed to be on the committee we had to go back

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1 out. We couldn't move forward with them.

2 So we did finally do that. September
3 of 2017 we -- the rulemaking committee
4 nominations went through and then we published
5 the proposed membership in April of 2018.

6 In August of 2018 we -- there was a
7 published notice of establishment and the
8 schedule of our committee meetings.

9 We held our first meeting in September
10 of 2018 and that was in Billings. And then
11 subsequently we've had three more meetings. We
12 had a meeting in Albuquerque, in Arlington,
13 Virginia, and then most recently in Phoenix,
14 Arizona. So we've had a total of four meetings
15 with our committee members.

16 As of right now we are given the
17 meetings the comments that were provided, the
18 negotiations between the federal representatives
19 and the tribal committee member. We have
20 collected all of that information and we are
21 working on finalizing our draft regulations.

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1 It is our intent to have that
2 completed very soon so we can go out for
3 consultation on those draft regs in late June,
4 early July.

5 We plan on having six consultation
6 sessions across the country. Right now we've
7 identified Washington State, Rapid City,
8 Albuquerque, Window Rock, Minneapolis and
9 Nashville to hold these consultation sessions.

10 So, I also wanted to let people know
11 because I know there's probably lots of questions
12 about the work that's taken place and information
13 that was provided to committee members so they
14 can make a lot of the decisions that needed to be
15 made in the regulations.

16 So if you go to our website there's
17 the meeting notes. There's supported
18 information that the committee members needed to
19 have the technical information to make those
20 decisions.

21 And the public is still able to submit

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1 comments. The comment period is open. Could
2 you go to the next slide? Sorry. So you can see
3 the web address.

4 And then if people want to submit
5 comments on the draft regulations they can submit
6 it to BIComments@bia.gov.

7 And so you know, while we are
8 finalizing the draft regulations the most recent
9 version of the draft regulations that were
10 presented in the fourth meeting in Phoenix, that
11 is available on the website. Next slide.

12 Another major project is the Johnson
13 O'Malley student count. For quite some time JOM
14 stakeholders have been advocating for a new JOM
15 count.

16 The last count was completed in 1995
17 and it identified 271,000 plus students. We know
18 that is not accurate.

19 We did perform another count I believe
20 most recently in 2014 and the number of
21 identified students went up to 341, a little over

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1 that students.

2 However, we know that's still not
3 correct. We missed a lot of students.

4 So most recently the Johnson O'Malley
5 Supplemental Indian Education Program
6 Modernization Act, Senate Bill 943 was
7 introduced.

8 And in the bill they asked -- they
9 wanted BIE to go out and conduct a new count, to
10 do research on what would be the best way to
11 gather the number of students.

12 So in the past we've contacted the
13 current JOM contractors and then we've just had
14 a public announcement requesting for them to
15 submit the number of students that they provide
16 services to.

17 So the -- asked us to do more, asked
18 us to do better than that. They wanted us to
19 look at other possibilities for getting the total
20 number of students that are eligible to receive
21 Johnson O'Malley services. And so we've looked

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1 into that.

2 One of the suggestions was to consider
3 using the Census or consider using Department of
4 Education's numbers. But we've had to weigh how
5 that would work for us.

6 So the act then did become public law
7 115404, the Johnson O'Malley et cetera act. In
8 there they did change one of the eligibility
9 requirements.

10 In the past JOM students had to be a
11 quarter degree Indian blood from a federally
12 recognized tribe. So that -- and an enrolled
13 member of a federally recognized tribe. So that
14 really limited a lot of students from being
15 eligible to receive our services. So that was
16 actually changed.

17 In the language it will say a member
18 of federally recognized tribe and a quarter
19 Indian degree blood. Now it says or, so you can
20 be one or the other because some tribes have a
21 lower blood quantum requirement. Next slide.

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1 So we do plan on going out for
2 consultation to look at the eligibility
3 requirements beyond that just member of a
4 federally recognized tribe or quarter Indian
5 blood.

6 So we have six onsite consultations
7 planned. The Riverside Anadarko -- well,
8 Riverside Indian School which it's in Anadarko,
9 Oklahoma.

10 We will have one in Albuquerque, one
11 in Bismarck at the United Tribes Technical
12 College, at Chemawa Indian School in Salem,
13 Oregon. Then we will be having a session in
14 Cherokee, Choctaw. And we anticipate that we
15 will be at NCAI midyear in Reno-Sparks.

16 And then we'll also have two webinar
17 consultations.

18 Once the consultation sessions have
19 ended and we've done some of the research that
20 was required of us in the act we will -- we have
21 a due date of June 2019 to produce a report. So

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1 we will be doing that.

2 And so those are just some of the
3 major initiatives, work that BIE has been working
4 on completing.

5 So it's been very busy for BIE. I
6 believe we've really been making a lot of
7 improvements, really working diligently to change
8 the direction of the bureau, make some
9 significant changes that will support our schools
10 and support our students.

11 We have Director Dearman who I believe
12 is actually the longest serving director for BIE
13 in the 39 years that BIE -- well, previously we
14 were the Office of Indian Education Programs in
15 BIA.

16 My director, Director Dearman has been
17 working very hard to make sure that BIE is
18 fulfilling its mission and that we are
19 transparent and that we are accountable.

20 And we always welcome tribal input and
21 other stakeholder input. So thank you for

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1 allowing me to be here to provide an update.

2 DR. JACKSON-DENNISON: Thank you for
3 that. We'll go ahead and go to the questions.
4 And I see Dr. Payment has his hand up already.

5 MS. BOULLEY: Before Aaron does, I
6 just wanted for follow-up, Juanita, you're going
7 to provide us with a copy of the presentation so
8 we can get that out to the NACIE members.

9 And then also there was a question,
10 Juanita, to provide an update on 9 closed of 13
11 recommendations. Dr. Proudfit, was that a
12 question --

13 MS. MENDOZA: For the GAO findings.

14 MS. BOULLEY: The GAO findings.
15 Okay. All right. I wanted to make sure it was
16 recorded in my notes.

17 DR. JACKSON-DENNISON: Okay. Go
18 ahead, Aaron.

19 DR. PAYMENT: Okay. So, two of the
20 other hats that I wear is on NCI their education
21 subcommittee board liaison and also on TIBC,

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1 Tribal Interior Budget Committee.

2 And so we are glad that the BIE was
3 moved out of the separate appropriations or
4 handled that way anyway from the rest of the
5 Department of Interior because too often we --
6 we're kind of like the red-headed stepchild in
7 tribal priorities which is kind of a backwards
8 way of looking at the treaty and trust
9 responsibility anyway because they're all
10 priorities.

11 And education unfortunately, BIE
12 education doesn't rank high because it's
13 competing against all these other priorities and
14 a very small fraction of tribes have BIE schools.
15 And so it generally doesn't make the cut of the
16 top priorities.

17 The Midwest did make the BIE like
18 number three. Education was number three for us.

19 So I'm encouraging you when your
20 tribes and they do budget formulation through
21 TIBC. And there's -- TIBC is all across the

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1 country and Alaska is that you make sure that
2 they understand that they need to advocate for
3 Indian education.

4 As a result of our last TIBC meeting
5 we asked for BIE to identify cuts in DOI other
6 than Indian education because of the trust
7 responsibility and to look differently about the
8 budget process for the BIE so it doesn't get lost
9 in the shuffle.

10 Also there was a request to look at
11 unexpended BIE dollars in the staffing. Of
12 course we want to fill those positions. But that
13 there was a question about where does that money
14 go and can that money be reprogrammed in terms of
15 either scholarships or building capacity in
16 Indian Country so that we have people to draw and
17 attract.

18 Another one would potentially be
19 relocation expense. Because for those BIE
20 schools that are still residential in nature it's
21 difficult to get people to go to those areas if

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1 there's no housing. And sometimes they have to
2 drive 50 miles to get to where they're working.
3 And doing that daily becomes basically
4 impossible.

5 I wanted to echo something that I've
6 been saying a long time. It's my own echo. It's
7 Alaskan Natives were under Senator Stevens
8 shortchanged in the BIE and Alaskan Natives don't
9 get to participate in BIE education systems like
10 other tribes across the country.

11 And any advocacy that can come from
12 especially Alaskan Native assistant secretary so
13 that we can begin to improve that would be
14 appreciated.

15 Another one is in the reorg one of the
16 reasons why I was a proponent and I've attended
17 I think three or four of the consultation
18 sessions was this rethink about what the
19 education resource -- they were line officers,
20 now the resource officers would do.

21 And rather than sort of a catch you

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1 exercise, or gotcha exercise in a bureaucracy
2 that was not looked at favorably, instead
3 replacing that with like a charter officer.

4 So one of the reasons why my school
5 does really well is because we're a BIE school,
6 but we're also a charter school in the state.
7 And the relationship that we have with our
8 chartering entity is much, much different than
9 typically the line officer was.

10 They facilitate. They bring
11 resources. They advocate. They help us to
12 figure out systems better and improvement, school
13 improvement. That's a very different approach.

14 And so as long as that is part of this
15 reorg I think it will be successful. But we have
16 to not lose sight of that portion of it.

17 And then lastly with the JOM count,
18 tribes know how this would work best. We have
19 actual counts. And when we're looking to the
20 Census that is absolutely not the solution.

21 I can tell you in Chippewa County

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1 where my tribe is situated and we happen to be
2 Chippewa. We'd like to say it's our county but
3 it's not.

4 The population is off by 21 percent.
5 And so they count the number of Indians in
6 Chippewa County at a certain number. And we have
7 actual enrollment. And it's undercounted 12
8 percent. And that doesn't even consider the Bay
9 Mills Indians that live in the same county and
10 other tribes that may live in that county.

11 So I think if there was -- so the
12 consultations, I think we could figure this out.
13 I think tribes could prescribe to Congress, to
14 funders how many Indian kids we actually have.
15 Because we have actual information.

16 Now that's going to be an undercount
17 because there's Indians that are not registered
18 members of tribes as well, but that should be
19 like the baseline and the correction should be
20 added on top of that.

21 MS. MENDOZA: And I forgot, that was

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1 actually one of the methods that was included in
2 the act. They wanted to kind of look, research
3 what would be better or more beneficial, to look
4 at tribal enrollment, look at the Census if that
5 was even possible, and then the other was to look
6 at Department of Education numbers or just go
7 ahead and do an entirely new count.

8 So we needed to really assess what
9 would be the best route to go and then that's
10 part of the consultations.

11 DR. PAYMENT: In the order of accuracy
12 tribal enrollment will be the most accurate. And
13 then Census might be second.

14 Department of Education is actually
15 going to probably be down the list because we
16 still have the impact of assimilation, forced
17 assimilation and historical trauma and
18 populations that don't self-identify but they are
19 registered members.

20 When I did my dissertation research
21 the university I looked at, there was a big

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1 undercount because there were people who didn't
2 identify themselves as Natives because there's
3 different stages in life.

4 When you enter college you're right at
5 the tail end of wanting not to be different and
6 so unless you were raised in a cultural
7 environment that fully embraced our culture you
8 might check a different box. And you might
9 change it later on and check a different box.

10 So some kind of formula that maximizes
11 the likelihood that we get the best count. And
12 it might be some combination thereof and the
13 greater of those counts might be the more
14 accurate way.

15 It's critical because in Chippewa
16 County the error rate is 21 percent. And if our
17 funding comes based on that from the Census then
18 we're underfunded 21 percent.

19 So we know by actual information. So
20 any combination of those in coming up with some
21 kind of formula and putting that back out to

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1 consultation, it would be appreciated.

2 MS. MENDOZA: Thank you. Those are
3 really good points. Thank you.

4 DR. JACKSON-DENNISON: Any other
5 questions?

6 DR. JOHN: Alaska is a very, very
7 large state and there's a lot of migration due to
8 people that have higher education cannot live in
9 the village because there's no jobs, for example,
10 for those of us that went to college. We can't
11 live in a village.

12 So a lot of times what happens is that
13 we're forced to relocate along with the children
14 and families.

15 There's a lot of movement in the state
16 due to subsistence lifestyle. And students that
17 were enrolled like for example in my village one
18 semester due to subsistence then they'd have to
19 go to another school to live there for fishing or
20 whatever.

21 And then next semester they'll go

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1 back. And you're talking about 500 mile
2 difference and three flights later. There's no
3 highway, no nothing.

4 And so my thinking is how do the
5 schools control the per capita for Native
6 students to go to these schools.

7 And my tribe, the only way to identify
8 the students is to bring them physically to the
9 village, get to the village 500 miles away to go
10 get their picture taken to prove that they're
11 Native.

12 And that's what my sister did a month
13 ago. They had to take their children from
14 Anchorage to Bethel to the village to get them to
15 be identified as a Native student. Because the
16 only place that can verify them is the tribal
17 office and the tribal office is 500 miles away,
18 \$1,000 apiece later. Now the student can be
19 stamped as a Native student, a tribal student.

20 So it becomes very complex. We don't
21 get into our car and drive for seven miles, seven

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1 hour mile. There's no way.

2 So my sisters did that last month and
3 I'm like they reside in Anchorage so how do they
4 get counted in Anchorage. Which schools -- I
5 mean some of them go to public schools. Some of
6 them go to charter school.

7 And so it becomes kind of like complex
8 and I'm thinking -- and some of them are home
9 schooling because life is so complex in that kind
10 of environment and state.

11 So I have like maybe 20 nieces and
12 nephews that are spread across the state. Who
13 gets the money for them?

14 And I understand that the tribes get
15 JOM money and then the school district gets rest
16 of the money. It gets lost. It gets muddled in
17 the general funds. You know, they probably use
18 them for sports or whatever.

19 There is no category that says this
20 amount of students should go to literacy for the
21 Natives that don't speak English, that aren't

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1 proficient in English, or second language
2 learners. There's nothing like that that I can
3 think of.

4 I have developed indigenous science K-
5 3 in the school district. So the school district
6 covers about 17, over 15 villages. And it's in
7 a sub village.

8 And all these villages are like
9 hundreds of miles away from the main district
10 office. And you know, the parents don't have
11 control as far as I understand. Maybe the
12 advisory school board might, but the money is way
13 over there in the headquarters. And here's these
14 hundreds of villages spread across the land that
15 you can only get by air or by boat.

16 And so what I'm trying to say is that
17 I think we need to also consider that type of
18 life and country that the children live. And
19 make sure that they get the money, the rightful
20 money that goes into their education. Thank you.

21 MS. WHITEFOOT: So I just wanted to

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1 very briefly also echo what Theresa says because
2 we have a similar situation in the northwest as
3 well with migratory lifestyles and fishing for
4 subsistence as well. So that's important to pay
5 attention to our migratory way of life as well in
6 our communities.

7 I just wanted to also acknowledge the
8 work that you're doing around the strategic
9 direction. I think that's a long time coming and
10 also addressing those high-risk designations as
11 a former superintendent of BIE school have been
12 aware of those high-risk designations.

13 I do want to speak though to Johnson
14 O'Malley having been our education director for
15 our tribe. Again that's one that is a long time
16 coming as well.

17 I also support looking at tribal
18 enrollment. But I also think we need to take a
19 look at public school, the Title 6 Indian
20 education program because you're going to have a
21 very much different count there having worked in

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1 this particular program.

2 I think that's one of the first ones
3 we really want to highlight is looking at that
4 rather than the Census. I'm currently working
5 on Census and know what Census is all about as
6 well, but the Title 6 programs I think is where
7 we really need to look at.

8 I just want to say that in addition to
9 that I've been working with Education Northwest
10 in Portland with the Affiliated Tribes of
11 Northwest Indians.

12 And we've put out a paper called
13 Obscured Identities and that addresses the
14 misrepresentation, the misclassification and the
15 underrepresentation of American Indians and
16 Alaskan Native students in our school systems
17 including primarily in our public schools.

18 So that is a challenge in recognizing
19 who our American Indian and Alaskan Native
20 students are. They don't necessarily have to be
21 enrolled under Johnson O'Malley as long as

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1 they're able to demonstrate one-fourth degree or
2 more. I'm familiar with that longtime
3 legislation that's been in place.

4 And so I just want to continue to
5 advocate for that and look forward to you coming
6 out to the northwest.

7 DR. JACKSON-DENNISON: Thank you,
8 Patsy. Any other questions? I also too want to
9 commend you in the BIE on the plan, the strategic
10 direction plan.

11 I did have a couple of questions on
12 the school safety. Do they also train on the
13 safety plans as far as do they train staff on the
14 safety plans that they've developed, or are they
15 just --

16 MS. MENDOZA: Well, all our schools
17 have to have safety -- they call them COOPs,
18 continued operations in say like a disaster or a
19 critical incident. All our schools do have to
20 have plans.

21 And we do provide assistance and

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1 training to help the schools with those plans.

2 The school safety specialists, it
3 sounds like they're going in -- the title
4 sometimes doesn't make sense.

5 It's actually primarily, say, OSHA.

6 DR. JACKSON-DENNISON: Okay, that's
7 what I was wondering.

8 MS. MENDOZA: Yes, OSHA requirements.
9 There's different requirements for exits.

10 DR. JACKSON-DENNISON: Lighting,
11 cables.

12 MS. MENDOZA: Yes.

13 DR. JACKSON-DENNISON: Okay. That
14 was one of my questions.

15 And then I really want to commend you
16 and I want to look in more to the behavioral
17 health specialists because that's what I'm
18 finding in the public schools that where we're
19 really lacking and where we're really, really
20 struggling especially where I'm at now as a
21 superintendent is I want to -- we're trying to

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1 implement the trauma informed, trauma sensitive
2 schools approach and working with the health
3 centers and everything.

4 But it sounds like you all are doing
5 that. So I want to commend you on that.

6 Then again the mental health and all
7 of that goes together. And I think that's a
8 huge, huge accomplishment so I just want to say
9 thank you for doing that and thank the director
10 for his work on that area because I really see
11 that as like I said to the assistant secretary
12 earlier those are the areas that we really have
13 to pay attention to prior to worrying about the
14 A through F grading system.

15 Because without that we're never going
16 to be able to get those scores up that we're
17 always trying to work toward. That's something
18 that has really hit hard to me as a leader in
19 where I'm working at right now because it's such
20 a struggle. So thank you for that.

21 And then what other questions did I

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1 have? I think that's about it. This is exciting
2 work that you're doing.

3 MS. MENDOZA: Thank you. And like I
4 said earlier we look forward to working with
5 NACIE. We're excited that the group is going to
6 continue to meet and further the work that
7 they're supposed to be doing. So thank you.

8 MS. BOULLEY: Thank you for coming.

9 DR. JACKSON-DENNISON: Thank you.

10 (Applause)

11 MS. MENDOZA: And I do have cards here
12 if anybody's interested. Definitely if you have
13 any further questions or need any other
14 information please let me know.

15 MS. BOULLEY: While we transition to
16 NIEA getting ready to present I wanted to
17 introduce Ruth Ryder who is the deputy assistant
18 secretary.

19 She formerly was with formula grants
20 and now she's the DAS over a lot. She's my
21 immediate supervisor.

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1 DR. JACKSON-DENNISON: Thank you.

2 Welcome.

3 MS. BOULLEY: And so if you want to
4 introduce yourselves to Ruth I think that might
5 help her a lot.

6 And then Mike, I don't know if you'd
7 like to introduce yourself as well.

8 MR. CHAMBERLAIN: I'm Michael
9 Chamberlain. I'm the lead for the department's
10 rural outreach at the U.S. Department of
11 Education in the Office of Communications. I
12 have cards too.

13 DR. PAYMENT: Do you want us to go
14 around real quick?

15 MS. BOULLEY: Yes, please.

16 DR. PAYMENT: My name's Aaron
17 Payment. I'm the chairperson of the Sault Ste.
18 Marie Tribe of Chippewa Indians.

19 A lot of our concerns are very similar
20 to rural education. So we're really happy that
21 you're here.

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1 MS. BUTTERFIELD: Yes, and I'm Robin
2 Butterfield. I'm Ho-Chunk originally. I live
3 in Oregon. I work with the Oregon Indian
4 Education Association. And I'm also President
5 of the National Indian Education Association.

6 MS. WHITEFOOT: I'm Patricia
7 Whitefoot, a member of the Yakama Nation from
8 White Swan, Washington, a very rural high school
9 and remote community on the Yakama Indian
10 Reservation.

11 I work primarily with -- volunteer
12 primarily with the Affiliated Tribes of Northwest
13 Indians which is made up of the 54 tribes in the
14 northwest. And I serve as the education
15 committee chair and have been in that role for a
16 number of years.

17 MS. RYDER: I actually grew up in
18 Washington State.

19 MS. WHITEFOOT: Oh, okay. Wonderful.

20 MS. RYDER: -- the Pacific Northwest,
21 Bellingham.

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1 (Simultaneous speaking)

2 MS. RYDER: I was very near the Lummi
3 Indian Reservation and then I lived on the Port
4 Madison Indian Reservation as well.

5 MS. WHITEFOOT: Wonderful. We look
6 forward to working with you.

7 MS. RYDER: Thank you. I'm excited
8 to be here.

9 MS. BROWN: Doreen Brown. I'm from
10 Anchorage, Alaska and I'm currently the director
11 for Title 6 Indian education.

12 DR. PROUDFIT: Hi, my name is Joely
13 Proudfit. I'm from the Pechanga Band of Luiseno
14 Indians in Temecula, California.

15 I'm the director of the California
16 Indian Culture and Sovereignty Center at Cal
17 State San Marcos and the chair of American Indian
18 Studies.

19 We're home to the largest population
20 of American Indian college students of any
21 university in the state of California per capita.

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1 DR. JOHN: Hi, I'm Theresa John,
2 associate professor, University of Alaska
3 Fairbanks with the research center, Center for
4 Cross Cultural Studies which has Ph.D. and
5 master's program.

6 And I've been with the university on
7 and off for about 20 some years starting from
8 Bethel, Alaska to Fairbanks to Anchorage.

9 And we have about 40 some graduate
10 students in our program. And I also help develop
11 indigenous K-6 with the local school district in
12 science and literacy and social studies when they
13 ask me to.

14 But there has been some movement to it
15 that statewide of trying to expand the work of
16 the Yupik charter school there which is known
17 internationally now as a successful school.

18 So our region is the strongest Yugtun
19 speaking culture. I'm the first generation to
20 be exposed to western schooling. My parents have
21 never been to school before.

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1 And so we come from remote area. No
2 gas, no oil, no gold. So they bypassed us for
3 many years. So we were very, very lucky. We got
4 to have a very, very powerful indigenous
5 education as a first language base and foundation
6 of our culture.

7 I'm still learning about the western
8 world which is wonderful. I love learning other
9 cultures. So welcome, thank you.

10 DR. JACKSON-DENNISON: Hi again. I'm
11 Deborah Dennison. I'm originally from Arizona,
12 Navajo Nation, and my husband is from New Mexico
13 so we're right across the state line where my
14 home is.

15 But I'm currently working in southern
16 Arizona as a superintendent at the San Carlos
17 Apache Nation public school district there. I'm
18 just finishing up my 16th year as a
19 superintendent. I was the first Navajo woman
20 superintendent, first Native public school
21 superintendent in Arizona. So that was one of

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1 the things that I'm really proud of.

2 And I come from a long legacy of
3 leadership in my family. My father was one of
4 the earlier tribal presidents. He was really
5 involved with the Tribal College Act which was
6 the Navajo Community College Act in the early
7 days and that now is a tribal college act which
8 is really what all the tribal indigenous colleges
9 followed to be able to have their own
10 universities and colleges across the nation.

11 So, that's pretty much who I am. My
12 mother is -- I like how Doreen introduced herself
13 earlier. I want to share love stories because
14 our parents, my mother came from California and
15 came out to the reservation and met my dad. It
16 was a love story too.

17 My mother is originally from actually
18 Georgia and the east coast area, but she ended up
19 in California with her father as a single father
20 so ended up in Arizona with my dad. So that's
21 where I'm at.

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1 CHIEF ANDERSON: My name is Phylliss
2 Anderson and I'm the chief of the Mississippi
3 Band of Choctaw Indians in Mississippi.

4 We have eight schools, tribal schools,
5 six elementary, one middle school and a high
6 school. We also have a Choctaw virtual learning
7 center that allows students that have dropped out
8 or are in the threat of dropping out to come back
9 to the school system and get their high school
10 diplomas.

11 This is a great program or center that
12 we started that allows our students to come back.
13 The thing about it is that I believe that the age
14 limit is at 24.

15 And so we're seeing more and more
16 people that want to come back into the school
17 system and get their high school diploma. So
18 we're looking to see what we can do to expand on
19 that.

20 But just glad to be here and welcome.

21 MS. BOULLEY: And then online we have

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1 Wayne Newell from Maine. Wayne, are you still
2 there?

3 And we also have Dahkota Brown who is
4 a student and he had classes. He's at Stanford.
5 And so I know he had classes today and tomorrow
6 too so he was going to be intermittent.

7 MS. RYDER: Well, thank you all. It
8 was good to meet you. Just quickly, I've been
9 in the department since 1988 in the Office of
10 Special Education Programs.

11 And I'm really excited. I've been in
12 my new job for seven days so I'm very new, but
13 I've worked with programs in the Office of
14 Elementary and Secondary Education for years and
15 I've worked with the BIE and BIE schools and
16 tribal schools in my previous role.

17 And then of course have always worked
18 very hard to support public schools and the work
19 that they're doing with all children including
20 Indian children.

21 So I am learning a lot from Angeline

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1 and I'm very excited to have her as a mentor in
2 this work. We're learning all the new systems
3 together. So thank you so much for allowing me
4 to be here.

5 MS. BUTTERFIELD: I just have a
6 question especially since we don't really have on
7 the agenda much to cover special ed.

8 And I'm aware that about last October
9 when there was a reauthorization or a
10 reorganization of the technical assistance
11 centers that support parents of children with
12 special needs.

13 They kept one of the direct outreach
14 centers that's in Albuquerque, but they did away
15 with the NAPTAC center which was the Native
16 American Parent Technical Assistance Center.

17 And the purpose of that center was to
18 educate the other 100 centers about how to do
19 better outreach to Native families.

20 And it was a highly successful
21 program. And I'm wondering who's doing that work

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1 now and why that decision was made basically.

2 MS. RYDER: They folded that work into
3 -- there is a national center, it's the Center on
4 Parent Information and Resources, CPIR, C-P-I-R.
5 So they folded that work into CPIR and then there
6 are four regional technical assistance centers,
7 the parent technical assistance centers, they're
8 PTACs.

9 And CPIR and the PTACs' role, their
10 roles are to work with the state PTIs, the parent
11 training and information centers.

12 So there was some concern that the
13 center was in -- was it New Mexico?

14 MS. BUTTERFIELD: There is one in New
15 Mexico, but that's the --

16 MS. RYDER: That's the -- right. And
17 that's the state center.

18 MS. BUTTERFIELD: Right.

19 MS. RYDER: Right, yes. The concern
20 was that the previous center NAPTAC was not
21 working as well nationally as it could have been.

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1 So we were looking at a way to kind of make sure
2 that there was outreach nationally through the
3 CPIR and the parent training -- parent technical
4 assistance centers.

5 So if you don't see that happening
6 I'll give you the name of somebody in my old
7 office to contact.

8 MS. BUTTERFIELD: Yes, because my
9 concern is when you don't have a center that
10 really focuses on that it's not going to happen.

11 MS. RYDER: One of the stipulations
12 was that the CPIR hire someone with Native
13 American background who could function in that
14 role.

15 So again, if you don't see that that
16 outreach is happening. And I'm happy to check
17 back with my old office to make sure that that
18 did happen.

19 MS. BUTTERFIELD: Yes. If we could
20 get a map of where those four centers are.

21 MS. RYDER: Of course.

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1 MS. BUTTERFIELD: So, I know they do
2 lots of data collection in special ed. So how
3 are they going to track the services for Native
4 parents?

5 MS. RYDER: They do have an annual
6 data collection that they do through each one of
7 the state centers.

8 And some states have multiple centers.
9 Like California I think has five or six parent
10 training and information centers.

11 And they all do annual data
12 collections. I think one of the things that they
13 do is look at the demographics of the families
14 that they're reaching out to.

15 One of the things Angeline and I
16 talked about is that maybe for the next NACIE
17 meeting when you have the U.S. Department of
18 Education offices coming that maybe the Office of
19 Special Education Programs could come. So we
20 talked about that for the next meeting.

21 MS. BUTTERFIELD: Yes. Because the

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1 reason that center -- it was in existence to begin
2 with was because our Native parents were so
3 highly underserved. And from all the indications
4 that we got that we had really started to build
5 capacity by creating cohorts of folks that worked
6 in the other 100 centers. So you had trained
7 staff that really knew better how to reach out to
8 Native parents.

9 And they were highly committed to
10 doing that work.

11 MS. RYDER: Okay. Another part of
12 the parent training and information center
13 program are the community parent resource
14 centers.

15 And the community parent resource
16 centers are more topical. Like there's one that
17 works with foster families that have foster
18 children. There are several that are inner city
19 working with parents of kids who are English
20 language learners, inner city New York with kids
21 who are living in poverty.

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1 I frankly don't know if there is a
2 CPRC that is working with Native American
3 families, but that's something that I can look
4 into and would be something that would be an
5 option in the future.

6 MS. BUTTERFIELD: And I'm glad that
7 you brought up work with foster children because
8 I was going to bring that up as well.

9 In some of our tribal communities we
10 have a significant number of children that are in
11 foster care and most often with non-Native
12 families. And so that's important as well under
13 special education.

14 Unfortunately what happens with some
15 of our Native students is they go undercounted or
16 misclassified or misrepresented because the
17 foster families don't really know their
18 background as a tribal student. So they can be
19 considered as a migrant student because they're
20 moving as well.

21 And I've talked with our state

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1 director about that as a major issue. Thank you.

2 DR. JACKSON-DENNISON: Thank you.

3 And I think we need to move on to the next item
4 on the agenda.

5 MS. COURNOYER: I feel like a teacher
6 on the first day of school. Hello, everyone.
7 Thank you for the conversation.

8 I was talking to my legislative
9 analyst while I was listening and I was like oh,
10 we're doing this and we're doing this and we're
11 over in that state. NIEA is everywhere. And
12 it's exciting to hear need. It's exciting to
13 hear success and support and it's exciting that
14 I'm here so that I can say we can fulfill your
15 need. We can support your need. We can support
16 your request, your gap, your question, your
17 concern. But you have to come to convention.
18 No, I'm just kidding.

19 So good afternoon, everybody. And I
20 know everyone -- I was watching the last
21 conversation. Everybody is looking around and

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1 on your laptop. So I want to be energetic and
2 exciting because I love NIEA.

3 So good afternoon and thank you for
4 the invitation. Thank you for the invitation,
5 NACIE advisory committee. Thank you, Department
6 of Education. Thank you, Angeline and
7 congratulations and welcome.

8 My name is Diana Cournoyer for the
9 record. I am an Oglala Sioux tribal citizen. I
10 say I'm from the Pine Ridge Indian Reservation.
11 That's where my tribal community is from.

12 I was born and raised in Dallas,
13 Texas. I always start out my conversations, my
14 presentations as I am a product of federal
15 policy. Relocation. Born and raised in Dallas
16 but I'm Pine Ridge Oglala.

17 My grandfather and grandmother met in
18 Haskell. I love love stories. We wouldn't be
19 where we are without those love stories. We
20 wouldn't be who we are without those love
21 stories. We wouldn't be.

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1 But federal policy. A public school
2 native. I'm an urban native. But I'm also a
3 reservation Native. So I bring all of that
4 experience to this position and to this
5 organization.

6 Okay. Next slide. So we're going to
7 talk about NIEA, not about me.

8 Our advocacy priorities are based on
9 our strategic plan. I also want to acknowledge
10 BIE's development of their strategic direction.
11 And I want to acknowledge and call out we're
12 aligned. NIEA and BIE are aligned.

13 And that's not by accident. That's
14 not because we copied off each other in class.
15 That's because we know what our students need, we
16 know what our communities need. We know what our
17 -- we know what's needed to provide a quality
18 education.

19 Native education priorities at the
20 national level. Service at organizational
21 level, at the local level, at the state level and

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1 at the tribal level.

2 Empowering our members. President
3 Butterfield, I read the constitution today for
4 the first time after it changed.

5 NIEA was established to empower our
6 people. I always knew that, but I didn't know
7 that it was in writing in the constitution so now
8 we really have to do it by technical assistance
9 and training and development of tools and
10 resources.

11 But we can't develop those tools on
12 our own. It's with the support of groups as you
13 guys and the BIE and our local groups.

14 And advocacy. We're always
15 advocating. We're always teaching each other and
16 always learning from each other.

17 And then the constant narrative, the
18 constant conversation. We don't want anyone to
19 ever forget about what we're doing and that's
20 changing education systems to serve our Native
21 students. Next slide.

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1 So to make change we have to start
2 somewhere and we have legislative priorities. So
3 within this administration we talk about our
4 Higher Education Act.

5 The Senate and the House leadership
6 have both indicated that the Higher Education Act
7 is a priority for this Congress. Though the
8 committee leadership in the Senate have begun
9 discussions regarding these priorities
10 legislative language has yet to be introduced.

11 As the bill moves forward NIEA looks
12 forward to supporting data transparency, college
13 access for Native students and communities.

14 We also are celebrating along with the
15 United Nations and many other indigenous
16 communities International Year of Indigenous
17 Languages.

18 We continue to prioritize native
19 languages through the Esther Martinez Native
20 American Languages Programs Reauthorization Act.

21 This bill reauthorized the 2016

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1 legislation to provide additional flexibility for
2 tribes to promote thriving native languages
3 through language nest and immersion programs,
4 language programs within public schools.

5 February the law passed the Senate
6 Committee on Indian Affairs sending it on to the
7 full Senate for consideration. It has yet to
8 move forward in the House.

9 And then finally, as always we
10 continue to advocate for school construction.
11 These critical resources to support school
12 placement, repair, the development, the
13 establishment, the building of systems and school
14 resources so that our Native students can have
15 equity in access to science labs, to computers,
16 to bandwidth and technology.

17 As congressional leaders consider
18 options for a possible infrastructure package
19 tribes and schools that serve Native students
20 must have equity to access and ensure that
21 students are able to learn in safe and healthy

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1 school environments. Next slide.

2 Current legislation. On the screen
3 in front of you, you see several pieces of
4 legislation that have been introduced or are
5 being negotiated that relate to Native education.

6 Though this is not an exhaustive list,
7 these are bills that have had the most recent
8 move or conversation on the Hill.

9 The first two bills you see are the
10 Higher Education Act and Esther Martinez. Senate
11 Bill 279 was introduced by Senator Thune's office
12 to address a technical issue in the Indian
13 Healthcare Improvement Act which provided
14 employees at tribal schools authorized by PL 638
15 access to federal health employees but did not
16 include tribal schools which is 297 schools.

17 The Senate Committee on Indian Affairs
18 has scheduled a hearing to consider this bill on
19 May 1. And we look forward to working with
20 Congress to support parity in access to health
21 benefits among all of our tribal school

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1 employees. Next slide.

2 Appropriations. I've learned in this
3 position that not only is it important to
4 advocate on legislation, but it's really critical
5 to advocate on the money.

6 Where's the money going to come from.
7 How much are we going to get. And how is it
8 going to be implemented or spent.

9 So each year we work with many partner
10 organizations to elevate tribal priorities for
11 Native education.

12 As we move into the Fiscal Year 2020
13 appropriations cycle we look forward to
14 continuing to advocate for fully funding programs
15 that serve Native students including the Title 6
16 Indian education formula grants, school
17 construction for BIE schools and for public
18 schools that serve Native students, Native
19 language immersion programs and impact aid.

20 This year we have included a new
21 request for Congress to provide supplemental

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1 appropriations to fund the development and the
2 implementation of BIE's assessment system under
3 the Every Student Succeeds Act.

4 Currently students in BIE schools take
5 an assessment required by the state that the BIE
6 school is geographically located in.

7 For the first time ESSA requires the
8 BIE to develop its own assessment system. NIEA
9 is supporting to advocate for funds necessary to
10 ensure proper implementation of culturally
11 relevant system that will fully serve the unique
12 needs of Native students. Next slide.

13 On March 11 the administration
14 released the President's budget request to
15 Congress for Fiscal 2020. This proposal included
16 \$64 billion in discretionary funding for the
17 Department of Education and \$936.2 million in
18 total operational and construction funding for
19 the BIE.

20 When looking at the President's budget
21 it is critical to remember that Congress

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1 ultimately controls final appropriation levels
2 for federal agencies and programs.

3 Though NIEA was disappointed to see
4 overall cuts proposed to Native education
5 programs we remain hopeful regarding the outlook
6 of appropriations in Congress.

7 Over the past few years we have seen
8 increases across the board in funding for Native
9 education despite initial proposals to slash the
10 budget.

11 Most significantly appropriations for
12 school construction in BIE increased over \$100
13 million in part due to NIEA and partner advocacy
14 on the Hill.

15 Over the past year this increase has
16 provided funds for three new BIE schools.

17 NIEA remains engaged in this process
18 at the federal and state level. Sorry, NIEA
19 remains engaged in ESSA implementation at the
20 federal and state level.

21 We have provided comments on over 11

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1 plans. As of September all state plans have been
2 approved by the Department of Education.
3 However, BIE's plan still remains unapproved.

4 I'd like to talk about our state work
5 next. Next slide.

6 So without the funding pieces a lot of
7 our state work cannot be carried out because
8 education dollars at the state level.

9 So after the passing of ESSA NIEA took
10 a different look at education and we realized
11 that a lot of the influence, the power and the
12 decision-making is going to be at the local level
13 moving forward.

14 But when you've removed a lot of that
15 decision-making over many years and now you're
16 giving it back to our communities we realized
17 there was going to be a gap, a misunderstanding,
18 hesitation, fear, concern.

19 So we're taking a deep dive look at
20 high populated Native states. We've counted 23
21 following with the BIE system, the BIE schools

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1 are located.

2 And we've engaged all states. We've
3 reviewed their plans. We've attended their
4 Indian education association meetings. We've
5 offered our assistance and our support.

6 And currently we have eight states
7 that have reached out to NIEA asking for
8 assistance and requests. And it's actually
9 specifically around the conversations that you
10 had before I presented.

11 So in Alaska the data question. Your
12 concern. The mobility. All of those issues are
13 brought to our attention and we're trying to
14 figure out how can we help.

15 You're right, millions of miles. And
16 we're only one organization. But how can we
17 support, what can we do to collaborate to bring
18 the state to the table.

19 In Oklahoma foster care was also a
20 concern. How are foster care agencies, how are
21 ICWA agencies responsible for ESSA. They didn't

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1 even know that they were written in the ESSA law.
2 So how are they supposed to support students in
3 public schools. They were very concerned.

4 So we wrote in your folder we wrote a
5 one-pager. And this is specifically for
6 Oklahoma, but this is an example of what we can
7 do for any state.

8 And now we do trainings in Oklahoma
9 across the state with ICWA workers and district
10 and tribal ed workers.

11 They've never collaborated, never
12 communicated. They didn't even know each other.
13 So this is an opportunity and NIEA is supporting
14 and funding and bringing collaboration to the
15 table.

16 New Mexico. They've invited us out
17 to come and do some developing communities of
18 practices in schools that are struggling.

19 They had a grading system and all the
20 schools that were in F, receiving an F grade were
21 mostly Native or high minority schools.

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1 So come and support us, assess us.
2 Where are our gaps. Where are our holes. How
3 do we train our school leaders.

4 In New York the state has divided by
5 themselves, they've divided up themselves to
6 north, west and east. And the Indian ed
7 representative in the state of New York is not
8 involved in the conversation. So we're there and
9 we're trying to help bridge those gaps and be a
10 mediator.

11 Minnesota, North Dakota and
12 Wisconsin. So all states have asked us to come
13 attend, learn, listen and then what can you do to
14 support.

15 We ask every state to do the same
16 thing. Arizona. We would love to come out
17 there. Never been invited.

18 I know Nadine very well. Just an
19 invitation is all we need. We do not like to go
20 in, we do not like to be this bold national
21 organization. We want to be at the table with

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1 everyone, so an invitation.

2 In addition to the state
3 conversations, in addition to us attending state
4 meetings we developed an innovative education
5 initiative.

6 In this initiative one aspect of the
7 initiative is to create a website to recruit and
8 retain teachers serving Native students. So
9 teachers working in schools, public schools,
10 reservation bureau, whatever the school is
11 serving Native students.

12 And it's a website. It's a job search
13 website. Next slide.

14 It's a job search website,
15 teach.niea.org. You can post your vacancies.
16 As a teacher or an educator you can search for
17 vacancies.

18 You can search by state. You can
19 search by content, expertise area. We include
20 early childhood all the way up through 12th grade
21 teachers. We include superintendents and

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1 principal vacancies. We include immersion and
2 language vacancies across all states. It doesn't
3 have to just be high pop Native states.

4 This is a part of our commitment and
5 we want to demonstrate that it's not just -- we
6 hear you only focus on schools on reservations.
7 No. We're focusing on all schools that serve
8 Native students. Large populations or one
9 student. One Native student matters.

10 So by housing these vacancies in one
11 place we're able to streamline this job search.

12 We heard in New Mexico if you're in an
13 isolated community the only place you see a job
14 vacancy is in the grocery store. So we want to
15 give another space to advertise jobs and also as
16 an educator to look for a job.

17 So I'm down to the recommendations
18 already. Our recommendations. NIEA's
19 recommendations for NACIE.

20 Fill critical roles with permanent
21 leadership. The White House Initiative on

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1 Alaskan Native and American Indian Education
2 director must be filled.

3 Facilitate improved coordination
4 between Ed and BIE. The Department of
5 Education's MOA with the BIE is scheduled to be
6 renegotiated over the coming months.

7 And then ensure BIE representation at
8 NACIE meetings. NACIE serves a national voice
9 to represent all Native students. So having BIE
10 at the table would be a key to include those
11 students as well. Next slide.

12 My final plug also in the folder is
13 coming to the convention. It's our 50th annual.
14 It's kind of a big deal, 50 years.

15 I've been reading up on the history of
16 NIEA. I thought I knew the history. I don't
17 know the history. It's a pretty awesome history
18 and NACIE was at the beginning. I learned that
19 the other day on the plane. Amazing.

20 So have NACIE come and do a session,
21 a plenary representing the power, the voice, the

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1 impact, the influence and the steady continuation
2 of collaboration and support. Doesn't matter if
3 you're at the federal level, the state, or the
4 tribal level. It all is necessary.

5 So there's information on our website.
6 And then there's future dates on the back.
7 Albuquerque is 2020. And we're starting over.
8 So originally or historically we were in
9 Minnesota, Minneapolis, and then we moved to
10 Albuquerque the following year. So we're trying
11 to start that process again. And then we went
12 to the Northern Plains and we've chosen -- we're
13 going to honor Omaha, Nebraska. We haven't been
14 there since the eighties. So.

15 Any questions? Comments?

16 DR. JACKSON-DENNISON: Any questions?
17 We'll go with Robin.

18 MS. BUTTERFIELD: Well, I just was
19 noticing on the slide and I never noticed it
20 before --

21 MS. BOULLEY: Can you make sure you

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1 turn on your microphone?

2 MS. BUTTERFIELD: Is it on? Okay.
3 When NIEA makes recommendations on funding I
4 noticed under the school construction boxes that
5 you had up there that there was \$500 million for
6 public schools and \$430 for BIE schools.

7 I'm just curious how do we come up
8 with those dollar amounts? Because you would
9 think that there would be a much larger
10 recommendation for the 93 percent of Native kids
11 in public schools.

12 MS. COURNOYER: I'm going to look to
13 my legislative analyst.

14 DR. JACKSON-DENNISON: And for the
15 record you probably should say your name.

16 MS. ELLIOTT: My name is Adrienne
17 Elliott. I'm a legislative analyst with NIEA and
18 a citizen of the Cherokee Nation.

19 We have a collaborative process for
20 our budget recommendations. So for each of our
21 recommendations we go out to our tribes, we go

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1 out to our partner organizations.

2 This is all done in conjunction with
3 our communities and with our partners.

4 And so for the specific recommendation
5 that you were talking about we have worked pretty
6 closely with the National Association of
7 Federally Impacted Schools and they did a study
8 a few years ago on the need in public schools
9 specifically on and around Indian land and land
10 that is federally impacted.

11 And so we worked with them to come up
12 with those numbers. I can get you more specific
13 details on what the background of that \$500
14 million is, but that's what the basis of that
15 number comes from.

16 MS. BUTTERFIELD: Okay, that's really
17 helpful. Thank you. Because I'm thinking of
18 for example the public school in Portland that's
19 in kind of a shabby building. And that would not
20 be getting impact aid money.

21 So I'm sure that especially since this

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1 particular Congress is supposed to be committed
2 to working on infrastructure and we thought that
3 education infrastructure was a good push that
4 that dollar amount requested could be a lot
5 higher.

6 MS. ELLIOTT: Exactly.

7 MS. BUTTERFIELD: But thanks. At
8 least it gives me a sense of where we come up
9 with the estimate.

10 DR. JACKSON-DENNISON: Patsy.

11 MS. WHITEFOOT: Thank you very much,
12 Diana, for your presentation. I appreciate it.

13 I had a question about NIEA working
14 with the states. I'm wondering about also
15 working with our tribal organizations as well,
16 for instance, the Affiliated Tribes of Northwest
17 Indians because of the work that we're currently
18 doing with Education Northwest. And so this
19 would be coming from a tribal perspective.

20 Are you open to that?

21 MS. COURNOYER: I would welcome it.

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1 I just have to be invited.

2 MS. WHITEFOOT: Okay, all right. And
3 then finally I do agree that NACIE does need to
4 be at NIEA to do a presentation so I'm going to
5 recommend that because NACIE definitely was a
6 part of NIEA in the very beginning. Thank you.
7 That's my memory, my institutional memory.

8 DR. JACKSON-DENNISON: Thank you.
9 Are there any other questions from council
10 members? Okay, thank you for your presentation.

11 (Applause)

12 MS. BOULLEY: Dr. Dennison, with your
13 approval could we take a 15-minute break and then
14 Office of Indian Education will be ready to do
15 our presentation.

16 DR. JACKSON-DENNISON: We're back on
17 schedule.

18 MS. BOULLEY: And we'll be back on
19 schedule.

20 DR. JACKSON-DENNISON: So we'll
21 reconvene everything at 3:15. Not 3:30, 3:15.

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1 MS. BOULLEY: Thank you.

2 DR. JACKSON-DENNISON: Thank you.

3 (Whereupon, the above-entitled matter
4 went off the record at 2:59 p.m. and resumed at
5 3:18 p.m.)

6 MS. BOULLEY: All right. I'm
7 Angeline Boulley. I'm the new director for the
8 Office of Indian Education. As you know Joyce
9 Silverthorne retired in 2016 and the department
10 has been with acting directors in the meantime.
11 And so I'm very happy to be here now.

12 I'd like to introduce my staff who are
13 here. So why don't we start with Shahla.

14 MS. ORTEGA: Hi, everyone. Can you
15 hear me?

16 MS. BOULLEY: Yes.

17 MS. ORTEGA: Okay, good. Thanks. My
18 name is Shahla Ortega. I've been with the
19 department a lot longer than I have been with the
20 OIE but I started working in OIE back in I think
21 it was 2012-2013 when they had a new program

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1 called the State Tribal Education Partnership and
2 they needed someone with experience to come and
3 manage the program. And that's where I started
4 and I've been here ever since.

5 I still manage the STEP program and
6 I'm sure Angeline will tell you more about what
7 the program is about. Some of you may have been
8 more familiar with it.

9 We are having a new competition this
10 year and hopefully we'll have another one next
11 year. There have been some changes made to the
12 program and I think Angeline will go over some of
13 that with you.

14 I also manage two contracts one of
15 which is the Tribal Tech and that's the
16 contractor that is working on NACIE meetings. I
17 think you're familiar with that.

18 So I'm happy to be here and thank you
19 and welcome.

20 MS. SMITH: Hi, good afternoon. I'm
21 Kim Smith and I work on the formula grants mostly.

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1 And I'm a former teacher at Bahweting School.

2 And I went back there just last
3 weekend. I wanted to visit my family and I went
4 back to the Sioux and I ran into a student and
5 she said she was 33 years old. So that means I'm
6 like 35.

7 I was like you're 33 years old. So I
8 didn't feel aged until that moment. But it was
9 a fantastic visit and I'm so excited that you're
10 all here today. Thank you.

11 DR. PAYMENT: Kim helped make our
12 school a great school.

13 MS. SMITH: And it grew and grew and
14 grew, but I looked at it from the parking lot.
15 I didn't want to just like bust a move in and say
16 hey, I'm here. So the next time I will schedule
17 something. So, thank you. Yes, I just didn't
18 want to just like show up.

19 MS. WILLIAMS: Good afternoon. My
20 name is Bianca Williams. Like I mentioned before
21 I'm the newest employee here. I think it's my

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1 eighth day or ninth day. Last week was my first
2 week.

3 So I just am very happy to be working
4 with all you guys and to be here. I am a Lummi
5 tribal member so I'm from Washington State as
6 well.

7 I was previously with ACF for six
8 years and I worked for the Administration for
9 Native Americans for the Office of Head Start
10 Region 11. So thank you guys.

11 MS. TOLEDO: Thank you and good
12 afternoon again. This is Annabelle and I'm from
13 the Pueblo Jemez. And I've been with the
14 Department of Education's Office of Indian Ed
15 since 2003.

16 I started out in discretionary for
17 about two or three years, then moved over to
18 formula. And I've been here ever since.

19 I'm happy to be at the table with my
20 elders again to finally be at the elder table I
21 guess. In my culture I would be considered

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1 elder.

2 I'm just happy to be here and I enjoy
3 working on the formula grant.

4 MS. LEE: I'm Wanda Lee and I work in
5 formula too. And I started in formula when I was
6 about 19 years old. It was in Baltimore,
7 Maryland.

8 I went to day school. I was in Title
9 7 there. We were doing curriculum. And we did
10 different levels of books. They were printed in
11 Alaska. Beautiful.

12 And then I returned home. I've been
13 everywhere, done a little bit of everything in
14 education. I've worked with a lot of adults and
15 I was the Indian commissioner, one of them for
16 about six years in Baltimore.

17 And I always wanted to be involved in
18 Indian education at this level.

19 MS. BOULLEY: And we have Erica Outlaw
20 is our administrative assistant and she had to
21 leave so she couldn't be here for this portion of

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1 the meeting.

2 And then Angela Hernandez-Marshall
3 also works on discretionary grants and she had to
4 be back in the office for a technical assistance
5 appointment. Okay, so next slide.

6 DR. PAYMENT: Could I ask a question?

7 MS. BOULLEY: Sure.

8 DR. PAYMENT: So, one of the things
9 that I wanted to do but obviously it didn't happen
10 because we're over here and not over at
11 Department of Ed was to actually see your
12 physical layout.

13 So one of the things that I want to
14 say is that we don't fulfill the consultation
15 requirement in the executive order, but we're
16 advisory to the department.

17 And so wherever possible my
18 expectation is that we are doing consultation
19 back out in Indian Country.

20 And I want to promote tribes to look
21 to the new day that we seem to be moving in and

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1 that means coming to visit you all and giving
2 expectations for what individual tribes would
3 like.

4 And so now earlier it was mentioned
5 that you guys are on Broadway. Are you all
6 together now, are you clustered together, or are
7 you all scattered around?

8 So you don't have to answer that. My
9 recommendation would be that if we're going to
10 advocate for tribal leaders to come and advocate
11 for the treaty and trust responsibility that it
12 needs to be something that's worth showing.

13 And not only the quality of the people
14 but also the cluster so then when they come they
15 can meet the people who are distrusted -- not
16 distrusted -- discharged --

17 (Laughter)

18 MS. BOULLEY: Entrusted.

19 DR. PAYMENT: Who's discharged with
20 the duty of upholding the treaty and trust
21 responsibility.

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1 So this conspiracy theorist in the
2 back of my head is, you know, is that why we
3 didn't meet over there.

4 MS. BOULLEY: No. Today it was Take
5 Your Children to Work Day and so the facilities
6 in the department were booked. It was going to
7 not be the best day to have people, visitors who
8 are not children at the department.

9 Also we planned the meeting with a
10 little less notice than what I would prefer and
11 so we do have arrangements with, say, the
12 Smithsonian Native museum to hold some dates far
13 in advance.

14 So as you set your calendar we can
15 really talk about different locations and which
16 would be ideal. And certainly proximity to LBJ
17 Building so that the Secretary of Education if we
18 can request for her to meet with you, but also
19 Secretary of Interior. So there's a lot of good
20 things to take into consideration.

21 I also wanted to introduce Jill

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1 Martin. She's been a familiar face at a lot of
2 our tribal consultations. And Jill is an
3 attorney with the Office of General Counsel and
4 she is one of our program attorneys.

5 All right. Thank you. Okay, so
6 today our presentation and we just have a short
7 one. Next slide.

8 You've met our staff and we're going
9 to talk just a little bit more about that, and
10 just a little bit about our budget.

11 I can certainly follow up and provide
12 more information. I'm just still getting up to
13 speed on a lot of things with the department and
14 so I wanted to make sure that I didn't overwhelm
15 you as I am learning more things that I didn't
16 provide everything.

17 I'm overwhelmed. I will help you to
18 not be overwhelmed.

19 Then we'll get into -- we'll focus
20 mostly today on our discretionary programs.
21 Formula we'll touch on just briefly, but really

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1 I'd like to save that for our next meeting I'm
2 hoping in the fall.

3 Timing-wise it works out better to
4 discuss formula programs in the fall because
5 right now we're going through our application
6 process. So we'll have some good data by the
7 fall.

8 And then I just want to touch on our
9 national activities and then leave plenty of time
10 for questions and follow-up.

11 Okay, so skip over the next slide too.
12 Okay. Office of Indian Education really focuses
13 on two main areas, the formula grants and the
14 discretionary.

15 And with our discretionary you can see
16 we have four competitions or four programs,
17 professional development, STEP which is the State
18 Tribal Education Partnership, NAL@ED which is the
19 Native American language, and demonstration which
20 has been called NYCP, Native Youth Community
21 Projects.

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1 And then I put everyone's name to it.
2 And as you can see like we have Angela listed
3 twice. We didn't clone her. She just has
4 additional -- double responsibilities. Okay,
5 next slide.

6 As you know, Joyce Silverthorne
7 retired in 2016. At that time there were 15
8 staff members and you can see the breakdown
9 between the leadership, formula team and the
10 discretionary team.

11 So at that time the director had two
12 admin assistants. There was a group leader for
13 both formula and one for discretionary. And then
14 there were program specialists.

15 In the years since we wanted to show
16 what has been happening with OIE staff and where
17 we are at right now. So as you look at 2019 we
18 have myself and Erica Outlaw in the leadership.
19 For formula team we have the three wonderful
20 people who you met here today. And on
21 discretionary we have three, so Angela, Bianca

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1 and Shahla.

2 MS. BROWN: And I know there's a
3 reduction in staff but there's also been an
4 increase in the types of grants, number of
5 grants.

6 MS. BOULLEY: Yes. If we can go right
7 to the next slide what we tried to do is to
8 provide that information. So what we're looking
9 at here, this slide looks at our grantees, the
10 number of grant awards that we give and our
11 staffing.

12 So as you can see with our formula
13 grants we serve around 1,300 per year. And right
14 now Kim --

15 MS. WILLIAMS: It's 1,322.

16 MS. BOULLEY: Right. Because right
17 now formula grants have a two-part application.
18 So part one is always a higher number and then
19 there are some that decide when part two comes
20 around that they're not able to really complete
21 part two so that right now we're in that in

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1 between stage.

2 And then for discretionary you can see
3 what is a new award and what was continuing. So
4 when an NYCP might be a four-year award and so
5 that first year it's considered a new award and
6 then those subsequent years are the continuation.

7 And so you can see our total
8 discretionary grants for each of the four years.
9 And right now for 2019 we are -- for 2019 we have
10 those squiggly lines, the approximate, that's
11 what it means. And that's because we can't
12 guarantee that every current grantee will
13 necessarily be eligible for a continuation award.

14 The continuation awards for our
15 discretionary grantees is based on satisfactory
16 progress with their annual progress report. And
17 so that would be say the maximum number of
18 continuation awards that we would have.

19 So you can see our numbers are kind of
20 like still to be determined.

21 But you can see the number of staff

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1 that we have and the load of awards that they are
2 doing.

3 DR. PROUDFIT: How is this possible?
4 So what's the story here?

5 MS. BOULLEY: What's the story is that
6 the level of technical assistance that we may be
7 able to provide and the level of monitoring, we
8 have to look at it as a triage and we're going to
9 spend our pressure resources, our staff time and
10 effort on the most critical needs.

11 So certainly when we're aware of
12 grantees that their projects are in distress
13 that's where our time and effort goes. So we are
14 not able to spend as much time on those grantees
15 that --

16 MS. BUTTERFIELD: The story that I
17 wanted to hear was why. Why are we so
18 understaffed?

19 DR. PAYMENT: We're losing ground.

20 MS. BOULLEY: Well, the Department of
21 Education like all of the federal agencies have

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1 been under a hiring freeze. And so as people
2 leave positions, there's attrition every year as
3 people retire, as people find new opportunities.
4 Those positions aren't necessarily guaranteed to
5 be filled.

6 There is a freeze and you seek for a
7 waiver to be able to fill a position. So we've
8 been working with a hiring freeze and that has
9 impacted -- it has impacted not just Office of
10 Indian Education. It is department-wide.

11 DR. PAYMENT: So just to put a fine
12 point on it, for other agencies that serve Indian
13 people, that more obviously serve Indian people
14 different grounds like NCAI, NIEA have advocated
15 that those hiring freezes be lifted.

16 But if it's not obvious to Indian
17 Country for Department of Education then our eye
18 wasn't on the ball.

19 The other thing that correlates with
20 that time period is that we've been inactive.
21 Not by our choice. But for the first two years,

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1 first year and a half until the Secretary
2 reenergized and agreed to let us continue. And
3 then over the last year it's been kind of hit and
4 miss and we've been wanting to meet.

5 But certainly I don't think it would
6 be our advice as an advisory board to diminish
7 the federal trust responsibility and commitment
8 to Indian Country.

9 And so rather than you have to explain
10 why that's happened before you came in
11 essentially is that my advice personally and I
12 think collectively is that we don't want to see
13 a diminishment of that. We need to have the
14 capacity.

15 Because it becomes an impossible task.
16 And the fact that we're even using terms like
17 discretionary, we're pushing to have this become
18 mandatory for certain Indian programs and
19 services across the treaty and trust
20 responsibility.

21 And so recently a group of us

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1 advocated to the budget -- House Appropriations
2 Committee and one of the budget staff said well,
3 all stakeholders want to have their funding
4 mandatory.

5 And I had to clarify to her that we're
6 not a stakeholder. There's a treaty and trust
7 responsibility behind this. And it's not all met
8 on the BIE side, but we expect it to be fulfilled
9 on the Department of Education side too.

10 So in a friendly way I think our
11 advice collectively would be that we reinstate
12 those positions, that the hiring freezes don't
13 diminish our ability to perform our function
14 through Department of Education. In a positive,
15 productive advocacy way.

16 MS. BUTTERFIELD: Just to sort of add
17 to that because this is extremely troubling to
18 me. I think there's also a severe equity issue
19 there.

20 Our kids are always sort of last on
21 the list, lowest priority, low achievement and we

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1 continue to see resources taken away from them
2 that they severely need.

3 It's not our children's fault that
4 they're not able to succeed if we don't have high-
5 quality teachers, we're lacking resources, our
6 buildings are falling down around them.

7 It's just wrong. And even when you
8 look at the amount of money that goes into Indian
9 education formula grants and you compare that to
10 Title 3 or Title 1 or any of the other programs
11 we get such limited dollars. And we're expected
12 to do miracles on the periphery of these other
13 programs.

14 And so our kids again, we don't have
15 enough money at the local level and now we don't
16 even have technical assistance and support for
17 all of those folks who are running those grant
18 programs. It's just not right.

19 MS. BOULLEY: We do have some
20 contracts that do provide technical support or
21 technical assistance to some grantees, but the

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1 communication of staff in responding to grantee
2 questions, that is what gets delayed.

3 DR. PAYMENT: Can I put another fine
4 point? So, in the last two years I've noticed
5 because I serve on a number of different
6 capacities. One of them is STAC, HHS Secretary
7 Tribal Advisory.

8 Another is under Office of Minority
9 Health, Health Research Advisory. And Health
10 Research Advisory was just disbanded without any
11 consultation with Indian Country.

12 And under HHS STAC CMS was advocating
13 or explaining that they felt there was some kind
14 of civil rights violation by serving American
15 Indians in a distinct way from non-Indian people,
16 other populations.

17 And they have since capitulated on
18 that. They have retracted that. We repeatedly
19 asked them for legal opinions about that and
20 nothing ever came.

21 They capitulated. And so I'm hoping

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1 that that ideology -- because I can't say that
2 that's a driving ideology under the current
3 administration.

4 But I hope that that's not affecting
5 us in the Department of Education.

6 And so if we've committed to the
7 minimal staff that we had to begin with certainly
8 somebody should do some kind of analysis to see
9 if the capacity for providing the functions even
10 exists with the diminished resources and the
11 diminished staff.

12 And I think you'll find if you look at
13 that very closely it's probably not even
14 possible.

15 So we don't want to lose ground. We
16 want to gain ground. And so diminishing the
17 staff commitment.

18 And some of it might have been during
19 the hiring freeze and all of that. But as we
20 kind of move out of that it might be time to take
21 a look at that again and fill those positions.

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1 Before positions are eliminated there
2 should be some kind of analysis to show whether
3 the capacity exists to perform the treaty and
4 trust responsibility.

5 And I would say that it's minimal as
6 it was. It was minimal.

7 MS. WHITEFOOT: And I just want to
8 highlight the fact that in our report to Congress
9 that is addressed right up front. So I won't be
10 long, just want to just kind of highlight that.

11 DR. JACKSON-DENNISON: I have that
12 written down already as one of the things I want
13 to talk about.

14 MS. BOULLEY: We do have one position,
15 a program specialist position that has been
16 approved and it is posted. And we had the
17 contractor Tribal Tech send out an announcement
18 for interested candidates to apply.

19 So we are hoping that we will be able
20 to hire someone that will probably be assigned to
21 the formula grants.

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1 And then I just found out yesterday
2 that I think we have a group leader posting that
3 is starting in the process. So it still has some
4 more steps to go.

5 But I wanted to alert you to where
6 things were exactly right now, the snapshot right
7 now. Okay, next slide.

8 Okay, budget. So FY '18 is the year
9 that starts basically October 1. It's end of
10 September, but October 1 of 2018 through end of
11 September 2019. So this is our current fiscal
12 year that we're in.

13 The number of awards. So formula
14 grants are in dark and then all the other
15 discretionary grants -- so you can see how many
16 awards, grantees that we have and the funding
17 that's been obligated for this year.

18 Sure, Robin.

19 MS. BUTTERFIELD: So why was there
20 just one in NAL?

21 MS. BOULLEY: The NAL competition

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1 last year, there was one grantee that scored high
2 and there was a reason why they were ruled to be
3 ineligible, or there was a reason why they were
4 not awarded and it was -- they looked back through
5 it and had determined that an error had been made
6 and that they were eligible to receive the award.

7 Oh, for the 2017 competition. It
8 wasn't a new competition. It was someone from a
9 previous competition that was determined that
10 they were eligible and should have -- they would
11 have been included in the award the previous year
12 had they --

13 DR. PROUDFIT: Can we follow up on
14 that? How often does that happen? How was that
15 error caught? Was the applicant insistent on
16 having their application re-looked at? How did
17 that come about?

18 MS. BOULLEY: I will follow up on that
19 because the details are something that I don't
20 have the specifics to.

21 But I do know that any tribe that does

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1 not receive a grant, an award, they are able to
2 get feedback on what the reviewer comments were.
3 They get feedback on that.

4 And then certainly they can also
5 request to have -- receive the top scoring grants
6 and the lowest scoring grants. They can be
7 provided with some redacted grants. That's
8 public information and so they can see perhaps
9 where their application fell in into those
10 categories in order to help improve their own
11 grant-writing and grant proposal in the future.

12 DR. PAYMENT: If they're not zero year
13 funded does the funding come out of the year that
14 they applied or does it then make us short for
15 the next budget year?

16 MS. BOULLEY: That I don't know.

17 DR. PAYMENT: That's a good question.
18 Because although it feels good that somebody
19 caught it and the justice was there, you know,
20 that they actually got it.

21 But then taking it out of the next

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1 year's funds makes it short the next year.

2 So somebody else can advocate because
3 we can't do that here, but somebody else could
4 advocate for zero year funding for any funding
5 that ends up in that kind of situation. So you
6 have the ability to use funds past a fiscal year.

7 DR. JACKSON-DENNISON: Are we able to
8 see who got what awards?

9 MS. BOULLEY: It is announced -- grant
10 awardees are publicly announced. It should be
11 on the website.

12 MS. WHITEFOOT: I have a quick
13 question.

14 MS. BOULLEY: Sure.

15 MS. WHITEFOOT: I've seen in the past
16 where we've been able to take a look at the
17 formula grant per pupil allocation. Can that be
18 provided as well?

19 MS. BOULLEY: Sure.

20 MS. WHITEFOOT: Thank you.

21 MS. BOULLEY: Okay, next slide. And

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1 that looks at this coming year starting basically
2 October 1.

3 So what we're looking at, what is
4 budgeted for formula grants and then for each of
5 the discretionary programs.

6 MS. BUTTERFIELD: So there would be
7 no new awards then in 2019? They're just
8 continuation awards this year?

9 MS. BOULLEY: Actually, we have a STEP
10 -- we do have a new STEP competition. And so
11 that we're looking at about 1.5.

12 MS. ORTEGA: If I could add something
13 here. The STEP program is funded through the
14 national activities. It doesn't have its own
15 separate funding stream like NYCP and
16 professional development.

17 So, depending on the amount of money
18 available in the fiscal year we're in it could be
19 more than \$1.5. It could be a little over \$2
20 million.

21 So we're looking at sort of pooling

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1 the funding that may be available that we didn't
2 spend and kind of plowing it back into the
3 competition we're running this year.

4 We can do that if the money is coming
5 from national activities. So there is a little
6 I'd say room to kind of move things around in the
7 national activities.

8 However, if the program has its own
9 funding stream like for example demonstration
10 program has you're basically restricted to spend
11 the money for that particular program.

12 MS. BOULLEY: And so that's an error
13 for STEP. It shouldn't say continuation awards.
14 It should say new awards.

15 And so this summer we're going to be
16 doing one new competition for STEP and then for
17 demo instead of doing a new competition what
18 we're doing is it's an opportunity for us to go
19 back to the FY '15 NYCP grantees who are -- their
20 grants are ending in September.

21 And we're going to do data collection

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1 extension awards. And we have that cohort.

2 We have an opportunity to collect
3 long-term data and more rigorous data from that
4 first cohort of grantees.

5 The purpose of that is to identify
6 promising practices. And so the purpose of NYCP
7 was to develop college and career readiness and
8 school readiness.

9 So many of our grantees have said if
10 we could have designed our project this way in
11 the beginning we could be collecting this data
12 now.

13 And so this is an opportunity for us
14 to go to them and say okay, what long-term
15 outcomes can you provide. That's invaluable for
16 us to get. They've had their projects.

17 And so they're going to be able to
18 collect long-term outcomes on how many students
19 graduated from high school. How many went to
20 college or trade school or employment. So being
21 able to collect long-term outcomes.

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1 They can also propose data collection
2 projects that will involve a control group. So
3 they can really develop some -- they can develop
4 some really good projects. Or they're continuing
5 in their projects, they're just collecting
6 additional data that is going to help us to see
7 how successful the NYCP projects have been and
8 what we can do moving forward to help grantees
9 design better projects to get quality data.

10 The best grant you've ever written is
11 the grant you would write when your grant is done
12 and you're like, oh, if I only would have known
13 I could have done it this way or I should have
14 done it.

15 You have to write a grant with the end
16 in mind. The data you want to collect at the end
17 of your grant, that's how you have to write your
18 grant.

19 And fortunately, I think that this is
20 a really great opportunity for us to shape all of
21 our grants moving forward. So, okay. Next

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1 slide.

2 Into our discretionary grants. We've
3 been doing some tribal consultations. And I'm
4 really excited to get your input.

5 We still have an open window on public
6 comments so your comments are -- this is the
7 perfect time for your meeting.

8 So we did the Native American language
9 program. We worked on some rulemaking for the
10 FY '20 competition. So that would be not this
11 summer but a year from then approximately.

12 And we did a consultation in Traverse
13 City. And all of our consultations we do we do
14 as a hybrid. So we try to be in Washington, DC
15 or out in communities, but we always have online
16 and toll free phone line. So if people don't
17 have internet they can still, if they can dial in
18 they can still hear what's going on. So we
19 always do our consultations as a hybrid just like
20 we're doing this meeting here today that way.

21 DR. PAYMENT: I'll just make a point

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1 that the one in Traverse City happened in
2 conjunction with self-governance. So we know
3 that these can happen in conjunction with other
4 meetings.

5 MS. BOULLEY: Right. And sometimes
6 that makes sense and other times it doesn't.

7 For example, we did a tribal
8 consultation last year on the Alaskan Native
9 Education Program and we did it in April in Kansas
10 City.

11 Logically a tribal consultation on the
12 Alaskan Native Education Program should have been
13 done in Alaska and it should have been done at a
14 time of the year that didn't impact subsistence
15 activities and where tribal leaders would be able
16 to attend.

17 When you tie in a consultation with a
18 national event like even tying something in with
19 NCAI not every tribe belongs to NCAI. Not every
20 tribe belongs to NIEA. You need to be careful
21 and I'm mindful of that moving forward that when

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1 we want to hold a consultation to get tribal
2 leader input and we want to look at being where
3 tribal leaders are going to be that we don't only
4 just do that, and that we also look for where
5 does it make sense to get out into the communities
6 and make sure.

7 You know, I don't think we've done a
8 consultation in Michigan or in the Great Lakes
9 region in a while. Seattle, it's been a number
10 of years since there's been a consultation in
11 Seattle.

12 And so we're trying to get out into
13 the communities to make sure that people are able
14 to have a face to face with Department of
15 Education leadership and program people and give
16 us input.

17 DR. PROUDFIT: I'm so glad to hear
18 your strategic intentionality about tribal
19 consultation.

20 In the past one of the things that has
21 frustrated me the most and it was probably my

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1 first real deep dive into your office, this
2 office was finding out about a tribal
3 consultation at the LAX Airport which what tribes
4 exist in Los Angeles. None. No federally
5 recognized tribes.

6 And then to have it done in such a way
7 where hardly anyone showed up it leads folks to
8 believe that no one cares and they don't
9 participate.

10 I thought I got the point across
11 really well. And then to hear that there was
12 another one several years later at a museum in
13 Los Angeles County during the school week and
14 then wanting to encourage participation and voice
15 from Native students is just bizarre to me.

16 So to hear you proactively consider
17 culture impact is so appreciated. So thank you
18 for that.

19 MS. BOULLEY: Thanks. Well, and
20 that's -- I'm proud of my experience on the
21 contractor side. And as the meeting contractor

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1 we researched the past 10 years from Office of
2 Indian Education and where the consultations had
3 been. We plotted them on a map. We know exactly
4 what happened where.

5 And we're able to learn lessons from
6 things. And so moving forward to be very
7 deliberate and mindful of where is the best place
8 to hold consultations. So thank you.

9 And then we're right now currently
10 doing consultations next week and the following
11 week.

12 So we have -- on the demonstration
13 grant program. We have made those announcements.
14 And on that we're looking at expanding choices
15 for families to enhance education options for
16 Native children.

17 And so we're really truly looking for
18 input on what that might look like in your
19 community, what options might your tribe be
20 interested in pursuing.

21 We want to hear from urban areas. We

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1 want to hear from rural tribes, rural communities
2 that don't have internet. If you have one BIE
3 school what options might be available to you.

4 So I'm really hoping that we get
5 excellent turnout and really good feedback from
6 people. So we have in Seattle and then in
7 Washington, DC. That one will be at the Native
8 American Museum, the Smithsonian.

9 MS. WHITEFOOT: Where's the one in
10 Seattle?

11 MS. BOULLEY: It's at the Doubletree
12 Hilton by Seattle Airport. So we did it -- that
13 location was chosen deliberately to be close to
14 Alaska and to -- because we haven't done one in
15 Seattle for a while, but we wanted to be
16 convenient for Alaska.

17 And that was a place that was able to
18 honor the government lodging rate. And because
19 people would be flying in we wanted to make sure
20 it was convenient and they didn't have to worry
21 about transportation from the airport to another

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1 location.

2 MS. WHITEFOOT: This is the same thing
3 we do. We meet out in the tribes throughout the
4 year. But for time we do the airport in case of
5 severe weather conditions.

6 MS. BOULLEY: Okay. All right. Next
7 slide.

8 So for NAL@ED I just wanted to give
9 you a snapshot of what this current year FY '18
10 looks like and then what's coming up for FY '19.
11 And then what's coming up the year after.

12 And what I'd like to call your
13 attention to is that we're going -- we did
14 rulemaking this year. We did a consultation. We
15 still have an open period for comments on that.

16 And then we're getting ready. We
17 anticipated a new competition for Native language
18 next summer. Or summer of 2020.

19 I say summer but really, I shouldn't
20 be that specific. To be announced during FY '20.

21 MS. BUTTERFIELD: So in terms of the

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1 dollar amounts about how many awardees do you
2 arrange?

3 MS. BOULLEY: We don't have the final
4 budget allocations for FY '20 yet. We have what
5 is budgeted. I believe we're looking at -- I'd
6 have to go back a couple of slides to see what
7 that dollar amount was.

8 MS. BUTTERFIELD: Do they average
9 like \$500,000 or something?

10 MS. BOULLEY: I think for the NAL@ED
11 grants I believe those could range from \$250,000
12 to \$750,000.

13 MS. BUTTERFIELD: Okay. And those
14 are for three years?

15 MS. BOULLEY: Per year. And those --
16 I believe those are three. I believe they're
17 three-year.

18 MS. BUTTERFIELD: Three-year grants.

19 MS. BOULLEY: Yes. I'm still getting
20 -- I still have to look up a lot of the details.

21 MS. BUTTERFIELD: It's okay.

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1 DR. JOHN: I'm really hoping that
2 someday you will have something organized in
3 Alaska because you have a lot of recipients
4 there. There's over 220 some tribal villages
5 there.

6 And I am hoping that the staff members
7 will immerse themselves to a new environment, a
8 new space to understand where their students live
9 and breathe and live and commute.

10 I know that the schools' calendars
11 will tell you, define their subsistence
12 activities out of the year. That's what they
13 base their curriculum development on.

14 That's one area that you can educate
15 yourself on. And I'm hoping that someday there
16 will be orientation for the administration to
17 understand that the academic cycle of the
18 students that live in different worlds especially
19 with climate change, our worlds are changing
20 really fast.

21 And so that's just one recommendation

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1 I have and hopefully sometime that there will be
2 some understanding that Alaska is not that far
3 and it's not that expensive. And there are some
4 modern sewer system in bigger cities so you don't
5 have to use the honey bucket.

6 (Laughter)

7 DR. JOHN: And it's a reality for many
8 of our students. They still have honey buckets
9 there. It's true. But anyhow, thank you.

10 MS. BOULLEY: Okay, yep. So the
11 native language is three years, and that's
12 defined by statute. I was at the Tribal
13 Consultation for the Alaska Native Education
14 Program and so, you know, there was some flak
15 about the timing and the location of where that
16 consultation was, and then someone had said well,
17 okay.

18 So we should do a consultation in June
19 in Anchorage and they said no, because (a),
20 that's subsistence season, you know, time for
21 that, you know, and then (b), tribal leaders, if

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1 you -- you can't get a hotel room in certain
2 months of the year.

3 Like it is overrun with, you know, and
4 just certain meetings that it would not be
5 convenient for a tribal leader to attend at
6 certain times of the summer. That wouldn't be -
7 - it would be difficult to find hotel space.

8 DR. JOHN: Yeah. Summertime might be
9 a little bit more expensive as well. Winter is
10 --

11 MS. BOULLEY: Right. So those types
12 of considerations we'll definitely look into, you
13 know, be mindful of it. So okay. The STEP, and
14 that's the program that Shahla serves as the
15 program leader for.

16 We did consultations last December in
17 Washington, D.C., and so we're going to be
18 announcing the competition for this, for this
19 summer. Then we will -- also, we're anticipating
20 another competition for STEP next summer. Those
21 are all anticipated and we can't be very specific

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1 about it right now.

2 MS. BUTTERFIELD: Can I just ask, how
3 do you evaluate the effectiveness of those
4 grants?

5 MS. BOULLEY: Well, the State Tribal
6 Education Partnership, that is to -- for Tribal
7 Education Authorities, sometimes called Tribal
8 Education Departments, to increase their capacity
9 to be able to take more responsibilities from an
10 LEA or an SEA.

11 MS. BUTTERFIELD: Right.

12 MS. BOULLEY: And so it would be how
13 that grantee defined their objectives, whether or
14 not they were -- whether or not they were
15 successful in meeting those.

16 MS. BUTTERFIELD: Okay. My
17 observation of some of the ones in Oregon was
18 that they -- of course they were brand new and I
19 think kind of feeling their way, was it was a
20 struggle for them.

21 MS. BOULLEY: The focus for the

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1 competition this, in FY '19 is going to be on
2 one-year project periods for state and federally
3 recognized tribes to develop a new TEA. So for
4 those tribes that do not have a TEA, to give them
5 an opportunity, a one-year project to develop a
6 TEA.

7 MS. BUTTERFIELD: I mean just the
8 concept itself I can appreciate, but you know,
9 having worked at three different departments of
10 Ed and moving from like drug-free schools to
11 Title I, Indian Ed, Title IV civil rights, you
12 know, each one of those thrusts of activity are
13 so huge.

14 And then to expect a tribe to pick
15 that up in a year or even a couple of years just
16 seems unrealistic.

17 MS. BOULLEY: Well, it's to increase
18 their capacity. So I think it's in how they
19 defined what objectives or what they had defined
20 as increasing their capacity.

21 MS. BUTTERFIELD: But they kind of

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1 don't know what they don't know and what they
2 need to know, so they need a lot of, a lot of
3 support from the state.

4 MS. BOULLEY: Shahla, do you want to
5 chime in on this?

6 MS. ORTEGA: Yeah. I was going to
7 say, it just takes me back to when I joined the
8 Office of Indian Education.

9 It was -- the STEP program was piloted
10 in 2012, and to be honest with you -- and Jill
11 can speak to that because she was involved in it
12 at the beginning, from the beginning and up to a
13 point -- it was a program that was considered to
14 be very important at the time, because they saw
15 a need for capacity-building when it came tribes
16 who were interested in taking on certain
17 functions that, you know, SEAs were doing.

18 There was a lot of interest in that.
19 But in actuality, they weren't there. So they
20 needed help. So this program was basically
21 designed to help them put them on that road to

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1 develop capacity the way they saw fit, to take on
2 certain functions.

3 One of the areas that tribes were very
4 much interested in was developing their own
5 curriculum, and sort of to culturally educating
6 the state and also LEAs as far as Indian education
7 was concerned. They didn't have really that much
8 influence in influencing the way curriculum was
9 developed at the state level, but this was a way
10 for them to kind of step in and introduce some
11 changes to that.

12 So in 2012, you're right. There was
13 some struggle in terms of some of the grantees
14 making it. It was actually a teaching moment for
15 a lot of us to see what worked and what didn't.
16 So when there was a time to have a new
17 competition, I think that was in 2015, things
18 were looked at.

19 We looked at what worked and what
20 didn't, and tried to improve the program, you
21 know. So moving forward this program, in its

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1 third competition this year, and so this year we
2 had -- not this year but the calendar year I'm
3 talking about, we had the tribal consultation to
4 gauge interest in terms of what shape it should
5 take this time.

6 We also had an ESSA change in terms of
7 the -- who could, who could -- there was some
8 regulatory language changes in terms of ESSA that
9 allowed the Department to expand who could apply
10 for this program. So not only the tribally,
11 federally recognized tribes could apply this
12 time; also state-recognized tribes could apply
13 for this program.

14 So the design is to have it offered as
15 a 12-month program, and I can't speak to what
16 that actually involves because it hasn't been
17 published yet. But then next year, pick up on
18 that and offer another three-year program. So
19 we're going to have a back-to-back competition
20 basically this year and next year. Each time,
21 we're trying to improve the program as we move

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1 forward.

2 MS. BOULLEY: Next slide. Okay.

3 Demonstration. We talked about that
4 we're doing the consultations. Right now, we're
5 going through the rulemaking for the FY '20
6 competition. So again, you will hear me say four
7 times that we are anticipating a new competition
8 for 2020.

9 So not this program year but next
10 program year, we anticipate doing four grant
11 competitions.

12 MS. BUTTERFIELD: So how often do you
13 change the focus of what a demonstration grant
14 will be?

15 MS. BOULLEY: I think that the overall
16 purpose of the demonstration grant is to identify
17 new promising projects, promising ways of meeting
18 the needs of Indian children, and that sometimes
19 follows presidential and secretarial priorities.

20 NYCP was the -- with President Obama's
21 administration, that was something where really

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1 it was emphasizing tribal sovereignty in tribes
2 identifying what needs and what programs would
3 best meet their students' needs in their
4 communities, and designing a program around that.

5 So in this new administration, we're
6 continuing on that tribal sovereignty and looking
7 at what tribes would decide in terms of expanding
8 options for parents to have new opportunities for
9 their children to enhance academics, culture and
10 language, after-school programs, services that
11 are not currently received and what options might
12 be available for them.

13 MS. BUTTERFIELD: School choice, kind
14 of focus?

15 MS. BOULLEY: Education choice, yes,
16 yep. And so the consultations are going to be
17 held on May 2nd and May 7th. The announcement
18 includes the background information and questions
19 that we want to get input on, because the
20 priorities for that competition that would be
21 happening in 2020 haven't been written.

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1 They won't be written until input is
2 received from tribes, from tribal leaders and the
3 public about this -- about what that should look
4 like, what makes sense in their communities, that
5 might work, how might an urban community look
6 very different than a rural.

7 So right now, I would say this is all
8 like an information-gathering to come up with
9 solutions that are really going to work in Indian
10 country.

11 MS. BUTTERFIELD: So in these
12 announcements, will they be seeing these
13 announcements consistently?

14 MS. BOULLEY: The announcements are
15 always -- we post those in the tribal --

16 MS. ORTEGA: Could I ask, when you say
17 these announcements, are you referring to the
18 consultation piece of it?

19 MS. BUTTERFIELD: Right.

20 MS. ORTEGA: Yes. We have two
21 listservs that we send the announcements to. One

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1 is managed by Tribal Tech, the contractor, and we
2 basically sent the Tribal Tech announcement
3 through Tribal Tech to two separate groups. One
4 is tribal leaders, and the other one is to the
5 public in general.

6 I believe, you can correct me if I'm
7 wrong, the listserv, the number of -- what is it
8 4,000, the listserv?

9 MS. BOULLEY: 5,000.

10 MALE PARTICIPANT: It's almost 6,000.

11 MS. BOULLEY: Almost 6,000.

12 MS. ORTEGA: Almost 6,000. That's
13 how many receive the listserv announcements.

14 MS. BUTTERFIELD: What about NACIE?

15 MS. ORTEGA: NACIE specifically. If
16 you're listed in the listserv, you will receive
17 the announcement. We don't send tribal
18 consultation announcements separately to NACIE.
19 But if you join the listserv that we have with
20 Tribal Tech, then you will receive the
21 announcements.

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1 MS. BOULLEY: I think that we can make
2 sure that we send around to -- that we get -- we
3 have everyone's email, and so we'll provide them
4 to Tribal Tech and they'll add you to the
5 listserv. We do our job announcements on there,
6 the tribal consultations, the notice of this
7 meeting. I think that was --

8 (Simultaneous speaking.)

9 MS. BUTTERFIELD: I'd like to ask
10 Tribal Tech to just say a few things about how
11 they manage.

12 MR. ROULAIN: Good afternoon. My
13 name is Phillip Roulain, and I am with Tribal
14 Tech. I am one of the contractors that work with
15 the Office of Indian Education. I specifically
16 manage the Tribal Education Directory listserv on
17 the behalf of the Office of Indian Education, and
18 by law for people to receive notifications, you
19 must subscribe.

20 So I'm more than happy to prepare a
21 communication that can be sent out by the Office

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1 of Indian Education that will contain the correct
2 link to which you can subscribe to the listserv,
3 and then that way because I can't unfortunately
4 just take your email and add you without a
5 specific permission.

6 So that is something unfortunately
7 that I can't do. But I'll make sure to get that
8 information to the Office of Indian Education
9 following the meetings, and then that way you'll
10 be able to subscribe and receive all of the
11 notifications.

12 DR. PAYMENT: Can you circulate that
13 -- will you be able to circulate that to like
14 NCAI and NIEA?

15 MR. ROULAIN: A lot of -- many of the
16 staff and the executive directors and other key
17 folks at NIEA and at NCAI are already on the
18 listserv.

19 DR. PAYMENT: Oh I know, I know. I'm
20 not sure about the NIEA, but NCAI does get them.
21 Just to follow up to say if individuals would

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1 like to add their name --

2 MR. ROULAIN: Absolutely, I
3 understand what you're saying. So yes, an
4 invitation to join the listserv can definitely be
5 sent out.

6 MS. ORTEGA: If I could add one more
7 thing. We have another contract that I manage.
8 It's the TMG. It's called TMG for short, the
9 Millennium Group International, and through that
10 contract we set up a community of practice for -
11 - mainly for STEP and NYCP grantees, through
12 which we also send out announcements.

13 But I kind of advise against you
14 subscribing to that because not only you'll
15 receive these announcements; you'll also receive
16 other emails you probably don't want to read,
17 because there is a lot of email activity,
18 activities through that community of practice
19 that pretty heavily grant-oriented, that you may
20 or may not be interested.

21 But that's another option. If you are

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1 interested let us know, and we'll add you to that
2 list as well.

3 DR. PROUDFIT: Can I just also
4 piggyback off of I think what Patsy was trying to
5 say, is that I get the emails because I'm on the
6 listserv.

7 But we're a committee appointed by the
8 White House, and it would be wonderful to have
9 strategic communications directed at NACIE, so
10 that we're -- it's on our radar, that this is
11 important, this is coming directly to us rather
12 than the thousands of emails we all get in our
13 inboxes, because we belong to several listservs.

14 So I just think it's more out of just
15 being kind of intentional and respectful of this
16 committee, of getting information and you know,
17 other information you think would be pertinent.
18 Even if we had some communication from maybe
19 somebody from your office to give us updates or
20 information or just some FYIs that we might need
21 to know.

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1 MS. BOULLEY: Sure. I think that at
2 your morning portion of the meeting where you're
3 going to be talking about your calendar and re-
4 envisioning NACIE, to talk about communication,
5 you know. Is it something that -- do you want
6 to set up Microsoft teams? Do you want to do
7 something with Gmail?

8 Is there anything -- how best can we
9 communicate with NACIE, you know? What's the
10 best way that we can, and what options are
11 available with technology now?

12 DR. JACKSON-DENNISON: And that is
13 something that we've talked about, Angeline and
14 myself as we prepared for this meeting, because
15 I felt like that was really necessary to do, and
16 that's where we strategized on what we would call
17 that subheading, and she came up with
18 reenvisioning NACIE.

19 So those are some of the areas.
20 Communication is a big one, because we've
21 struggled in that area. It's not just NACIE;

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1 it's across -- I mean this is something Indian
2 country struggles with completely, and it's like
3 just -- sometimes there's one -- I sit on several
4 like, as you say, several hats.

5 But it's like there's one committee
6 doing one thing and then you think well, we're
7 doing the same thing over there and sometimes we
8 don't connect.

9 DR. PAYMENT: Or not duplicating
10 efforts.

11 DR. JACKSON-DENNISON: Yeah. So we
12 need to -- we need to not duplicate efforts even
13 more, so yeah.

14 DR. PAYMENT: Well, I guess one other
15 thing would be maintaining the list, because
16 elections happen, the leadership changes.
17 Education departments are probably more stable
18 than the elected leaders sometimes. But
19 recognizing that there's a need to have a couple
20 of different ways to get the communication of the
21 tribes.

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1 MS. BOULLEY: Sure, okay. I think
2 can you go back one slide, because I think I did
3 miss -- if I missed PD.

4 All right, and so again we're
5 anticipating a new competition. We did do a
6 tribal consultation last November in Washington,
7 D.C., and I think that, a lot of the information
8 feedback that we got from tribal leaders and
9 language programs was offering a competition
10 where we look at existing language programs and
11 new language programs, and making sure that we're
12 not having new grantees compete against existing
13 ones, but making sure that we're being --

14 Those are new programs, that we're
15 able to look at those and maybe have a separate,
16 a separate track for them.

17 MS. BUTTERFIELD: I have a couple of
18 concerns in terms of professional development
19 that I've become aware of, and it's because I
20 have two daughters that have both graduated from,
21 you know, the professional development

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1 opportunities in Oregon, one from the Sapsikwala
2 program out of Eugene, and then the other one is
3 currently getting her master's at Portland State.

4 I've been led to believe that at least
5 one of the programs is not going to recompute
6 because they were told that a graduate from the
7 program, to qualify for their payback, had to
8 work in a school that had 50 percent or more
9 Native students. Is that correct?

10 MS. BOULLEY: Actually, that's what
11 the consultation got at. There were a number of
12 questions that talked about what might there --
13 what might be some broader, more opportunities
14 for students to do their service payback, because
15 we recognize that the definition as it currently
16 was, was narrow, and it was not --

17 The need for teachers to do their
18 service payback, it impacts urban schools that
19 aren't ever going to reach that percentage of
20 Native students.

21 MS. BUTTERFIELD: There's only one

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1 school in Oregon that would meet that criteria.

2 MS. BOULLEY: Exactly, exactly. And
3 so that was the beauty of that consultation, was
4 getting feedback that said exactly that.

5 MS. BUTTERFIELD: Being able to do
6 your service payback at a tribal education
7 department, being able to do your service payback
8 at a school that had less than 50 percent Native
9 students, and under what circumstances, all of
10 those options.

11 That was -- the intention was to
12 provide more opportunities so that we don't have
13 students feeling like their wings are clipped.

14 (Simultaneous speaking.)

15 MS. BUTTERFIELD: -- and now they
16 can't get employed in their community or, you
17 know. So I --

18 MS. BOULLEY: Yeah. We had graduates
19 I know from the Eugene program that had to leave
20 the state. Here we trained them in Oregon and
21 they went to South Dakota.

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1 MS. BUTTERFIELD: Exactly.

2 MS. BOULLEY: It was like, you know,
3 and it's simply because of the payback
4 requirement. So it didn't make any sense. We
5 need Native teachers everywhere.

6 MS. BUTTERFIELD: And so I really look
7 forward to the new competition that would be
8 coming out next year. There will be the
9 rulemaking, the Notice of Public Rulemaking will
10 be announced, and so you'll be able to see that
11 expanded opportunities for service payback
12 described in the NPRM, and you'll be able to --
13 there will be a public comment period on that.

14 And so please, you know, chime in on
15 that and say yes, this works, yes this is great,
16 you know, or you know, what about this? How
17 would this impact? But that's exactly the time
18 for that public comment is during that NPRM.

19 MS. BOULLEY: Okay, and you don't have
20 that date yet?

21 MS. BUTTERFIELD: And then Jill, I

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1 want to make sure I --

2 MS. MARTIN: Just to be really
3 precise, because I know that sometimes things
4 spread by rumor and not all the facts are out,
5 but the ESSA changes to the ESEA added to this
6 particular program, the requirement that service
7 payback be in an LEA with a high proportion of
8 Indian students.

9 That was not defined, so as Angeline
10 said the purpose of the consultation was to get
11 input on how should Ed interpret high proportion?
12 Should it be a set percentage like 50 or another
13 number, or should it be something different.

14 And so when the NPRM goes out, it will
15 contain a proposed interpretation of what it
16 means to be an LEA with a high proportion, and
17 then as Angeline said, everyone can comment on
18 that and then the final rules.

19 MS. BUTTERFIELD: Well, and an LEA is
20 different from a school.

21 MS. BOULLEY: That's right. That's a

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1 change.

2 MS. BUTTERFIELD: And I think that was
3 also part of the confusion, is like a single
4 school. I mean in Portland, there's
5 concentrations of Native kids in certain areas of
6 the city, but they may not be a school that would
7 have even close to 50 percent. So yeah.

8 PARTICIPANT: (off mic) Or vice-
9 versa. The school may have the population
10 percentage, but the local community may not.
11 Like in our case, it was -- But we're also an
12 LEA.

13 DR. PROUDFIT: So the Pala tribe has
14 one of those professional development grants, and
15 they're running into the same problem. So we can
16 still enroll students because they come to our
17 campus to enroll in the teacher training program.
18 Can we then -- is it safe to tell them you'll be
19 fine if -- no, not yet.

20 MS. BOULLEY: I wouldn't be able to
21 answer that. I would have to look into that and

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1 get back to you.

2 MS. MARTIN: Existing grants aren't
3 affected by the new rule. Existing, if they have
4 an existing grant, it's under the old statutory
5 provision, not this new requirement --

6 MS. BOULLEY: So you still have to go
7 to the 50 percent.

8 MS. MARTIN: So this is -- these new
9 rules will only affect future grants.

10 MS. BOULLEY: So but the 50 percent
11 is not -- yeah. There's no, okay.

12 (Simultaneous speaking.)

13 MS. BUTTERFIELD: Because these
14 programs kind of are trying to accomplish two
15 things, and they kind of work against each other.
16 One is to try and move teachers into schools that
17 tend to have trouble attracting teachers. That's
18 one possible goal. But another one is just to
19 increase the number of Native teachers.

20 When you pair the two, the one starts
21 to work against the other because of, you know,

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1 lifestyles. I mean my one daughter's husband
2 couldn't move, so they couldn't go to South
3 Dakota and get a job. So then she substitute-
4 taught for two years and was driving up and down
5 the southern part of the state for two hours here
6 and half a day there, and scared to death that
7 she was going to get strapped with payback, you
8 know. So it was tough.

9 MS. BOULLEY: Okay. Going forward, I
10 think we're ready to just touch briefly on
11 formula and then we'll wrap up. So I am -- for
12 your next meeting, whenever that may be, we'd
13 like to get more into the formula guarantees.

14 But just so that you know that the
15 majority of them are LEAs, and then that you can
16 see the percentages of BIE contract, and grant
17 and contract schools, how many schools our
18 grantees are BIE-operated schools, how many are
19 tribes that apply in lieu of an LEA, and how many
20 are Indian organizations, so just the information
21 there.

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1 And then currently we have just shy of
2 1300 grantees. We serve over four -- my glasses,
3 these are brand new and they're already too weak.

4 (Simultaneous speaking.)

5 MS. BOULLEY: They look good but --
6 so nearly 460,000 American Indian and Alaska
7 Native students, and then the range of awards go
8 from \$4,000 to just under 3.3 million. The
9 median award is just under \$40,000 per grantee.
10 So that means that 50 percent of the grantees are
11 under \$40,000. Actually it's like 38 thousand
12 something something, and 50 percent are over
13 40,000.

14 MS. BUTTERFIELD: Angeline could you
15 -- I think I've asked for this before, and I don't
16 know if anybody has been able to pull it together.
17 But you know and I know that Patsy's asked for
18 the per-pupil expenditure and I know it varies
19 from state to state.

20 Could you do a comparison between what
21 does -- what do students in Title III get, what

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1 do students in Title I per pupil allocation?
2 Because I think I would highlight, you know, how
3 pitiful our dollars are per student. I mean a
4 \$40,000 grant would barely pay for one staff
5 person, you know.

6 MS. BOULLEY: Sure, sure.

7 MS. BUTTERFIELD: So if you think of
8 what kind of services you could provide, it's
9 just appalling. Unless you combine it with other
10 things, and we've been very creative in Indian
11 country to do that. But you know, to really
12 fulfill the intent of, you know, the services
13 that we try to provide, it's tough.

14 MS. BOULLEY: Right, exactly. Next
15 slide.

16 MS. WHITEFOOT: I just want to quickly
17 add that this is an important topic, and this is
18 one of the major activities of NACIE as well. I
19 also just want to speak to the 4,000. We
20 advocated for that 4,000, years ago, particularly
21 for some of our villages, where we have intact

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1 land bases but yet we have just a limited number
2 of children.

3 And that is a tribal land base, and we
4 want to make certain that we maintain that
5 relationship that we have as tribes as well.

6 MS. BOULLEY: Right.

7 MS. WHITEFOOT: So that 4,000 is
8 important. Even though it's small, it still says
9 that you do exist as a village. So that's
10 important.

11 MS. BOULLEY: Exactly. What we're
12 getting ready for right now or what we're in the
13 middle of is the EASIE application. So Part 1
14 is done and so now we're into Part 2, and grantees
15 have until May 16th. So you can see how many
16 applicants filled out Part 1, and so we'll see
17 the number that complete Part 2.

18 And then the number of new applicants
19 so far. And then let's see, Kim, Annabelle or
20 Wanda, did anyone want to say anything about the
21 program highlights, and is that why there were

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1 new grantee, why there are new applications?

2 MS. SMITH: This year when we decided
3 to do two, instead of just doing an email blast
4 to all the applicants, we decided to develop one
5 for the tribal education directors at the states.
6 So they had their own separate email. It didn't
7 give them a login or password or anything, but it
8 explained the details of the program.

9 We sent that out prior to the
10 application, and we have 23 new applicants.
11 That's higher than we've ever had, but usually
12 you get eight to twelve per year, new applicants
13 that have never applied before. But we've had
14 12 new applicants from Minnesota.

15 So I'm really excited about that and
16 what that means, and that was just one little
17 thing. It was one email blast that had that big
18 of an impact. I don't know if we've ever had
19 1,323 applicants at this stage of the application
20 process, but I'm really excited about that.

21 DR. PAYMENT: Can I just reinforce?

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1 That's an innovation that with Indian country,
2 that taking an extra step is really helpful, and
3 putting stuff out and saying let's all apply
4 doesn't really work. But for Indian people
5 making sure they see it, so that's appreciated.

6 MS. BOULLEY: Sure.

7 DR. PAYMENT: Somebody in Minnesota
8 is on the ball.

9 MS. BOULLEY: Yeah, and as you, you
10 know, think of new ways. I mean maybe someone
11 posts something on social media. Maybe someone
12 does, you know, like different ways of how can -
13 - how can the communication get to our
14 communities, urban, rural tribes, wherever. So
15 okay.

16 And then just real quickly, next
17 slide, another reason why -- why I wanted to focus
18 on formula grant next time is the implementation
19 study of the Title VI formula grant program is in
20 the final review right now. I just looked at the
21 report this week, and so then it's going to be

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1 approved and distributed this summer.

2 And then what we're hoping is that
3 they can come and do a presentation to NACIE and
4 the questions that the study looked at were what
5 services do, you know, Title VI grants support;
6 how do grantees work with stakeholders to
7 identify children and plan services to meet those
8 needs; and how do grantees measure progress.

9 So those are, you know, some great
10 questions. Initially what I can say is that we
11 need to -- we need staff to be able to provide
12 targeted technical assistance because the \$4,000
13 grantee that's serving ten children looks very
14 different from the \$3.3 million program.

15 Formula grants that are done by BIE
16 schools or tribes operated in lieu of schools
17 look very different from formula grants that are
18 operated by LEAs.

19 And so we need to figure out how to
20 specialize that technical assistance, so that we
21 are truly helping those small grantees to say

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1 here's some really great practices of some
2 grantees who are similar in size to you.

3 Here are some great ideas that you might
4 not have thought of. Here are some ways that
5 they measure progress, you know, and give that
6 targeted support to those grantees.

7 And then for the larger programs, you
8 know, he did you ever think about doing it this
9 way? These are some common, some best practices
10 of some larger, and then you know, the same for
11 BIE schools and tribes, and just really looking
12 at that because I don't want us to treat our
13 formula grants as all the same because just like
14 our tribes and our communities, everything is so
15 nuanced.

16 I think the better job we can do
17 targeting our services and assistance, that's
18 going to be even more helpful to those grantees.

19 MS. BUTTERFIELD: Sorry, Patsy. I
20 got it first.

21 (Laughter.)

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1 MS. BUTTERFIELD: I beat you to it.
2 This would also make really great workshop
3 sessions at NIEA, and I like your idea about doing
4 it by, you know, sort of size because, you know,
5 it's only realistic when you know that you're in
6 a comparison group like that. I think it would
7 be a really wonderful thing, because we're always
8 asking for best practices and yeah so --

9 MS. WHITEFOOT: So when this study
10 came out, I think we were in transition and with
11 Joyce, and so there wasn't real clear
12 communication about this coming out to the field.
13 So there was contention about the study, you
14 know, from participants particularly at NIEA when
15 the Department came out. And also just want to
16 continue to advocate for Indian studies or
17 programs, projects that are evaluated by our own
18 Indian people, rather than non-Indian companies.

19 MS. BOULLEY: Yes, and I will say that
20 study did have a tribal advisory committee that
21 helped to guide that research, and they were

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1 involved in the design and the execution of that
2 study, and also reviewed the final report, too.

3 So and if you go to the next slide,
4 it's about the NIES as the National Indian
5 Education Study, and that is another study that
6 has a technical review panel. Doreen is on that,
7 so Indian education, Indian researchers are part
8 of that. They help inform and guide that study.

9 So we just finished the -- NIES is
10 done every four years, and so we just finished
11 doing the study with BIE schools and while it's
12 part of the NAEP assessment. We did meet the
13 participation rates for both grade 4 and grade 8.

14 So if you see the 2015 results, they
15 were not able to report out for grade 4. They
16 missed it by one school, and you have to have at
17 least 70 percent of the BIE schools participate,
18 or else you can't report out BIE school results
19 as a cohort, and we did make that participation
20 rate for the 2019 study.

21 And so there will be a technical

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1 review panel meeting sometime this summer, and
2 then Jamie Deaton, he was here at your meeting
3 last year and he very much wanted to be here this
4 year, but had another commitment. So he's
5 committed that he'd really like to do a more in-
6 depth presentation with you --

7 (Phone ringing.)

8 OPERATOR: Good afternoon, Operator.
9 May I help you?

10 MS. BOULLEY: And that's it for Office
11 of Indian Education so --

12 MS. BROWN: Angeline, I just have a
13 question --

14 OPERATOR: Hello? Hello?

15 MS. BROWN: --on the previous,
16 talking about the previous study. If there's a
17 way that of course NIEA can get a copy of that,
18 the final report, and then grantees would like to
19 see it before it comes out. I think -- I mean I
20 just, I have concerns about what's going to be
21 reported.

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1 OPERATOR: Good afternoon, Operator
2 may I help you?

3 (Simultaneous speaking.)

4 MS. BROWN: --I'd like to know what
5 it's going to say, so I can look for questions or
6 a feedback in my community. And then of course
7 -- sorry. NACIE get a report, also NIEA, NCAI
8 and at least pushing that out --

9 (Simultaneous speaking.)

10 (Phone ringing.)

11 MS. BOULLEY: The reports cannot be
12 released publicly. They can't be released to the
13 grantees ahead of time. But as soon -- you know,
14 that government reports are typically embargoed
15 until they're publicly, made publicly available.

16 I did, I was able to be part of the
17 review of the final review of it, and there wasn't
18 -- I am appreciative of the concerns that were
19 raised when they presented this at NACIE or at
20 NIEA in 2017, uh-huh.

21 MS. BROWN: So there were changes from

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1 that point forward, because we were a little up
2 and arms on that, and just making sure that Native
3 people is done by Native people for Native
4 people.

5 MS. BOULLEY: Right, right.

6 MS. BROWN: And that was what the
7 issue was.

8 MS. BUTTERFIELD: Yes, and that was a
9 major issue, yes, a very major issue. So I have
10 a question. So I'm assuming that the committee
11 members that were here were non-Title VI
12 programs?

13 MS. BOULLEY: I have the names of the
14 people who were on the committee. I don't have
15 them right now but --

16 (Simultaneous speaking.)

17 MS. BUTTERFIELD: Can we get a copy
18 of that? We weren't aware of that.

19 MS. BOULLEY: Okay. Some were Title
20 VI program people and some are researchers. So
21 I'll provide those names.

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1 DR. PAYMENT: Angeline what about --
2 what about -- so we have -- we're accustomed to
3 tribal leader calls for data that's as soon as
4 it's unembargoed, it's simultaneous from when
5 it's unembargoed. But maybe as a courtesy for
6 the grantees releasing that information
7 simultaneous, and even identifying any topline
8 information that might be sensitive, so that they
9 can be prepared to answer.

10 MS. BOULLEY: Okay, okay. NIES, the
11 follow-up report for the 2015 results are coming
12 out in May, and that's the report that the
13 technical review panel has also written a report
14 talking about the context of the National Indian
15 Education Study. It looks at academic achievement
16 in reading and math, and it also looks at the
17 engagement of culture and language in school,
18 classrooms and schools.

19 We want to make sure that people look
20 at the data and understand what that data means,
21 and that they don't make -- that they don't

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1 conflate culture and language activities with
2 academic achievement because there are so many
3 other factors that are involved.

4 But to people who just glance at data,
5 they make erroneous conclusions that can be
6 damaging to our students. And so the technical
7 review panel worked very hard on drafting a
8 document that provides context for the data, and
9 that will be released simultaneously with that
10 report.

11 DR. PAYMENT: Spurious.

12 MS. BOULLEY: Spurious? Oh, okay.
13 All right. So thank you and if you have any
14 questions, I know we're at the end of our day and
15 we'll be here tomorrow, too. So any questions
16 that you have for follow-up, I'd be happy to chart
17 those and follow up.

18 DR. JACKSON-DENNISON: Are there any
19 questions from any Council members?

20 (No response.)

21 DR. JACKSON-DENNISON: Okay, thank

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1 you. That was very good information. Thank you
2 for your report and my mind is spinning.

3 MS. BOULLEY: I just -- my hats are
4 off to the staff who do so much and, you know,
5 really serve our grantees well, and we just
6 understand there are finite limits to number of
7 hours of the day that they -- what they can do
8 and they do a fantastic job.

9 (Applause.)

10 DR. JACKSON-DENNISON: Thank you. We
11 are at 4:42. I think we've had a full day, and
12 I'd just offer to accept the recommendation to
13 adjourn for the day.

14 DR. PAYMENT: Recess.

15 DR. JACKSON-DENNISON: Recess for the
16 day. Recess. Do we have a recommendation to
17 recess?

18 (Simultaneous speaking.)

19 DR. JACKSON-DENNISON: Okay. We will
20 recess until tomorrow morning, and we will see
21 everybody at nine o'clock.

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(Whereupon, the above-entitled matter
went off the record at 4:43 p.m.)