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
ALSO PRESENT

ANGELINE BOULLEY, Designated Federal Official; Director, Office of Elementary and Secondary Education, Office of Indian Education
KAREN AKINS, Committee Management Officer, Office of the Secretary
DAVID CANTRELL, Director, Office of School Support and Rural Programs
PATRICK CARR, REAP Group Leader, Office of Formula Grants-Rural, Insular, and Native Achievement Programs
NICHOLAS COURTNEY, Policy Analyst, National Congress of American Indians
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
SHAHLA ORTEGA, Discretionary Team Member, Office of Indian Education
PATRICK ROONEY, Deputy Director, Office of State Support
PHILLIP ROULAIN, Logistics and Event Planner, Tribal Tech, LLC
KIMBERLY SMITH, Formula Team Member, Office of Indian Education
JAKE STERN, REAP Program Officer, Office of Formula Grants-Rural, Insular, and Native Achievement Programs
JASON TALIAFERRO, Group 1 Leader, Impact Aid, Office of Elementary and Secondary Education
ANNABELLE TOLEDO, Formula Team Member, Office of Indian Education
KRISTEN WALLS, Group 2 Leader, Impact Aid, Office of Elementary and Secondary Education
BIANCA WILLIAMS, Formula Team Member, Office of Indian Education

* present by teleconference
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9:12 a.m.

DR. JACKSON-DENNISON: Dr. Payment, do you want to start us with an opening prayer?

DR. PAYMENT: Sure. Did I do this yesterday? Okay. I don't like to go twice in a row.

(Invocation given.)

DR. PAYMENT: So I just said our typical morning prayer. And to each of the directions for Mother Earth, to our water, to our first sustenance which is our mother's milk.

And then also I used an old prayer which is (Native language spoken) which is a question but it's a rhetorical question and it is are you my relative. And when you ask that question you recommit to each other because we're all related. Everybody is on a spoke in the spirit wheel and no matter what we do we're still part of that, whether we move away from the center or towards the center based on our good works.
But nonetheless we are always part of the spirit wheel and we have a responsibility to one another. (Native language spoken)

DR. JACKSON-DENNISON: Do you want to do roll call?

MS. BOULLEY: Sure, I'll do roll call.

Dr. Dennison.

DR. JACKSON-DENNISON: Here.

MS. BOULLEY: Chief Anderson.

CHIEF ANDERSON: Here.

MS. BOULLEY: Dr. John.

DR. JOHN: Here.


MS. BROWN: Here.

MS. BOULLEY: Dr. Payment.

DR. PAYMENT: Here.

MS. BOULLEY: Dr. Butterfield.

MS. BUTTERFIELD: Here.

MS. BOULLEY: Ms. Whitefoot.

MS. WHITEFOOT: Good morning.

MS. BOULLEY: Mr. Newell. He's
typing. Okay. Dahkota Brown. Dahkota's not online right now I believe. And then Dr. Proudfit is not present but should be here shortly. We do have a quorum.

DR. JACKSON-DENNISON: Okay. Well good morning everyone again. We are at our day two session. On the agenda we have drafting of the 2019 annual report to Congress. But I believe we had discussed possibly doing a little bit of the re-envisioning NACIE and also just really addressing some of the challenges and how to prevent those challenges from happening again as far as -- so I just want to -- I think yesterday was an excellent day.

Just reflecting on what we heard yesterday I think -- I know I left here feeling very satisfied with discussions that we had with the Assistant Secretary Frank Brogan and others that were here.

And I'm very appreciative of that time and that level of I guess as Dr. Payment put it
coming to the center of what we're here for and what we want to make certain that we accomplish because we have to be able to get to that center with one another and know each other at that level before we can really put forward some good work.

So I know that we've done good work in the past and I know that we can -- but I'm always a believer that we can always get better. So communicating is one of the -- the methods of communicating.

Some of these areas that we need to talk about we've had challenges with in the past. We want to get over that hump and really move forward with how we can again re-envision or re-establish, re-ground, refocus, reignite this council to be able to do the work that we're supposed to be doing. So I'll leave it at that to open up.

Then we can get to the annual report to Congress which is another huge project that we've got to work on again.
So I'll start out with that. Anybody want to open up with your thoughts?

MS. BUTTERFIELD: One of the ways I like to do this is to sort of think, you know, sort of start with the end in mind. And I call them success targets.

So if we were to think through this next full year what would we say would make us successful. Like what things would actually have been done that we would basically have accomplished.

And if we could just identify those then I would think that would sort of chart our course.

DR. JACKSON-DENNISON: Okay.

DR. PAYMENT: I agree. So in my most recent education training we used the terms glows and grows. So if we could identify those areas that are successes that we see clearly are successes and then also areas of improvement.

And I don't know how we want to do it.
If we have access to a blank page that we can put
them up.

It's always helpful I think when we
can see basically what we're doing and be able to
keep focus back on what we see all at the same
time.

MS. BOULLEY: We can also -- can we
type onto a document? We could do something on
the board.

DR. JACKSON-DENNISON: I think we
need to have a -- who wants to be the note-taker.

Like having it up there so we can see visually.

DR. PAYMENT: You're the expert at
that.

MS. BROWN: Angeline, this is Doreen.

Before we get started I just wanted to ask for
some clarification on the organizational chart.

MS. BOULLEY: Sure.

MS. BROWN: I feel like I just need
some explanation. I feel like it's not clear to
me. There seems to be some mismatching with
color coding.

So I just want clarification. Who are you actually reporting to? Because I'm seeing that there's Ruth who's your direct supervisor, but then it sounded like when Henry was talking yesterday that you report to him. So I would like clarification and then maybe looking at the chart.

I'm looking at yellow and green and it's not matching.

MS. BOULLEY: Sure. Okay. I asked those questions too when I started. So on the organizational chart it shows my direct line to Frank Brogan, the assistant secretary.

However, he has delegated immediate supervision to Ruth Ryder who is the new deputy assistant secretary who has taken the place of Dr. Lisa Ramirez who recently left the department. Joyce's supervisor was Lisa Ramirez.

MS. BUTTERFIELD: Is it the R you're
looking at?

MS. BROWN: Yes, R.

DR. PAYMENT: So who evaluates?

MS. BOULLEY: It would be Ruth Ryder and she would work with Frank Brogan to evaluate me.

So officially it's with Frank. However, he does have the authority to delegate immediate supervision. And so one level below him are the deputy assistant secretaries. And Ruth is one of those now.

MS. BUTTERFIELD: What is Ruth's title again?

MS. BOULLEY: Deputy assistant secretary.

DR. PAYMENT: I want to be tentative in the way I say this because I don't know where we're going to get the greatest utility, with somebody who is delegated that is able to focus and pay attention, or somebody who is higher up that isn't necessarily going to be accessible.
So I know that recommendations from the past have been to elevate the function so that it can crosscut agencies and not be compartmentalized.

So I guess that's a discussion, an open discussion. And I don't know that we have any effect on it other than advisory.

But I guess -- I said I wanted to say it tentatively because if we have somebody that's a champion that can advocate that might initially be good.

But I think our long-term recommendation has been to elevate the position to a position of importance, prominence.

DR. JACKSON-DENNISON: That has always been our recommendation. That has always been our number one recommendation in every report we've done, every letter we've written.

But at the same time I guess for me being on since 2010 I have to say that yesterday was the first time ever we spent the length of
time that we spent with even an assistant secretary has sat here with us and got to that level of humanism with us instead of the bureaucratic type only here five minutes and trying to hurry up and spit out our information. So I was very appreciative of that yesterday.

So I think that saying that I feel like he has been more personable with us, has reached out to me as chair and I think to you, Aaron, several times to me and said what can we do to help.

So I think we have that established and I think that's a huge plus. So even though the organizational chart is what it is -- I don't know, I'm not certain of this, but I feel very confident that we have better communication now to the top.

DR. PAYMENT: One thing that I guess I would recommend -- we can talk about it for a second -- is while situationally it works because -- we think it's going to work because in Ruth we
1 seem to have somebody who's interested. And he
2 seemed to be interested.

3 Although he did leave. And I think
4 if I were in that role I would be very interested
5 to stick around and be part of the restructuring
6 and chartering and all of that dialogue.

7 And initially he was going to leave
8 before we imposed our position on stuff.

9 So I guess what I would say is that
10 in the spirit of keeping our original
11 recommendation we should maybe reinforce that's
12 still our recommendation.

13 Because it's really important. We
14 have a preeminent right to be educated. And I
15 laid that out yesterday and I made sure -- that's
16 why I jumped in because I wanted him to hear that
17 before he left. It's the Indian 101 speech.

18 So it is critical that this position
19 be elevated. So that should be our continuing
20 recommendation.

21 But in the meantime if it's delegated
downward then if we can get some kind of articulation or assurance or expression of what we think will make that workable.

And that means that Angeline should be able to have access when it's necessary and also some kind of interdepartmental connection.

Because I'll tell you on the NIH side the way that it works is you've got Dr. Collins is the director of NIH and then you have all kinds of agencies.

And what happens is with the org chart the Native stuff could be just ignored. But there's an intergovernmental kind of like a vice president sort of position and a crosscutting.

And so if we have that then this will satisfy so we'll be good for now. But our recommendation should continue to be to elevate this position to the highest level, really to the Secretary in the ideal.

MS. BROWN: So, one of the -- I'm going to go back to my concerns. One of the
concerns is that the main flow chart is not accurate then.

The second piece is that you're now -- or Office of Indian Ed is under formula grants. It is not -- isn't it under formula grants which is the green? And we are not just formula grants. So how is that -- it's not aligned with Office of Discretionary Grants, Office of Administration, it's one below that, falling under Office of Formula Grants.

It's just a concern that I have and note that it is not representative of all the things that Title 6 or Indian Education is doing. It goes beyond formula grants. That's the first thing.

The second thing is the main -- if this is the case the main organization chart needs to be changed. And that does show me that it's not elevated to what Henry was talking about yesterday. So it's just a note and also a concern.
And we do need to note that it does need to be elevated.

DR. JACKSON-DENNISON: It is a big concern and it brings about a misperception. The perception is we're only over -- the OIE is only over -- and Title 6, that's all Indian ed is, when in fact -- and then you get that too whenever you talk to any congressional people on the Hill.

The idea out there, not just there but at the federal level when you talk to people, when you talk about Indian education they think of the BIE when in fact we're only, what, 7 percent educating -- 7 percent of Indian children are in BIE schools or other schools besides the public school.

So when you look at that the perception is 93 percent are in Title 6 and that's not the case. It's much broader than that.

There's really a misperception. Then that makes us as NACIE like what are we here for. Is it just Title 6. So out there there's a
misperception and I think it does go back to the org chart. I'm glad you brought that up.

MS. BROWN: Well, I think if you look at the number one on what the council will do it says advise the Secretary of Education and the Secretary of Interior concerning funding and administration including the development of regulations, administrative policies and practices of any program including any program established under Title 6 Part A. But it's any program.

DR. JACKSON-DENNISON: That is what it says.

MS. BROWN: So it's the whole department. And that's why -- since Angeline will be the DFO for NACIE that also suggests that she should have the ear of higher up.

If the position was guaranteed that the visibility of Native education would be elevated I think that's what we're after.

Because when we start asking what does Title 1
services provide for Native kids. What do Title 
3. What does teacher preparation. All of those 
things that impact Native ed are under our 
purview as a presidential advisory board. 

We're not just a department advisory 
board, we're a presidential advisory board. 
Across two major agencies. 

DR. JACKSON-DENNISON: So how do we 
break down that misperception that's out there? 
Because it is out there. 

DR. PAYMENT: I guess I have a 
question. So, I feel that it's a little remiss 
that during all the reorg that -- it could be a 
coincidence that we were not meeting and had no 
voice during all that time. 

But it seems like that's something 
critical that should have been bounced off the 
presidential appointees. 

So I guess I'd like to understand how 
that was all advocated for, recommendations, 
justification, all of that.
And I don't think that's out of place because we just read the purpose and mission that is really our duty.

And so I guess I would like to take a remedial step backwards and say as that was being formulated what were the justifications.

And it could be that in doing it just something was lost in translation and they -- and it could be a functional -- just a function too. Because sometimes in org charts you've got functional and then you have the official org chart.

But the problem with not clarifying it is as time goes on the function could become the full purpose. But it is incongruent with our charter.

So what I guess I'm requesting is how was that formulated. Who was advocating. What were the justifications for it.

And I guess I'd like to hear it from the people who were advocating it so that we can
say well, did you think about this, or did you think about this. Is it too late.

We have the experience in Indian country of being asked our opinion after the decisions have been made. We know what that looks like. We can identify that very clearly.

It feels a little bit like that.

We're trying to start in a new direction, but I think that -- I said it earlier. We're faced yesterday -- we're formulated to go forward but we never forget. And we'd be foolish if we didn't ask these questions.

MS. WHITEFOOT: I feel that we have been put to task several times on our own. And so I almost feel like we have to outline what that means and how we fit into the org chart. We have to be able to explain that. I'm going to look to Karen as well for some feedback on that process that we have to outline exactly what it is that we perceive our tasks to be.

And so as we're doing this I'm also
wondering how many other presidential committees
are there within the Department of Education too
and how do they function within the department.

So in addition to this then we're to
advise of course not only Education but the
Interior and other agencies that we've talked
about.

And then one final element to this is
also the White House initiative. So how does
that interface with the job that we have that's
before us.

So I almost feel like we have to do
this ourselves.

DR. JACKSON-DENNISON: I'm going to
go to Dr. Proudfit.

DR. PROUDFIT: My recommendation
would be rather than asking where we fit in and
asking why or how this was implemented, why don't
we approach it from the position that because we
didn't meet during that period of time here is
our plan. Let's formulate it. Let's draft it.
And this is our recommendation and this is when we expect it to be implemented so that it's not a request, it's our initiation of how the process should work.

What's the saying, it's better to ask for forgiveness than for permission. I don't think we need to ask for either at this point.

So I think rather than continuing to ask I think given the charter the assumption would be that the expertise falls with us. So we should draft it clearly articulated, you know, draft the model and just say here you go. That would be my recommendation.

DR. JACKSON-DENNISON: Do you think that -- this really follows developing -- and I remember we talked about this to some degree in the time we met at NCAI several years ago that we need a strong mission statement. What is our purpose. What is our mission. What are we here for.

And that is what drives what we're
here for. That needs to be a strong here is our mission statement and we give that and this is what we're going to accomplish.

But in order to accomplish the mission that we set out to do we need to have -- be part of the conversation when it gets to.

DR. PAYMENT: So one thing that isn't clear is how we formulate our recommendations. So we're not necessarily -- I don't know that we vote. I don't remember us voting on anything.

DR. JACKSON-DENNISON: We have.

DR. PAYMENT: Oh, okay. So I guess I would make a motion then that we develop our understanding of what we think the optimal structure would look like and we make that recommendation.

MS. AKINS: Madam Chair?

DR. JACKSON-DENNISON: Go ahead.

MS. AKINS: Thank you. So, I came to sit at the table just so if you need feedback in terms of I'll speak to your question, answer your
question, Patsy.

But just I guess food for thought if you will. So, to your point about the reorg and how was it done and the players.

So I definitely wasn't a part of those conversations. I'll say that. But I'll say it took over a year. I do know that. Because it's a federal agency it got the union involved and all types of senior officials and budget and personnel. So I do know that.

And I wanted to share that with you to let you know that realistically any chances of any reorganization or elevating the position at this point, I'm just going to say in my experience having been at the agency since 2000 I'd be shocked if anything happened.

And then also keep in mind that in terms of I guess cycles we're already two years into this administration, have a couple of more years to go.

So as you formulate your
recommendations. I highly recommend you keep that in mind that in a couple of years things will be changing again even if it's the same party. Folks still come and go and at the senior level. So just to keep that in mind.

And I actually am leaning towards what Joely's comment and feedback was is perhaps you formulate your recommendations on what you'd like to see happen or what makes sense based on your expertise rather than maybe asking for how did this happen and how can we move forward.

I think you might frankly bump up against a roadblock and just trying to get someone to come back at a senior level to explain that. I just think it would be challenging, I'll just say that.

Currently within the department we do have other White House initiatives as you know. So WHIAIANE is the acronym that we call it, but where Ron Lessard is currently the acting director.
His office is a White House initiative and per the executive order for that office you all also advise the White House initiative or WHIAIANE.

We also have a White House Initiative on Educational Excellence for African-Americans. Currently that office does not have an executive director nor an acting executive director. There's one staffer that pretty much manages stakeholder calls and inquiries and things like that.

And they currently do not have an advisory committee that's been seated.

We have the President's Board of Advisors on Historically Black Colleges and Universities. That's under the White House Initiative of Historically Black Colleges and Universities.

Within our agency that's the only White House initiative and advisory committee that has a new executive order. That was done
in September of 2017. Don't quote me on the date, but currently that initiative has 12 advisory board members that were appointed by the President I think about a year or so ago. But they have yet to meet.

Myself along with the general counsel staff were crafting their charter at this time.

We have a White House Initiative on Asian Americans and Pacific Islanders. That office has an executive director. The White House appointed 12 individuals to serve, but those members have not met. They're currently being reviewed by our ethics division. So they have not met and haven't actually sat down for a meeting and do not have a charter at this time.

Let me see if I've forgotten. Sure.

DR. PAYMENT: What's a little disheartening is serving in a number of advisory capacities there is an identifiable pathology which is to move away from equity type programming.
It is encouraging to hear that committee was created in '17. It's a little discouraging that like us that's lagged because it does suggest kind of a lack of commitment.

And so what's different about NACIE from initiatives is initiatives by their nature might be ad hoc or they might be temporary to address an issue.

But we are created by statute. And so what I would say is offering my support to all those other groups, but I would also say that what we should do is we should make clear not in a complaint format, but in a clarification that the org chart is unclear and that we're asking — here's our recommendation. Not asking. Here's our recommendation for our pathway that we appreciate the attention that we have and that we want to maintain that level of access both in terms of our -- of NACIE but also of the designated DFO.

And that that's how we envision us
being able to fulfill both the statute and our charter.

MS. AKINS: So just so I can finish and let you continue on is we have a White House Initiative on Educational Excellence for Hispanic Americans. That office currently, well they had an executive director. She actually transferred down to OESE where Angeline works.

They have an advisory committee that was created via executive order in the previous administration. And so like the others I mentioned at this time their advisory committee does not have members and hasn't been seated as yet.

We have one other advisory committee within the department that is somewhat of a hybrid like NACIE where it's statutorily authorized. That's the National Board for Education Sciences but the members are appointed by the President.

And so that particular advisory
committee the executive director of the Institute for Educational Sciences was appointed. However, the board hasn't been appointed and has not met to date. But my understanding is there may be members that may be announced soon for that particular advisory board. But I'm not sure. There's been no real definitive timeline that I'm aware of.

DR. JACKSON-DENNISON: So we're really the only council --

MS. AKINS: There's two.

DR. JACKSON-DENNISON: Two councils that are statutory.

MS. AKINS: But appointed by --

DR. JACKSON-DENNISON: Appointed by the President.

MS. AKINS: Correct. And at one point until they made an amendment the National Board for Education Science members were not only appointed by the White House but also had to be Senate confirmed. So imagine how long that took.
And that's over the course of I don't
know, let's see. In 2000 they were Senate
confirmed and I think that changed in I want to
say 2007 or '08. So imagine if you had to also
be Senate confirmed.

DR. JACKSON-DENNISON: Robin.

MS. BUTTERFIELD: Well, first I'd
like to second Aaron's motion. And I think we
proceed with what we understand our charter to
be.

And whether or not the position is
elevated I think the work needs to be elevated.
To me it's the visibility of the issues of our
community that should hold all of the staff at
the Department of Ed accountable.

And that's when we ask folks to come
in and report to us in the past they've come in
and kind of given sort of a general report about
what they do, but they don't speak to us directly
about -- so out of all the things that you do how
does that impact Native students.
So that's what we keep asking for is the data from each of these programs.

So whether the position is elevated I want the work to be elevated so that everybody starts to recognize that as a trust responsibility this agency is supposed to be improving the outcomes for Native students as a whole agency, not just Title 6.

And I think that -- if we can state that really strongly I think that's what would make our work valuable.

DR. PAYMENT: I want to reinforce that because a couple of the other agencies that are subordinate to HES, their directors have directed staff not to utter the words trust responsibility.

And at the same time we've seen across agencies a diminishment of the commitment to equity programs.

Office of Minority -- OMS Services.

HRAC was the one entity that tracked inequities
and disparities in health delivery and that's been abolished.

So I think making a clear statement of the treaty and trust responsibility and the uniqueness of this function should be echoed.

DR. JACKSON-DENNISON: So you have a motion and a second. You kind of made some changes to the motion but you agreed to that. So we need to restate it for the record what your motion is and what the second is.

MS. BUTTERFIELD: Well, what I thought Aaron said was to develop our understanding of our vision for NACIE and clarifying that. That was the motion.

DR. JACKSON-DENNISON: Okay.

DR. PAYMENT: How about -- oh go ahead. I'm sorry.

CHIEF ANDERSON: Even if we develop our understanding of NACIE what is that actually going to do? We've been sitting here for years talking about lack of respect for this advisory
committee. And the things that we develop is going unnoticed or being unheard.

So what would it take -- when there are suggestions we are told we can't do this, or that may not happen. We hear that all the time.

So what can we do to bring NACIE up front so that they know that we do exist, that we do meet, that we do have dedicated members that are here or on the phone trying to make a difference? So how do we start with that?

I think that's the most important thing. Does the President know that we exist? And this is not to talk badly about anyone, but does he know that this committee, this advisory council exists. And if he doesn't I think it's our job to make sure that he knows we do exist and we're here to help. So how do we do that? Do we ask the chair to write a letter every month till we get an answer? Is that something that we do?

I'm not sure. But it seems like we
keep spinning our wheels here of trying to accomplish something that doesn't seem to go that far.

And that's not to be negative on this group or anything like that. It's just that I'm listening to what you all say. I listen more than I talk because it's important to me to hear your voices.

Because I want to go and what I do is I lobby a lot. And that's what I like to do. And we do educate them. You have to.

But I guess what I'm saying is they need to know that we are here, and we are here to do something. All these wonderful intelligent minds that are in here can help in Indian education.

But we're wasting our time sitting here talking if there's no action behind it. So can we do something like that for them to take notice? I guess that's what I'm asking.

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

DR. PAYMENT: I have a suggestion. I'd be willing to draft up a resolution that would incorporate our purpose as already established in the charter referencing that we're statutory in a tactful way, that the reorganization happened during a time when we were not consulted and that our understanding of the placement of the FOE -- not the FOE because it happens to be the same position, but Angeline's position in reporting line and access. I'll try to weave it together and then email it so that we can all see it at the same time.

So I would ask if we could set it aside for a little bit while we have the discussion on the re-envisioning and then see if we can tweak it and change it.

But I think maybe if we have a resolution, if we pass a resolution that's something that can be looked back to, that it's steeped in the existing statute and existing
charter.

And then a clarification that our understanding of the structure and access looks like this.

DR. JACKSON-DENNISON: I'm open to that. Robin.

MS. BUTTERFIELD: To me where the rubber hits the road is in terms of very specific asks that would be structural things that could improve outcomes for Native kids.

For example, filling all of the positions that the previous Office of Indian Ed had. I mean, we've got more grantees and now we've got less staff. So filling just staff within that office.

Filling or creating a permanent -- not an interim executive director for the White House initiative.

Getting data from the various programs in terms of services that are being provided for Native kids. That's where the accountability is.
It's in the work that everybody is doing.

I would like to see better, for example, better technical assistance to Indian Country. That was one of the things that -- one of the few things I thought we did accomplish previously was to get some targeted resources to different parts of the country to focus on Indian education. But it was focused largely at the state level and a lot of our folks didn't -- it didn't filter down to helping the people in the school districts and stuff because they weren't allowed to provide that.

So I think there's some very -- when I say success targets those are the kind of things that I want to sort of have a checklist. Okay, we got this accomplished, we got this accomplished, we got this accomplished.

And some things we don't even know what we need because we haven't sort of gotten the full spectrum of what's out there.

In the conversation yesterday about
special education having the one technical
assistance center removed that focused on the
needs of Native parents of children with special
needs is an example that they're not attending to
the trust responsibility for Native communities.
To remove that resource.

So those are the kind of things --

DR. JACKSON-DENNISON: I think that
there are many things like that. And I think
that I like to take us back to exactly what Chief
Anderson talked about in her few comments she
made earlier.

It kind of goes along with if you
recall back I want to say in 2014 or '13, right
around there when the last administration was in
office and we were told, we were kind of guided
to keep it to one or two things.

Because we know -- we're all out in
the field. We know what's out there. We know
all the things that need to be done. It's just
overwhelming.
We've done our annual report saying all of these things need to be done and now it's going to be asked why are they not listening to us. Do they even read our report.

Those are all things that we know need to be done, but they're not going to be done until we ask that basic question of keeping it simple. So I like that resolution idea because until we get that accomplished we get okay.

We heard it yesterday that he said okay, we're going to make certain that the report is taken more seriously. He didn't say it exactly that way. But we need to do one step further before we get to all this other stuff.

Because it just clouds -- if you remember that's what we were kind of -- it was shared with us in 2014. I can't remember the staff member that told us that, but he said -- he advised us that the then --

MS. AKINS: I think that was -- Dr. Dennison, that was Michael Yudin.
DR. JACKSON-DENNISON: He did say keep it to one or two because the administration is ending in a couple of years. But we didn't follow that. We tried to, but because we have so much information. It goes back to all of us that are passionate about the jobs that we do in Indian Country that we know.

And we kept saying add this, add this. Yes, those are all the things that we've had how many pages of things that we need to add. But that's part of the reason is that -- and I say this because it's my experience as a superintendent when you have all this information that you've got to tackle there's so much that gets left undone because the most priority things are what you end up doing. And then some of the other stuff -- but the days go by and things are not done. And that's just the nature of the job.

And so I think that's a -- I like to
refocus back to the question and the comments that Chief Anderson brought up and the resolution that you want to draft. Let's start there.

Because all this other stuff is not going to mean anything anymore until we -- I mean it could but it may not is what I'm saying. The history has shown that it's not -- we haven't been productive in that sense.

We've put it all down in paper. We get it all out. And it stops there. That's been our huge experience.

DR. PAYMENT: The only thing I guess I would say is -- so I'm drafting as we're talking so I'm multitasking because I'm a little ADD, ADHD -- is that if we can get the right premise in the whereas's and then ending with that during the transition there was a lag time of a year and a half I think it was.

And then we had one meeting and then there was another lag. And almost in a way understandably we weren't consulted during the
reorganization, blah blah blah. Give them some wiggle room.

However, structural changes were made without consulting with the advisory group. And this is our understanding of what the pathway is, elevate the role. Our permanent recommendation is to elevate the position knowing that it probably won't happen anytime soon.

But in the meantime this is what we think will functionally work.

But I also do think that listing out a couple of the top line charges would be helpful to include in it because then it gives us like a blueprint to be able to proceed from.

DR. JACKSON-DENNISON: I think an important thing that Robin brought up is to elevate the work. That's where we're missing.

The position is one thing, but the work is not being even considered. So that term really needs to be put in there.

DR. PROUDFIT: Going back to Chief
Anderson's comment. Since some of us came on during the end of the Obama administration I have to say I'm a bit frustrated. I don't know why work wasn't elevated, positions weren't elevated during an eight-year administration that seemed to be more interested in this particular charter.

I don't want to look backwards. But looking forward can we just decide what it is that we need to do. And put it in crisis language.

The fact that there's one position dedicated to technical support for families with children with disabilities and that position is no longer. That's a crisis to me.

And I think we address things very specifically, but the second question would be and then what when that gets ignored or nothing happens.

How then do we educate others to move forward because I think we're all very frustrated with this letter writing campaign that seems to
go nowhere.

And so I think we want to be very specific. I don't want to use the word demanding. But these are the expectations to deal with a crisis according to the statute and charter that we fall under.

And this is the timeline. These are the expected outcomes. Ball's in your court. They don't do anything with the ball then what, NACIE. Then what do we do.

Because I think if history is our teacher in this we need to prepare for step two. And so I think if that involves lots of education then that's what we need to do. And lots of educating not only leadership in the administration but our tribal leadership who can further educate.

So I think we need to be very direct, very affirmative, very assertive in what's happening because we are at crisis.

And then assume what's our play should
it not be responded to. Because we're in crisis.

We cannot let this linger.

Dr. Theresa yesterday with what she was sharing, what's happening in Alaska. There should be some type of support or -- Alaskan indigenous people should not fear what's happening to their state because they are exempt from it given the trust status.

And the fact that they may lose an opportunity in education, in future investment, in future educators is absurd. I cannot believe we're in this situation.

So there needs to be some kind of resolution or resolve that we can look to. We are different than other groups. We need to assert our political status and remind folks of their responsibility not in a soft, gentle way. We are in crisis mode.

So I think we need to be as affirmative and assertive and clear, clear. I know we want to have everything and the kitchen
sink.

But those things that are in crisis have to be at the top level and we have to be very intentional with how we wordsmith this document.

This is not merely a recommendation. These are expectations given our status, the statute, the charter.

DR. JACKSON-DENNISON: Okay. So you have a motion and a second and now we're discussing. Go ahead.

MS. WHITEFOOT: I just want to make certain that in listening to the language, our communication with one another. And I just don't want to shortchange the work that we've done.

There's been a lot of work that's been done and it's a part of our history and who we are so I want to make certain that we're not being defeatist about the work that we're doing because we're still doing the work regardless.

And we're in our communities doing the
work and we're following what we said needs to be done in our communities. And so I want to pay attention to that.

I think what, you know, rather than, you know, elaborate on the expectations of the Department of Education. We've not really had a conversation wholly with the Department of Education saying this is what we want to clarify about what the charter says.

I don't know that we've ever had that clarifying what our expectation is on the charter. So how can we even elaborate if we've not had that kind of conversation.

So one of the things that comes to mind for me, and I think we've made that recommendation is for training for the entire staff on what government to government relations means. What does that mean.

And so there's some steps we need to take before we move forward and this could be one of them, one of the key elements of that.
I think that we've been able to outline what our priorities are even though we were told by Michael one or two and so the thought was we'll go ahead and we'll put one and two. And so we know what one and two is.

And so we just keep chipping away. I really think there's a need for a face to face conversation not only with the assistant secretary but other individuals within the agency as well on how we define what it means to be a statutorily created. What it means to be a presidential appointee. All of that in our American Indian and Alaskan Native context.

DR. JACKSON-DENNISON: So can that be part of the resolution that he's drafting right there?

In no way was I or I don't think any of us are dismissing the hard work that we've put into the annual reports.

I'm just saying we're spinning our wheels. We know it's out there. All this needs
to be done. We have worked long hours on this.

But the frustration is nothing comes
of it because nobody's listening. So I go back
to the motion and the second and the resolution
that you're drafting.

DR. PAYMENT: So I would ask if you
could ask without objection if we recess this
motion until we can get something drafted up.
And then what I'll do is I'll provide a copy over
here so we can get it up on the screen and we can
see it and then we can come back to it.

DR. JACKSON-DENNISON: Sure. I agree
with that.

DR. PAYMENT: I'll need a few minutes
to kind of tweak because my brain works faster
than my edit.

MS. WHITEFOOT: And I forgot to
mention, I meant to do this too was to also just
point out that we do have the committee and we've
worked with the committee on -- the Senate
Committee on Indian Affairs.
I think we also need to have conversations with those committees. The Senate committee as well as the House committee expressing what some of our frustrations are. But also share where we want to go and to help forge further clarification on the work or the tasks that we're to be doing.

DR. JACKSON-DENNISON: Okay.

DR. PAYMENT: Can I say something to that real quick?

DR. JACKSON-DENNISON: Yes, go ahead.

DR. PAYMENT: So I said this before and both Chief Anderson and I were taken aback by this is that's not lobbying. Educating Congress. Because it says right in our purpose is that we prepare a report for Congress. That's not lobbying.

And whether it is a staff person from the Department of Education that is testifying to that, or if it's a staff in a combination of one of us.
I think that this was created by statute for a reason. It was done because there was a neglect for the treaty and trust responsibility.

It crystallized in 1969. And Congress then reinforced that this needed to be elevated to an annual report to them.

And so we have accountability not only to the Secretary of Education and Interior, but also to Congress.

And so rather than have this report sit in a dusty pile of reports that maybe somebody looks at, maybe they don't look at, that we get this -- get a request from Congress. The Senate Indian Affairs Committee would be the committee that would ask for this report to be given.

I think that that would strengthen the Department of Education and Interior in their asks and it would move our recommendations to a level of prominence so that all the work that we do is not for naught.
And so I have informally, I have not lobbied because I know that's against one of our -- in our duties, I have not lobbied, but I have spoken with the Senate Indian Affairs Committee staff and said what is your expectation.

And she said absolutely nobody has offered for it to come back. And I said well, maybe somebody should request it. And I do believe that a request is coming. And it's probably going to be from Senator Hoeven.

All this work and this dedicated effort should culminate to something. That's rightfully the way.

And how do we know this? Because budget formulation is done that way. HHS STAC and recommendations back is done that way. This is not unique. And it is absolutely not lobbying.

And if we need a legal opinion on that we should request a legal opinion on that.

MS. AKINS: Dr. Payment, I was going
to say maybe not so much a legal opinion but once the council gets to the point where that request will be fulfilled or a meeting is going to occur I would just recommend just maybe not so much a legal opinion, but just guidance in the steps you will need to take to get you where you need to go to make the meeting happen.

Because what I don't want to see is someone misinterpreting that it was lobbying or something unethical overshadowing what your goal was in the first place.

So when we get to that point Angeline and I can work together to make sure we have someone from the ethics division to brief you I would say rather than -- and it's just again help you get to where you want to go first is it absolutely out of the question.

And it may be that there may have to be some things that you might want to do but can't. I'll just be transparent in saying that.

But again I think our ethics division
is really good about trying to work with our advisory committees to take into account what you'd like to do and still remain within the ethics requirements. So I'll just share that.

DR. JACKSON-DENNISON: Dr. Payment.

DR. PAYMENT: Can I clarify something? So, the way that it would occur is very similar to the way that the Secretary testifies.

MS. AKINS: I understand. But again, and I'm not the legal expert. I wish some of those folks were here.

DR. PAYMENT: Actually, let me finish.

MS. AKINS: Sure.

DR. PAYMENT: So, the way that I perceive it happening is if Interior or Senate Indian Affairs Committee requests it then it's going to go through the Department of Education to fulfill that request.

It might dually go through Department
of Education and Interior to fulfill that request. And then who you send is up to the department.

And my recommendation would be that it would be probably Angeline and/or somebody from this body.

And so this is not -- we're not reinventing anything. This is already done. It's done in the normal course.

And so whoever preps the Secretary for testifying would be doing the same clearances for whoever the staff would be.

And uniquely because we're appointees and we go through the clearance process and we're vetted and all of that we are considered a special employee.

MS. AKINS: Correct. I understand.

And thank you for that clarification.

I'm just saying when the time comes let's just make sure we dot our i's and cross our t's. I'll just say that.
And I don't know who they'll send. It will go through our control correspondence and I'm not sure how that will all end up, like you said, who they'll send.

But if one of the members of NACIE is going to accompany whomever it is from the department or Angeline or what have you I just want to put out there that we'll just want to check in with ethics again just to make sure we're covered.

DR. JACKSON-DENNISON: Chief Anderson.

CHIEF ANDERSON: Thank you. Basically when we do go out -- I wear several hats because of the different, being a NACIE member as well as being the chief of my tribe. So there are, you know, we can say educate or we can say advocate.

But the thing that I think is really clear is that this is a committee that is a wonderful committee.
We are the National Advisory Committee -- or Council on Indian Education. And this committee should be looked at with full respect with our recommendations.

And I feel like that is not happening. And that's when I'm saying we're still discussing a resolution and how we do this, but what if they don't look at that resolution? What if they get that resolution and put it to the side? What do we do next?

Do we send it again? Do we keep contacting to see if we can get a response?

I feel that we have to keep letting them know we are here. That's what I'm saying. I'm not dismissing all the work that we've done not just here in NACIE but the work that we've done back home for our students and our children, our tribal members.

I'm not dismissing any of that. But I keep saying that we are spinning the wheel over and over again. And I feel like they need to
take notice.

As a tribal leader when I talked to people I don't know that that many knows what NACIE is about. So we have to educate them.

But what we're saying is we feel like Congress is not even acknowledging whatever we write or recommendations that we make to them.

So I'm like Joely. Let's get a little bit assertive and aggressive that we are here to work for the Indian education for all of the Native Americans.

We're not going anywhere. We want you all to take notice that we have something to say and what we have to say is not just coming off the streets. This is something that we know. This is something that we've done. This is something that we've researched. This is something that we've lived year after year.

And they need to take notice. And if it means going to the committees, going to the chairmen of these committees I'm willing to do
But we have to do something for them to take notice that our recommendations is just not paper. Our recommendations is the hard work of the great talent that sits here today.

DR. JACKSON-DENNISON: Thank you, Chief Anderson. Robin.

MS. BUTTERFIELD: Yes, I definitely agree with not so -- I guess it's not so much -- to me it's not about NACIE. To me it's about our people. It's about what we advocate for.

And I don't care if we have 100 things on the list. If all those things need to be done then that's what we need to list.

I think that we can get support from other, you know, the National Congress, from NIEA, from members in the various tribes and Indian communities around issues that they care about.

It's about what are we advocating for.

It's not just us as a body that's created by
statute, but it's what's not happening for our kids.

The special ed issue. If our Native parents aren't getting the support they need for their own children with disabilities that's wrong.

If we don't have enough information going out to our Title 6 folks because we're understaffed, that's wrong.

If we don't have -- I've heard there's this proposal to use Native lands and resources to fund school construction. That would not be a position I would support.

So it's kind of what are the issues that we could get our communities behind and our communities via our legislators. I think that's where people will sit up and listen.

So to me it's really what are the needs of our people. We're here as a body to advocate for that. And so can we identify some of the things that can be improved that are
concrete.

I agree just listing things and sending it off to Congress, we never even know where it goes. That's the problem.

I mean, we identify issues but we don't know who it's gone to because there's been no follow-through. Even the letters that we've written to the Department of Ed, they never even got delivered to the Secretary because they changed.

And so it feels like we just, we are doing stuff with paper because -- but it's the follow-through that's missing. It's not that the issues aren't important.

DR. JACKSON-DENNISON: I'm going to go back to Karen.

MS. AKINS: Just real quick, Robin. So just not to -- the reports that you all do, they have to get transmitted to the Secretary. I always make sure that our DFOs department-wide do that.
And so, now after they're controlled and put in him or her's box or what have you, what happens after that. But they do receive them. They have to. We have to make sure -- I mean they're not just like put in a slot, you know somewhere in a mailroom. They're actually logged in, transmitted electronically.

So they're there along with the actual hard copy that you all have produced over the years. So I just wanted to make that point of clarification.

DR. JACKSON-DENNISON: Dr. Proudfit.

DR. PROUDFIT: Okay. So if we can focus to move our recommendations to a status of prominence and action, and focus on the outcome of that.

So, in the past we know that a lot hasn't been done, or we don't know where things go.

I appreciate that answer, but just trying to find the previous report, we couldn't
get that. We couldn't even get that in a proper format. We couldn't.

MS. AKINS: Yes, I apologize. So that's not acceptable. And I can't speak -- like you said we're moving forward. But that should not have happened. If you need a previous report you should be able to receive it.

DR. PROUDFIT: So on the one hand once that report goes out it would be lovely for it to be on a website so if somebody wanted to see that last report there it is visibly right there so everyone can see it.

But the way to ensure that we know where it goes and that it's heard is that somebody from this committee whether it's the chair presents it, formally presents it as we've been recommending.

So I think let's assume that is the only direction we're going to settle for and then if we don't get a response let's agree as a group that we will respond within a certain amount of
time.

We all are very passionate about this. I'm a person that's like okay, so then what do we do. Then what's the outcome. Because I'm hoping that some of these challenges are met so that my daughter doesn't have to deal with them.

And I do feel that we're in crisis moment. So then maybe as a group we can have an internal strategy that we say when once we send a letter out or a resolution out we will respond within 30 days and then take our second step.

So that there's some action and accountability. And I think what we really need to do as NACIE is hold folks to the best of our ability accountable.

Because I think all of the good work is getting stuck somewhere. And it's beyond our control. That we don't know where it goes.

I'm really confident in our new DFO who is now wearing multiple hats because isn't that the rule in Indian Country. You have to
have multiple hats.

But I'm very confident in our direction going forward.

I think at this point if we can figure out what's the best strategy to move ourselves to prominence and action and accountability and figure out how we can do that. And then give ourselves an internal timeline. So if we don't hear something in a matter of time we don't let it linger. What's then our next step.

DR. PAYMENT: It clearly says in our charter and we're created by statute. So while we advise the Secretary we submit to Congress. We submit to Congress.

And so I'm hoping that when we submit it up through the chain that it's getting to Congress, that somebody else is sending it to Congress. I'd like to get verification for the last 10 years that that's happened.

It's not -- it's in our charter that's our duty. And I have to believe that if that was
an expectation when NACIE was created decades ago
that that's what they expected. That our report
go to Congress. And I'm not saying that it
hasn't. But I'm saying it's not an unrealistic
expectation because it's in our charter, it's
probably in the originating document or
legislation.

DR. JACKSON-DENNISON: Okay. I think
we need to start putting strategies down of how
we're going to -- we need to list some strategies.
How is the message getting out to our local
communities in Indian Country? How is it that
even these meetings are being -- I know we have
the general, it's kind of like a school district
that posts the agenda and all that kind of thing.

We have the Federal Register. But is
there other ways that we can be more targeted to
first of all getting our meetings out. And then
when we get the reports out how does that get out
to Indian Country too.

Because it's just sitting somewhere
and so that accountability doesn't take into --
the ball doesn't get rolling and holding not just
NACIE but mainly who has read the report and what
are some of the strategies we can come up with.
I think that's what we need to do too.

MS. BOULLEY: I think that utilizing
the listserv is one option, one way and certainly
not the only way to get information out about
announcing the meetings which we do and then the
summary report that the meeting contractor does.

We did broadcast a link where people
could access that report. And then your annual
report, that certainly could be broadcast with a
link. We can house it on the website at Ed and
just provide a link.

DR. JACKSON-DENNISON: I think also
that link -- we have two tribal leaders here that
we can ask if your tribal leader, the tribal
webpage. That would be another good way of
putting that link on each tribe's webpage. That
would be a good way.
DR. PAYMENT: There's always a dual.

One is Education Department --

DR. JACKSON-DENNISON: And then the tribal webpage.

DR. PAYMENT: If you don't do both something is lost. In my experience.

DR. JACKSON-DENNISON: We would reach out to the different tribes across the country and make certain they get that posted on their -- ask them to please do that because that's where the communication breakdown is happening.

That's why they don't know about us. The important work that we've done is going unnoticed.

I think in my experience Indian people are the strongest advocates for -- we really advocate for our own like we've one here at this level, but somewhere there's that gap being missing that way. So if tribal leaders can also take it upon themselves when they come to whatever reasons they come they can ask.
I know I do that whenever I go on the Hill. I say hey, do you have a copy of the annual report. Sometimes they don't even know what it is. The staffers don't know.

So that's a sign that somewhere there's a missing, there's some missing information out there about what's going on.

MS. BROWN: So anything that's published, hard copy, paper, is there a way to put something about NACIE in those publications?

Here's an example. NIES puts out -- we just put in the National Indian Education Survey for 2015 setting the context for cross-referencing that technical review team with NACIE. That is something that is sponsored by Title 6 Indian ed funds so why wouldn't NACIE be mentioned and/or explained in that particular publication, or the publications that will be printed for that.

I've seen posters that have been developed by Title 6 Indian ed. Like any of the
promotional materials or information that's handed out specifically at NIEA. Why can't it be referenced somewhere. That's a standard protocol when something is printed. If you have questions or even a link saying this is about NACIE. Always having that particular protocol when anything is printed.

DR. JACKSON-DENNISON: I like that idea. Joely.

DR. PROUDFIT: Can we have a NACIE newsletter? Is that possible to maybe have a quarterly newsletter from NACIE that goes out that is beyond just a listserv? Because we all get so many email.

So having a two or three-page glossy with pictures helps and makes people read it, especially if there are funding opportunities in there, letting people know. But also an opportunity to hear from folks in Indian Country about some of the issues that are important to them. That would be a recommendation, a NACIE
quarterly newsletter.
And then maybe a webinar. What is NACIE. What does NACIE do. How do we operate, things like that. That's something people can continue to look to and then we can send that out to ed departments, state departments, tribal ed offices.

DR. PAYMENT: We can make this shine.

DR. JACKSON-DENNISON: I like those ideas.

DR. PROUDFIT: Put some lipstick on this.

DR. PAYMENT: The boss can take credit for it. Look what we're doing that nobody has done before.

DR. PROUDFIT: Can we do social media marketing of NACIE?

DR. JACKSON-DENNISON: Yes, really, that's the social media marketing.

(Simultaneous speaking)

MS. AKINS: Madam Chair, I'll check
into it.

DR. JACKSON-DENNISON: It doesn't cost a whole lot.

MS. AKINS: Well, but even though it doesn't cost a lot it still would come out of her budget. So that's something she and I can check on.

MS. BROWN: Which goes back to another concern, the understaffing that we have in this department.

MS. AKINS: Yes.

MS. WHITEFOOT: So I just wanted to add historically NACIE has also had these wonderful reports in the past. And what we've been doing is just submitting them. The 16, 18 pages that we develop in a report.

And thinking about the work that goes on at NIES, they have their reports are more prominent than the NACIE reports. And so I think if we can get to that level.

I noticed in our budget that we're
like at $68,000. How do we negotiate for that budget because historically NACIE had probably a bigger budget because of the types of reports that they had.

And NACIE used to also showcase at the National Indian Education Conference and distribute those reports at that conference. So we need to think about that history that we've had in the past and try to get ourselves back to that level.

I'm not quite sure what it's going to take with regard to the NACIE budget as well. So if we're only at $68,000 what does that mean? We're only at one meeting, two meetings? What does that mean?

DR. JACKSON-DENNISON: That is a good question.

MS. AKINS: I think that covers meetings costs and travel.

MS. WHITEFOOT: So we also need to do work on the budget then too.
DR. JACKSON-DENNISON: Dr. Payment.

DR. PAYMENT: The other thing is that I don't want to obligate anybody. I have to believe that partner organizations might be facilitative in helping to get the word out. And maybe even in cooperation with NACIE and Department of Education publishing our report.

It would be better if we were putting it out directly and could get that budgeted, but in the interim time period I think that both NCAI and NIEA, maybe AHEC would be willing to collaborate in helping to get those reports out. So that shouldn't be seen as a barrier because I'm pretty sure that we would find a way to help, assist the Department of Education with getting the report out.

DR. PROUDFIT: In the charter it does state the estimated annual cost for operating the council at $68,579. This includes compensation, travel, per diem and other operating costs for
members to attend at least two meetings per year.

Additionally the estimated cost for staff support is 0.08 full-time equivalent, FTE, at a cost of $18,579 per year.

So it's $50,000 towards meeting costs and staff time equivalent to 0.08 FTE.

(Simultaneous speaking)

DR. JACKSON-DENNISON: Has that ever gone up or changed or account for inflation?

MS. BOULLEY: That's as of the filing the charter of June 2018.

DR. JACKSON-DENNISON: Can you remind us or do you know what it was prior years? Karen?

MS. AKINS: I don't know the actual number but it definitely has fluctuated up and down. And to be honest I'll defer to Angeline. Since she's new she's probably going to be immersed in how the budget is formulated for her office.

So I don't know if she would be able to advocate for more dollars, but I will say that
my recommendation would be of course as you
always have to be more strategic about -- because
let me just back up and say FACA does not prohibit
more than one or two meetings. That's why in the
charter it says estimated.

So all that the Committee Management
Secretariat that does oversight for federal
advisory committees government-wide, all they
would want to know is if you had a third meeting
or a webinar or what have you.

And it turned out to be say four
meetings this year. And as long as all the other
FACA requirements are aligned.

There's no prohibition in four
meetings or what have you. And if you went over
budget if Angeline were able to justify it or
even get the funds that's fine.

And then as long as Angeline and I
report it out that you had a fourth meeting
because, you know, for whatever the reason is.

So you don't have to only have two
meetings a year, but let me just say that of
course you want to make the best that you can for
the two meetings just in case we're not able to
find funds for you to have more than two meetings
a year.

I know in the past we've recommended
of course and as you've done subcommittees to do
work while you're not actually meeting. And so
I think hopefully.

And I'll back up and say that maybe
part of the challenge was maybe just not managing
the meetings for the subcommittees and making
sure you had the resources that you needed.

But again as I said yesterday Angeline
and Ron have already talked. And so as a
triumvirate we're already committed internally to
being sure we do whatever we can to support what
you need to do in terms of making sure you have
the meetings you need to get your work done.

DR. JACKSON-DENNISON: So, a question
to follow up on that is in previous years where
we didn't meet what happens to the funding? Does it carry over, or does it get lost?

MS. AKINS: It gets lost.

DR. PROUDFIT: I wonder who found it.

The annual reports that have happened over the last decade or so, or the history, is there an archive? Can we have access to them? Because I can't find it.

MS. BOULLEY: If you type in NACIE ed.gov it should through any Google search or any browser search it will link you to the NACIE page that's within Department of Education. It has the charter, it has an archive of the previous reports. And it has a list of members that may not be current. We need to make sure that that's -- the Department of Education website is being overhauled currently. And so there are some websites, some pages, OIE in particular that we know are outdated and we're waiting for the transition to the new website.

DR. PROUDFIT: Nacie-ed.org?
MS. BOULLEY: No dashes. Just if you do a search and just have NACIE and then a space and then ed.gov it's going to take you to that site.

DR. JACKSON-DENNISON: Okay. Any other comments or questions? Do we want to take a break while you finish up the resolution?

DR. PAYMENT: I emailed it.

DR. JACKSON-DENNISON: Let's take a 10-minute break.

DR. PAYMENT: It's very rough.

CHIEF ANDERSON: I've got one question. I know we do these reports and it could be between 15 to 18, maybe 20 pages, I'm not sure exactly what it was last time.

Is there any way that we have funding available where we could do booklets of our reports so that whether we go to different conferences if this is something that we wanted to share that we're allowed to do that?
MS. AKINS: I'll check on that. I'm definitely taking notes. Angeline and I will follow up. So you are recommending, Chief Anderson, a booklet versus like a full 8.5 x 11 like report type.

CHIEF ANDERSON: In addition.

MS. AKINS: In addition.

CHIEF ANDERSON: I believe that Congress is probably going to require just the pages so they can look at it. The other thing that when I get a document that is 30 pages I'm like okay, I want a summary sheet. Yes.

MS. AKINS: So something more of a booklet or a fact sheet.

DR. PROUDFIT: A glossy, pretty report.

DR. PAYMENT: Pictures of Indian kids.

DR. PROUDFIT: Who are in crisis.

Word of the day.
DR. JACKSON-DENNISON: Okay, thank you. Let's take a 10-minute break. So it's now 10:38. We'll be back at 10:48. We'll make it 10:50.

(whereupon, the above-entitled matter went off the record at 10:38 p.m. and resumed at 11:05 p.m.)

DR. JACKSON-DENNISON: We're going to call the meeting back to order. Can I have everyone's attention?

On the screen we have the draft resolution that -- thank you, Dr. Payment. I see your writing skills are still in handy because you just did a dissertation and I remember how --

DR. PAYMENT: But I want you to remember this is not a defense so spare me, please.

DR. JACKSON-DENNISON: Let's all read it and then we'll start adding or changing and wordsmithing.
DR. PAYMENT: The first one comes right from the charter. So the including including is actually in my charter. It's not my redundancy. But I think it's good. So it's exactly from the charter.

So what I would suggest would be a good way is just to ask if there's anything on the first paragraph and then go to the next one.

DR. JACKSON-DENNISON: I just read through the whole part that's up there. So any recommendations? Has everybody got through the first paragraph, or the first whereas? Any changes? The second whereas?

MS. BUTTERFIELD: I would just wordsmith the first one and just say that NACIE is created by statute as.

DR. PAYMENT: First part.

MS. BUTTERFIELD: Just the first line that NACIE --

DR. PAYMENT: The National Advisory Council on Indian Education, NACIE, is --
MS. BUTTERFIELD: Is created by statute as an advisory board to the Secretaries of. So take out the -- yes. And to be created as an advisory board. Yes, to the Secretary of Education and Interior. Yes.

DR. PAYMENT: I included the second whereas just to reference back to that there is a charter that's got additional purposes in it so we didn't have to list them all out.

MS. BUTTERFIELD: I really like the third whereas.

DR. PAYMENT: I'm sorry, it should have a semicolon at the end of that one. The third whereas.

DR. JACKSON-DENNISON: Okay.

MS. BUTTERFIELD: And.

DR. PAYMENT: And. And then the fourth one just further clarifies why that -- and legitimizes it so people understand it.

Originally I wasn't thinking about that, but that was articulated in our
conversation so I wanted to -- that's language that we try to include, both NCAI and NIEA tries to include as much as possible so they know it's distinct.

DR. PROUDFIT: Is paragraph 3 the appropriate or is it clause 3?

DR. PAYMENT: Is it clause 3? Yes.

DR. PROUDFIT: It's clause 3.

DR. JACKSON-DENNISON: Yes, I would spell it out.

DR. PAYMENT: Yes.

MS. WHITEFOOT: Do we want to put when NACIE was created? The year. Because this is going to be a living document.

DR. PAYMENT: That would go up in the first whereas.

MS. WHITEFOOT: Right.

DR. PAYMENT: What year were we created? Who was around back then?

MS. WHITEFOOT: It was 1970 or something. Seventy because I --
(Simultaneous speaking)

MS. BUTTERFIELD: It was part of the original Indian Education Act. NACIE was created.

MS. BOULLEY: 1965 under ESEA it was authorized.

(Simultaneous speaking)

MS. WHITEFOOT: Indian Education was created in 1965.

DR. PAYMENT: Do you want to put -- it says it's authorized, but do you want the section?

MS. WHITEFOOT: Yes. I think we should capture what we --


MR. COURTNEY: I don't know the statute right now so I'm saying use that and sign as the statute sign.

DR. PAYMENT: So I would say --

MS. BOULLEY: It's 6141.

MS. WHITEFOOT: And then take out the ESEA down below.

DR. PAYMENT: And thank you, Nick, for doing this. So that will be back down to 4.

MS. WHITEFOOT: No, you've got to take out -- just say ESEA.

DR. PAYMENT: And the rest comes directly from the that language. So we're back to whereas 4. Anything changed in there? Oh we have to change paragraph to clause. On the first line of 4. The fourth whereas. Yes, right there. That was a good catch.

Wait, how about uniquely recognizes. On this side over here. Just before -- yes, uniquely. Because that's what sets apart Indian programming from everything else. Not
reparations, it's not welfare.

MS. BUTTERFIELD: And then in the next whereas I would take out either of the annuals. Maybe it's just annually NACIE publishes a report.

DR. PAYMENT: Or how about NACIE publishes an annual report.

MS. BUTTERFIELD: Yes.

DR. PAYMENT: Or how about per charter NACIE publishes an annual report to Congress.

MS. BUTTERFIELD: Sure.

MS. WHITEFOOT: I would say NACIE faithfully publishes.

(Laughter)

MS. WHITEFOOT: Not a capital per charter.

DR. PAYMENT: Well, charter could be capital.

MS. WHITEFOOT: Yes, I meant per.

DR. PAYMENT: It's a proper noun, this charter.
MS. WHITEFOOT: Per charter comma.

DR. PAYMENT: Yes, I was thinking that too.

MS. WHITEFOOT: I feel like we're doing the report now.

DR. PAYMENT: And then one meeting occurred and another year lapsed without meeting and during this time. Period. It should be without meeting, period. So, yes, you're getting there. No, to the left. The third line down. No, no. After meeting. Without meeting, period.

MS. ORTEGA: Could you speak up please?

DR. PAYMENT: Oh, I'm sorry. There. And then capitalize during. Why didn't I just do this myself when I was on it?

MS. WHITEFOOT: I just want to ask a question of us. I don't know if we want to highlight this specific election. I'm wondering if we want to be general because of transitions.
We get caught in transitions.

DR. PAYMENT: Well, my only purpose was to say that -- well, to get to the fact that we weren't consulted.

So you could keep skip all of the presidential and administrative and just say recently a reorganization occurred.

DR. JACKSON-DENNISON: I think that would be better. Then we don't get political.

MR. COURTNEY: So recently would take over.

DR. PAYMENT: Yes. Actually let's be more specific in what date. Was this in 1819? Well, 2018.

DR. JACKSON-DENNISON: That's before treaty time.

DR. PAYMENT: Treaties predate the Constitution.

(Simultaneous speaking)

MS. BOULLEY: It was implemented in 2019.
(Simultaneous speaking)

MS. BOULLEY: It has been in the works. So I think we'd have to look on ed.gov to find out when it was announced. It did take -- it was a lengthy process.

MS. WHITEFOOT: And so that's the reason I'm asking do we want to be general just in general about transitions rather than trying to be so specific.

DR. PAYMENT: So just leave it at recently.

DR. JACKSON-DENNISON: In the recent years.

MS. WHITEFOOT: Yes, in recent years. It's not just this administration. Others.

DR. PAYMENT: And years would be appropriate. So change that to in recent years.

MS. BUTTERFIELD: And you need to say reorganizations have occurred because it's more than one.

MS. WHITEFOOT: In recent years
DR. PAYMENT: Yes. Have. Yes, good deal.

MS. WHITEFOOT: And I'm wondering if we also want to add Interior in there because we are to be advising Interior as well.

DR. PAYMENT: Yes.

MR. COURTNEY: Also the White House initiative. Should I spell out?

DR. PAYMENT: Yes. So the BIE education reorg is there too.

But I see what you're saying, have occurred in the U.S. Department of Education and --

MS. WHITEFOOT: And Interior.

DR. PAYMENT: -- the Bureau of Indian Education.

MS. WHITEFOOT: We're advising Interior is what the charter says.

MS. BUTTERFIELD: I would change the sentence at the top which occurred in U.S.
Department of Education and I would say that impacted functional and operational aspects maybe of the Office of Indian Ed.

MR. COURTNEY: Aspects of?

MS. BUTTERFIELD: Or functions.

MS. WHITEFOOT: Functions.

MS. BUTTERFIELD: But it says functional and operational.

(Simultaneous speaking)

DR. PAYMENT: I think it would be aspects.

MS. WHITEFOOT: Impacted functional.

What do we mean by functional?

(Simultaneous speaking)

DR. PAYMENT: One is the official organizational, the other one is the functional.

What I think we're hearing is that while Angeline reports up through, that would be the organizational. But then functional if there's some access she has directly to --

MS. WHITEFOOT: I understand that.
(Simultaneous speaking)

MS. WHITEFOOT: I just wondered if that's the appropriate term to use is all I'm trying to get at. Is it administrative and operational?

DR. PAYMENT: Yes, I think so.

MS. WHITEFOOT: Administrative. Then you go to functions.

DR. PAYMENT: Yes.

MS. WHITEFOOT: Operational functions of the Office of Indian Education.

DR. PAYMENT: Yes. Yes, good deal. White House initiative. Bureau of Indian Education. Did I miss anything? Well, we have a role with the Secretary of the Interior. Is there anything -- well there could be because instruction is not underneath BIE. Facilities are separate from BIE.

MS. BUTTERFIELD: I would put Bureau of Indian Education under Department of Interior because it's the Secretary.
MR. COURTNEY: Would you like this acronym or initiative? In the charter for NACIE it is stated initiative.

MS. WHITEFOOT: It is up there. Keep it.

DR. PAYMENT: Yes, I think the way you had it was good because that's how it's commonly referred to.

MR. COURTNEY: In the charter it's referred to as the initiative? Instead of using the acronym?

DR. PAYMENT: -- the way you had it though. That's my opinion. Because that's the way you see it.

DR. JACKSON-DENNISON: The Bureau of Indian Education reorganization implementation through the Department of Interior.

MS. WHITEFOOT: Because the Department of Ed staff call it what? What did you call it?

MS. WHITEFOOT: WHIAIANE.
(Simultaneous speaking)

DR. PAYMENT: So XXX is just in case there was something else I missed.

MS. WHITEFOOT: Well, I just want to highlight the proposed rulemaking process for consultation. Well, I guess reorganization would capture it.

DR. PAYMENT: Wait, I think I had that somewhere.

MS. WHITEFOOT: Okay, we could keep going down and come back to it.

MS. BUTTERFIELD: I think we need to put the word and after the WHIAIANE in parens.

DR. PAYMENT: Yes. How about in recent years without tribal consultation or basically any involvement of us.

No, no, I would say --

MS. WHITEFOOT: At the top. On top. In recent years.

DR. PAYMENT: In recent years.

MS. BUTTERFIELD: Or you could start
with that.

DR. PAYMENT: Yes.

MS. BUTTERFIELD: Without tribal consultation or NACIE involvement.

DR. PAYMENT: Yes.

DR. JACKSON-DENNISON: NACIE advisement.

MR. COURTNEY: In recent years without --

DR. PAYMENT: No, start off without in capitals tribal consultation.

MS. WHITEFOOT: No, it's not in capitals.

DR. PAYMENT: Not without.

MS. WHITEFOOT: Yes, not without.

DR. PAYMENT: But tribal consultation is capitalized because that's a specific thing. That's per the executive order, presidential executive order extended by this President. Or not revoked by this President so it stands.

Without tribal consultation or NACIE advisement.
Comma. No, no, in recent years.

MS. WHITEFOOT: No, just comma. Take out in recent years.

DR. PAYMENT: Yes.

MS. WHITEFOOT: Reorganizations have recently occurred.

DR. PAYMENT: Yes.

DR. PROUDFIT: So have we always been included every time there was a reorganization? I would take out recently because it's a living document. I probably doubt we have been included.

MS. BOULLEY: As an FYI BIE did do tribal consultation on their reorganization.

DR. PAYMENT: Oh. So the consultation refers to the Department of Education, because there was no tribal consultation on that. But there was through the BIE. Because I've attended a couple of those.

DR. JACKSON-DENNISON: But the BIE didn't include us. They told us. As NACIE.
DR. PAYMENT: So I would say the only way around it is to take tribal consultation out.

MS. BUTTERFIELD: Well, we'll just do a separate whereas.

DR. PAYMENT: Yes.

MS. BUTTERFIELD: I would do a separate whereas because it is a separate agency.

MS. WHITEFOOT: And they have a practice of doing consultation.

DR. PAYMENT: Well, that sentence is still true. Without consultation or NACIE advisement reorganizations have occurred in U.S. Department of Education that impacted the White House initiative.

And without -- just before the Bureau of Indian Education and without NACIE advisement Bureau of Indian Education.

MR. COURTNEY: Without NACIE --

MS. WHITEFOOT: Advisement.

DR. PAYMENT: Yes. And that further qualifies that the consultation didn't occur with
Department of Education and the NACIE advisement didn't occur with BIE. Even though it's in our charter, it's in the statute.

MS. BUTTERFIELD: Okay.

DR. PAYMENT: Have occurred. Are we good on that one? Can we go to the next one?

Wait, did you delete that?

MR. COURTNEY: No.

DR. PAYMENT: So have occurred. Have continued --

MS. WHITEFOOT: Have. Have continued.

DR. JACKSON-DENNISON: Positions.

DR. PAYMENT: Yes, I would say -- you can take existing out.

DR. JACKSON-DENNISON: Positions.

DR. PAYMENT: Represent.

DR. PROUDFIT: On the second line.

MS. WHITEFOOT: I'd take out American because we use Indian education/Alaskan Native.

DR. PAYMENT: Oh yes. Yes.
MS. WHITEFOOT: American Indian, I'm sorry. To trust -- to American Indian/Alaskan Native education.

DR. PAYMENT: Yes.

DR. PROUDFIT: I feel like it's a little wordy, the first sentence. U.S. Department of Education have continued with no clear understanding of whether or not these positions will be fulfilled.

DR. PAYMENT: Whether these positions.

DR. PROUDFIT: If there's any way we can better say that or eliminate that because we're saying not fulfilling these positions represented diminishment. Do you know what I'm saying?

So if we just said whereas vacancies in the Office of Indian Education or U.S. Department of Education have persisted period or something like that and then go into not filling these positions.
DR. PAYMENT: Yes. And get rid of that all the way to the period.

MR. COURTNEY: Delete that?

DR. PROUDFIT: Yes.

DR. PAYMENT: Actually, why don't -- there's something wrong with our tense there. Back up to the first sentence. We probably take have off and make it persist. Because there was something wrong with the tense.

DR. PROUDFIT: And.

DR. PAYMENT: Persist.

MS. WHITEFOOT: Persist and.

DR. PAYMENT: It's not plural. Represent.

DR. PROUDFIT: And by not.

DR. PAYMENT: No, I think you go back to separate sentence. Persist and then start with not filling the positions.

DR. PROUDFIT: I agree.

DR. PAYMENT: Represent a diminishment of commitment.
MS. BUTTERFIELD: I think you need an S on represents.

DR. PAYMENT: Really? You sure?

Yes, okay. Okay.

MS. BUTTERFIELD: Yes.

MS. WHITEFOOT: It not only diminishes the treaty and trust responsibility, it inhibits the ability of the office to provide services.

DR. PAYMENT: I think you start with that.

MR. COURTNEY: Say that again?

MS. BUTTERFIELD: So you're not filling the positions.

DR. PAYMENT: Inhibits.

MS. BUTTERFIELD: The ability of OIE to provide services for Native students and.

DR. PAYMENT: I would just say provide services. And because you're saying OIE the first time spell it out and then put it in parentheses.
MR. COURTNEY: I'm not. It's up here.

DR. PAYMENT: Oh, okay. I'm good.

MS. BUTTERFIELD: Well, it's right above.

DR. PAYMENT: Yes, it's good up there.

Represents. Do we say represents a diminishment or the appearance of a diminishment? Leave it affirmatively.

MR. COURTNEY: Would you like me to change this with just OIE?

MS. BUTTERFIELD: Sure.

DR. PAYMENT: Yes, because you have it right above.

DR. JOHN: Statue or statute.

DR. PROUDFIT: Statute with a T, right?

DR. JOHN: On the now therefore.

With enacting statute or statute?

DR. PROUDFIT: Statute with a T.

DR. JOHN: T-E?
DR. PAYMENT: Yes. After U. 

DR. JOHN: U, a T. 

DR. PAYMENT: So just imagine when the treaties were being negotiated our ancestors probably drove those people crazy. They were okay, let's get them some whiskey. 

DR. PROUDFIT: By the time they were done. Done, drop the mike. 

MS. BUTTERFIELD: On the now therefore be it resolved could we just say NACIE recommends? 

DR. PROUDFIT: Yes. No passive aggressiveness. 

DR. PAYMENT: Can you imagine? They probably I know, I know, let's use language that makes it forever. They don't understand that. 

MR. COURTNEY: Is it always the OIE? 

DR. PAYMENT: Yes. You have it to say it as if you were saying all outward. 

(Simultaneous speaking) 

MS. BUTTERFIELD: Be elevated --
MS. WHITEFOOT: To be more directly, to be more administratively positioned.

DR. BROUDFIT: To be directly.

DR. PAYMENT: To be, yes.

MS. BUTTERFIELD: To be elevated within.

DR. PAYMENT: No, no. I think you are taking the within out and changing it to be directly. After elevated to be.

MS. BROWN: I think that it should be elevated directly with -- to be elevated directly.

DR. PAYMENT: Okay, I'm sorry.

DR. BROUDFIT: To have direct access.

MS. BROWN: Be elevated to --

MS. WHITEFOOT: In order to have access.

MS. BUTTERFIELD: Yes, in order to have access.

MR. COURTNEY: Have direct access?

DR. PAYMENT: Just take out be
elevated. NACIE recommends that OIE have direct access.

MS. BUTTERFIELD: Okay.

MR. COURTNEY: Say that one more time?

DR. PAYMENT: Delete that and delete in order. It was passive voice and we want to say it --

MS. BUTTERFIELD: Affirmative.

DR. PAYMENT: Yes.

(Simultaneous speaking)

DR. PAYMENT: Again we know that that's not something that's going to happen overnight, but that is our recommendation.

MS. BUTTERFIELD: And then just say consistent with the statute.

MR. COURTNEY: Should statute be capitalized?

DR. PAYMENT: Probably. It's a specific statute. And we should correct that in other locations later.

MS. BUTTERFIELD: Do we want to say
consistent with Indian treaties?

DR. PAYMENT: No, because now -- I think that the statute does that already. And we referenced it in the whereas's. And we don't want to have to litigate that.

MS. BUTTERFIELD: So the last whereas we take out the and.

DR. PAYMENT: Where's that?

MS. BUTTERFIELD: The and.

DR. PAYMENT: Oh yes. Yes, that's right. At the end.

MS. BUTTERFIELD: Take it out.

DR. PAYMENT: And then you actually -- do you end with a period? Yes.

MS. BUTTERFIELD: Sometimes put now. Take out the now. Take out the now.

DR. PAYMENT: Oh, you mean put a --

MS. BUTTERFIELD: A now. Semicolon now.

DR. PAYMENT: I've never seen it that way.
MS. WHITEFOOT: Well, we can decide what we want to do. Do we want to put a period at the end of that last whereas?

DR. PAYMENT: Yes.

MS. WHITEFOOT: Okay. Let's put a period after education. Move the now back down to now be it resolved.

MR. ROULAIN: Mr. Wayne Newell would like you all to know that he wanted to make sure you understood he has been present during both days.

DR. PAYMENT: Okay. Hey, Wayne.

MS. WHITEFOOT: Thank you, Wayne.

DR. PAYMENT: Thank you. Yes, so end with a period and then put them, yes. There's no comma there.

MS. WHITEFOOT: And that that needs to be small letters not bolded.

DR. PAYMENT: Plus that's after the comma.

MS. WHITEFOOT: Right there.
DR. PAYMENT: In low, yes.

CHIEF ANDERSON: Is there another word for represents in there? I just don't like that in the sentences.

DR. PAYMENT: Where is that at, Phyliss?

CHIEF ANDERSON: At the top where it's got represents or saying that it is, if it's the ability to provide services. And they're not -- because of that their commitment, you know.

MS. WHITEFOOT: And is a diminishing.

DR. PAYMENT: Yes.

CHIEF ANDERSON: Yes. We need to make it distinct.

DR. PAYMENT: Yes. To --

(Simultaneous speaking.)

CHIEF ANDERSON: It just kind of feeds the sentence, I think.

DR. PAYMENT: So just make it -- take represents out.

MS. WHITEFOOT: Take represents out.
CHIEF ANDERSON: Represents out.

MS. WHITEFOOT: And is a diminishment.

DR. PAYMENT: Yes, I agree.

DR. JOHN: Okay, yes. I like that.

DR. PAYMENT: Taking, trying to --

MR. COURTNEY: Take out what else?

MS. WHITEFOOT: And is a diminishment.

DR. PAYMENT: An abrogation. No, just kidding. So it seems like that first one might not be needed because we just fleshed it out pretty good in the whereas although whereas are not your action. They're just a statement.

MS. WHITEFOOT: Right.

DR. PAYMENT: So you might want to -- maybe you do want to keep it as your second resolved but just restate it somehow.

DR. PROUDFIT: Well, be it for the resolved, do we really need that in the interim a full implementation with our recommendations?
Do we need that or should we take that out and just say be it for the resolve, NACIE asserts the following functional line of access and communication?

DR. PAYMENT: Yes.

DR. PROUDFIT: This is the new and improved assertive us.

MS. WHITEFOOT: Yes. You give no (simultaneous speaking).

DR. PAYMENT: The other thing I was trying to do was to qualify that if it's going to take time for this to be restructured.

DR. PROUDFIT: Yes.

DR. PAYMENT: That in the meantime we want an understanding of what that access looks like.

DR. JOHN: Oh, I see.

DR. PAYMENT: Do you see what I'm saying?

MS. BROWN: So just explain to me that despite the three layers of implementation.
DR. PAYMENT: So it's Angeline to Ruth.

MS. BROWN: Ruby or Ruth.

DR. PAYMENT: So it actually might be one, two three, is it three or four layers?

MS. BROWN: It's three.

DR. PAYMENT: Three.

CHIEF ANDERSON: Two for her.

MS. BOULLEY: Two for me. So it's Ruth --

DR. PAYMENT: Oh, okay, two. That is consistent across recommendations for Indian country with Interior Undersecretary. We're asking for that.

MS. PROUDFIT: Is there any way we can add in there somewhere, or is it appropriate, about responding to our request for concerns in a timely way so that --

MS. WHITEFOOT: Yes, as a resolution.

It's a bullet point.

DR. PAYMENT: Where is it?
MS. BUTTERFIELD: When the NACIE report is finalized, we get a timely response from the Secretaries?

DR. PAYMENT: Oh, yes.

MR. COURTNEY: So is this adding in?

DR. PROUDFIT: Did we say then that we're presenting it formally? Given all that we put up there, we're presenting our report directly as our position, right?

DR. PAYMENT: Yes.

DR. PROUDFIT: We're presenting it physically, directly at hearing or what have you. How do we want to say that? And then we follow-up with and we want a timely response in --

DR. PAYMENT: Yes, like some kind of -- knowing that somebody has processed through it and they were giving us some kind of action plan through what they're going to be able to do.

DR. PROUDFIT: Right.

DR. PAYMENT: Yes. So we're really asking for the ability to present the report to
the Secretaries. Is that correct?

DR. PROUDFIT: No, not asking. NACIE will deliver.

DR. PAYMENT: Yes.

DR. PROUDFIT: NACIE will deliver, present.

DR. PAYMENT: Present.

DR. PROUDFIT: Present, NACIE will present the annual report at -- fill in the blank.

DR. PAYMENT: Or two.

DR. PROUDFIT: Or two.

DR. PAYMENT: Yes. And it really is the Secretaries because we duly report. So we know it's possible because just before we broke in '16, we did have both Secretaries present.

CHIEF ANDERSON: We did. Mm-hmm.

DR. PROUDFIT: But I want present to mean more than present here.

CHIEF ANDERSON: Yes. And actually sit there --

MS. WHITEFOOT: In five minutes.
CHIEF ANDERSON: -- and testifying.

DR. PAYMENT: So testifying.

DR. PROUDFIT: There you go. Will present testimony.

DR. PAYMENT: Yes.

DR. PROUDFIT: Provide testimony.

DR. PAYMENT: To the Secretaries of Education and Interior. So it's testimony. You had it right on it. Testimony --

DR. PROUDFIT: Of the annual report.

DR. PAYMENT: Yes. No, no. Before testimony of the annual report to both the, yes, good deal. Now it's a little clumsy. So is there a better way of saying it? NACIE will present testimony. The annual report and testimony.

DR. PROUDFIT: It's about the annual report.

DR. PROUDFIT: To both the -- To both
the --

(Simultaneous speaking).

MS. BUTTERFIELD: And the bullet
above should be despite, I would just say layers
of communication within the Department of
Education.

DR. PAYMENT: Within the Department
of Education. Yes, and then just comma. Despite
layers of communication within the Department of
Education, comma.

MS. BUTTERFIELD: The OIE needs to
have direct access to the Secretaries?

DR. PAYMENT: Shall.

MS. BUTTERFIELD: Shall have, okay,
shall.

DR. PAYMENT: Well, we can't say that
really.

MS. BROWN: Why not?

DR. PAYMENT: I think you can't put
shall because we're advisory. I think this is
what we want but we --

DR. JACKSON-DENNISON: Should have.

DR. PAYMENT: -- should or recommend or --

DR. JACKSON-DENNISON: Yes.

MS. BUTTERFIELD: Should have.

DR. JACKSON-DENNISON: Remember the Assistant Secretary yesterday did say he would. Maybe we can say per current Assistant Secretary. Remember how he had asked that -- he said that he would arrange something. Put it down somehow.

MS. BUTTERFIELD: What is that -- and so I think what that next bullet needs to have beyond our presenting we would like a response. So a timely response.

DR. PAYMENT: So it would be a next bullet further.

MS. BUTTERFIELD: Yes. So it would be a timely response.

DR. PAYMENT: Oh, I guess that would work, yes. Go back up and say --
MS. BUTTERFIELD: Will present the annual report and testimony to those Secretaries and just say requesting a timely response?

DR. JACKSON-DENNISON: With a timely response.

DR. PROUDFIT: No, because that is like --

DR. PAYMENT: Not requesting.

MS. BUTTERFIELD: No, not request.

DR. PAYMENT: With an expectation of a timely response?

MS. BUTTERFIELD: Right.

DR. JACKSON-DENNISON: Just put with a timely response.

DR. PAYMENT: Or just with a timely response.

DR. JACKSON-DENNISON: If you put expects it's not going to be --

DR. PAYMENT: A timely substantive response. Otherwise we're going to get, I got it. Received.
(Simultaneous speaking.)

DR. PAYMENT: With a timely and substantive response.

DR. JACKSON-DENNISON: I think we need to put something like that in there.

DR. PAYMENT: So the only thing -- I know we're on a roll using assertive language. So it's a recommendation. So do we want to say that or with the expectation of a timely and substantive response or requesting a timely and substantive response?

MS. BUTTERFIELD: I like the wording with an expectation.

MS. WHITEFOOT: Right, me, too.

DR. PAYMENT: Yes. So that's the next line, Nick. Education, Interior, no, no. Back up. Right after Interior with the expectation.

MS. BUTTERFIELD: Right. Of a timely. There you go. There you go.

DR. PAYMENT: And then that would be
yes. So are we good until we get into the list?

DR. PROUDFIT: What does that mean though, be it further resolved, NACIE asserts the following functional line of access and communication.

DR. PAYMENT: Yes. That can be changed because that was modifying what was there before.

DR. PROUDFIT: Yes. That seems a little weird to me. How can we better say that part?

DR. PAYMENT: Yes.

DR. PROUDFIT: Or do we need to say anything or is it just be it further resolved?

DR. PAYMENT: It could be -- actually, you know what? It doesn't even need to be bullet points. It could be deleted up.

DR. PROUDFIT: Yes.

DR. PAYMENT: Yes. What I would, yes. Delete that right there. And then hit delete again. Actually, yes, if you do it there.
And then it's period. And then it's just a new sentence.

DR. PROUDFIT: Take the bullet out.

MR. COURTNEY: Another be it further resolved?

DR. PAYMENT: No, no. I think it can be just one resolved.

MS. BUTTERFIELD: Why don't we put be it further resolved that despite layers of.

DR. PAYMENT: Yes. That should say further.

DR. PROUDFIT: There's something just, be it further resolved that despite layers of communication, we're kind of starting that with a complaint. And I'm wondering can we say that without.

DR. PAYMENT: Yes. That's not necessary.

DR. PROUDFIT: And I would say, like, if we can stay away from despite layers of communication. So what are we trying to say with
that first sentence?

MS. BUTTERFIELD: And I would move the second sentence up before the communication issue because we have faithfully done our reports.

DR. PROUDFIT: Even when we have the wrong one to work from.

DR. PAYMENT: Wait a minute. Can you put that back for a second?

MS. WHITEFOOT: And then just move that one.

DR. PAYMENT: It flows and it starts out and it flows to that.

MS. WHITEFOOT: It actually flows with the one above it.

DR. PAYMENT: But I do agree, we can take to start with the OIE.

DR. PROUDFIT: Take despite out.

DR. PAYMENT: Yes.

DR. PROUDFIT: That layers of communication.

DR. PAYMENT: All of that out and just
start with the OIE.

MS. BUTTERFIELD: Or, yes, that layers of communication.

MS. BROWN: Or you could say something like given the current layers of communication.

DR. PAYMENT: But I still think that -- yes, I agree. I mean, we're back and forth. We're passive/aggressive right now. But I do agree that --

(Laughter).

DR. PROUDFIT: Affirmative assertive now.

MS. BROWN: They don't fit together though.

DR. JACKSON-DENNISON: With OIE having direct access to the Secretaries of Education and Interior, NACIE will present -- so you're putting in a --

DR. PAYMENT: Yes. We got it.

MR. COURTNEY: Could you say that one more time?
MS. BUTTERFIELD: You said having direct access.

DR. JACKSON-DENNISON: By having or with having -- with --

DR. PAYMENT: No, no. Take the with. Having direct access --

DR. JACKSON-DENNISON: Okay.

DR. PAYMENT: -- to, yes.

DR. JACKSON-DENNISON: To OIE.

MS. BUTTERFIELD: No. It's OIE having direct access to.

DR. JACKSON-DENNISON: With OIE having direct access.

MR. COURTNEY: Okay. Having direct access --

MS. BUTTERFIELD: To the Secretaries of Education and Interior.

MR. COURTNEY: Should I delete that?

DR. PAYMENT: You know what? We don't even need that first part.

DR. PROUDFIT: No, we don't.
1 DR. PAYMENT: Just start with NACIE will.

2 DR. PROUDFIT: Right, yes.

3 MS. WHITEFOOT: Okay. You're right.

4 MS. BUTTERFIELD: Yes. Because we kind of covered it in the previous --

5 MS. WHITEFOOT: -- therefore be it resolved that's the whole issue.

6 DR. PAYMENT: And then now we just have to include, NACIE will present the annual report and testimony to both Secretaries of -- of is missing. Both the Secretaries of -- on the first line after Secretaries of.

7 MR. COURTNEY: It is really laggy because that is not what I have.

8 DR. PAYMENT: Oh. So it's the program not you.

9 MR. COURTNEY: For once.

10 DR. PAYMENT: Uh oh.

11 MR. COURTNEY: There we go.

12 DR. PAYMENT: We lost something.
MR. COURTNEY: I should probably save it.

DR. PAYMENT: You might want to -- you just lost something though. And if you save it now it's gone.

MR. COURTNEY: So what would you like?

DR. JACKSON-DENNISON: I think it's fine.

DR. PAYMENT: Except you still want the part about the timely and substantive response.

MS. BROWN: It's on there.

DR. PAYMENT: Oh, you just made it a different one. Oh, geez. These old eyes.

DR. JACKSON-DENNISON: I think that's good.

DR. PROUDFIT: Albeit further resolved the --

DR. JACKSON-DENNISON: Should we take a lunch break? It's almost noon.

MS. BOULLEY: Hi. And I was going to...
ask we do have some speakers that are lined up starting at 1:00. I was wondering if people would go and get a sandwich or get something and bring it back to the -- because you do still need to set your meeting schedule. We'd really like your meeting schedule set for the rest of this calendar year if not into next spring as well. It just --

DR. JACKSON-DENNISON: Thank you all for this.

DR. PAYMENT: All we have left to do is to come back withpopulating with any top line. But I would say let's be judicious in that so we're not listing out everything, just highlights.

DR. JACKSON-DENNISON: Okay. Let's break now. I need everyone back by 1:00 so we can stay maintained on the comments that are scheduled at 1:00 and then we'll go right back into our work session after that.

MS. BOULLEY: You need to set your
calendar. You need to establish your subcommittee
to work on the annual report.

DR. JACKSON-DENNISON: Okay.

MS. BOULLEY: And then any completion
of this. Those were the business items and then
the speakers, the presenters. And then we do
have Chief Anderson and Chairman Payment that are
leaving at 2:00.

DR. JACKSON-DENNISON: Okay. Oh,
wow.

DR. PAYMENT: 2:30 maybe. I have to
catch a train at 4:00.

(Whereupon, the matter went off the
record at 11:59 a.m. and resumed at 12:40 p.m.)

DR. JACKSON-DENNISON: She said that
as far as Chief Anderson's schedule, the second
Tuesday of every quarter, which is January,
April, July and October she's not available.
Other than that she --

DR. PAYMENT: Oh, okay, cool. That's
pretty wide open.
DR. JACKSON-DENNISON: Yes.

DR. PAYMENT: I know my first and third Tuesdays of the month are council days. And I don't miss meetings at all. I haven't missed a meeting in almost 20 years. One day when my mom passed away.

DR. PROUDFIT: So you're not on Tuesdays. She's not on Tuesdays. Is that what you said?

DR. PAYMENT: First Tuesdays.

DR. PROUDFIT: First and third Tuesdays?

DR. PAYMENT: First and third.

DR. PROUDFIT: Of every month.

DR. PAYMENT: Fourth Tuesdays are good.

DR. JACKSON-DENNISON: Okay. First is the second Tuesday of four months. So just for four months, she has January, April, July and October.

DR. PROUDFIT: So should we just stay
away from Monday and Tuesday and look at Thursday and Fridays? Should we get started on that?

(Simultaneous speaking.)

DR. PAYMENT: Are we thinking quarterly? We're picking our next date. But we have the balance of the year. This could --

first quarter.

MS. WHITEFOOT: Well, I think to get us going, I think we -- because we're going to have so many tasks that we --

MS. BOULLEY: Say, can you use the microphone?

MS. WHITEFOOT: I'm sorry.

MS. BOULLEY: Sorry.

MS. WHITEFOOT: I'm just suggesting that we think about the fact that we're going to have significant tasks to be completed. So I'm thinking maybe every other month for the first half perhaps, the first half of the year or monthly. No, I don't think monthly.

DR. PROUDFIT: Well, I think if you're
talking about subcommittees, we're talking about
the next NACIE meeting, right?

MS. WHITEFOOT:  The NACIE meeting.

Oh, okay.

DR. PROUDFIT:  Face-to-face meetings?

MS. WHITEFOOT:  Oh, okay. So
quarterly then will work.

DR. PAYMENT:  Well, we could set up
quarterly face-to-face and also establish -- we
can try to schedule established conference call
dates, too.

DR. JACKSON-DENNISON:  Right.

DR. PROUDFIT:  When does our budget
get replenished and how much do we have left?

DR. PAYMENT:  October 1.

MS. BOULLEY:  October 1. So the
contract year runs, like, basically October 1 to
the end of September.

My recommendation to you is that you
stay with two in-person meetings and then on the
off quarters do a conference call. A Skype or
conference call that we could do with Skype that we could have a screen, you know, your presentations, everything, any documents that you wanted to work on could be on a screen and then people could be dialed in. They would also be publicly available for people to participate in.

DR. PROUDFIT: What if we did two face-to-face here and then met every year at NIEA? That would be three face-to-face? I suggest --

MS. BUTTERFIELD: So what's the problem with NIEA meeting? What was the problem?

DR. PAYMENT: There is none.

MS. BUTTERFIELD: There isn't, is there?

MS. BOULLEY: It really came down to the timing of the planning. And so with advanced planning if you guys set your calendar now, I would work on making sure that all of the arrangements got made.

MS. WHITEFOOT: And this year I
definitely say NIEA.

DR. PAYMENT: That's in October.

DR. PROUDFIT: What are the dates on that?

MS. BOULLEY: October --

DR. PAYMENT: 8, 9, 10.

MS. BUTTERFIELD: But I would recommend actually maybe meeting right after NIEA. I think it's going to be pretty packed, you know, to get kind of the focus of the meeting. I think it would be distracting to having it take place too close to it because there's a lot of pre-meetings as well.

DR. JACKSON-DENNISON: You know, what I really like was the meeting that we had in Alaska that time we had the --

MS. BOULLEY: Can you speak in the --

DR. JACKSON-DENNISON: Sorry. I really liked when we did the one in Alaska where we had public comments, and we had input from stakeholders.
DR. PROUDFIT: Yes. I presented them to you. It was good.

MS. AKINS: Madam Chair, just real quick, on the one that you had where you just heard from stakeholders, and I'll double check this. Angeline and I will work together. I think what you're talking about is, like, a town hall type or public comment.

I'll double check with our general counsel. But I don't think those have to announced if you're not going to conduct business, if you're just taking information.

There will be no -- you know you wouldn't be able to deliver any deliberations, of course, and business, as I've said, but if you decided to convene. And the other caveat to that, I believe, is you would probably just need a subcommittee but not the full council to conduct those listening sessions, if you will.

DR. PAYMENT: Typically, listening sessions are posted. Typically, they are posted
as listening sessions or consultations.

MS. AKINS: What I'm saying is in terms of the law or any FACA regulations, I don't have to worry about the 15 calendar day advance notice.

DR. PAYMENT: You're right.

MS. AKINS: But we could do it just for awareness, I agree, Dr. Payment, we could do that.

DR. PAYMENT: Yes.

DR. JACKSON-DENNISON: I think we could do it as not just a listening session but also be a part of it a listening session but also have a meeting, a face-to-face meeting.

MS. WHITEFOOT: Well, I'm suggesting that we do the report officially during that time as well since it's the 50th. Other than the listening session is to do a presentation at NIEA. If it's toward the end and then transition over to an official meeting on whatever Monday or whatever.
DR. PAYMENT: Yes. Because if you look at the dates, that's Wednesday, Thursday, Friday, Saturday. So we might want to think about --

MS. WHITEFOOT: Monday.

DR. PAYMENT: -- Tuesday

DR. JACKSON-DENNISON: Well, Monday is Indigenous Day.

DR. PAYMENT: Oh. Well, we could have a meeting and we could have a listening session day, too. So we could have a meeting on the 7th and the listening session day on Tuesday. And then attend NIEA and give a report at NIEA.

MS. BUTTERFIELD: Well, I think Diana was even suggesting that maybe NACIE do a plenary where they -- you know, actually it's a larger grouping and could present the report and talk about, you know, what NACIE is and what it has accomplished and then set up a site for a listening session.

DR. PROUDFIT: Or maybe, because I
think we might be biting off more than we can
chew, so maybe do as you say the report, the
plenary. Get people excited, interested. Then
have a meeting, maybe November, or after that and
then encourage people to come.

We'll have that date already scheduled
and then people can come where we can be
completely devoted to focusing on NACIE.

MS. BUTTERFIELD: Right.

DR. PROUDFIT: So we're not trying to
do it all in a couple of days.

DR. PAYMENT: What could do on that
Tuesday, we could do a meeting and then have,
like an afternoon, early evening listening
session. Because if the conference is 9, 10, 11
and 12, people will be showing up that evening of
the 8th, I think.

DR. JACKSON-DENNISON: And the 8th is
the second Tuesday of October, which is when
Chief Anderson is not available.

DR. PAYMENT: What is the second
Tuesday? October 8 is the second Tuesday.

DR. PROUDFIT: And there are going to be so many activities at the 50th.

DR. JACKSON-DENNISON: Yes.

DR. PAYMENT: Oh, okay.

DR. PROUDFIT: There's so many activities with the 50th.

DR. JACKSON-DENNISON: I think it's going to be really packed.

DR. PROUDFIT: And hard to get a space. So I think if we can get a plenary, that's a good way to elevate us.

Okay. So the money that we have now, we have to spend it by October 1, use it or lose it.

DR. PAYMENT: Oh, yes.

DR. PROUDFIT: So should we have a meeting before October? Then meet at NIEA, present at NIEA and then meet after? Because our budget starts again in October. And then a meeting in the spring.
DR. PAYMENT: Well, we probably have money to meet before the end of the fiscal year, right?

DR. PROUDFIT: Right, before October.

DR. PAYMENT: Any ideas?

DR. PROUDFIT: Maui in July? Oh, I'm sorry. That was a thought bubble.

DR. PAYMENT: If you want to come to the UP of Michigan in July. That's our only good time.

MS. BUTTERFIELD: We've only got one good month. I said we only have one good month.

DR. PAYMENT: Yes, that's right. We have a week for summer. So the second week in September is NCAI Unity Days. And so if we were to go, like, right after that, we might be able to pick up quite a bit of travel people.

MS. BUTTERFIELD: Is that the 9th?

DR. PAYMENT: I think it's probably the 10th. Do you know, Nick? By the way, can you introduce yourself? I forgot to introduce
you.

MR. COURTNEY: (Native language spoken.) Nicholas Courtney. Hello, everyone. My name is Nicholas Courtney. I'm a Makah tribal member of Washington State and a policy analyst for the National Congress of American Indians. Thank you.

MS. WHITEFOOT: And he was super, super helpful at NCAI with all the resolutions and stuff. So thank you, Nick.

DR. PAYMENT: So we get a good representation of tribal leaders at that event.

MS. BUTTERFIELD: When is that?

DR. PAYMENT: I'm looking it up.

DR. PROUDFIT: The second week in September. How's the Chief's schedule?

DR. JACKSON-DENNISON: In September, she doesn't have anything there.

DR. PROUDFIT: So coming here --

(Simultaneous speaking.)

MR. COURTNEY: We haven't, I don't
think officially published the dates yet. But I think you were right with the September the 8th.

MS. BUTTERFIELD: And where is that going to be?

DR. PAYMENT: It's here. It will be here, usually at the Hyatt. It's not the Grand Hyatt.

DR. PROUDFIT: So are we still looking at Thursday, Fridays?

DR. JACKSON-DENNISON: Yes.

DR. PROUDFIT: Okay. So 12th and 13th?

MS. BOULLEY: So we're looking at September 12 and 13 in Washington, D.C.

DR. PROUDFIT: Correct.

MS. BOULLEY: I have a question as far as your preference for location consideration. The Smithsonian Native American Museum has a beautiful meeting space that we've used for tribal consultation, and it really is a great location. And, you know, and there's a hotel
that's nearby. And it's in close proximity to
Department of Education Building, which would be
conducive for, you know, having senior leadership
able to attend.

DR. PAYMENT: So I'm supportive of the
Holiday Inn Capitol, but I'm not sure everybody
is.

DR. PROUDFIT: I'm supportive of the
W.

DR. PAYMENT: The W?

DR. PROUDFIT: Across the street from
the White House.

DR. PAYMENT: But there's also a
Residence Inn pretty close. And I think that's
owned by a tribe. And it's like an apartment.
It's kind of -- you know, if you're going to be
there for an extended period of time.

MS. BOULLEY: A Residence Inn?

DR. PAYMENT: Residence Inn.

MS. BOULLEY: And it's near where?

DR. PAYMENT: It's about two blocks
from the Holiday Inn Capitol.

MS. BOULLEY: Oh, okay.

MR. COURTNEY: Two blocks north from here or south from here.

MS. BOULLEY: Oh, okay.

DR. PAYMENT: And they have a cubicle so it's like an apartment. And so if you give them a little list -- they have a checklist and you can actually have groceries brought there. So if you don't want to eat out all the time, they'll bring groceries. They have a laundry facility, a workout facility.

DR. PROUDFIT: We're not moving there.

DR. PAYMENT: And it's owned by a tribe.


DR. PAYMENT: It depends on which tribe.

DR. PROUDFIT: I know.
DR. PAYMENT: Not my tribe.

MS. BOULLEY: Okay. We have to check on that because we do have to be within the GSA lodging. We do have to follow all the GSA policies. And then our meeting and the logistics planner will have to work everything out.

DR. PAYMENT: At the W, those rooms are too tiny.

DR. PROUDFIT: They are tiny. I'm just kidding.

DR. PAYMENT: If you're a small person.

DR. PROUDFIT: I know. MR. COURTNEY: So are they recommending the -- Dr. Payment, is it called the Residence Inn by Marriott?

DR. PROUDFIT: The Residence Inn works.

DR. PAYMENT: I think you'll find it's the same rate, about the same as Holiday.

MS. BOULLEY: For lodging and then to
do the meeting at the Smithsonian.

DR. PROUDFIT: Yes.

MS. BOULLEY: All right.

DR. PAYMENT: It's walking distance.

MS. BOULLEY: Yes, yes. All right, yes. My priority is just proximity to LBJ Building for the Department event.

DR. PROUDFIT: If we can avoid the Holiday Inn that would be great. My cell phone doesn't work in there.

MS. WHITEFOOT: I think for proximity, it's fine.

MS. BOULLEY: We had significant issues with their sound quality for the online participants. It was not a quality experience.

DR. PAYMENT: It was not a quality.

DR. PROUDFIT: Is that the one that tried to freeze us to death?

MS. BOULLEY: Yes.

DR. PROUDFIT: And they tried to freeze us to death, remember?
DR. PAYMENT: Yes. I'm good either way. But the Residence Inn is a little nicer. But I think the price is about the same. And it's owned by a tribe. But if we're meeting at the museum anyway that seems like it would work.

DR. JACKSON-DENNISON: How is this price? Was it within the promised rate?

MS. BOULLEY: Yes, the lodging rate. We stayed within the lodging rate.

DR. JACKSON-DENNISON: And the Hyatt Regency, you're right, not too far also from the Department of Ed. If that price is out of -- I mean, depending on the price.

MS. BOULLEY: Sure. Sure. And our meeting, Tribal Tech does a fantastic job with identifying all of the options and that.

DR. JACKSON-DENNISON: Okay. So we're not getting anywhere. Where are we at?

MS. BOULLEY: Okay.

DR. PAYMENT: So the Unity Days is likely to be the second Tuesday would you say
again -- of September.

DR. JACKSON-DENNISON: And that's what Unity?

DR. PAYMENT: It's the NCI Travel Unity Days.

DR. JACKSON-DENNISON: Okay.

DR. PAYMENT: And we have a really huge turnout for that. And so I would say the next day would be the day to if you had any kind of listening or anything like that. There will be tribal leaders to that.

DR. PROUDFIT: Oh, I see. So stay away from Thursday and Friday and do Wednesday, Thursday?

DR. PAYMENT: For this one maybe yes.

DR. JACKSON-DENNISON: The next face-to-face. We're talking about the next face-to-face.

DR. PROUDFIT: Yes. That works.

DR. JACKSON-DENNISON: Okay. Does that work? I need to have dates on that so I can
MS. BOULLEY: And for any calls that you wanted to do, we can arrange for a Skype meeting room.

DR. JACKSON-DENNISON: The dates, September --

DR. PAYMENT: September, is it 10th?

MS. BOULLEY: In September that was the 9th -- or, I'm sorry, the 11th and 12th is a Wednesday and Thursday.

DR. PAYMENT: 11th and 12th, yes.

DR. JACKSON-DENNISON: So our travel date would be for those of us that aren't there for the Unity -- September 10th and the 13th, right?

MS. BOULLEY: Okay. And then regarding your discussion about presenting at NIEA, if all you -- if you have a majority of people who attend then it's considered an in-person meeting and we would need to have it be publicly posted as such.
So I think if you planned to do it as a subgroup of NACIE to present to do the plenary presentation, then -- just we have to comply.

DR. PAYMENT: The Open Meeting Act doesn't make it a meeting unless you call it as a meeting or if you try to enact business. There's nothing in the law --

MS. BOULLEY: If you have a majority of your members there, it's considered a meeting.

MS. AKINS: I'll get the information for you, but --

DR. JACKSON-DENNISON: What if they're there but not on --

MS. AKINS: I'll have to check it, check it out.

DR. JACKSON-DENNISON: I know --

DR. PAYMENT: Because that can't possibly be because if everybody went to the inaugural, that would be a meeting. If everybody went to the State of the Union, that would be a meeting.
MS. AKINS: I understand. I just want to be sure you're covered if everyone attends and there's only the subgroup that participates. But again, I don't want to speak until I check in on that with our FACA legal folks. Just so that you're covered.

DR. PAYMENT: I think what you'll find is if we were attending a plenary session, then you should not have a majority present at that. If we're all attending the 50th Anniversary of NIEA, the fact that we're all attending that at the same time is incidental. It's not programmed that way and that's not governed by any law.

MS. AKINS: Again, I'll just say I'll definitely follow-up. Angeline and I plan to have a debriefing. And all the things that you have questions about, we'll make sure we get the answers for you.

DR. PROUDFIT: So going back to the September date, it's Wednesday and Thursday, September 11 and 12 with travel days being the
10th for those people who need to travel and the 13th. Okay? And then we plan on having a --

DR. JACKSON-DENNISON: A subgroup, subcommittee.

DR. PROUDFIT: -- a subcommittee meeting at NIEA, where we'll have a plenary session. So we need to announce that probably but you're going to look into that, how we're going to do that. Okay. So those two things are good.

DR. JACKSON-DENNISON: And the dates on that are October 9th through the 12th.

DR. PROUDFIT: And then, Robin, will you check what is the day we'll probably do the plenary if we were to do it?

MS. BUTTERFIELD: Yes. Actually whatever we want. I think we should pick it.

DR. PROUDFIT: Okay. Perfect. Should we do that now?

MS. BUTTERFIELD: Yes. I think we should do that now.
DR. PROUDFIT: What gives us the most visibility?

DR. PAYMENT: Yes. That's good.

MS. BOULLEY: Early in the convention has, yes.

DR. PROUDFIT: Yes, I think it --

DR. PAYMENT: Before people get --

DR. PROUDFIT: I've presented and --

DR. PAYMENT: So would that be October 8?

DR. PROUDFIT: I would say October 9.

DR. JACKSON-DENNISON: The 10th.

MS. BOULLEY: Thursday?

DR. PROUDFIT: It starts on the --

MS. WHITEFOOT: Yes. because it starts officially on the 9th.

DR. PAYMENT: So the pre-conference session.

MS. WHITEFOOT: Get everybody situated. And then the 10th.

DR. PAYMENT: Oh, so you want it
actually during --

DR. PROUDFIT: Yes.

MS. WHITEFOOT: It's the official conference.

DR. PROUDFIT: So plenary, is it a morning plenary?

MS. BUTTERFIELD: It could be.

MS. WHITEFOOT: Yes.

MS. BUTTERFIELD: I think probably the opening general session, though, will take up the morning of the 9th. There will be a lot of bench-up with that. So either the afternoon of the 9th or the morning of the 10th.

DR. PROUDFIT: How about the morning of the 10th because people will --

DR. PAYMENT: Not immediately in the morning. Just because Indian people trickle in.

DR. PROUDFIT: Right. Mid-morning.

DR. PAYMENT: I know that from NCAI

DR. PROUDFIT: Okay. So we've got that one down. Then the next meeting would be
spring or do we do November because we're rallying the troops in NIEA to have a NACIE meeting since our new year starts in October. So do we want to move to have another meeting in DC in the fall?

DR. PAYMENT: Well, if we have one in September and then we have one in October then.

DR. PROUDFIT: Well, it's really more of a presentation, right? So and then the presentation, we're saying come to NACIE. But if we say come to NACIE meeting in April, it kind of loses its gusto. If we say come to NACIE in November -- I know November is a nightmare month because it's --

MS. WHITEFOOT: Yes, it's not a good month because of the holidays.

DR. PROUDFIT: Right.

MS. BUTTERFIELD: November and December are not good.

MS. WHITEFOOT: Or January during NCAI.
DR. PAYMENT: February.

MS. WHITEFOOT: February?

DR. PAYMENT: February 9, 10 and 11 there was a session.

DR. BROUDFIT: Okay. There you go.

MS. WHITEFOOT: Here in December.

DR. PAYMENT: And so what I think would work for that would be just either just before or just after so it's not competing with something else.

DR. JACKSON-DENNISON: January?

DR. PAYMENT: No, no. I mean in --

DR. BROUDFIT: February.

DR. PAYMENT: For those dates but just before or just after the executive session. So, like --

MS. BUTTERFIELD: Select the 6th or the 7th of February?

DR. PAYMENT: No, no. It's February 10 and 11. So I would say --

DR. JACKSON-DENNISON: THE 12th and
DR. PAYMENT: 12th.

DR. PROUDFIT: Okay.

DR. PAYMENT: The 12th is also -- well, so that's kind of it's usually 9, 10 -- it's usually Monday, Tuesday, Wednesday, Thursday. Wednesday we usually adjourn and then hit the Hill Wednesday night and Thursday.

So Wednesday night might be -- Wednesday afternoon or a later session on Wednesday would be good.

DR. PROUDFIT: Okay.

MS. BUTTERFIELD: So but for us to meet.

DR. PROUDFIT: Right.

MS. BUTTERFIELD: Face-to-face meeting.

DR. PROUDFIT: Two solid days.

DR. PAYMENT: Yes.

DR. PROUDFIT: So 13, 14.

MS. BUTTERFIELD: Thursday and
Friday.

DR. PAYMENT: Yes.

DR. PROUDFIT: Yes.

DR. PAYMENT: I mean, so the other organizations get communications out. And then people that are planning to come to one or the other can consider staying an extra day because their travel is already covered.

DR. JACKSON-DENNISON: So we're saying February 13 and 14 would our face-to-face meeting here in DC. Okay.

DR. PAYMENT: This is so much easier when we're sitting here.

DR. PROUDFIT: Yes.

DR. PAYMENT: Isn't it?

DR. PROUDFIT: It is. Okay. Should we do a motion? One more or two more?

DR. JACKSON-DENNISON: Well, we need to set the subcommittees and then determine when those are going to meet.

DR. PAYMENT: Well, let's do --
MS. BOULLEY: Are you going to have a subcommittee that talks about the annual report? Or are you going to have a full -- the annual report is due June 30.

DR. PROUDFIT: June 30.

DR. JACKSON-DENNISON: June 30. So if you'd like to have a conference call, Skype meeting.

DR. PAYMENT: My recommendation would be, because we're on a roll and it seems to be working, let's plan out next year's meetings and then we'll come back and fill in the blanks for subcommittee meetings.

DR. PROUDFIT: So we have February down. What about April?

MS. BUTTERFIELD: In the past we've tried to take a look at NCAI, their meetings.

DR. PAYMENT: That wouldn't be until June, right? And it is in Anchorage.

MS. BROWN: Oh, wonderful.

DR. JACKSON-DENNISON: This year?
This June or next year.


DR. PAYMENT: This year it's in Reno.

MS. BROWN: That's a great idea. I like that. Come on over.

DR. PROUDFIT: So June in Anchorage and then, but we definitely need some time to work on the annual report. Because that -- when in June? Early June?

DR. PAYMENT: It's June --

MR. COURTNEY: It's the 7th to the 11th.

DR. PROUDFIT: Oh, that's good. So June 7th through the 11th.

MS. BUTTERFIELD: So would we do the 11th and 12th?

DR. PAYMENT: Yes. We conclude mid-year usually by noon on the last day, Thursday. So Thursday, Friday would work.

MS. BOULLEY: Okay. And I'm pretty new to all of the meeting planning aspects in
terms of federal. So I would need to check and see when staff could get approved to travel or if there's any travel considerations for federal to go to Anchorage. I just want to make sure that I know that I'm able to do that. I have to say tentative, that I have to look into it.

DR. PAYMENT: Yes, yes.

DR. PROUDFIT: So --

MS. WHITEFOOT: And we recognize that. That's what we say that we would try to align with NCAI.

DR. PROUDFIT: So when would we actually meet that week of the June 7th?

MS. BUTTERFIELD: We're talking on Thursday and Friday, the 11th and 12th.

DR. PROUDFIT: The 11th and 12th.

DR. PAYMENT: Yes. So we know that. So just putting place markers in and, you know. So then that's two. Well, that's two. We only need one more.

MS. BUTTERFIELD: Right. And the
next NCAI is in --

DR. PAYMENT: Well, I would suggest that we --

MS. BUTTERFIELD: Or NIEA.

DR. PAYMENT: Yes.

MS. WHITEFOOT: Yes. NIEA is in Albuquerque.

DR. PAYMENT: Oh, yes.

MS. BUTTERFIELD: What date is that, 10?

MS. WHITEFOOT: We had those little cards yesterday. Does anybody have the --

DR. PROUDFIT: Oh, yes. I have it.

MS. WHITEFOOT: October -- oh, no.

DR. PAYMENT: It should be October.

MS. WHITEFOOT: October 7th through the 10th in Albuquerque.

DR. PAYMENT: For me that works.

Right now it will work because I can -- in advance of next year's council schedule, assuming I'm still chairman at that time, set the schedule
well in advance. So I can just change my regular meeting dates. So what date is that again?

MS. WHITEFOOT: The 7th through the 10th, which is a Wednesday through Saturday.

DR. PROUDFIT: And then we would meet before that?

MS. WHITEFOOT: On that Monday, Tuesday.

DR. PROUDFIT: Yes. How does that work for the chief?

MS. WHITEFOOT: And that would be, like, the 5th and 6th?

DR. PAYMENT: That wasn't a day that conflicted was it?

DR. JACKSON-DENNISON: Of what month?


DR. JACKSON-DENNISON: October 2020, is it the second Tuesday?

MS. WHITEFOOT: No. It's a first.

DR. JACKSON-DENNISON: Okay.

DR. PAYMENT: Yes. We're scheduling
in advance to avoid conflicts. And is that good for 2020?

MS. WHITEFOOT: The year.

DR. PAYMENT: At the beginning of the year if we decide that we think we might need more, we can try to schedule something. You got all the dates?

MS. BOULLEY: Yes.

DR. PAYMENT: Cool.

MS. WHITEFOOT: I would really advocate for Alaska. If it becomes an issue, I think we really need to make certain that we're advocating for Alaska, Anchorage.

MS. BOULLEY: Sure. Yes.

DR. PAYMENT: You'll find that the cost is marginally different. I mean, their lodging is about the same because everybody's got to do governmental rates. And the airfare might be a little bit more, but it's marginally different.

DR. JOHN: They give you a pretty good
cut for federal rates, like, for hotel and the like.

MS. BOULLEY: Anchorage was June 11 and 12.

DR. JACKSON-DENNISON: That means we've already -- we can do Alaska before --

MS. WHITEFOOT: Yes.

DR. JACKSON-DENNISON: We should back up and get our --

DR. PAYMENT: Annual report.

DR. JACKSON-DENNISON: -- annual report --

DR. PROUDFIT: Committee.

DR. JACKSON-DENNISON: -- committee.

DR. PROUDFIT: And the dates.

MS. BOULLEY: So.

DR. PAYMENT: We need a committee.

MS. BOULLEY: The last committee, do we want to keep the committee the same?

DR. PROUDFIT: No. Mandy and I co-chaired it. I think we're still in trauma.
(Laughter).

MS. BOULLEY: So you're talking about the annual report subcommittee?

DR. PAYMENT: We anticipate it's going to be different now because we don't have to -- information.

DR. PROUDFIT: Let me text Mandy.

DR. JACKSON-DENNISON: Well, we'll assign her as the chair alone.

DR. PAYMENT: I know how that is. Because I know last year I was a little absent because I was finishing up my --

MS. BOULLEY: So who are the subcommittee members? Patsy.

MS. WHITEFOOT: Patsy and Robin.

MS. BOULLEY: Patsy and Robin, Aaron Payment.

DR. PAYMENT: I was kind of -- I will do more.

DR. PROUDFIT: Mandy and I chaired.

But I'm very hesitant to do that again.
MS. BOULLEY: Okay.

MS. BUTTERFIELD: Yes. I would be willing to do it, like, next year. But between now and June I've got our state conference and then I can promise just two weeks. So I just don't have --

MS. WHITEFOOT: I'll help.

DR. PROUDFIT: I have a book due July 1 that I've pushed back for the last time before they sue.

DR. PAYMENT: You just asked me to write something for that didn't you?

DR. PROUDFIT: No, that's another -- that's a series of 10 books that are due.

DR. PAYMENT: Wow.

MS. BUTTERFIELD: Oh, my God.

DR. PROUDFIT: Yes, yes. A lot more writing.

MS. BOULLEY: So is Patsy the chair of the subcommittee?

MS. BUTTERFIELD: Well, we could co-
chair.

MS. WHITEFOOT: Yay.

DR. PROUDFIT: Okay. We'll flip it.

We'll be support team this year.

MS. BOULLEY: Okay.

MS. BUTTERFIELD: Three co-chairs.

DR. PAYMENT: I mean, I haven't enrolled in any courses.

MS. BUTTERFIELD: Oh, he's just --

DR. PROUDFIT: Okay. And then Mandy and I are on this committee. We're just support team.

MS. BOULLEY: Okay. So it's five people. So for the transcript for the people online so the subcommittee for the annual report would be co-chairs, Patsy Whitefoot, Robin Butterfield, Aaron Payment also Joely Proudfit and Mandy Smoker Broaddus. Okay.

DR. PAYMENT: Our editor.

MS. BOULLEY: Okay.

DR. JACKSON-DENNISON: Now we had
mentioned that we wanted to do another subcommittee. What was that on? Let me get my notes from yesterday.

DR. PAYMENT: Was it bylaws?

DR. JACKSON-DENNISON: Was it? I don't know. Oh, yes. I think it was --

MS. BOULLEY: We do need to -- as your subcommittee for the annual report, when you pick dates for your meeting, then we do need to have a phone call, a Skype or a conference call meeting that we can announce for the full board so that you can vote to approve the final annual report.

DR. JACKSON-DENNISON: Oh, that's right.

DR. PAYMENT: Pick a date?

MS. BOULLEY: Mm-hmm.

MS. WHITEFOOT: It has to be before -- I would say.

MS. BUTTERFIELD: Well, it has to be 30 days out.

MS. WHITEFOOT: Right at the end of
May. Yes.

MS. BUTTERFIELD: Is what we did.

MS. WHITEFOOT: Yes, in May.

MS. BUTTERFIELD: It's been our practice.

MS. WHITEFOOT: So end of May.

DR. JACKSON-DENNISON: It had to be to the Department by a certain time because even though it's due in June, we've got to back it up. I can't remember what the time.

DR. PAYMENT: Yes, it concluded in June, right, June 30th. So what date do we need to have it to you?

MS. AKINS: I'm sorry, 30 days.

MS. WHITEFOOT: If it's due June 30, we should probably schedule a call like at least like the 21st is a Friday. The 20th of June?

DR. PAYMENT: Oh, that's a board meeting day.

MS. WHITEFOOT: Oh, no.

DR. PAYMENT: Oh, no, May.
DR. JACKSON-DENNISON: May. We've got to do May.

MS. WHITEFOOT: We have to write it first.

MS. BUTTERFIELD: I know.

MS. WHITEFOOT: What we're trying to get to is the submission of the report. So we're saying May 20th or whatever to get approval from the board.

DR. PAYMENT: Yes. So let's go back to again the question is what date does the Department of Education need to have it?

MS. WHITEFOOT: June 30th.

DR. PAYMENT: No. That's our --

MS. AKINS: That's the due date so hopefully this time we would have it before then. So to me, I don't have a calendar in front of me, but at least the week before.

DR. JACKSON-DENNISON: What day is the due date?

MS. WHITEFOOT: That's why I said the
20th or 21st of June.

MS. AKINS: Well, June 30th is a Sunday. So the last business day is the 28th.

DR. PAYMENT: So the Friday before June 21st.

MS. WHITEFOOT: The 21st is the, yes.

DR. PAYMENT: Is that --

MS. BUTTERFIELD: So that's when we would have NACIE, the full board, approve the report. So then we back up from there.

DR. PAYMENT: Does that work? The 20th or the 21st?

DR. PROUDFIT: NACIE's internal report is due the 21st of June.

MS. BUTTERFIELD: For approval by the board.

DR. PAYMENT: Yes, the internal report and meeting of NACIE, conference call.

MS. BUTTERFIELD: So which day?

DR. PAYMENT: The 21st.

MS. BUTTERFIELD: The 21st.
DR. PAYMENT: That's a Friday if that works.

DR. PROUDFIT: NACIE report approval day.

DR. PAYMENT: What time do we? Yes, this one is more specific than the other dates so we've got to think about it.

DR. JACKSON-DENNISON: Yes. We've got to pick a time and a --

DR. PAYMENT: Not 8:00 a.m. Eastern.

DR. JACKSON-DENNISON: I think the best time is when it's Eastern. We go by Eastern time so we know the staff are --

MS. BUTTERFIELD: Theresa's time is it.

DR. JOHN: One time I called four hours later or too early.

MS. BUTTERFIELD: It looks like 9 o'clock your time.

DR. PAYMENT: 9:00 a.m. your time.

DR. JOHN: 9:00 a.m. is fine, 10, 11,
12, 1 o'clock your time, Eastern time?

MS. BUTTERFIELD: No. It would be noon. It would be 12 for us.

MS. WHITEFOOT: Are you two hours earlier than us?

MS. BUTTERFIELD: No, she's an hour.

DR. JOHN: One hour, one hour.

DR. PAYMENT: That's four hours.

DR. JOHN: Four hours from here.

MS. BUTTERFIELD: Okay. That's what I'm say.

DR. PAYMENT: So it would be 1:00, 9:00 a.m. your time is 1 o'clock Eastern.

MS. BUTTERFIELD: Yes, 1:00 p.m. here.

MS. BOULLEY: So a NACIE meeting 1:00 p.m. until --

DR. JOHN: What day is that?

MS. BOULLEY: On Friday, June 21.

And I'll go through all of these dates so that we have everything captured for the record.
DR. PAYMENT: So 1:00 to 3:00.

DR. JOHN: Friday.

DR. PROUDFIT: You're talking Eastern.

DR. JOHN: Okay. So Alaska time will be 9:00 a.m., my time, right?

MS. BOULLEY: Yes.

DR. PAYMENT: So two hours.

DR. JOHN: Okay.

DR. PROUDFIT: 10:00 a.m. Kelly time.

DR. PAYMENT: We get done early we can always --

DR. JOHN: Yes.

MS. WHITEFOOT: Okay. So then I would recommend that we would get the report to the committee at least a week before that.

DR. PAYMENT: Yes. So NACIE draft report to committee.

MS. WHITEFOOT: On the 14th we would make sure that the whole committee got the report to review.
MS. BUTTERFIELD: We'll be at Anchorage.

MS. WHITEFOOT: Anchorage?

MS. BUTTERFIELD: How long have you -

MS. WHITEFOOT: Are we thinking about this year?

MS. BUTTERFIELD: One hour.

MS. WHITEFOOT: I'm way ahead of you.

MS. BUTTERFIELD: Twenty-first.

DR. PROUDFIT: Okay. So the draft report is due June 14.

MS. BUTTERFIELD: I would say this is the committee conference call to make sure that the report is done, right?

MS. WHITEFOOT: Yes, okay.

DR. JOHN: Just for the record, when I'm not in Anchorage, I don't have internet. There's one place in the village I can go get in line to do my email because my family doesn't have internet out there.
So for three months I have to kind of like go play games to see if I can gain light to sign up for one internet hour. So that's my summer life. So end of May to August is like that for me.

But I can do my smart phone thing so. If you give me advance notice or give me a call and remind me, please. Because I'm fishing. We're fishing out in the ocean almost 24/7. So you have to remind me remember. For the record, thank you.

DR. BROUDFIT: June 14th, what time is our call? Same thing, 9:00 Theresa's time?

MS. WHITEFOOT: Yes, like, the same time would be good if we could just keep it the same time.

DR. JOHN: What day?

DR. BROUDFIT: June 14th, 9:00 a.m.

MS. BROWN: Hey, Theresa, I'll send you a message through public radio. A birthday shout out.
DR. JOHN: KYUK, message for Theresa John.

MS. BROWN: That's really how we do it.

MS. BOULLEY: Okay. So, how about if I go through the calendar and just make sure that we are all in agreement?

So, we have, in chronological order, Friday, June 14th, 2019, and that's a NACIE subcommittee, working on the—and we will provide a Skype and toll-free conference line, to be able to have that. Oh, and that Friday, June 14th, was 1:00 p.m. to 3:00 p.m. Eastern time.

Friday, June 21st, is a full NACIE online and teleconference meeting, 1:00 p.m. to 3:00 p.m., and the purpose of that is to approve the annual report.

Then, we have a face-to-face full NACIE meeting, September 11th and 12th, in Washington, D.C.

Okay. Then, on October 10th, some of
the NACIE members will be doing a plenary session at National Indian Education Association's Convention, which is located in Minneapolis this year.

DR. PAYMENT: October?

MS. BOULLEY: October 10th.

MS. BUTTERFIELD: We'll shoot for the morning of the 10th.

MS. BOULLEY: Okay. Okay. And that finishes out 2019. Then, in 2020, we have February 13th and 14th, a two-day, in-person meeting of the full NACIE Board or Council in Washington, D.C.

And then, we have June 11th and 12th in Anchorage, immediately preceding NCAI. Or immediately following. Okay.

And then, October 5th and 6th in Albuquerque, immediately preceding NIEA's Annual Convention in Albuquerque. We have a full two-day, in-person meeting.

MS. WHITEFOOT: The only other
suggestion I would have is that I think we are going to need another Subcommittee conference call maybe by like May 31st, because we have got to have all of our assigned parts and stuff by then.

MS. BOULLEY: Okay.

DR. PAYMENT: Wait. Let's go back to that.

MS. WHITEFOOT: If that is another Friday, we could just do the same time.

DR. PROUDFIT: Wait, wait, wait.

This is a meeting for what?

DR. PAYMENT: The Subcommittee.

DR. PROUDFIT: The Subcommittee?

MS. BOULLEY: What date?

MS. WHITEFOOT: In terms of who is doing which parts, we probably just have some--

MS. BOULLEY: Okay. So, are you looking at Friday, May 31st?

MS. WHITEFOOT: Yes.

DR. PROUDFIT: I can't do that date.
DR. PAYMENT: It seems like it should be earlier than that anyway.

DR. PROUDFIT: It's the State Democratic Convention. Then, the week before is Memorial Day or Memorial Day weekend.

MS. WHITEFOOT: Oh, it is.

DR. PROUDFIT: The 17th, graduation.

How about like maybe not Fridays, the 22nd or 23rd?

DR. PAYMENT: The 24th?

DR. PROUDFIT: The 24th.

DR. PAYMENT: No, that's Memorial Day weekend, you said, right? Because the 27th is Memorial Day.

DR. PROUDFIT: The 24th, why not?

DR. PAYMENT: What about the 31st?

DR. PROUDFIT: No, it's the State Democratic Convention.

DR. PAYMENT: Oh, yes, you said that.

MS. WHITEFOOT: What about the 30th?

DR. PAYMENT: I can do the 30th if
it's after, say, three o'clock Central, because I've got an Intertribal Treaty meeting that day.

MS. WHITEFOOT: Or the 29th, May the 29th? How about the 29th?

MR. ROULAIN: Excuse me. I'm sorry to interrupt. Mr. Dahkota Brown would like to let you all know that he has to head out for class, but looks forward to talking and, hopefully, being there in person next time. "Thank you all for your help and being accommodating."

DR. PAYMENT: God bless you.

The 29th, I chair the United Tribes of Michigan and we have a meeting -- oh, not until the evening.

MS. BUTTERFIELD: So, like the one o'clock Eastern time, would that work?

DR. PAYMENT: I think so. Oh, wait. Oh, I already have -- I am double-booked that day already. So, something is already being sacrificed.
MS. BUTTERFIELD: The 28th, Tuesday?

DR. PAYMENT: Yes. Yes.

MS. BUTTERFIELD: The same time?

DR. PAYMENT: One o'clock.

This is a subcommittee, Annual Report Subcommittee planning meeting.

DR. JACKSON-DENNISON: Okay. We do have some presenters that are here.

MS. BOULLEY: Yes. Okay. We still have a quorum, and I know that we are pushing it. So, yes.

DR. PAYMENT: Do we have any action items?

DR. JACKSON-DENNISON: Do we need to put this in action?

MS. BUTTERFIELD: Well, we actually, point of order, have a motion on the floor.

DR. JACKSON-DENNISON: Yes, you do, a motion, and we held off on that motion. You asked to hold off.

DR. PAYMENT: Oh, we need to reconvene
DR. JACKSON-DENNISON: Okay, let's go back to it.

MS. BOULLEY: Dahkota Brown is off the line. Is Wayne on the line?

MR. ROULAIN: Yes, Wayne is.

MS. BOULLEY: Okay. Then, you still have a quorum, and you need to make a motion. He needs to type in his answers, his affirmation.

DR. PAYMENT: So, we recessed, the Robert's Rules of Order, we recessed a previous motion until we reconvened. So, it is in order to take a separate motion on the dates. We can do that.

So, I'll make a motion that we recommend those dates for our meetings for 2019 and 2020.

MS. WHITEFOOT: Second.

DR. JACKSON-DENNISON: Okay. So, the motion is from Dr. Payment, and seconded by
Patricia Whitefoot, that the schedule, the calendar is the dates that were provided. And so, we need to vote.

All in favor say aye.

(Chorus of ayes.)

Any opposition?

(No response.)

Okay.

DR. PAYMENT: So, we need Nicholas back, to come back to the -- because there was one change. Oh, I know what it was. Jill had suggested that we have a little bit better clarity on the one where it references the treaties. It is collectively the treaties. It's not individually a treaty. That wasn't in a treaty. It was the combination of all the treaties.

DR. JACKSON-DENNISON: Okay.

DR. PAYMENT: Yes.

DR. JACKSON-DENNISON: That was in the resolution?
DR. PAYMENT: Yes.

DR. JACKSON-DENNISON: Okay.

DR. PAYMENT: And I do have -- if we can get back to that? I don't know how to do that.

So, as they are calling it up, I also happen to have -- one of my tribal members, in his dissertation, he wrote, he researched there were 374 treaties in total, of which 116 of them had educational provisions. So, what we said earlier was a little more generic. And I think if we want to add that, I think it strengthens it a little bit. There were 374 treaties in total with American Indian tribes. Of those, 116 of them had education provisions, and the education provisions are pretty much the same because that was a boilerplate the federal government was using to tell education and social welfare into perpetuity. The Laramie Treaty, it's similar, boilerplate to match it.

DR. PROUDFIT: My fear with that is
maybe we should just assume the treaty and trust responsibility, the federal trust responsibilities for all tribes, because they never ratified the California treaty. So, we are under Executive Order. So, I don't ever want that to be -- I don't want things to be carved out. I want to blanketly assumed this is the intent, right?

DR. PAYMENT: Yes.

DR. PROUDFIT: Because they were intentionally hidden under a vault for 52 years.

DR. PAYMENT: Yes. And also, like Alaskan Natives don't all have treaties. So, the way that we have it phrased does say not only treaties, but legislative/judicial action --

DR. PROUDFIT: Yes.

DR. PAYMENT: -- or the culmination of those things together. So, if you go up there, let's see how we are saying it now --

DR. PROUDFIT: Okay.

DR. PAYMENT: -- to see if we need to
modify it because maybe we won't.

MR. COURTNEY: Where right now? The very top?

DR. PROUDFIT: Yes, toward the top.

DR. JACKSON-DENNISON: I don't see what's wrong with that? Did you take that right out of the Charter? Where is it?

DR. PAYMENT: The first one is right out of the Charter, but the second or the third one -- where was it that we referenced judicial -- oh, it's the next one.

DR. JACKSON-DENNISON: Right there, the third one.

DR. PAYMENT: "Treaty and trust funds originate out of" -- "and is reinforced through judicial precedence and further articulated through legislation which uniquely recognizes the treaty and trust responsibility." That covers people who don't have treaties.

DR. JACKSON-DENNISON: Yes.

DR. PAYMENT: So, it seems like it is
okay as is. It's just the clarification in the third "whereas" that it's not one treaty.

"Fulfilling the treaty and trust responsibility". So, that's not one treaty.

There's something wrong there, too, anyway.

"Uniquely to aid the federal government in fulfilling the treaty and trust responsibility, pledging health, education, and social welfare". So, that's not a specific treaty. That's the treaty and trust responsibility of the federal government. So, that's in exchange for 500 million acres of land. So, that's, again, not specific to one. "To the federal government, which prepaid in full the treaty and trust obligations".

The very last part of that one, instead of "in full" -- we missed something when we were drafting it. It should say, "in full," "paid in full, the treaty and trust obligations".

See, the "trust" part is not necessarily just for
treaties.

DR. JACKSON-DENNISON: Unless you say, "full, all treaty and trust obligations".

DR. PAYMENT: Yes, yes. Maybe that's the way to do it.

DR. JACKSON-DENNISON: Yes. I was an English teacher in my former --

(Laughter.)

DR. PAYMENT: So, do you know what? We need to put a comma after "in full," which "prepaid, in full, all treaty and trust obligations".

DR. JACKSON-DENNISON: Yes.

DR. PAYMENT: That's a parenthetical.

And then, I think it's okay.

DR. JACKSON-DENNISON: Uh-hum.

MS. WHITEFOOT: A question --

DR. JACKSON-DENNISON: Yes, go ahead with your question.

MS. WHITEFOOT: I just have one error.

The treaty and trust responsibility originates
from Article I?

DR. PAYMENT: Yes.

MS. WHITEFOOT: Is that the Constitution?

DR. PAYMENT: Yes.

MS. WHITEFOOT: Okay. So, maybe we need to say that.

DR. PAYMENT: Oh, yes.

(Laughter.)

"Of the U.S. Constitution," after "Clause 3".

MS. WHITEFOOT: "From the U.S. Constitution".

DR. PAYMENT: Yes, "From the U.S. Constitution, Article I, Section 8, Clause 3". So, "originates from the" -- yes. No, I would say, "The U.S. Constitution," capitals.

DR. JOHN: "United States" --

DR. PAYMENT: Yes. Yes. And in the interest of time, I know we were back and forth on listing out -- at the very bottom we left it
open. Do we need to populate that? Because it carries the same weight and --

DR. JACKSON-DENNISON: I think the simpler, the better.

DR. PAYMENT: Yes.

DR. JACKSON-DENNISON: And then, we can refer to the report.

DR. PAYMENT: Yes.

Could you go down to the bottom, Nick? And I think we're just going to delete -- so, it would change "(B) It's finally resolved that NACIE will present," and then, delete the rest. No, no.

DR. JOHN: The bullet.

DR. PAYMENT: The next "Resolved".

DR. JOHN: Yes, the bullet.

MR. COURTNEY: And "NACIE"?

DR. PAYMENT: Yes, delete that one, too. No, no, delete the very last "Resolved".

Delete that.

MS. BUTTERFIELD: Right there.
DR. PAYMENT: Yes. And then, the other one, "Be it finally resolved".

MR. COURTNEY: Should this be a period then?

DR. PAYMENT: Yes. Is that good?

DR. JACKSON-DENNISON: I think that's good.

DR. JACKSON-DENNISON: Let's call for the question.

DR. PAYMENT: Yes.

DR. JACKSON-DENNISON: Dr. Payment motioned -- what? Patricia second.

All in favor aye.

(Chorus of ayes.)

Any opposition?

(No response.)

The motion carries.

Now, we are set for the --

MS. BOULLEY: We do have some presenters who have been patiently waiting.

DR. JACKSON-DENNISON: And thank you
for patiently waiting.

MS. BOULLEY: I'd like to start with

David Cantrell.

DR. CANTRELL: Good afternoon, everyone.

Can you hear me?

(Many respond "Yes.")

Awesome.

So, I'm David Cantrell. I'm the Director of the Office of Program and Grantee Support Services within the Office of Elementary and Secondary Education. The charge of our office is to oversee all technical assistance investments that OESE supports financially.

And I see at least one familiar face. I did present last year and talked about our Comprehensive Centers. So, thank you again for asking me to return. I do have an update regarding the supports that our Comprehensive Centers have been providing to Native American students.
So, I do have a presentation. He's pulling it up right now.

So, our current Comprehensive Center cohort is sunsetting this September. However, we have a new competition that is currently on the streets right now to award 20 new Comprehensive Centers. It's a five-year cohort. They will begin October 1 this year for the next five fiscal years.

And their charge, again, is to provide targeted, individualized technical assistance that is aligned with the states' standards, and those schools, districts, and any tribal organizations that wish to access the support of the Comprehensive Centers do need to work through the state contacts. And then, they coordinate the technical assistance efforts with the identified Comprehensive Center.

So, if we can go to the next slide?

The overall charge of the Comprehensive Centers is just to provide the
necessary technical assistance that the state
deems as appropriate. It could be on a myriad
of topics, anywhere from implementation of
revised curriculum standards, assessment models,
statewide attendance policies, or working with
Native American students within that respective
state.

We do work closely with the
Comprehensive Center Directors, who have the
expectation to work closely with their
counterparts at the state level, to make sure
that whatever technical assistance activities
they've identified are current, are consistently
revised and modified based upon the needs of the
state.

Next slide, please.

So, this slide just overviews our
current cohort, which, again, is sunsetting in
September. But now, that doesn't mean that the
activities that our current Comprehensive Centers
are working on with the states are going to go
away. We have in place a seamless protocol of transition between the current Comprehensive Centers with the new Comprehensive Center that wins the award, and they will go live October 1.

So, right now, any entity across the country that is interested in bidding on the competition to receive the grant for a new Comprehensive Center, part of their competition package is to present their efforts to coordinate with the states in terms of identifying what are the states' current and immediate technical assistance needs. So, that is in play right now. The competition packet is due to us by, I think, the middle of May.

So, this slide overviews our current structure, which is 15 Regional Centers, eight Content Centers. Now the new structure -- I'm going to pause on that.

So, do you have any questions regarding the expectations, the Comprehensive Centers, the structure?
Okay. No questions. Next slide, please.

So, I do want to go over the Comprehensive Center that provides support in California and to the Northwest states. So, the first one is California. This is our California Comprehensive Center, and they have been working closely with the Comprehensive Center -- now the entities within the State are the California Student Support Division, American Indian Education Office. So, this is an example of where the individuals at the State that have identified the statewide need to work with Native American students within the State, they are working closely with the California Comprehensive Center.

They've identified the project to address interventions and supports to assist students with traumatic events and adversity. So, they are working currently, the Comprehensive
Center, with the State to identify online training modules that can be provided to each of the American Indian Education Centers throughout the State.

So, this is an example of where the State is being proactive to identify what are the interventions that they feel are needed to address the students within the State. Now that doesn't mean that there are additional needs, but this is an example of a project of work that the Comprehensive Center has provided to us at my office in terms of what they are working on with the Comprehensive Center.

DR. PROUDFIT: So, do we have this report now?

DR. CANTRELL: The PowerPoint?

DR. PROUDFIT: Yes. We do? Which one is it?

So, I'm sorry, who is working on this in California?

DR. CANTRELL: So, it's the
Coordinated Student Support Division's American Indian Education Programs Office.

DR. PROUDFIT: Coordinated Student Support --

DR. CANTRELL: Uh-hum, it's the California Coordinated Student Support Division, and they have an Office of American Indian Education Programs.

DR. PROUDFIT: I've never heard of it.

MS. WHITEFOOT: That's at the Superintendent's Office?

DR. CANTRELL: Yes, ma'am.

DR. PROUDFIT: We have a like 0.5 person that works in there. I've never heard of this. Interesting.

DR. CANTRELL: Great.

Let's see. The long-term objective of this intervention the State has reported to us is, of course, to improve the student performance, right? So, they are feeling that, because of students dealing with various trauma
or adversity, it's negatively impacting their educational performance. Okay?

So, the next slide I'd like to go over is our Northwest Comprehensive Center that provides support to Alaska, Idaho, Montana, Oregon, and Washington. And last fall, we actually didn't an onsite monitoring of the Northwest Comprehensive Center, and we spoke with our colleagues at the State Department in Oregon.

So, the Northwest Comprehensive Center is working on several interventions, but one I would like to highlight, in particular, is that they are working with each of the states advocating for American Indian and Alaskan Native students within those states to identify communities of practice within each of the states. The goal is to improve the understanding of each of the state officials that address the American Indian and Native Alaskan students needs and to build capacity within each of those individuals at the state levels.
Okay. Are there any questions about the Northwest?

MS. WHITEFOOT: So, we're talking specifically about the Comprehensive Centers?

DR. CANTRELL: Yes, ma'am.

MS. WHITEFOOT: Okay, because there is a difference. They are like two --

DR. CANTRELL: The RELs.

MS. WHITEFOOT: The RELs.

DR. CANTRELL: The Regional Education Labs.

MS. WHITEFOOT: Okay.

DR. CANTRELL: Correct. Okay.

So, the Comprehensive Centers, remember, their charge is to provide technical assistance, interventions, activities, online training modules, face-to-face training, resources, that the state has identified as a local need, right? Now the Regional Education Labs, whom we work closely with, their charge is more research-based, right?
Now, with the new cohort beginning this fall, we are rolling out a more collaborative process before the Comprehensive Centers and the Regional Educational Labs. So, they are working in tandem versus separately, which they have tended to do historically. Okay?

MS. WHITEFOOT: So, you're rolling that out. Is that to say that you're also doing funding with the RELs?

DR. CANTRELL: So, my office doesn't immediately fund the RELs, but the Department of Education does.

MS. WHITEFOOT: Thank you.

DR. CANTRELL: Sure.

MS. BUTTERFIELD: I'm just curious, under outcomes and outputs, the last one, create a regional theory of action to support -- what is that?

DR. CANTRELL: So, a theory of action is, essentially, an action plan that each of the states would individually develop to address the
needs of American Indian students. So, the action plan -- remember, the first goal that they're working on is building communities of practice. So, the action plan is what are the tasks necessary to establish strong relationships between each of the individuals that is charged with addressing the needs of the American Indian and Alaskan Native students within each of those states.

The Comprehensive Center, upon the request of each of these states, was asked to develop a model in which each of the states could collaborate and partner for the benefit of the needs of American Indian and Alaskan Native versus working in isolation. So, the theory of action is developing an action plan to establish ongoing communities of practice between each of these states.

MS. WHITEFOOT: And how many staff are there in the Northwest?

DR. CANTRELL: The Northwest
Comprehensive Center?

MS. WHITEFOOT: Working specifically with Native students, our Native student needs.

DR. CANTRELL: So, are you asking at the state level or the Comprehensive Center?

MS. WHITEFOOT: No, the Comprehensive Center.

DR. CANTRELL: So, the Comprehensive Center is funded by my office. The number of staff is really based upon the projects that they're working on in any given day. The number of staff that are dedicated to the specific project I don't know right now. I can get that information, if you would like.

MS. WHITEFOOT: Yes, if you can.

DR. PROUDFIT: Could I have that for California, too, please?

DR. CANTRELL: Sure. So, what you're asking is the number of staff that are working on a specific project that is associated with American Indian and Alaskan Native?
MS. WHITEFOOT: Yes.

DR. CANTRELL: Would you like the name of the individual projects as well?

MS. WHITEFOOT: Yes.

DR. BROUDFIT: Yes.

DR. CANTRELL: I think that would add some context, right?

MS. WHITEFOOT: Yes.

MS. WHITEFOOT: Nationwide would be good.

DR. CANTRELL: Yes, nationwide, we can certainly provide that.

So, while I'm just targeting the Northwest and California, it doesn't mean that our other Comprehensive Centers are not providing supports to American Indians or Alaskan Natives throughout the country, right? So, thank you for flagging that.

MS. BROWN: And, David, one more question.

DR. CANTRELL: Sure.
MS. BROWN: You might want to forewarn them. Once we get those names, the question I have is, who is advising? Are they tribal members? Are they Alaskan Native/American Indian families, professors? Who is advising the work that they are doing in these two Comprehensive Centers?

DR. CANTRELL: Sure. So, that's a great question. Each of these states, it's my understanding, because, again, I was onsite with Oregon and we actually met with the folks in California as well, each of the state levels has identified a staff member that is advocating for the needs of Native American and Alaskan Native students. Now whether this is a .5 staff member or full-time staff member, again, I don't know their names, but they are advocating for the state level for American Indian and Alaskan Native.

So, with each of the states, they have a range of processes in which they identify what
are the needs of the families, the students, within those respective states. I would imagine they are working closely with the Indian Education Directors within those states, the different offices within the states that are advocating for American Indian and Alaskan Native.

DR. PAYMENT: So, I guess just, rather than it be a supposition, that we actually -- in the U.S. Department of Education, it has a consultation requirement.


DR. PAYMENT: So, in those, that that be formulated into a consultation with those groups, and it might be more less than a consultation than it is a communication, an assurance that the tribal education departments are involved. So, it seems like it would just -- because just now you're talking to people who are out in the field, and it's kind of news.
DR. CANTRELL: So, I did present last year, and it was in the transcript. So, that is public record as well, right?

I will say, though, that with this current cohort, and historically with the Department, we have not done an effective job of outreach, just selling the services of the Comprehensive Center. In the last year, last year and a half, we've revisited our technical assistance from my office to the national stakeholders, in terms of the Comprehensive Centers are there. It is incumbent upon the districts, the states to access the Comprehensive Centers, right.

We know we have a branding issue. I said this last year. We have taken some strides to change our outreach from my office. But, with the new cohort, we're also ramping up our TA, so that all the states recognize that the Comprehensive Centers are there to support them.

They're also there to support you guys in this
room, to support the students nationally with American Indian heritage and Alaskan Native; for that matter, all students across the country. Okay?

DR. PAYMENT: Would it be appropriate for us to request like a guidance letter to have them reach out to the -- just to kind of close the gap -- to reach out to the education directors or education stakeholders, additionally, to basically like meet and tell them what services are available?

DR. CANTRELL: So, I don't think there is any harm from this body reaching out to your respective states, asking to what extent they are collaborating with internal stakeholders within that state to address the needs of American Indian and Alaskan Native. That way, then, you are also helping me out to close the loop from your end, and then, the states will get the message from your side as well that, hey, we need to address the needs of, or at least consider the
needs statewide of American Indian and Alaskan Native.

DR. PAYMENT: My suggestion is not an evaluative suggestion. It's an promotional suggestion.

DR. CANTRELL: That's what I meant. I didn't mean evaluative, though.

DR. PAYMENT: Yes. Sometimes a guidance letter from the Secretary might help facilitate that or somebody to facilitate the states to know to reach out to tribes. Because they don't automatically do it. Some states are better than others. And the thing is, if it exists for that purpose, they do want some kind of outreach. A guidance letter is a step, a suggestion of a step, that they might want to take to reach out.

And the way it would probably happen, like I know the way it would happen in Michigan, is the Michigan staff would reach out to the tribes and probably come together for a meeting,
and then, walk through and say, "Is there anything that you need?" and promote. And a guidance letter goes a step further than having it available, if people would only use it sort of thing.

DR. CANTRELL: Thank you for that suggestion. I'll take it back to my office and see what we can do.

MS. BUTTERFIELD: Just to sort of clarify, in Oregon, we have a State-level American Indian-Alaskan Native advisory group that's developed a State plan. And I know that our staff at the Department of Ed meets regularly with their government-to-government group. And then, once a year, they meet with the Title VI folks.

So, I guess my question is, where in the mix of the work that we're already doing does the Comprehensive Center add value?

DR. CANTRELL: So, remember the charge of the Comprehensive Center. They're
there to provide technical assistance that the
state deems appropriate. So, if the state says
that, hey, let's roll out an online and resources
to support Native American and Alaskan Native
students in responding to trauma, that's that
state's example of an activity. And they go to
the Comprehensive Center and say, "Help us out
with this."

Now that doesn't --

MS. BUTTERFIELD: So, just ask the
state what services they've asked for or --

DR. CANTRELL: Exactly. Correct,
correct.

Now that also doesn't mean that the
states are not addressing the needs of Native
American and Alaskan Native. They certainly are
doing that separate and distinct from the
Comprehensive Centers. So, think of the
Comprehensive Center as an entity that provides
additional technical assistance to the state upon
their request, right? And that request could be
to address the needs of Native American and Alaskan Native students.

What I'm highlighting here are two of our Comprehensive Centers that are working extensively with several states to target specific needs of Native Americans and Alaskan Natives. Does that help?

MS. BUTTERFIELD: Yes.

DR. JACKSON-DENNISON: Can a school district just go straight and ask for help from the Comprehensive Center?

DR. CANTRELL: No, they cannot.

DR. JACKSON-DENNISON: They cannot?

DR. CANTRELL: They can certainly coordinate with the state for a specific need, and it's up to the states; they have the discretion to address that need locally and within the confines of their budget and their staff. Or they could say, "Hey, we do have this Comprehensive Center," because they could also help out this district.
DR. JACKSON-DENNISON: Okay.

DR. CANTRELL: Okay. So, just remember, everything goes back through the states. It's their responsibility to educate the students within their state.

MS. WHITEFOOT: So, I just want to, I guess, ask about the application process. At the state level, you have 1 percent of turnover and changeovers. How are we assured that the transition also follows? Are there any assurances about that, particularly when it comes to transition in Indian country, there's typically turnover, too.

DR. CANTRELL: Yes, turnover is certainly an issue. So, I think what you're asking is, in respect to the projects that the state has in play currently regarding -- okay, so my office requires each of the Comprehensive Centers to provide to us a monthly report in terms of all the projects they're working on. So, if a Comprehensive Center, in collaboration with the
state, has modified the project, we expect that that Comprehensive Center to have done so in collaboration with the state. Okay? So, if the state has change in their leadership, it's incumbent upon them to establish ongoing communication with the Comprehensive Centers, right?

And if the state decides to change the project which the Comprehensive Center is working on, they have the ability to do that. They have the autonomy to do that, right?

So, I think what you're also asking is, if the change in the educational leadership at the state level changes the priorities of the state or the activities, that that is within the purview of their authority. And then, we do hope that they don't forget the Comprehensive Centers, that they're there to provide support, right?

MS. WHITEFOOT: Okay.

DR. CANTRELL: Okay.

DR. JACKSON-DENNISON: I might have
missed this when I walked out to take a call.

DR. CANTRELL: Sure.

Next slide, please, too.

DR. JACKSON-DENNISON: But does Arizona use the Comprehensive Centers?

DR. CANTRELL: So, Arizona, I didn't bring an example of those projects of that Comprehensive Center, but I do know there are several projects addressing the students in Arizona.

So, that's actually a great question and segue to this next slide. The Comprehensive Center Network, compcenternetwork.org, I want over this last year as well. This is an excellent resource. I do hope you remember this. So, you can search by state. You can search by topic to identify what are all the projects in play right now by state.

This answers the earlier question in terms of what are the projects that are in play addressing Native American and Alaskan Native,
but I still will follow up with additional information to provide that needed granularity. But this is a public domain website. You can search by, again, topic, state, and then, find out specifically what are the projects that are currently in play by state, by domain topic. Okay?

So, I would appreciate your support in getting this website to your stakeholders, so that they can understand what services and activities, resources are in play nationally as well.

Okay. Next slide, please.

DR. PROUDFIT: So, if we go to that website, click on "California," it should tell me that tribal --

DR. CANTRELL: So, remember, the tribal group I mentioned was the name of the office at the state level.

DR. PROUDFIT: Okay.

DR. CANTRELL: Okay. So, if you're
interested to know who those individuals are, I would encourage you go to the California State Department of Education and look for the student -- let me get the title here. Look for the Coordinated Student Support Division's -- so, it looks like the office is called Coordinated Student Support, and they have a subdivision addressing American Indian Education Programs. So, that's an office within the California State Department of Education.

DR. JOHN: What about in Alaska?

DR. CANTRELL: Excuse me?

DR. JOHN: In Alaska?

DR. CANTRELL: I don't have the one for Alaska.

So, for any state in the country, if you're interested in knowing who their point of contact is to support American Native students, the place to go is to the State Department of Education, Office of Education. Okay? And then, do a search. If the websites aren't
updated, please reach out to them to say, who is your person addressing the needs of Native Americans and Alaskan Natives just within those states? Okay?

So, the website that I went over a minute ago is the compcenternetwork.org site. The purpose of that site is to identify the projects that all of our Comprehensive Centers have in play that are deemed necessary by the states. Okay? So, these are the individual projects, resources, tools, right? Okay.

DR. JOHN: Excuse me.

DR. CANTRELL: Yes?

DR. JOHN: This is Theresa. I'm from Alaska. My question is, when do you plan to implement something for Alaska? Because we have so many tribal organizations up there, over 200, and the students up there are going through tremendous trauma right now. We just had a massive earthquake, and some schools closed and some schools are being rebuilt. So, where are
those students? Who's counseling them? Who is
giving them support?

And the climate change is impacting
villages, have to move. So, that means right now
our neighboring village Newtok is moving. And
the students aren't going to have school for two
years. There's no school being built in any
location. So, what's going to happen in the next
year or two for the kids?

You know, if this is designed to set
a framework, to build a support system for the
students, and for me to hear that you don't have
anything set for Alaska, it's kind of like the
students are going through massive trauma right
now. The suicide rate is skyrocketing from 13
to 17 years old right now.

DR. CANTRELL: So, let me clarify --

DR. JOHN: And, you know, it's like
this kind of system would be very, very helpful.
And I'm hoping that pretty soon I will have an
answer from your Department saying, "Okay, this
is what our plan is and this is the strategy we have," and be able to name somebody for me from the State of Alaska that I can converse with to help our students.

DR. CANTRELL: So, thank you for that comment.

Earlier, in response to your question, I said that I didn't know the names of the individuals at the Alaska Department of Education. Now, as I said a moment ago, the Northwest Comprehensive Center is providing technical assistance to Alaska, as one of the five states they are assigned to.

Now the projects that Northwest Comprehensive Center is working with specifically for Alaska, I don't have all of those in front of me right now. One of them is, as I went over earlier, the establishment of communities of practice, which includes the educational members of the Alaska Department of Education. So, that's one example of a project that Northwest
Comprehensive Center is actively working on right now to support the students in Alaska.

Now, your additional comment regarding the overall supports needed for students in Alaska, it is incumbent upon -- my portfolio is for the Comprehensive Centers, right? -- it is incumbent upon Alaska's Department of Education to say to the Comprehensive Centers, we need assistance in preventing student dropout rate, for example; increasing the student attendance rate because they're going through local trauma, right; assistance with students dealing with trauma because they're displaced; they're having to move. Those are just examples where the State could go to the Comprehensive Center and say to them, please help us out with X, Y, and Z. Okay?

Now what I promise to follow up with is a detailed review by state, by Comprehensive Center, of which projects that are in play addressing Alaskan Native and American Indian.
So, when I provide that list, you'll be able to see specifically what Alaska State has asked for supports from the Northwest Comprehensive Center.

Now, upon reviewing that, if you feel that, hey, we really need some more support in Alaska, I encourage you to advocate with the State of Alaska. It's on record that you're asking us to provide additional support to students in Alaska. Okay? Does that answer your question? I hope it clarifies my earlier statement as well.

DR. JOHN: Yes. When you say "State of Alaska," there are so many departments there. So, which is it --

DR. CANTRELL: Department of Education.

DR. JOHN: -- the Secretary of Education, or who is it?

DR. CANTRELL: So, there is a Secretary of Education within Alaska. What we need to find out is who is the individual
specifically addressing the needs of Alaska Native and American Indian.

MS. WHITEFOOT: And given this discussion, because I am right there in the Northwest as well and work with the Comprehensive Center in Portland, to me, this is a major issue, particularly in Alaska, given the current or the more recent incidents that have occurred in Alaska. So, I'm wondering if the NACIE Board needs to take action to direct our Director or to help our Director provide, you know, target support and assistance for Alaska Natives with the earthquakes, et cetera, because it impacts us all, not just Alaska. And trauma, I mean massive trauma, is occurring in Alaska.

DR. JOHN: It is. It is.

DR. CANTRELL: So, I don't have the information in front of me, but I would think that Alaska is approved for our SERV grants, which are emergency funds in response to natural disasters. We can go back and see if they did.
I know California did because of the fires, right?

DR. JOHN: I would like some report of your finding and a document come back. Because, I mean, I like the potential of the organization and how it can help the students, especially in developing the -- Alaska adopted Alaska Native culturally-responsible curriculum standards a long time ago, but none of it has been placed to a point of where they've designed a way to implement, I mean, to curriculum development. And I would like somehow someday, when you see that --

DR. JACKSON-DENNISON: When you're done with your report, then maybe we can make a --

DR. CANTRELL: Okay. So, this slide identifies two examples of products that were developed by the West Comprehensive Center. And the one on the right, the American Indian Achievement Gap document, was developed by our
Centers for Standards and Assessment Implementation.

So, these are just two examples of where, upon request from a state, the assigned Comprehensive Center worked collaboratively with the other Centers to develop a product, a resource, that is asked upon by the customers, who is the state, who are the states.

Next slide, please.

DR. PROUDFIT: Okay. So, it's incumbent upon the state to ask for this?

DR. CANTRELL: Yes, ma'am.

DR. PROUDFIT: Okay.

DR. CANTRELL: So, the Comprehensive Centers, I also do need to say that the charge of the Comprehensive Centers is not to address the needs that are covered under Title I, II, and III, right? The Comprehensive Center's budget is $55 million. It's to fund 20 Centers, right? So, the goal of the Comprehensive Centers is not to address the educational performance in
totality of students across the country. It's to augment the technical assistance needs of the states. Okay?

So, I hear what you're saying about the educational needs of students, and I agree with you. But think of the Comprehensive Centers as additional support to those states -- okay? -- to augment the funds that we provide for Title I, II, III, and IV. Okay?

DR. PAYMENT: Can I say something?

DR. CANTRELL: Sure.

DR. PAYMENT: I think the frustration lies in the fact that the format, the way the service is delivered, is subordinating us to state sovereignty. And title programs exist, actually, to transcend state sovereignty. This is an additional support states get.

So, I guess our expectation would be some kind of self-assessment of if states are reaching out to Indian country in delivering it. Otherwise, I'm not sure why we're hearing about
it at all.
And I don't mean that to be flip. I think that some kind of a self-assessment, again, from the Department about if there's adequate outreach to tribes, and that being looked at as a targeted activity, rather than if states request it sort of thing. That's the part that I think is a little frustrating.

DR. CANTRELL: So, that would be a tribal consultation conversation.

DR. PAYMENT: Well, maybe; maybe not. I mean, some of it can be proactive from the Department. Because we existed before states existed, and that was, then, embedded in the -- you weren't here when we were drafting up that section -- well, you were here for part of it, yes -- in the Constitution. And the same section that provides for state sovereignty provides for tribal sovereignty or recognizes inherent tribal sovereignty.

And so, if we're hearing about this
because we are being asked for our input about how this works, and you're saying to help facilitate additional resources, there might also be an expectation in the Department to see how are these being done to ensure there's outreach to tribal communities.

DR. CANTRELL: Okay. I'd be happy to go back and look into that.

Centers, labs and centers, decided to put additional pots of money in a few places to do that additional outreach to Indian country.

And so, part of the frustration is, I guess, in our minds, when we were thinking of technical assistance, we were hoping that it would actually get down to the local level. But when it only goes to the states, and if you're lucky enough to have a state that has a pretty solid Indian ed program and staff, then it might actually trickle down to folks. But if you
don't, it goes to a state that's still not really attending to the needs of their tribal citizens the way that we want them to.

So, the money goes to a Comp Center but it goes to a state that's still ignoring the needs of a tribe -- so, the question we're asking is, actually, did the request that we make attend to the need that existed originally? So that, yes, more money went to Comp Centers, but did it actually make it all the way to providing better services at the local level?

DR. CANTRELL: So, I would like to clarify several points that you said there,

MS. BUTTERFIELD: Yes.

DR. CANTRELL: So, additional monies did not go to the Comprehensive Center. Our budget was static for the last cohort, $55 million. It will remain static for the next cohort, $55 million. Okay?

The terms of requests for the specific projects, and if there was collaboration to
mitigate the specific asks for American Native students and Alaska Natives, the extent to which that collaboration, which is your point, has taken place at the state level, I don't have that information. I can go back and ask our Comprehensive Centers for the projects that are in play right now -- I'm actually pretty curious -- to what extent did you collaborate with the state officials specifically advocating for Native American and Alaskan Native, right? And then, going forward with the next cohort, maybe we could put into place into our internal protocols that ongoing question, right?

The other thing I wanted to say is -- so you said that project supports went to the state, but it doesn't trickle down to the districts. I don't agree with that. I think there are pockets of isolation where that may occur. But, remember, the state asks for targeted technical assistance for specific needs, right?
The one that I went over earlier was
developing resources/training that will go to
educators and school administrators in helping
students respond to trauma. So, that's an
eexample of a project that we funded, the
Comprehensive Center worked with the state to
develop, and then, it was rolled out to the
districts, right?

We all have questions of fidelity of
implementation. To what extent did the teachers,
you know, use those resources, right? But that
is an example, a concrete example, of a resource
that did trickle down to the lowest level.

The other example that I mentioned
earlier was the communities of practice in the
Northwest states. So, each of those state
leaders decided that we needed to work
collaboratively because we all have a lot of the
same challenges, instead of each of us working in
isolation.

Now the collaboration, in theory,
would trickle down to those state leaders, working with their superintendents, working with their school administrators and teachers, right, in terms of what are the best practices for educating American Indian and Alaska Native, right?

So, those are just a couple of examples. I am sure there are many more. But I hear you loud and clear that the goal is to make sure that the educational needs of the Native American students and Alaska Natives are appropriately targeted, right?

DR. JACKSON-DENNISON: I don't remember how long ago it was, but NACIE did approve OIE funds for the Comp Centers. So, I think that's where the question is coming from. What happens, it goes back to a question I asked when the Assistant Secretary was here, and I've been asking this forever. When states submit their plans to the Department, to the U.S. Department of Education, there's got to be
someplace in here that holds those states accountable that those plans, including the Comprehensive Centers and how we are using that, include Native students.

   Because I can tell you -- and you've heard me say this before -- in Arizona, I was looking right now at the WestEd, and that's the Comprehensive Center, right?

   DR. CANTRELL: Uh-hum.

   DR. JACKSON-DENNISON: I see these projects, but nowhere does it identify getting to the level of the needs of Native students or education on Indian reservations. So, it's not happening. It's not happening.

   DR. CANTRELL: So, I think some of your questions can be spoken to by my colleague in just a moment regarding Title I.

   Sorry, Patrick.

   (Laughter.)

   DR. JACKSON-DENNISON: It's bottlenecking. It's bottlenecking.
DR. CANTRELL: Now, two years ago, I believe we did provide a supplement addressing the needs of Native American students to the West Comprehensive Center, right. I think that is what you were getting at as well, right?

MS. BUTTERFIELD: Yes.

DR. CANTRELL: Okay.

MS. BUTTERFIELD: It was a couple of years ago --

DR. CANTRELL: Yes.

MS. BUTTERFIELD: -- but there were actual additional funds that were given.

DR. CANTRELL: Uh-hum.

MS. BUTTERFIELD: I mean, we feel like those Centers should already be serving our communities, but they don't tend to pull our population out and target resources there. So, that was the issue.

DR. CANTRELL: So, this conversation makes me think that we need to do a better job of working with our Comprehensive Centers to get the
message out about what they are doing. Because I speak with them, and my team speaks with them frequently, and there are many, many projects they are working with that are in play at the district level that trickle down to the schools. But we have a branding issue, as I said before, because it's unfortunate that you in this room don't know for your respective states, respective stakeholders, exactly what the Comprehensive Centers are providing in terms of Native Americans and Alaska Natives.

DR. PAYMENT: So, that's telling in and of itself because the people in this room are the cutting-edge advocates in our respective states on behalf of Indian people. So, there's something fundamental in what you're saying. And the next title person might recognize this.

The battle between what does the Department of Education do, why does it exist in title funding, title funding is intended to provide equity because equal is an assumption and
it's not reality. So, title funding exists to facilitate equity. And so, if this funding is considered title funding or under the rubric of title funding in the Department of Education -- it's not?

DR. CANTRELL: Comprehensive Centers are not title funding per se.

DR. PAYMENT: Not per se? Okay. However, under the consultation policy, I do think it would probably be --

DR. CANTRELL: Yes.

DR. PAYMENT: -- a good idea to have consultation for the implementation because that, in and of itself, might promote the states to recognize their purpose in reaching out to tribal communities.

So, our experience with states, going back the last couple of hundred years, is that we're an afterthought. Often, our opportunity for equal education is at the interpretation of states. That's why title funding exists. And
leaving it up to the states to articulate that, it could be something just kind of laissez faire or it could be something purposeful. We don't know. And so, my recommendation would be for us to request consultation for those Centers to reach out to tribal communities, so that it could be articulated.

DR. CANTRELL: I think that's a good suggestion, and I have that in my notes here as well.

Now I do have to say, I'm not saying that tribal consultation is not occurring for each of these projects, because the state leaders I've spoken with and Comprehensive Center Directors I've spoken with, they are collaborating. The needs of Native American and Alaska Native students is always part of our conversation.

So, I also have an ask of you. After this meeting, go back and talk with your state leaders. Ask these questions of them as well.
I actually said this last year as well, right?
So, it is incumbent upon -- and I say this to the state leaders. There are customers for the Comprehensive Centers. It is incumbent upon them to go to the Comprehensive Center, "Hey, this is the support we need. We've asked for this the last six months. What's the status of completion of this? We want to shift gears and next year focus on something different." But, then, it's also incumbent upon you to go to the states and say, "What are you doing in terms of working collaboratively with the Comprehensive Centers?"

DR. PAYMENT: So, can I make a clarification? Because, again, I think it's partially because we're not speaking the same language, even though we speak English. And I don't mean this to be flip.

So, there's a report being released next Wednesday, and there will be a press conference. It's a GAO report on consultation and the wide variances of what federal
departments interpret consultation to be.

So, our understanding of consultation is, pursuant to an Executive Order issued by the President, and then, a continuation of each President thereafter, and the U.S. Department of Education's definition of consultation. And it's not a seamless back-and-forth between consultation and collaboration. And also, tribal communities are not stakeholders. We have a treaty and trust responsibility. And if we look at the consultation policies for the Department of Education, that's something specific. It's not a collaboration back and forth. It's an onus of the implementation of any federal dollars that reach out to tribal communities in a formal consultation. And so, that's what I'm requesting.

Again, stay tuned. That report will be released next Wednesday. I think I'm coming back out here to be part of that press conference.

But the GAO report has identified
shortcomings across agencies in what consultation actually is.

DR. CANTRELL: Thank you.

DR. PAYMENT: Yes.

DR. CANTRELL: Okay. So, just a couple more slides and I'll be finished.

So, this is an overview of the competition. As I alluded to, it's on the streets. Our new cohort will be awarded October 1. We're very much excited about that.

Next slide, please.

Now this is a slight change from our current cohort. We've restructured the Centers. This is association by state to an individual Center, right? So, notice Center 13 is assigned to provide support to the Bureau of Indian Education.

Now, in terms of providing support to Native American and Alaska Native students, that's an expectation, again, in collaboration/consultation with the states for
all the states across the country and our
insularies as well, right?

Okay. Next slide, please.

We will be rolling out, we will have
one National Content Center, and the charge of
that Center is to identify themes that are
appropriate and needed nationally versus one
specific state or a couple of states. And my
office will work very closely with the National
Center.

And the last slide is just my contact
information. Our group leader for this program
is Kim Okahara. She wasn't able to make it
today.

So, I do have some questions to follow
up with. I will get you some answers. Any last
questions of me?

(No response.)

Thank you, everyone.

(Applause.)

MR. ROONEY: Hello, and good
afternoon, everyone.

My name is Patrick Rooney. I'm the Director of the office that's responsible for Title I, Part A. So, I was going to spend my time talking about Title I, Part A.

I had a short handout that I was delinquent in getting to Angeline. So, I don't know if it ended up in your pamphlets or not, but it's just a short summary of Title I, Part A. I did not provide any slides.

DR. PAYMENT: Oh, we do have it.

MR. ROONEY: Oh, good. Good. It doesn't have a lot of information, but it has a little bit of basics about Title I, Part A.

I think you all are probably at least somewhat familiar with Title I, Part A. So, I wasn't going to spend a lot of time going into details. I appreciate the opportunity to be here. I thought I'd take a few minutes, and then, I suspect you have lots of questions for me. So, I was going to give you time to ask me
I do want to say "hi" to Aaron, who I had the good privilege of serving on a negotiated rulemaking committee three years ago now.

DR. PAYMENT: Yes.

MR. ROONEY: It's surprising how fast time flies.

It was on assessments under Title I, Part A, back in 2016.

DR. PAYMENT: I shared with them already that, when I did the blessing in Ojibwe, and then, I said, at the end, I'm going to assess your ability to recognize what I said and retain what I said.

(Laughter.)

DR. PROUDFIT: He was there?

DR. PAYMENT: Yes.

MR. ROONEY: Yes. Yes, I was the federal negotiator along with Aaron, and Leslie Harper was also there representing tribes. So, I definitely appreciated the opportunity. It was
a good experience.

So, a couple of things. Title I, Part A, is obviously the K-12 formula program. To Aaron's point earlier, it is designed to even out some of the funding distribution inequities that exist across the country. About 65 percent of districts get Title I funding in some way, and then, once districts get those funds, they flow down to schools based on the district rank-ordering schools, based on the percentage of poverty in the school. And then, they fund schools along those lines.

And then, schools, once they have those funds, have a great deal of discretion in how they use those funds to address the needs in their schools. And they would do a needs assessment, and then, identify how they will use the funds within the district and within individual schools.

As a condition of getting Title I,
eligibility for Title I. And the two biggest part of that are assessments and accountability and school improvement. So, because the state takes Title I funds, the state has to administer assessments every year in reading, language arts, and mathematics in each of grades 2-3 and once in high school, and then, in science, once in elementary, once in middle, and once in high school. And they also have to administer an English language proficiency test to all kids who are identified as being English learners by the state and by the district. And then, they need to use those results in their state's accountability system.

One of the big changes in ESSA is the change from the accountability system under No Child Left Behind to the new accountability system. The 2017-18 school year was the first year states had their new accountability system in place. I heard you guys talk about Consolidated State Plans a little earlier. The
Consolidated State Plan, which was a very long process for states and for the Department, ended -- I've kind of blocked out when actually it ended, but last year.

And all states now have an approved state plan which they will use for their accountability system this summer and into the early fall and winter, depending on the timeline for the state. And they use that to, then, identify schools for comprehensive and targeted support and improvement, which they are now -- those schools that were identified should be developing plans and implementing interventions to address whatever the cause was for why the school was identified for either comprehensive support and improvement or targeted support and improvement.

The main difference between those two, comprehensive support and improvement, are focused on schools with very low graduation rates, below 67 percent, or schools that were in
the bottom 5 percent of all Title I schools in the state. Targeted support and improvement are focused on schools that have subgroups of students performing poorly or as poorly as the bottom 5 percent of schools overall. So, those are the distinctions between those two groups of schools.

And two other things before I open up to questions. I think you all know -- and certainly, as Aaron knows because he was part of our negotiated rulemaking committee -- we created regulations around assessments back in 2016, that one of the things we negotiated on, and we reached consensus on the whole package of assessments under Title I, was permission to allow states to develop assessments in Native American languages up through eighth grade in both reading and language arts, mathematics, and science. The rules require that, at least by high school, their test is in English for all students. But if the state chooses, they can develop Native
American language assessments. That was kind of an additional flexibility beyond what's in the statute itself.

And then, the second piece that's, I think, important to spend some sentiment on, just to highlight, is the parent involvement activities that are part of Section 1116 of Title I, Part A. That is fairly expanded from what was under NCLB. It delineates a lot more of the requirements to make sure that districts and schools are meeting regularly with parents in their communities to involve them in the development of the plans, in their understanding the needs in the schools, and making sure that parents have a say in what's happening.

If parents don't agree with the school's plan, under Title I, the school administrators have to share those concerns back when they submit their plans for the state to get approval for those plans. The goal is to really make sure parents have a voice and are regularly
involved in part of the process of the school as it's thinking about how to spend its Title I dollars to help meet the needs of students, obviously, including Native American students as well.

So, with that, I'm going to stop because I feel like you probably have questions for me. But if you want me to expand on anything, I'm happy to do that, too. But I just want to let you guys --

DR. PAYMENT: So, first, I want to recognize Leslie Harper's role in this. It was immensely helpful. I'm not sure how two got selected for the negotiated rulemaking team for the two Natives, but I'm not complaining.

So, what I was going to ask is, the requirement for consultation in the development of the ESSA plans was something that we had consensus on, but I heard -- I haven't got this confirmed, though -- but I heard that that was struck out by the legislature after we were
concluded. Do you know if that's true?

MR. ROONEY: The consultation on the state plan was not part of what we negotiated on. We focused on the assessment requirements, and the state plan actually, the Consolidated State Plan deals with the rest of Title I, Part A, but assessments were actually not part of Title I, Part A, because they have to go through -- states have to submit their assessments for a separate peer review in order to demonstrate the quality of their assessments. So, that's done outside of the Consolidated State Plan.

The Consolidated State Plan are those things the Secretary identified as most important for the state to describe its plans for how it's implementing that part of the law, not just Title I, Part A, but, obviously, all of the Elementary and Secondary Education Act, in order to receive funding. So, once your Consolidated State Plan is approved, then the state, as long as it remains in good standing with the requirements, continues
to be eligible for the formula funds from one year to the next real the life of ESSA.

DR. PAYMENT: Do we have any understanding across the states if any kind of consultation occurred or any outreach to tribes occurred?

MR. ROONEY: So, one of the things that I think is a little tricky around the Consolidated State Plan, just to be honest, is when we developed the state plan template, which we put out in -- we put out a state plan template in late 2016. We regulated, the Department regulated outside of negotiated rulemaking, but the Department regulated on some aspects of Title I and the Consolidated State Plan. In 2016, they also regulated on accountability systems.

When the change in administrations happened in early 2017, Congress actually passed a law rescinding those regulations. It rescinded our regulations on accountability systems and our requirements for state plans. So, in late 2016,
we had put out a template for what needed to be in a Consolidated State Plan. In March of 2017, Congress rescinded those regulations that the template had been based upon. Subsequently, the Department put out a revised template that focused on those things the Secretary determined most important for the state to describe in order for their state plan to be approved.

DR. PAYMENT: So --

MR. ROONEY: Sorry. One second.

But in that revised template, states did not have to describe the consultation that they were undertaking in developing their state plan. The template itself identifies those items the states had to respond to. And then, for everything else, there was a series of assurances that said, we assure that we have done; we assure we've done that. And the consultation was part of the assurances that they had done, but it was not something that we checked as part of reviewing and approving a state plan because it
wasn't something they had to describe.

DR. PAYMENT: So, the time period, if you think about it, that was late '16. That's like a guidance letter that went out. And then, those states that were proactive and those Native communities that were proactive -- so, in Michigan, we developed a plan with the consultation requirement at the time, and it was concluded before the administration changed and the plan was already in place. And so, the plan was already articulated and a restatement of the value of "Consultation" with a capital "C". So, that's really the template for Michigan.

MR. ROONEY: Right.

DR. PAYMENT: Because we're trying to get across different agencies in Michigan to adopt that same plan. And so, it is unfortunate that, under the new administration, that all that work was basically scrapped. So, okay.

MR. ROONEY: A lot of states went through that same process Michigan went through,
and they had gone through a lot of consultation with tribes in their state or with other stakeholders. Tribes were specifically a group they were required to consult with. We didn't ask for them to describe how they did it.

DR. PAYMENT: Okay.

MR. ROONEY: Our assumption is that they did, but because we didn't ask for it, it was not a requirement to get approved when we approved the Consolidated State Plan.

DR. PAYMENT: Okay. Thank you,

MR. ROONEY: Yes.

MS. BUTTERFIELD: I'm just curious about how many Native students are improving as a result of Title I support.

MR. ROONEY: So, I don't have the latest data at my fingertips. I'm happy to look at that. There's a website the Department puts out which shows all of our assessment data. It's called Ed Data Express. And each year the states have to submit on an annual basis all of the data
around a number of elements that they have to submit to the Department, one of which is achievement by subgroup for reading by grade, by math by grade, science by grade. And then, we post all of that up on our website. So, you could look at information overall or you could look at information by state to see progress in achievement by each subgroup. That information is publicly available always.

We are in the midst of collecting data from the 2017-18 school year. We won't have that data publicly available until sometime probably in the early fall, is our general timeline of when we release it. But the 2016-17 data and prior years are all available on that website.

MS. BUTTERFIELD: What's the website again?

MR. ROONEY: Ed Data Express. I think it's just eddataexpress.gov.

MS. BUTTERFIELD: And I guess what I'm asking is, what impact has Title I had in
supporting Native students specifically?

DR. PROUDFIT: And then, the followup question, could you answer that question every time you meet with us? Can you bring us an updated report of that?

MR. ROONEY: Sure. I'm happy to do that.

MS. BUTTERFIELD: Yes, because I know the BIE system is all Title I. I mean, all the schools get Title I funds, but I know a lot of our public schools, for example, in Oregon, get Title I funds, especially our low-income tribal schools that are public schools on tribal lands, or on or near tribal lands.

MR. ROONEY: And one of the challenges we always have in Title I is it is a broad program, and states have a lot of discretion; districts have a lot of discretion; schools have total discretion in how they use those funds. So, being able to identify the impact of Title I on individual students or schools is a little
challenging to come up with causation, but I'm happy to share trends in data. And I can share with Angeline to share with you probably next week. And then, in the future I'm happy to come and talk about that. Sure.

MS. WHITEFOOT: What is the per-pupil cost for Title I funds per student?

MR. ROONEY: I don't know that I know the answer to that. But maybe can you clarify what you mean by the "per-pupil expense"?

MS. WHITEFOOT: Allocation, per-pupil allocation for Title I resources.

MR. ROONEY: So, I don't know that there is a per-pupil allocation for Title I. The way Title I works, it's a formula based on poverty, and it's a relative poverty. So, if poverty in all states went up, the states that went up more would get more of the funding and the states that went up less would get less of the funding from one year to the next. And then, from there, there are allocations down to the
Once the districts have the allocations, how they allocate their funds to individual schools, again, can vary greatly in terms of they have to fund schools if they're at 75 percent of poverty and above -- but, below that, they can, then, rank-order their schools and make decisions about who they're going to serve. And it's very common for districts to prioritize elementary schools at the expense of middle or high schools.

MS. WHITEFOOT: And then, just an issue of Ed Data Express or some of the data within the Department of Education. When you're looking at your data that you have at home, it doesn't always match up with the federal government's data, with the achievement scores.

MR. ROONEY: That's fair. And my guess is there's probably a couple of reasons for that. The data we produce are data that are given to us by the states and confirmed through...
a fairly rigorous process by each state education agency. There may be some differences in terms of the data that get reported to the district and how it gets cleaned before it gets reported to the U.S. Department of Education. There's also sometimes, particularly with American Indian students where the population is small, in which case they have to suppress some of the data in order to protect the privacy of individual students. So, that may relate to some of the discrepancies that you are seeing when they roll it up to the state-level information.

There's always some difference between the data of the kids who are tested and the data for all students versus what ends up in the accountability system, because the state has some rules about who gets included. And the kids who transfer who transfer into a school, say, in February, start receiving instruction in February, take the test in April, those kids haven't been there for most of the year. They
get excluded from the accountability system. So, if you're looking at the accountability system data, it's going to be a subset of all the kids, just kind of as the nature of the way the system works.

There's probably some other nuances that I'm not thinking of, but those are some of the ones that may account for the difference.

MS. WHITEFOOT: Thank you.

MS. BOULLEY: We have a number of speakers and we have planned only a half-hour for each.

DR. JACKSON-DENNISON: Okay.

MS. BOULLEY: And so, we're running really behind.

DR. JACKSON-DENNISON: Okay.

MS. BOULLEY: I do apologize to the speakers that are waiting.

DR. JACKSON-DENNISON: Well, if you have any additional questions, I guess you can email them and we'll --
MS. BOULLEY: I would say, if you have any additional questions for followup, please send them to me. I will send them to the office where you have the question. I will cc everyone, and then, they can respond "Reply All," and everyone will get that.

MR. ROONEY: We're neighbors. So, for sure, she'll notify me.

(Laughter.)

MS. BOULLEY: Actually, in fact, we're going to run with the rural program.

DR. JACKSON-DENNISON: Do we need to make a motion? Do we need to make an action item before you leave? Because we're going to lose a quorum.

DR. PAYMENT: Oh, yes. Is there anything else we need to act on?

MS. WHITEFOOT: I had one. I wanted to follow up on Alaska. And I don't know, if we don't take an action, I've learned we're not going to follow up. So, I just want to say, by
May 30th, 2019, the Office of Indian Education will assess and follow up with the Comprehensive Centers and related education programs to ensure that natural disasters and traumatic events impacting American Indian and Alaska Native students are readily addressed to support the immediate and long-term health and safety needs of American Indian students, and with a report to NACIE by June 30th, 2019, is my motion.

DR. JACKSON-DENNISON: Do we have a second?

DR. JOHN: Second.

DR. JACKSON-DENNISON: Seconded by Theresa.

All in favor say aye.

(Chorus of ayes.)

All opposed?

(No response.)

The motion carries.

DR. PAYMENT: And I apologize.

DR. JACKSON-DENNISON: Okay. And I
think we can still do reports without any more business.

DR. PAYMENT: Yes.

MS. WHITEFOOT: I have a motion to approve Aaron's apology and exit.

(Laughter.)

DR. PAYMENT: I'll leave with a clear conscience.

(Laughter.)

Thank you.

DR. JACKSON-DENNISON: We've just got to reassure you it's okay fly.

(Laughter.)

DR. PAYMENT: No, I'm going by train.

Thank you.

DR. JACKSON-DENNISON: Okay. Our next report is from -- do you want to introduce our next one?

MS. BOULLEY: We have Patrick Carr with the Rural Education Achievement Program, and then, Jake Stern.
DR. JACKSON-DENNISON: All right.

MR. CARR: Great. So, thank you for having us this afternoon. We don't have that long of a presentation. We hope that you ask questions as we go through it, but we did want to provide a couple of brief updates that we think might be relevant.

I think there was one question we received in advance around the number of American Indian and Alaska Native students served by the REAP programs. So, we have that figure to share with you as well.

Just by way of quick background, the Rural Education Achievement Program is made up of two programs, the Small Rural School Achievement Program and the Rural and Low-Income Program, both of which are focused on supporting smaller rural districts, but have a tough time applying successfully to federal grants, but also face some of the challenges that are common across all rural school districts in terms of capacity and
ability to take advantage of what sometimes are very small federal awards. So, this program provides flexible awards to amend those other federal awards, title awards.

I think we can go ahead and go to the next slide.

So, one of the things that we did want to provide -- and this is actually late-breaking news as of 11 o'clock this morning -- our Small Rural School Achievement Program application was set to close this evening at 11:59 and 59 seconds.

(Laughter.)

And we've extended it for two weeks. So, if you have someone working on an application at home, tell them to take a breath and you can wait until May 10th. Well, don't wait until May 10th, but --

(Laughter.)

You have a little bit of breathing room to go ahead and put in that application through grants.gov. So, I wanted to make you
aware of that.

And then, we just wanted to share this information to let you know a little bit about how our office works in terms of the information that goes into eligibility determinations for these two programs. We try to make an effort to get eligibility information out as early as possible. We did that in late January this year, and then, districts have about, for the Small and Rural Program, have about two and a half months to get their application submitted.

We check the data, and then, each year in July we'll make awards, both for the Small Rural Program, which is a direct program -- so, districts apply directly to the Department of Education each year for this program. And we make about 4,000 awards. And then, for the RLIS program, which is a program that's administered through states and down to districts, we make awards in the July timeframe as well. So, I just wanted to bring that to your attention and share
that update on the timing of the application period.

In regards to the number that was requested, the request that we received was, what is the total number of American Indian and Alaska Native students that attend districts that receive RLIS or SRSA funds? In the year that we have information for most recently, that number was 207,000. That number varies significantly by states. As you would imagine, in states like Alaska, Arizona, Montana, North Dakota, New Mexico, of the SRSA and RLIS districts, the percent of American Indian and Alaska Native students as a total percent of those districts is between 20 and 50 percent, the highest in Alaska, where it is 58 percent of the students. And then, nationwide, it's about 4 percent of students in districts that receive funding through those two parent programs are American Indian or Alaska Native. So, for SRSA, it's under 600 by statute.
Those are the big updates that we wanted to share with you related to the program. And then, Jake is going to talk a little bit about some common use of funds questions that we received. Because even though there is great flexibility with the program, we still get a lot of calls and inquiries about how can we use these funds; how can we take advantage of it. Most districts use it either for professional development or to improve the technology in their district. But Jake is going to walk through some examples of use of funds, acceptable use of funds that are in compliance with the law and with regulations.

MR. STERN: Thanks.

So, yes, on the next slide, you can see here that the RLIS and the SRSA programs are really highly flexible programs. And the original intent of them was to help very small, very rural school districts meet their own unique needs.
So, as you can see here, a lot of similarities between the two programs. However, where they differ is in parental involvement activities, which is very, very broad, as well as Title IV, Part B. So, in SRSA, you can use Title IV, Part B. In RLIS, you can use parental involvement activities.

This isn't to say that there aren't parental involvement activities that could be used in the SRSA program under one of these other title programs, but this is just a small distinction between the two.

MS. BUTTERFIELD: I'm sorry, can you just say what does R-L-I-S stands for and --

MR. STERN: Sure. Sorry. SRSA. So, yes, RLIS stands for Rural Low-Income School Program and SRSA stands for Small Rural School Achievement Program. And the difference between the two is that, for RLIS, you can be larger than 600 students in your LEA. Your poverty percentage just needs to be above 20 percent.
poverty. And those are figures that are reported by the SEA to us.

So, for this current year, we are using FY17 data, which is the most accurate and reliable data that we're going to use for RLIS and SRSA. And for next year, it will be '18; the year after, it will be FY19 data. So, it will be two years in arrear each year.

Yes, any other questions about this slide?

MS. BUTTERFIELD: And we have a copy of this somewhere?

MR. CARR: I think so. We sent it in advance. But, if not, we'll definitely follow up.

MS. ORTEGA: We'll send it to you later. It was received very late, after this was published. So, we'll send it to you.

MS. BUTTERFIELD: Okay. Thank you.

MR. STERN: Any other questions? No.

Next slide.
Okay. So, here is just sort of another little infographic depicting the two programs. However, it offers some examples that we have worked with the other title programs throughout OESE to verify. And these are just examples, of course. It's not the only use of those programs.

I would point you to Title IV, Part A. This is probably the title program which gets used the most by our rural LEAs because we know that rural connectivity is such a priority for our districts. And in the next slide, when we talk about the Alternative Fund Use Authority, we'll show you why that's so important.

So, if you look back at Title IV, Part A, you may remember that there is a certain cap, a percentage cap, on what you can use the funds on for technology purposes. And I think that number is about 15 percent.

Under the Alternative Fund Use Authority, grantees of the SRSA program and those
that are eligible -- so, important, you don't necessarily need to apply for SRSA in order to use this flexibility. You need to be eligible. These districts can use their Title II, Part A, and their Title IV, Part A, funds to pay for activities under any of the aforementioned title programs.

Additionally, if an LEA is eligible for both programs, which can occur, they can use this authority even if they choose to participate in the Rural Low-Income School Program rather than the SRSA program. So, just an additional little piece of flexibility added to the program.

Finally, as you see here, the LEA doesn't need to apply in order to use this authority. And why is this so significant? It is that, by consolidating the Title II, Part A, funds and the Title IV, Part A, funds under Title V, Part B, they, then, become, in essence, Title V, Part B, funds, negating that 15 percent cap on technology.
So, if a school wanted to completely revamp its technology infrastructure or its capacity, its one-to-one capacity, whatnot, but it was bumping up against that 15 percent threshold, by using this authority, they would be able to alleviate that barrier.

So, it's something that, whenever we go to presentations, we talk about it extensively. However, we don't know how many districts are actually utilizing this. So, as advocates for rural and isolated school districts, we really would press upon you to make sure that your districts know about this and to make sure that they're asking the questions of their SEAs as to how do we implement this; can you help us implement this? And if they have even more questions, they can just contact us, and we'll be happy to help use that. So, a really important part, and sort of encompasses the general intent of the title program, which is increased flexibility for rural districts.
MS. BROWN: I have a question.

MR. STERN: Sure.

MS. BROWN: So, do you have a list of the school districts that currently have applied or are receiving funds by state?

MR. STERN: So, we have a list of those districts that were awarded FY18 allocations with dollar amounts on our website. Additionally, we have a list of districts who have applied for FY19, this current year that Patrick was just talking about, and that is also on our website. Those don't have allocation amounts yet because we don't have the final figures. But, yes, we have those on our website.

MS. BROWN: Okay. I'll look. Thank you.

MR. STERN: Sure.

MS. WHITEFOOT: What's that address?


MR. CARR: Or Google it.
DR. PROUDFIT: Do you have successful case studies on there?

MR. STERN: What do you mean by that?

DR. PROUDFIT: A successful example. Because my recommendation next time you come to see us, tell us about a tribe that is utilizing these grants in a positive way. This is really difficult to understand what you guys are providing.

MR. STERN: Sure.

DR. PROUDFIT: I'm just speaking for myself.

MR. STERN: Okay. Sure.

DR. PROUDFIT: If I'm having a difficult time, I'm thinking some of our other folks --

MR. STERN: Sure.

DR. PROUDFIT: So, if you can give us a nice showcase, then we can share that.

MR. STERN: A very basic example of that, a district will utilize this grant for a
one-to-one computer or tablet initiative for their students, just at the outset. This is a relatively small grant. It's capped at $60,000. And so, the school will decide, we want to devote all of our SRSA funds to a one-to-one computer initiative. Additionally, they'll use it for professional development.

But because it's so flexible and because it's so wide-ranging, we don't have the specific, you know, here's this or here's that, but those are probably the two main focuses, at least that I've worked on in the last few years.

MR. CARR: One thing we can provide, after the meeting we'll send forward, is there was a 2015 study done on how districts are using these funds, and that does provide some examples, I think, and will give you some context. That might be what you're seeking.

DR. PROUDFIT: Thank you.

MR. STERN: Yes, so this is the last slide that we have. I don't know if you had
other questions regarding the REAP programs or grant programs.

(No response.)

MR. CARR: Okay. So, we'll follow up with the slides. Jake has one more point. Then, we'll make sure the report gets to you.

MR. STERN: Yes. When I was sitting over here, I heard that there are some folks from Alaska here. And I just wanted to point you to a small uniqueness in Alaska for our program. When Alaska redid its Consolidated State Plan, like all other states did a year and a half ago, they indicated that they, the SEA, no longer wanted to administer the RLIS program to the LEAs.

So, what that meant is that we, then, were the administrators of the grant program. And I think two years ago we had eight of the 23 eligible apply to the Department. The next year we had 10 of the eligible apply to the Department. And this past year, we've had 15 apply to the...
Department.

So, you just speaking about it made me think about it. It is that we have seen a real increase in the desire of Alaskan LEAs to participate in the RLIS program. As you can see over here, we've got increasing numbers. And so, I would just continue to ask them to stay engaged with the program and to be reminded of that. Because when I spoke with them on the phone -- I contacted like 25 of them -- they were all very excited about the program.

MR. CARR: Okay. Thank you for having us.

DR. JACKSON-DENNISON: Okay. Thank you so much. Thank you.

(Applause.)

MS. BOULLEY: And then, I apologize to Impact Aid. We had shifted them, but please come up.

MS. WALLS: I haven't actually met Angeline yet. Nice to meet you.
MS. BOULLEY: Nice to meet you.

MS. WALLS: I'm Kristen Walls, a group leader in Impact Aid.

MR. TALIAFERRO: I'm Jason Taliaferro. I'm also a group leader in Impact Aid.

We're going to just pretty much give an overview of Impact Aid.

DR. BROUDFIT: So, what number/letter is that?

MR. TALIAFERRO: I'm not sure. It looks like probably this.

MR. ROULAIN: We did not receive a presentation.

MR. TALIAFERRO: Okay.

MR. ROULAIN: But we did receive like a brochure.

DR. BROUDFIT: Would you like me to forward it to you, if I sent to you by email right now? Then, we can put it on.

MS. ORTEGA: There is a brochure on
there.

MS. WALLS: And we also have copies of the brochure, if you would like a paper copy.

MR. TALIAFERRO: We can pass it around. Oh, got it, yes.

MS. WHITEFOOT: Oh, and on letter L, we have the policies monitoring as well.

MS. ORTEGA: If you go to K, that little handout is there. Under K, you have a brochure for Impact Aid. That's all we have.

MR. TALIAFERRO: Okay. We're sending the presentation. Do you have it? No, no presentation? No presentation. Again, I queued it up for you. Send.

But I would just give an overview. And we'll make sure, if you need the presentation, we can send that out, too.

So, I'm going to start off with the purpose of Impact Aid is to compensate local LEAs, local school districts, for a loss of tax revenue due to federal involvement or agreement,
federal lands. And that is the overall premise for Impact Aid.

Once the school district receives Impact Aid, it’s treated like general funds, essentially. So, it just goes back to the general fund. It can be used to pay the teachers. It can be used pretty much for anything they would use Impact Aid for, utilities, computers, special education. That’s pretty much the only stipulation, is that we do have a part for children with disabilities. The school district has to spend those funds educating children with disabilities.

I’m going to skip ahead here a little bit.

MS. WALLS: Maybe we could take a short break and see if they got the email.

MR. TALIAFerro: Yes. Did you?

MR. ROULAIN: It's not received yet.

MR. TALIAFerro: Okay. So, I'll still keep going. I'm just making sure I'm
catching up with the slides here. Not having the slides is a little different. All right.

For basic support payments, in 2018, we had about 1100 applications. About half of those are typically Indian land districts or a mixture between federal lands and Indian lands, other types of federal land.

Let's see here. Appropriations. Well, I was really prepared to have the slides up. So, I do want to talk about the appropriations that we received for 2019. So, for basic support, we have $1.2 billion. For children with disabilities support, we have $48 million. And those combined together are our basic support payments. For construction, we had $17 million, and then, for federal property, because we do have 7003, which is for federally-connected children, and then, 7002, which is for federal property. For federal property, we have the $73 million. Facilities maintenance was only about $4 million, and those are for add-on
facilities. Those don't impact -- I don't think we have any of that on Indian land districts.

One other portion that we do have in our law, Section 7007, which is equalization. I mean 7009. Sorry. We have three states have submitted requests. All three states were approved, Alaska, Kansas, and New Mexico. Kansas has a conditional approval right now, but treated like it's approved.

I guess I can pause for questions right now, and if anybody has any questions about Impact Aid -- I'm not sure how familiar everyone is. Do you have any specific questions?

DR. JACKSON-DENNISON: I can tell you I'm familiar.

MR. TALIAFERRO: Okay.

DR. JACKSON-DENNISON: We're an impacted school, and I've been on the NAFIS Board for a number years, not now, but I was in the past.

MR. TALIAFERRO: Okay. Yes.
DR. JACKSON-DENNISON: But I don't know about anyone else.

MS. WHITEFOOT: I've worked on the policies for school districts for tribes.

DR. JACKSON-DENNISON: Great.

MS. WALLS: I'm going to start and I'm going to introduce the new Impact Aid Grant System that's supposed to come online next September. And what that means for you, if you're not a school district, is that the general public will be able to go online and run certain reports. One report that we have breaks down school districts' payments by military, Indian lands, children, and civilians.

And so, I'd also like to point out that we are not being insensitive when we say "Indian lands". That's how it's referred to in our law. We respect referring to them as Native American children. It's just something specific to a very old law that we have.

DR. PROUDFIT: So, where is that
report?

MS. WALLS: It will be in the new system that's being rolled out in September, we hope September.

MR. TALIAFERRO: Yes, it should be September, but that part will probably be rolled out, I would say, next spring, 2020, the spring of 2020. However, we still have the data. And if, for some reason, you wanted that, yes, if you wanted that --

MS. WALLS: Yes. We're happy to give it to you.

MR. TALIAFERRO: -- just email us.

DR. PROUDFIT: Here's my card as well.

MR. TALIAFERRO: Okay. Joely?

DR. PROUDFIT: Yes.

MR. TALIAFERRO: Okay. I can email you.

DR. PROUDFIT: California, I want California.

MR. TALIAFERRO: Okay.
MS. WALLS: Okay.

MR. TALIAFERRO: I don't have it right here on my phone, but I will get it to you.

DR. PROUDFIT: Yes, yes.

MR. TALIAFERRO: Look for it about the middle of next week.

DR. PROUDFIT: Sounds good.

MS. WALLS: And we really enjoy communicating with everyone. So, if you do have any questions at anytime, feel free to always contact us.

MS. ORTEGA: Excuse me. When you email, could you include Angeline Boulley in your email, so she gets --

MR. TALIAFERRO: Absolutely, yes.

MS. ORTEGA: Thank you.

MR. TALIAFERRO: Thank you.

Definitely will.

MS. WALLS: I apologize, the slides are actually fairly short and instructive. Would you like me to try and resent the presentation
again? Or have you received it?

MR. ROULAIN: No, I have received nothing.

MS. WALLS: So, that's the problem with being in the basement of a building.

(Laughter.)

DR. JACKSON-DENNISON: Yes, it's really slow, the internet.

MS. WALLS: Yes, yes.

MS. BOULLEY: I apologize, my computer, I'm not able to receive any emails or to send them on. So, sending it to me doesn't help us right now.

MS. WALLS: Okay. Hopefully, we'll have it in just a second.

But I get the pleasure of talking about the stuff that you guys are really interested in. I have done some Indian lands data for FY 2019. We are currently working on FY 2020 applications. Our LEAs submit applications a year before the funds become
available. We monitor prior to payment. That's unique to Impact Aid.

In 2019, we had 869 LEAs and 28 states claimed children residing on Indian lands. And that's with greater than 5 percent Indian lands. We have a number that have one or two kids, and they're in the .03 percent. But, for the most part, 869 school districts in 28 states.

Those LEAs claimed 109,265 children in average daily attendance in 2019. And the payments for those children totaled $627,601,421. So, $627.6 million were paid so far, and we have one more payment to make for 2019.

And I have two charts that show you the states with the highest Native American child counts, and then, I have a slide that shows you the total payments by state. And the reason that I provided those to you, if you have a chance to look at them, is to demonstrate that, even though the highest number of children, which is in South Dakota, they are actually the fifth most -- they
get the fifth amount of payment.

And the reason for that is that in the Impact Aid payment there are a number of different factors just aside from membership. Those include local contribution rate, your total current expenditures for the school district. There are a number of factors that cause the school district that maybe has the higher child count to not have the highest payment.

In Arizona, they are the State that receives the largest amount of money for children residing on Indian lands. And that's at about $160 million. The reason for that is that the school districts are smaller and the percentage of Indian lands children is higher, and those are two parts of our formula. So, even though Arizona is maybe halfway down on the highest populations, they are the largest recipient of Impact Aid funds for that category.

Okay. We also have a part of our law relating to Indian policies and procedures. Are
you all familiar with what IPPs are? The purpose of our IPPs are to ensure equal participation, to improve communication and cooperation between tribes and school districts and parents. The third purpose is to make sure that parents of Indian lands' children and the tribes have the opportunity to provide input on the development of the educational program, school-sponsored activities, as well as the development and creation of the consultation process through the Indian policies and procedures.

Okay. There are six new -- well, they're not new so much anymore. On September 20th, 2016, our regulations were updated, and in that we also updated the requirements for Indian policies and procedures. There are six requirements that an LEA must fulfill. They have to show, one, that the policy is there, and, second, how they are going to implement it.

And so, they have to demonstrate that, they certify with their application -- I am on
slide -- okay, maybe we want to go back to the slide with the charts. How about slide 15? Is that slide 15? No. It's just very slow. Well, if we can get to slide 15 -- so, this is the information I was giving you on the data for 2019. This is the chart I was talking about. You can see South Dakota at the top has by far the largest number of Indian lands children of our 28 states. And these aren't all 28. It would have been impossible to see anything there. Montana was second. North Dakota was third. Minnesota was fourth, and Michigan was fifth.

And then, in terms of payments on the next slide --

DR. PROUDFIT: Is it percentage to the overall population in the state?

MS. WALLS: No, it's percentage related to the school districts, right?

DR. PROUDFIT: The land?

MS. WALLS: Oh, by state? I'm sorry.

MR. TALIAFERRO: Oh, no.
MS. WALLS: Yes, so to the total population. You're right, yes. I'm sorry.

So, this one here shows funding by state. You can see Arizona, Alaska, New Mexico, Montana, South Dakota, those five states. Arizona wasn't in that top section of the slide before. And again, that is due to the fact that there are many factors in our formula outside of membership.

DR. PROUDFIT: Land base is pretty much --

MS. WALLS: It's the financial factors.

DR. PROUDFIT: Okay.

MS. WALLS: It's the school district's percentage of federally-connected children to their total membership, what their basic maximum support payment would be in relation to their total current expenditures, if we were fully funded. It also takes into consideration the local contribution rate, which
is the local effort for educating children. Okay?

So, if you have any questions about those slides later on, feel free to let us know. You may move to the next slide.

And again, this slide is what I was just explaining on the purpose of the Indian policies and procedures. We could move to the next slide.

So, with its application annually, the school district has to certify that it has established its Indian policies and procedures in consultation with the tribe and the parents of Indian children. It has to provide a written response to all comments, concerns, and recommendations received through the consultation process. So, any information that comes into a school district, they have to respond in writing. So, if a parent or a tribe requests Native language instruction, and the school district can or cannot provide it, they
will provide that written response. And in our preamble to the regs that were published on September 20th of 2016, it says it should be thoughtful consideration. So, we are looking at that as well.

This is the first year, 2019, where we will actually be monitoring those written responses because 2018 was the first year we implemented the new IPPs for school districts. Bear in mind, we do a year. So, we're a year ahead, fiscal years. So, 2018 was submitted in 2017 after the regs were published; 2019 was submitted in 2018.

So, those are the assurances they sign every year, and they swear that they are doing this in submitting their application.

If we could move to the next slide?

There is an option to Indian policies and procedures. This is called the tribal waiver, and they are an alternative to IPPs. We changed our regulations on this, too. So, before
a tribe signs a waiver of their rights to waive
their rights to consultation under Section 7004
of our law, they should receive a copy of the
regulations governing consultation. So, that is
34 CFR 222.91 through 94.

If the tribe is satisfied with the
services that the school district is providing,
they can waive their right to consultation. The
LEA must submit a copy of the waiver every year.
So, it's not something they can reuse. They
should be consulting with the tribe every year,
and if the tribe remains happy and satisfied,
they will sign another waiver, but they have to
do it annually. The same with Indian policies
and procedures, they must be Board approved
annually.

We did make a change as well. We
heard during our tribal consultation during the
regulation and writing process that some tribes
felt that they were being pressured when a school
district submitted Indian policies and
procedures, and then, were reviewed, that the school district didn't have the documentation to support their Indian policies and procedures and would go to the tribe and say, "We need a waiver for consultation in order to get our Impact Aid money." So now, we have what we internally call a "pick-and-stick" policy. Whichever you submit with your application is what you are obligated to for that fiscal year.

Next slide.

We receive IPPs annually for regulatory compliance. So that is that they have addressed the six policies and they have procedures in place to accomplish those policies.

And we did send a handout that is the IPP screening document that I think you probably have in your packages. With that is literally a checklist, and we use it when reviewing an IPP. If we determine that a school district is not in compliance, we will provide them with that checklist specifying what areas are deficient.
We do technical assistance for 30 days, and then, we have a formal procedure that we can follow if we are not able to resolve the issues, where they have to revise their Indian policies and procedures within 90 days. So, we look at about 120 days total for an LEA to revise its IPPs. We never have gotten to --

MR. TALIAFERRO: A hundred and 20 days --

MS. WALLS: Yes. We've only had to send one out since the new regulations came into place. Prior to that, we had a couple, but we have a more stringent review process in place now, more structured with the checklists and the specific information.

Okay. Next slide. Oh, I'm sorry, you were up there.

There were six policies that they have to write procedures to, and one is the dissemination of information. They have to say what documents they're disseminating to the tribe
and the parents of Indian children. And that includes, at a minimum, the Impact Aid application, the educational program or curriculum, and that includes school-sponsored activities; and also, their equal participation analysis. They have to say how they are going to disseminate them, and they have to say when they are going to disseminate them.

The second one is consultation, and it is giving the parents of Indian children and tribal leaders the opportunity to provide comment on those documents. In our regs, it says that they have to provide sufficient time, so that the tribe and the parents of Indian children can provide thoughtful input.

We have allowed the school districts to send summaries to parents with the understanding -- and it's written in their IPPs -- that full copies would be available upon request. But the application for Impact Aid and the assessment and the evaluations can be quite
lengthy, and trying to get them to everyone they said was a problem. So, we do allow them to do a summary, and they have to distribute that summary.

Okay. And then, the third policy is ensuring equal participation of Indian lands children or Native American children with non-Native American children. And that's representative. So, if a school district has 20 percent Indian lands children, their percentage in programs, including AP courses, football, anything that's outside the regular curriculum, should also be representative of that population. And if it's not, they have to provide us with how they're addressing that.

Okay. Four, revising the Indian policies and procedures, they have to say how the parent can provide input on the development of the Indian policies and procedures, how the tribe can provide input.

The second part of communication, the
second part also includes that they have to take
the tribe's preferred method of communication
into consideration. So, we are checking with
them. If they're faxing them to the tribe that
has no fax machine, that's not very effective.
Or if they're sending them snail mail and they
get lost in the mail, and a meeting is held a
week from the time they send the documents,
again, that's a problem. So, they need to
consult with the tribe on what their preferred
method of communication is.

If they are not having significant
responses from parents or the tribe, they are
asked to consult with the tribe to see if
modification of the location and times of
meetings would help participation. One of the
things that we hear a lot from school districts
is that no one comes to their meetings.

We talked about five a little bit.
They have to provide thoughtful written responses
to information that comes from the consultation
process, and they have to distribute those
written responses before they can submit their
Impact Aid application.

And six is providing a copy of the
revised IPPs to the tribe before they submit
their application or within 30 days of any
changes to the IPPs. So, if we're screening an
IPP and we have found it to be deficient in some
way, and they have to correct it, they have to
get that correction Board approved, but they also
have to send both the Department and the tribe
the revised Indian policies and procedures within
30 days.

If you would move to the next slide?

We've talked about screening. Now
we're talking about monitoring for
implementation. And this is the first year we've
done this, and we've seen the gamut of responses.
So, it's been an interesting learning experience
so far with the field reviews.

We monitor Indian policies and
procedures when a school district is selected for what probably is more commonly referred to as an audit. We call them field reviews. We select about 220 applicants every year to monitor. And so, as a part of that monitoring, we now include monitoring for implementation of Indian policies and procedures.

When we are monitoring, I have also included the monitoring. It's a narrative response now. Before, we used to require the school district to essentially put a binder together with the newspaper clips that they advertised the meetings, with Board minutes, with -- and they were quite lengthy documents.

So, we have switched to a narrative response for monitoring implementation, and they have to answer how they did all of the things that they said they would do in their Indian policies and procedures. They have to provide dates when documents were distributed. They have to identify the preferred method of communication
from the tribe.

So, what we do is we look at their responses and we look at their IPPs, and we ensure that they've done everything that they said they were going to do in relation to consultation.

Next slide.

Our analysts are still doing this, and we've come across quite a few situations which sort of made our eyebrow raise. One school district, in particular, had said that it couldn't -- in their IPPs, they said they were going to SMS, so text message notices out to parents and email them. And then, in their narrative response, they said, well, we couldn't do that because no one has cell phones or computers on the reservation. So, their response was they were going to post them on their web page.

(Laughter.)

You guys got that quicker than some of my analysts.
(Laughter.)

So, you know, this is new to them, and we expect there are some bumps along the road, but we do point those things out to them and we make sure that they appropriately address those.

And that comes in the form, if you look at the next slide, it's technical assistance. So, we try very hard to work with school districts in the capacity of technical assistance rather than punitive actions. And the reason for that is, ultimately, it's the children in the seats who suffer when money is delayed. And so, we work very hard to ensure that technical assistance is our first approach, and we work with tribes until the issue is resolved.

But in some cases of the past we have had a few school districts that simply refused to amend their Indian policies and procedures. We do send them a notice that we do have the right to withhold part or all of their funding for non-compliance with the Indian policies and
procedures. That usually spurs action very quickly.

Okay. Next slide.

If you ever have any questions for us, this is where you reach us. Again, I'm Kristen Walls. This is Jason Taliaferro. We are group leaders in the Impact Aid Program.

If you look at the next slide, because I know you are all interested to know how we calculate our payments, right? So, in supplemental information we have given you six slides or, essentially, six steps to calculating an Impact Aid payment. And we've provided those for you for your reference.

And if you, like Joely said -- Joely, is it Joely?

DR. PROUDFIT: Joely.

MS. WALLS: Joely said she would like the information for California. We are happy to respond to those, to comply with those requests, any type of information that you want, even if
it's not related just to the Indian lands children. If you want information on state totals, we're happy to do that as well.

MS. WHITEFOOT: Can you go back to the slide with your contact info?

MS. WALLS: Sure. Also, if you Google "Impact Aid," it will take you right to our website.

MR. TALIAFERRO: Yes.

MS. WALLS: Which we're also working on to make more user-friendly. So, hopefully, that's coming in the near future as well.

Okay. Does anyone have any questions for us? We caught you at the last. We're the last ones up. So, is anybody asleep?

DR. PROUDFIT: No, you guys were good and thorough, and I appreciate that. Anytime you can show us where the money comes from and how it's broken down and sent out, I appreciate that.

MS. WALLS: Sure. And we have, as a plug, right now, if you're working with school
districts, we do have our discretionary construction program open right now, and it closes in June.

MR. TALIAFERRO: Yes. Well, yes, it closes in June. I want to say it's June 15th.

MS. WALLS: And it is you have to have 50 percent Indian lands children or 50 percent military children or be a heavily-impacted school district in order to apply. As it has shaken out over the years, we make seven to eight awards a year, anything from repairing boilers and chillers to replacing an entire school.

So, if you are working with your school districts and they have a construction need, they should contact us. We have a very simple decision tree that would tell them if they are eligible or not. We're happy to provide that.

As I was saying, most of our awards in the past couple of years have gone to Indian land school districts. Okay?
DR. JACKSON-DENNISON: We were a recipient of the last one. So, thank you. And I was just asking my business manager if we can apply again, and she said that we could.

MS. WALLS: Yes.

DR. JACKSON-DENNISON: She checked with someone. So, I'm very interested. And then, also, she said to relay the message that she really likes the online, she said she really likes the new program that you're putting together, the new -- how did she say it? Let me find her message. She really likes the new application system you're putting together.

MS. WALLS: Yes, that's our IAGS, the Impact Aid Grant System, that's rolling out in September for applicants. So, in September, we expect it to go live for application intake. There are going to be what we call two or three ATOs, right?

MR. TALIAFERRO: Yes, well --
MS. WALLS: Authorization to Operate.

MR. TALIAFERRO: So, they'll probably be up and running internally around September. We are hoping to open an application period this year a little earlier because it is a new system. We typically open in December and it's open until like January 31st. We're hoping to open it a little earlier this year, just so people get used to it. Maybe not as early as September, but as early as we can.

MS. WALLS: We've made it as simple as we could.

MR. TALIAFERRO: Yes.

MS. WALLS: I know more tables that asked some questions --

DR. JACKSON-DENNISON: I saw that, yes.

MS. WALLS: -- and follow it. So, we've really tried to improve the end-user interface, so that it is far less complicated.

MR. TALIAFERRO: We hope to have some
demos rolling out to our applicants pretty soon, too, before it goes live.

DR. JACKSON-DENNISON: Robin?

MS. BUTTERFIELD: I'm just curious how you know if a community has honestly been consulted.

MR. TALIAFERRO: I was going to say, well, there's always a process. Even if like we look at the IPPs and they meet our regulatory requirements, and we're okay with it, you always have the option to request a hearing. So, if there's something -- and I think that's something that a lot of people may miss, is that you always have the option of saying, "We don't feel like our needs are being met. We want to request a hearing." And so, that's one avenue.

MS. BUTTERFIELD: Okay.

MR. TALIAFERRO: Yes.

MS. BUTTERFIELD: Yes, because not currently, but in the past I've had districts that have said that they just feel like they're
ignored.

MR. TALIAFERRO: Yes, and we don't want that. So, they can request a hearing. I would say try to work with your LEA first, right? But if you can't, then let us know.

MS. WALLS: And often in technical assistance, when it gets to that point, we can assist as well, so that it does have to go to a formal hearing.

MR. TALIAFERRO: Yes.

MS. BUTTERFIELD: Okay.

MS. WALLS: Ensuring that the LEA understands that, if they're not in compliance, we can withhold part or all of their payment, that is sort of the stick to the carrot that we offer.

MR. TALIAFERRO: Yes.

MS. WALLS: We do have that authority. And we are, as I gave you that example, we are finding some things that just don't make sense.

We try to encourage our school districts to give
the tribal officials and parents at least one week notice with the documents before a meeting. I would say 80 percent of the IPPs that are in place right now, because I drafted the template that they use, says that it's not restricted just to a Board meeting; that a parent or a tribal official can contact the school district at anytime, and that's still considered consultation. And they still need to respond in writing.

So, if you have examples or you have issues where the school district is not responding in writing to concerns or questions, we can probably help with that.

MS. BUTTERFIELD: Okay. So, how many people do you have that actually can provide technical assistance? And do you go onsite, then, or is it mostly remote?

MS. WALLS: We do some onsite visits. Most of our monitoring is now done by mail or in email in this case.
MR. TALIAFERRO: Yes, mostly --

MS. WALLS: Next year it's going to be uploading.

We do state workshops. I'm going to Oklahoma in June and South Dakota in August to do some technical assistance. We will spend some amount of time talking about their obligation under consultation and IPPs.

So, we are open 24/7 for questions. So, if you have a question, that's the email box. Jason and I monitor it. We'll make sure you're getting responses.

MR. TALIAFERRO: Yes.

MS. WHITEFOOT: And then, the last question I have is on construction dollars. Do you have like a finite set of money, and then, you use it until it's spent? Or how does that go?

MS. WALLS: So, we have two construction programs, and they alternate by appropriation. The law actually says that 60
percent of the $17.4 million is supposed to go to
formula and 40 percent is supposed to go to
discretionary. But 40 percent of $17 million
doesn't go very far in school construction. So,
in the annual appropriations language, they will
specify one program or the other, and it just
happens that they are alternating.

So, in one case, we have a formula
construction payment, and then, we have the
competition. In each case in both years, the
number is the same. But a school district that
comes in with a compelling emergency for $14
million, and the readers believe that the health
and safety of those students are truly at risk,
we might just allocate $14 million to that one
school district. So, there is no finite on the
discretionary side.

If a school district has a certain
amount of assessed valuation, they can only get
$4 million over four years. We don't actually
every four years -- is it every four years? I
think so.

MR. TALIAFERRO: Yes, we'll have to check.

MS. WALLS: But most of our Indian lands districts don't fall under that umbrella because they tend to have very low assessed valuations due to the amount of trust-restricted properties within the boundaries of their school districts. So, that rule doesn't generally apply to most of our applicants, but it does for those with higher assessed valuations, assessed valuations between $50 and $75 million.

MS. BUTTERFIELD: So, if infrastructure dollars are available, could Impact Aid request some of those for school construction?

MS. WALLS: We don't lobby for anything in Impact Aid. NAFIS lobbies a lot.

MS. BUTTERFIELD: Oh, okay.

MS. WALLS: They request funds for construction. So, we just implement.
MR. TALIAFERRO: Yes.

MS. WALLS: Whatever Congress says, we do.

MR. TALIAFERRO: Yes.

MS. BUTTERFIELD: Okay.

MR. TALIAFERRO: And also, I just want to, because we talked about when the grant closes this year, it's June 11th this year. So, I was a few days off, but looked it up. It's June 11.

MS. WALLS: It's a fairly simple application. You get a certifying official, a fire marshal, a building facilities inspector who identifies the emergency. You write what your emergency is. Half of the scoring is based on objective data, the number of children in the school, the number of children in the school district. There's an objective scoring, and then, the readers come in and they do their subjective evaluation of the applications.

MS. BROWN: I'm from Anchorage. So, how does FEMA fit in with this?
MS. WALLS: Nothing.

MS. BROWN: Nothing? It doesn't parallel?

MS. WALLS: No.

MS. BROWN: They're not going to interfere?

MS. WALLS: Impact Aid actually did a lot of that FEMA work way back in the '60s.

MS. BROWN: You can come back.

(Laughter.)

MS. WALLS: I was cleaning out the files the other day. I saw some from 1962. I think it was a program that's now run by FEMA.

MS. BOULLEY: We do have the slide presentation. If you have your jump drive and give it to Phillip, they can load it, load this presentation onto your jump drive. Otherwise, we an email it to you.

MS. WALLS: Does anyone want paper copies of this? You already have paper copies?

MS. BOULLEY: They already have that.
MS. WALLS: Perfect.

MR. TALIAFERRO: And I just want to say there's more to the presentation than we were able to go through. Like Kristen said, there is a breakdown of how the payment is calculated. So, I would say it's very useful to request the presentation because there's more there.

DR. JOHN: I was going to ask, because I know the village of Newtok is in the process of moving, I think, like 40 miles away or something. Their houses are falling underground, under water. And the same with Shishmaref.

MS. WALLS: That's Bering Straits School District?

DR. JOHN: Yes. But, specifically, Newtok is near my island. And I was wondering, what is the process that LKSD is doing in order to make sure that the students have education next year or while they're in process? Because they would probably have to relocate them like 100 miles away.
MS. WALLS: I actually, in 2007, spent nine days in LKSD, up and down the river looking at communities. I was at Newtok. I was at a bunch of different -- Toksook Bay, you want to talk about --

DR. JOHN: Oh, I'm from Toksook Bay.

MS. WALLS: Oh, yeah?

DR. JOHN: Yes.

MS. WALLS: Yes, I went and enjoyed your new school. We helped build that school years ago.

DR. JOHN: Yes. I was going to ask you if it's common for one village to have K through 12 in one building. That's what we have.

MS. WALLS: Yes, that's not unusual.

DR. JOHN: Yes.

MS. WALLS: We have a lot of K-12 districts in Alaska.

DR. JOHN: Yes. I was wondering if there was like communication difference between kindergarten and 12th-graders.
MS. WALLS: Oh, well, you know, there have been some studies on that that I looked at when I was looking at different types of -- the pros and cons of having a K-through-12 district versus broken out by age group. And there's a lot of information out there. It just happens that in those smaller communities it is generally not feasible to have both an elementary and a high school building. The maintenance and upkeep, the difficulty of getting materials, all of those things pose specific problems unique to Alaska.

DR. JOHN: Yes. I know they used to have elementary, but due to asbestos, they had to shut those down. So, they had no choice but to push those kids to the high school.

MS. WALLS: And schools like Lower Kuskokwim School District, LKSD, they do have the ability to use their regular Impact Aid revenues for construction. The purpose of Impact Aid is to replace lost local revenues due to the federal
presence, and they are treated just like local revenues. So, if the school district decides that they've got $23 million from Impact Aid and they need a new school building, they could use that Impact Aid money for that purpose.

Anyone else?

MR. TALIAFERRO: Any other questions?

DR. JACKSON-DENNISON: Well, thank you very much.

MS. WALLS: Thank you.

DR. JACKSON-DENNISON: We appreciate it.

MR. TALIAFERRO: All right. Thanks for having us.

MS. BOULLEY: That concludes the presentations.

In advance of the next NACIE meeting, I would like to really go through more OSEP and some of the other agencies that maybe we have not ever heard from before. So, I'd like to try to have more programs that do their presentations,
that provide their information ahead of time, and
that we can focus most of your limited time on
discussion and questions. It's just it's really
hard to balance --

DR. JACKSON-DENNISON: Right.

MS. BOULLEY: -- with all the other
things that you want to do in your meeting how
much to spend hearing from programs, and then,
your business part of your meeting, and then,
meeting with senior leadership.

DR. JACKSON-DENNISON: Well, I think
now that we have the dates, I think that was the
whole purpose of getting the dates down, so that
we can know ahead of time. And I think it will
be helpful with our time if we receive these even
electronically ahead of time.

MS. BOULLEY: Yes.

DR. JACKSON-DENNISON: So that we can
have questions already. Like the one gentleman
that already had the question someone asked of
him at some point. So, I imagine that we would
be able to be better prepared with the questions that we have ahead of time.

MS. BOULLEY: I think so, too, and I think what would be really helpful is if we have an agenda a month ahead of time, and we get the materials out to you, if you have a chance to look those over. And then, any questions that you want to make sure that they cover, that we're prioritizing those questions that you have. Because there's so much good information, it's hard to fit everything into a half a day --

DR. JACKSON-DENNISON: Right.

MS. BOULLEY: -- of time with you.

DR. JACKSON-DENNISON: Great.

MS. WHITEFOOT: So, the kinds of questions that I've had over the years has been, first of all, on data, and that includes the American Indian and Alaska Native students that are impacted by those federal resources. In addition to that is the location of these students and the LEAs, perhaps with maps or
something like that, to be provided for us. And
then, the dollar amount and per-pupil allocation,
if there is a per-pupil allocation, or how the
allocation is determined, whether that's formula,
discretionary, whatever that is.

DR. JACKSON-DENNISON: Okay. Thank
you, Patsy.

Anybody else? Robin?

MS. BUTTERFIELD: Yes, I think
earlier I had asked for just a comparison of
basically this per-pupil amount, based on Title
I, Title III, Indian Ed. I'm trying to think
what other one. Migrant Ed. I don't think
Johnson-O'Malley is done on a per-pupil.

MS. BOURLEY: But you still are able
to ask for that information because that is under
Interior.

DR. JOHN: Oh, that's true, yes.

MS. BOURLEY: Yes, because NACIE is
over all Indian education programs that serve
American Indian and Alaska Native children or
adults, or benefit from those programs. And so, not only within Education, but Interior as well.

DR. JOHN: I was just wondering if we should consider inviting the Secretary of the Interior at some point, too.

MS. BOULLEY: Okay, definitely.

DR. JOHN: To our next meeting or future meeting.

MS. BOULLEY: Uh-hum.

MS. BUTTERFIELD: And then, the other issue that I was concerned about was the Office of Special Education, how they were addressing the needs of Native parents. How were they tracking services to Native parents, given that some of their resources were consolidated or cut back?

MS. BOULLEY: Sure.

And that was one thing that I wondered if you might want to discuss. You have three vacancies on NACIE. And as we saw in the Charter, a tribe or Indian organization may
nominate. And the one Senator has put forward two names. I wondered if you might want to have a discussion about what -- you all bring so much expertise and your strengths and your experience. I thought maybe if you could assess any gaps that you could look at prioritizing.

For example, special education, someone who might be able to or has a very strong background in special education, or if there is a particular region that isn't represented on NACIE, looking at that. And then, certainly, encouraging people that you know who might have that experience or from those regions, to have their tribe or an Indian organization put forward a nomination.

DR. JACKSON-DENNISON: Do we have three positions open now?

MS. BOULLEY: Three.

DR. JACKSON-DENNISON: Because Sam McCracken resigned?

MS. BOULLEY: Yes.
DR. JACKSON-DENNISON: And then, the other two that were vacant, yes.

MS. BOULLEY: Uh-hum.

DR. JACKSON-DENNISON: So, we only have, okay, three positions, yes.

MS. BOULLEY: Uh-hum.

MS. WHITEFOOT: I would add to that discussion with special education also the needs of foster care children because of the significant number of Native children that are in foster care in some of our tribal communities, and because of the court care that tribes are going through now on this whole topic of foster care.

DR. JACKSON-DENNISON: And I would also like to add that, besides special education, an individual that may have experience, the most recent on the intergenerational trauma and being more -- what programs are out there for Indian children who have experience, which are very many, you know, the trauma and the brain
development, and what happens to the brain from a medical standpoint of what happens.

MS. BOULLEY: Sure. Okay, so Dr. Payment has experience with a BIE grant, tribal grant school. Is there any other? I was wondering what BIE, if there are any other individuals that have that experience working with BIE schools, since that's an area that, you know -- okay. All right. Very good.

DR. JACKSON-DENNISON: I did a long time ago, but it's not enough -- before I even know I was going to go down that road.

(Laughter.)

MS. BOULLEY: And then, early education.

MS. WHITEFOOT: That's been my background.

MS. BOULLEY: That's your background, too? Okay, wonderful.

MS. WHITEFOOT: It's in the report.

MS. BOULLEY: Okay. Good.
DR. JACKSON-DENNISON: Do we have anybody with tribal colleges or universities? We need somebody with that background.

MS. BOULLEY: Okay. Very good.

DR. JOHN: I know Pearl Brower has her doctorate degree, and she runs the Ilisagvik Tribal College in Barrow. She would be a good one, too.

DR. PROUDFIT: What about a K-through-12 teacher? Just like an award-winning teacher who's actually in the classroom with students?

MS. WHITEFOOT: We're old teachers.

(Laughter.)

MS. BOULLEY: It might be neat to have a teacher from a BIE school who has that National Board certification, that professional development, that certification that was talked about yesterday. You know, having someone that has that perspective might be really good, too.

So, I just put that out there. I
really appreciate the suggestions. And if you
talk with your colleagues and families and
community members, and encourage them and
courage your tribes and Indian organizations to
put forward names for consideration.

MS. WHITEFOOT: Who do they send it
to, though? Because there's not a single
person --

MS. BOULLEY: If it came to me, I
would forward it to the -- I would find out who
it needed to go to. So, for a lack of a clear
answer, if it came to me, it would be recorded
and tracked, and then, routed to the correct
place.

DR. JACKSON-DENNISON: She's asking
would the recommendation come from like a tribal
leader of some sort to -- what significance do we
need as far as the recommendations as they come
forward to you?

MS. BOULLEY: A tribal leader, or it
says Indian tribes or Indian organizations. It
also makes references to lists of names put forward. And so, certainly that's something that -- yes, I'm looking for my copy of the Charter. Yes, here it is.

So, under "Membership," it says, "Appointed by the President from lists of nominees furnished from time to time by Indian tribes and organizations."

DR. PROUDFIT: Do we count as an organization that could send a list?

(Laughter.)

MS. BOULLEY: I don't believe we do.

MS. BUTTERFIELD: We're an advisory council.

MS. BOULLEY: No, you're --

DR. JACKSON-DENNISON: NCAI would be good.

MS. BOULLEY: NCAI is an organization.

DR. JACKSON-DENNISON: NCAI is an organization.
MS. BOULLEY: AIHEC is an Indian organization.

DR. JOHN: AFN in Alaska --

DR. JACKSON-DENNISON: Right.

DR. JOHN: Alaska Federation of Natives.

DR. JACKSON-DENNISON: Right.

MS. BOULLEY: Yes.

DR. JOHN: Any organization.

DR. JACKSON-DENNISON: Yes, a tribal president or chairman or leader.

DR. JOHN: Any tribe.

DR. JACKSON-DENNISON: Yes.

MS. BUTTERFIELD: I do have a question around consultation. Somebody in Oregon was asking me this, and I wasn't quite sure how to respond, although I thought they were kind of way off base.

But this is the second-largest school district in Oregon is Salem. And they had got, the Title VI person had shown me a directive that
had come around to the district that said that every school in the district had to consult with Indian tribes. And it's in a sort of shared land heritage between the Grand Ronde Tribe and the Siletz Tribe. So, her question was originally, which tribe or who should I have the schools consult with? And I said, well, I don't think it's school by school. I said, at a minimum, it would be the district. But it's an urban, largely urban district. So, isn't that right?

They don't have to --

MS. MARTIN: They might be referring to the new Title VIII requirement for school districts to consult with tribes before they submit a local plan to their state, if they are an affected district. And those are districts that have over 50 percent American Indian/Alaska Native students or that receive a formula grant under Title VI of over $40,000. And that's a new requirement with the ESSA changes, that school districts, not individual schools, have to
consult with tribes before they submit these local plans. And that includes the formula grant local plans like Title I. It also includes the Title VI.

MS. BUTTERFIELD: So, it's like the Title VI program has more than $40,000? That's why the district is consulted?

MS. MARTIN: Yes.

MR. ROULAIN: I'm sorry to interrupt.

MS. MARTIN: So, that district, that urban district, of course, would be a large recipient probably.

MR. ROULAIN: I'm sorry, ma'am, for the record, could you please state your name?

MS. MARTIN: Oh, yes. Jill Martin, Office of the General Counsel from the Department of Education. Thanks.

DR. JACKSON-DENNISON: And I know that that's what we do in the district I work. I present to the tribal council. We work on that with my Federal Programs Director. We present
and do the consultation.

MS. BUTTERFIELD: But, in this case, the district was having every school.

DR. JACKSON-DENNISON: No, it's the superintendent of that school.

MS. BUTTERFIELD: And I said, that does not sound even possible or plausible. Why would you do that? Okay. So, thank you. That's what I wanted to know.

MS. BOULLEY: Okay. And then, just as a point, people who are interested in being nominated for NACIE should address the letter to the President and copy the Secretary of Education.

Well, I would just like to say that it's been a pleasure meeting with you these past two days. I'm really excited, as I said, to be here, but to be working with you and to be working with such an esteemed group of people who bring such expertise. And the questions that you were asking, I wish we could have had two whole days
to meet with all the different programs because
I think it was good for them to hear those
questions as well.

And so, certainly, I've been writing
down all my questions for followup. I'll go back
through the transcript and make sure. And then,
anything where we had a question, I'll be
tracking that we follow up on that.

DR. JACKSON-DENNISON: Well, we thank
you very much and we welcome you. It is very
wonderful to have you onboard.

MS. WHITEFOOT: I don't want to end
yet.

(Laughter.)

DR. JACKSON-DENNISON: Oh, she has
more questions, Patsy.

MS. WHITEFOOT: I have questions as
guidance.

DR. JACKSON-DENNISON: Okay. Go
ahead, Patsy.

MS. WHITEFOOT: So, for the next
agenda, since I submitted the list of all these programs, I would like there to almost be like some kind of revolving list of programs moving forward. And I don't think we need to have like NIEA here an hour. I think a half an hour is sufficient in the future.

So, for instance, Bureau of Indian Education is one that needs to be here.

MS. BOULLEY: More thorough, yes.

MS. WHITEFOOT: And NIEA. And I want to add AIHEC here as well because we are trying to reach out to -- you know, our initiative is with tribal colleges as well. So, we need to include AIHEC.

And because of the court case that our tribes are going through around Indian child welfare, I'd like to make certain we have -- I've got a list here. You don't have to -- National Indian Child Welfare Association, those kinds of organizations, and just maybe a half an hour, something like that.
And some of the standing I would like to make certain that we're continuing on has to do with the data that we have, the Comprehensive Centers and the Regional Education Laboratories. They are two separate entities, and we really have to be working to collaborate with one another out in our regions.

And, of course, the White House Initiative on Indian Education, and, also, special education because a number of Native students are in special education.

And another one is Migrant Education because, when you go to the conferences around our states and in the region and nationally, there is not a Native presence necessarily in Migrant Education, but, yet, our students are eligible. We are the original migratory people. And unfortunately, our young people and our families aren't signing up for those services. So, I would like to see those programs next time.

MS. BOULLEY: Okay. I am glad that
you mentioned the White House Initiative. As you know, Ron Lessard wanted to be here, and he had a previous commitment. I know that he was really disappointed that he couldn't be here. He did do a very thorough report that is included in your packet and on your jump drive.

And he lists consultations and activities thus far, and he also identifies some really excellent events that are happening. For example, TEDNA, Tribal Education Departments National Assembly, is doing a conference. They're doing a regional conference coming up in Scottsdale, Arizona, on family empowerment. And so, just I encourage you to look over his report and those dates.

MS. BUTTERFIELD: Could we also add to the list Title III and what kind of services our Native kids are getting from Title III? I remember, well, just a few years ago, when I was in Washington, I was trying to work with our Title III staff and make sure that Native kids were
getting the benefit of those services. So, I am kind of curious how many Native kids, or do they track how many Native kids specifically? And I don't know if it's still under the Puerto Rican Amendment where they can still do almost like bilingual competitive grants. Do they still have that available? I think they're demonstration grants. Anyway, I thought they were competitive.

MS. WHITEFOOT: And then, just reorganizing our agenda, so that we have to do revisioning, or whatever we're going to do, I guess formal actions, perhaps in the afternoon of day one. I think it would be beneficial, rather than waiting until the second day.

MS. BOULLEY: Sure.

MS. WHITEFOOT: So, we don't run out of time.

DR. JACKSON-DENNISON: Yes. I think the only reason we pushed that to the second day was because it was just things came up and it ended up to be that way. But I felt like it was
meaningful to have it at the beginning, like you're saying, the beginning of the first day.

MS. BOULLEY: Okay.

MS. WHITEFOOT: Yes. And I know in the mornings you have to do like introductions, all of those kinds of things, and new staff coming in. So, someplace on that first day, you know, immediately after lunch perhaps, if there are action items that we need to be focusing on, then let's do that the first day while we have a quorum.

MS. BOULLEY: Okay. Very good.

MS. WHITEFOOT: Then, the reports can go on the second day, or something like that.

DR. PROUDFIT: Who is the agency or the organization responsible for letting us know how American Indian and Alaska Native students are doing in non-tribal college universities? We don't have any --

MS. WHITEFOOT: Department of Education.
DR. PROUDFIT: -- cohesive data.

MS. WHITEFOOT: So, it's the Higher Education Act.

DR. PROUDFIT: The Higher Education?

MS. WHITEFOOT: Yes.

DR. PROUDFIT: NASNTIs? No, NASNTIs are 10 percent higher. So, we don't have any data on higher education, how American Indians and Alaska Natives are doing in mainstream institutions, because NASNTIs have 10 percent or higher, right? And then, you have tribal colleges, and then, mainstream institutions. And the majority of our students are in mainstream institutions.

So, if we can get some kind of report or who is the reporting agent for that, that would be helpful.

MS. BOULLEY: Okay.

MS. WHITEFOOT: And I would put those together with AIHEC, AIHEC and Higher Education, so that we have the information together. Try
to organize it in such a way that they're back-to-back or something like that.

DR. JOHN: University of Alaska, Anchorage, lost their Teacher Department credential this year. So, the students are going to have to relocate either to Fairbanks or Juneau. So, it's a massive, massive hit for future teachers in Alaska.

I don't know how long -- the dialog was that they don't know how long it's going to be, and the University President I believe alluded to the fact that they will not consider another department of education for the University of Alaska, Anchorage. The students have to apply or relocate to the University of Alaska, Fairbanks, or to Juneau, which are like 300-400 miles away from Anchorage. So, that's a massive, massive stress and tension in Alaska right now for our future teachers.

DR. JACKSON-DENNISON: Why did they lose their accreditation?
DR. JOHN: Is it Northwest something?

Evaluation Group.

DR. PROUDFIT: Northwest Regional Education Center.

DR. JOHN: Assessed that they did not meet the par to have their credential. Just so you know, it's a massive, massive change for -- I mean tension for our future teachers as well as the University itself.

And all the whole University of Alaska system is going through massive strategic infrastructure change. So, there is some dialog, very serious dialog, about closing Alaska Native programs or clumping all the Alaska Native education programs into one. So, that's in discussion.

So, I don't know even know if we'll exist next year as the Center for Cross-Cultural Studies because of all the massive budget cuts and me being the only tenured in that program, and having 40-some PhD students and master
students. It's like we don't know what the
future holds. So, I'll keep you posted. Keep
us in prayer.

MS. WHITEFOOT: And that's part of the
reason that I recommended that action, was to
just zero-in on Alaska. Because we've looked to
Alaska for a model as well, but just because of
the current stresses and tensions that go on
there, not only natural disasters, but these
events, these traumatic events that go on, that
impacts the entire region because it impacts not
only you, but it impacts us in the Northwest as
well. So, it's important that we just be serious
about taking a look at Alaska and the whole
Department of Education.

DR. PROUDFIT: Is there any agency or
agent that we can look to in terms of reporting
the per-pupil spending on American Indians per
state from the states collectively?

MS. BOULLEY: I will find out. I have
no idea.
DR. JACKSON-DENNISON: Yes, you can look at -- for public schools, I know that's part of their report that has to go in. You can actually look at the state web page. I'm sure it's on every state web page.

DR. PROUDFIT: But it's not.

DR. JACKSON-DENNISON: It should be.

DR. PROUDFIT: Yes.

DR. JACKSON-DENNISON: The annual financial reports. Yes, they're on the annual financial reports, and they have a general amount. That per-pupil spending is usually part of the report that goes in.

DR. PROUDFIT: So, a consolidated report that has how much is being spent on American Indian youth by state. I think it would be pretty powerful.

DR. JACKSON-DENNISON: It's just general, you're right. It's not by American Indian youth.

DR. PROUDFIT: Yes. So, by American
Indian, that's my concern. Just to give you an example, tribes in California are gifting $3-400 million a year to the State of California. I'm just curious how much money the State of California is spending on American Indian youth. With all my research skills and my folks, I have not been able to collect that data.

DR. JACKSON-DENNISON: See, I should have thought of this when Impact Aid was here. The equalization in New Mexico is a really hot topic again right now because that's generally what's happening, is the funding is going to the State and it's not -- Impact Aid is supposed to be used to equalize up for children. And it's not Indian education funds, but it's supposed to help equalize children that are on Indian lands or military bases to equalize up.

But, in New Mexico, it's used to fund across the State. So, it's not really -- it's not fair at all. And it really does hurt the children that generated the most -- that need it
the most. So, that went all the way to the Supreme Court. And now, it's coming back up again.

Well, it's 4:07. So, are there any other comments? I know we don't have a quorum anymore.

Again, I really appreciate this meeting. I feel like it was very productive. And thank you very much.

MR. ROULAIN: Thank you.

On behalf of Mr. Wayne Newell, he would like to let everyone know, "Thank you for your help today. Please inform the Chair of my departure. My best to all, and I wish everyone a safe journey home. My best regards, Wayne Newell."

DR. JACKSON-DENNISON: Thank you.

DR. PROUDFIT: Does anyone have a picture of Wayne? I don't even know what he looks like.

DR. JOHN: Do we need to make a motion
to adjourn or?

MS. BOULLEY: No.

DR. JOHN: We don't need to?

MS. BOULLEY: No. Technically, the meeting adjourned when Aaron --

DR. JOHN: Okay.

MS. BOULLEY: When Aaron left, the meeting adjourned.

DR. JOHN: Oh.

MS. BOULLEY: And so, this has been informational from that point on. So, we're good to leave.

MS. BUTTERFIELD: Well, now you tell us.

(Laughter.)

MS. BOULLEY: All right. Thank you.

DR. JACKSON-DENNISON: Yes, thank you, staff.

(Whereupon, the above-entitled matter went off the record at 4:09 p.m.)