

UNITED STATES DEPARTMENT OF EDUCATION

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NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

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MEETING

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FRIDAY
APRIL 26, 2019

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

PRESENT

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

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ALSO PRESENT

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

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

2 9:12 a.m.

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

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

8 (Invocation given.)

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

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

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1 But nonetheless we are always part of the spirit
2 wheel and we have a responsibility to one
3 another. (Native language spoken)

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

6 MS. BOULLEY: Sure, I'll do roll call.
7 Dr. Dennison.

8 DR. JACKSON-DENNISON: Here.

9 MS. BOULLEY: Chief Anderson.

10 CHIEF ANDERSON: Here.

11 MS. BOULLEY: Dr. John.

12 DR. JOHN: Here.

13 MS. BOULLEY: Ms. Brown.

14 MS. BROWN: Here.

15 MS. BOULLEY: Dr. Payment.

16 DR. PAYMENT: Here.

17 MS. BOULLEY: Dr. Butterfield.

18 MS. BUTTERFIELD: Here.

19 MS. BOULLEY: Ms. Whitefoot.

20 MS. WHITEFOOT: Good morning.

21 MS. BOULLEY: Mr. Newell. He's

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1 typing. Okay. Dahkota Brown. Dahkota's not
2 online right now I believe. And then Dr.
3 Proudfit is not present but should be here
4 shortly. We do have a quorum.

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

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

20 And I'm very appreciative of that time
21 and that level of I guess as Dr. Payment put it

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1 coming to the center of what we're here for and
2 what we want to make certain that we accomplish
3 because we have to be able to get to that center
4 with one another and know each other at that level
5 before we can really put forward some good work.

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

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

19 Then we can get to the annual report
20 to Congress which is another huge project that
21 we've got to work on again.

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1 So I'll start out with that. Anybody
2 want to open up with your thoughts?

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

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

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

15 DR. JACKSON-DENNISON: Okay.

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

21 And I don't know how we want to do it.

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1 If we have access to a blank page that we can put
2 them up.

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

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

10 DR. JACKSON-DENNISON: I think we
11 need to have a -- who wants to be the note-taker.
12 Like having it up there so we can see visually.

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

15 MS. BROWN: Angeline, this is Doreen.
16 Before we get started I just wanted to ask for
17 some clarification on the organizational chart.

18 MS. BOULLEY: Sure.

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

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1 color coding.

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

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

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

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

21 MS. BUTTERFIELD: Is it the R you're

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1 looking at?

2 MS. BROWN: Yes, R.

3 DR. PAYMENT: So who evaluates?

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

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

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

14 MS. BOULLEY: Deputy assistant
15 secretary.

16 DR. PAYMENT: I want to be tentative
17 in the way I say this because I don't know where
18 we're going to get the greatest utility, with
19 somebody who is delegated that is able to focus
20 and pay attention, or somebody who is higher up
21 that isn't necessarily going to be accessible.

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1 So I know that recommendations from
2 the past have been to elevate the function so
3 that it can crosscut agencies and not be
4 compartmentalized.

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

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

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

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

19 But at the same time I guess for me
20 being on since 2010 I have to say that yesterday
21 was the first time ever we spent the length of

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1 time that we spent with even an assistant
2 secretary has sat here with us and got to that
3 level of humanism with us instead of the
4 bureaucratic type only here five minutes and
5 trying to hurry up and spit out our information.
6 So I was very appreciative of that yesterday.

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

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

18 DR. PAYMENT: One thing that I guess
19 I would recommend -- we can talk about it for a
20 second -- is while situationally it works because
21 -- we think it's going to work because in Ruth we

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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

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1 downward then if we can get some kind of
2 articulation or assurance or expression of what
3 we think will make that workable.

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

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

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

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

20 MS. BROWN: So, one of the -- I'm
21 going to go back to my concerns. One of the

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1 concerns is that the main flow chart is not
2 accurate then.

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

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

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

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1 And we do need to note that it does
2 need to be elevated.

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

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

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

19 There's really a misperception. Then
20 that makes us as NACIE like what are we here for.
21 Is it just Title 6. So out there there's a

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1 misperception and I think it does go back to the
2 org chart. I'm glad you brought that up.

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

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

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

18 If the position was guaranteed that
19 the visibility of Native education would be
20 elevated I think that's what we're after.
21 Because when we start asking what does Title 1

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1 services provide for Native kids. What do Title
2 3. What does teacher preparation. All of those
3 things that impact Native ed are under our
4 purview as a presidential advisory board.

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

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

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

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

19 So I guess I'd like to understand how
20 that was all advocated for, recommendations,
21 justification, all of that.

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1 And I don't think that's out of place
2 because we just read the purpose and mission that
3 is really our duty.

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

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

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

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

20 And I guess I'd like to hear it from
21 the people who were advocating it so that we can

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1 say well, did you think about this, or did you
2 think about this. Is it too late.

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

7 It feels a little bit like that.
8 We're trying to start in a new direction, but I
9 think that -- I said it earlier. We're faced
10 yesterday -- we're formulated to go forward but
11 we never forget. And we'd be foolish if we
12 didn't ask these questions.

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

21 And so as we're doing this I'm also

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1 wondering how many other presidential committees
2 are there within the Department of Education too
3 and how do they function within the department.

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

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

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

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

16 DR. PROUDFIT: My recommendation
17 would be rather than asking where we fit in and
18 asking why or how this was implemented, why don't
19 we approach it from the position that because we
20 didn't meet during that period of time here is
21 our plan. Let's formulate it. Let's draft it.

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1 And this is our recommendation and this is when
2 we expect it to be implemented so that it's not
3 a request, it's our initiation of how the process
4 should work.

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

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

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

21 And that is what drives what we're

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

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

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

11 DR. JACKSON-DENNISON: We have.

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

17 MS. AKINS: Madam Chair?

18 DR. JACKSON-DENNISON: Go ahead.

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

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1 question, Patsy.

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

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

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

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

21 So as you formulate your

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

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

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

17 Currently within the department we do
18 have other White House initiatives as you know.
19 So WHIAIANE is the acronym that we call it, but
20 where Ron Lessard is currently the acting
21 director.

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1 His office is a White House initiative
2 and per the executive order for that office you
3 all also advise the White House initiative or
4 WHIAIANE.

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

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

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

19 Within our agency that's the only
20 White House initiative and advisory committee
21 that has a new executive order. That was done

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1 in September of 2017. Don't quote me on the
2 date, but currently that initiative has 12
3 advisory board members that were appointed by the
4 President I think about a year or so ago. But
5 they have yet to meet.

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

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

16 Let me see if I've forgotten. Sure.

17 DR. PAYMENT: What's a little
18 disheartening is serving in a number of advisory
19 capacities there is an identifiable pathology
20 which is to move away from equity type
21 programming.

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1 It is encouraging to hear that
2 committee was created in '17. It's a little
3 discouraging that like us that's lagged because
4 it does suggest kind of a lack of commitment.

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

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

21 And that that's how we envision us

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1 being able to fulfill both the statute and our
2 charter.

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

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

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

21 And so that particular advisory

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

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

11 MS. AKINS: There's two.

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

14 MS. AKINS: But appointed by --

15 DR. JACKSON-DENNISON: Appointed by
16 the President.

17 MS. AKINS: Correct. And at one
18 point until they made an amendment the National
19 Board for Education Science members were not only
20 appointed by the White House but also had to be
21 Senate confirmed. So imagine how long that took.

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1 And that's over the course of I don't
2 know, let's see. In 2000 they were Senate
3 confirmed and I think that changed in I want to
4 say 2007 or '08. So imagine if you had to also
5 be Senate confirmed.

6 DR. JACKSON-DENNISON: Robin.

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

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

16 And that's when we ask folks to come
17 in and report to us in the past they've come in
18 and kind of given sort of a general report about
19 what they do, but they don't speak to us directly
20 about -- so out of all the things that you do how
21 does that impact Native students.

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1 So that's what we keep asking for is
2 the data from each of these programs.

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

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

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

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

20 Office of Minority -- OMS Services.
21 HRAC was the one entity that tracked inequities

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1 and disparities in health delivery and that's
2 been abolished.

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

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

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

15 DR. JACKSON-DENNISON: Okay.

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

18 CHIEF ANDERSON: Even if we develop
19 our understanding of NACIE what is that actually
20 going to do? We've been sitting here for years
21 talking about lack of respect for this advisory

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1 committee. And the things that we develop is
2 going unnoticed or being unheard.

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

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

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

21 I'm not sure. But it seems like we

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1 keep spinning our wheels here of trying to
2 accomplish something that doesn't seem to go that
3 far.

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

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

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

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

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

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1 Payment.

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

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

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

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1 charter.

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

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

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

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

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

19 Getting data from the various programs
20 in terms of services that are being provided for
21 Native kids. That's where the accountability is.

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1 It's in the work that everybody is doing.

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

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

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

21 In the conversation yesterday about

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1 special education having the one technical
2 assistance center removed that focused on the
3 needs of Native parents of children with special
4 needs is an example that they're not attending to
5 the trust responsibility for Native communities.
6 To remove that resource.

7 So those are the kind of things --

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

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

18 Because we know -- we're all out in
19 the field. We know what's out there. We know
20 all the things that need to be done. It's just
21 overwhelming.

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1 We've done our annual report saying
2 all of these things need to be done and now it's
3 going to being asked why are they not listening
4 to us. Do they even read our report.

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

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

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

20 MS. AKINS: I think that was -- Dr.
21 Dennison, that was Michael Yudin.

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1 DR. JACKSON-DENNISON: He did say
2 keep it to one or two because the administration
3 is ending in a couple of years.

4 But we didn't follow that. We tried
5 to, but because we have so much information. It
6 goes back to all of us that are passionate about
7 the jobs that we do in Indian Country that we
8 know.

9 And we kept saying add this, add this.
10 Yes, those are all the things that we've had how
11 many pages of things that we need to add.

12 But that's part of the reason is that
13 -- and I say this because it's my experience as
14 a superintendent when you have all this
15 information that you've got to tackle there's so
16 much that gets left undone because the most
17 priority things are what you end up doing. And
18 then some of the other stuff -- but the days go
19 by and things are not done. And that's just the
20 nature of the job.

21 And so I think that's a -- I like to

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1 refocus back to the question and the comments
2 that Chief Anderson brought up and the resolution
3 that you want to draft. Let's start there.

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

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

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

19 And then we had one meeting and then
20 there was another lag. And almost in a way
21 understandably we weren't consulted during the

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1 reorganization, blah blah blah. Give them some
2 wiggle room.

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

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

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

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

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

21 DR. PROUDFIT: Going back to Chief

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1 Anderson's comment. Since some of us came on
2 during the end of the Obama administration I have
3 to say I'm a bit frustrated. I don't know why
4 work wasn't elevated, positions weren't elevated
5 during an eight-year administration that seemed
6 to be more interested in this particular charter.

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

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

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

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

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1 go nowhere.

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

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

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

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

21 And then assume what's our play should

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1 it not be responded to. Because we're in crisis.
2 We cannot let this linger.

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

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

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

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

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1 sink.

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

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

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

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

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

21 And we're in our communities doing the

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

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

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

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

19 And so there's some steps we need to
20 take before we move forward and this could be one
21 of them, one of the key elements of that.

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1 I think that we've been able to
2 outline what our priorities are even though we
3 were told by Michael one or two and so the thought
4 was we'll go ahead and we'll put one and two.
5 And so we know what one and two is.

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

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

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

20 I'm just saying we're spinning our
21 wheels. We know it's out there. All this needs

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1 to be done. We have worked long hours on this.

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

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

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

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

17 MS. WHITEFOOT: And I forgot to
18 mention, I meant to do this too was to also just
19 point out that we do have the committee and we've
20 worked with the committee on -- the Senate
21 Committee on Indian Affairs.

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1 I think we also need to have
2 conversations with those committees. The Senate
3 committee as well as the House committee
4 expressing what some of our frustrations are.

5 But also share where we want to go and
6 to help forge further clarification on the work
7 or the tasks that we're to be doing.

8 DR. JACKSON-DENNISON: Okay.

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

11 DR. JACKSON-DENNISON: Yes, go ahead.

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

18 And whether it is a staff person from
19 the Department of Education that is testifying to
20 that, or if it's a staff in a combination of one
21 of us.

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1 I think that this was created by
2 statute for a reason. It was done because there
3 was a neglect for the treaty and trust
4 responsibility.

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

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

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

17 I think that that would strengthen the
18 Department of Education and Interior in their
19 asks and it would move our recommendations to a
20 level of prominence so that all the work that we
21 do is not for naught.

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1 And so I have informally, I have not
2 lobbied because I know that's against one of our
3 -- in our duties, I have not lobbied, but I have
4 spoken with the Senate Indian Affairs Committee
5 staff and said what is your expectation.

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

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

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

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

21 MS. AKINS: Dr. Payment, I was going

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1 to say maybe not so much a legal opinion but once
2 the council gets to the point where that request
3 will be fulfilled or a meeting is going to occur
4 I would just recommend just maybe not so much a
5 legal opinion, but just guidance in the steps you
6 will need to take to get you where you need to go
7 to make the meeting happen.

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

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

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

21 But again I think our ethics division

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

5 DR. JACKSON-DENNISON: Dr. Payment.

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

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

13 DR. PAYMENT: Actually, let me
14 finish.

15 MS. AKINS: Sure.

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

21 It might dually go through Department

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1 of Education and Interior to fulfill that
2 request. And then who you send is up to the
3 department.

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

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

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

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

17 MS. AKINS: Correct. I understand.
18 And thank you for that clarification.

19 I'm just saying when the time comes
20 let's just make sure we dot our i's and cross our
21 t's. I'll just say that.

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1 And I don't know who they'll send. It
2 will go through our control correspondence and
3 I'm not sure how that will all end up, like you
4 said, who they'll send.

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

11 DR. JACKSON-DENNISON: Chief
12 Anderson.

13 CHIEF ANDERSON: Thank you.
14 Basically when we do go out -- I wear several
15 hats because of the different, being a NACIE
16 member as well as being the chief of my tribe.

17 So there are, you know, we can say
18 educate or we can say advocate.

19 But the thing that I think is really
20 clear is that this is a committee that is a
21 wonderful committee.

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1 We are the National Advisory Committee
2 -- or Council on Indian Education. And this
3 committee should be looked at with full respect
4 with our recommendations.

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

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

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

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

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1 take notice.

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

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

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

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

19 And they need to take notice. And if
20 it means going to the committees, going to the
21 chairmen of these committees I'm willing to do

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1 that.

2 But we have to do something for them
3 to take notice that our recommendations is just
4 not paper. Our recommendations is the hard work
5 of the great talent that sits here today.

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

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

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

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

20 It's about what are we advocating for.
21 It's not just us as a body that's created by

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1 statute, but it's what's not happening for our
2 kids.

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

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

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

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

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

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1 concrete.

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

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

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

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

17 MS. AKINS: Just real quick, Robin.
18 So just not to -- the reports that you all do,
19 they have to get transmitted to the Secretary.
20 I always make sure that our DFOs department-wide
21 do that.

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1 And so, now after they're controlled
2 and put in him or her's box or what have you,
3 what happens after that. But they do receive
4 them. They have to. We have to make sure -- I
5 mean they're not just like put in a slot, you
6 know somewhere in a mailroom. They're actually
7 logged in, transmitted electronically.

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

12 DR. JACKSON-DENNISON: Dr. Proudfit.

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

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

20 I appreciate that answer, but just
21 trying to find the previous report, we couldn't

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1 get that. We couldn't even get that in a proper
2 format. We couldn't.

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

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

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

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

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1 time.

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

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

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

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

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

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1 have multiple hats.

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

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

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

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

20 It's not -- it's in our charter that's
21 our duty. And I have to believe that if that was

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1 an expectation when NACIE was created decades ago
2 that that's what they expected. That our report
3 go to Congress. And I'm not saying that it
4 hasn't. But I'm saying it's not an unrealistic
5 expectation because it's in our charter, it's
6 probably in the originating document or
7 legislation.

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

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

21 Because it's just sitting somewhere

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

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

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

16 DR. JACKSON-DENNISON: I think also
17 that link -- we have two tribal leaders here that
18 we can ask if your tribal leader, the tribal
19 webpage. That would be another good way of
20 putting that link on each tribe's webpage. That
21 would be a good way.

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1 DR. PAYMENT: There's always a dual.
2 One is Education Department --

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

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

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

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

15 I think in my experience Indian people
16 are the strongest advocates for -- we really
17 advocate for our own like we've one here at this
18 level, but somewhere there's that gap being
19 missing that way. So if tribal leaders can also
20 take it upon themselves when they come to
21 whatever reasons they come they can ask.

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1 I know I do that whenever I go on the
2 Hill. I say hey, do you have a copy of the annual
3 report. Sometimes they don't even know what it
4 is. The staffers don't know.

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

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

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

20 I've seen posters that have been
21 developed by Title 6 Indian ed. Like any of the

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1 promotional materials or information that's
2 handed out specifically at NIEA. Why can't it
3 be referenced somewhere. That's a standard
4 protocol when something is printed. If you have
5 questions or even a link saying this is about
6 NACIE. Always having that particular protocol
7 when anything is printed.

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

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

15 So having a two or three-page glossy
16 with pictures helps and makes people read it,
17 especially if there are funding opportunities in
18 there, letting people know. But also an
19 opportunity to hear from folks in Indian Country
20 about some of the issues that are important to
21 them. That would be a recommendation, a NACIE

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1 quarterly newsletter.

2 And then maybe a webinar. What is
3 NACIE. What does NACIE do. How do we operate,
4 things like that. That's something people can
5 continue to look to and then we can send that out
6 to ed departments, state departments, tribal ed
7 offices.

8 DR. PAYMENT: We can make this shine.

9 DR. JACKSON-DENNISON: I like those
10 ideas.

11 DR. PROUDFIT: Put some lipstick on
12 this.

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

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

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

20 (Simultaneous speaking)

21 MS. AKINS: Madam Chair, I'll check

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1 into it.

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

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

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

11 MS. AKINS: Yes.

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

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

21 I noticed in our budget that we're

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1 like at \$68,000. How do we negotiate for that
2 budget because historically NACIE had probably a
3 bigger budget because of the types of reports
4 that they had.

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

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

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

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

20 MS. WHITEFOOT: So we also need to do
21 work on the budget then too.

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1 DR. JACKSON-DENNISON: Dr. Payment.

2 DR. PAYMENT: The other thing is that
3 I don't want to obligate anybody. I have to
4 believe that partner organizations might be
5 facilitative in helping to get the word out.

6 And maybe even in cooperation with
7 NACIE and Department of Education publishing our
8 report.

9 It would be better if we were putting
10 it out directly and could get that budgeted, but
11 in the interim time period I think that both NCAI
12 and NIEA, maybe AHEC would be willing to
13 collaborate in helping to get those reports out.

14 So that shouldn't be seen as a barrier
15 because I'm pretty sure that we would find a way
16 to help, assist the Department of Education with
17 getting the report out.

18 DR. PROUDFIT: In the charter it does
19 state the estimated annual cost for operating the
20 council at \$68,579. This includes compensation,
21 travel, per diem and other operating costs for

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1 members to attend at least two meetings per year.

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

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

7 (Simultaneous speaking)

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

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

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

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

20 So I don't know if she would be able
21 to advocate for more dollars, but I will say that

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1 my recommendation would be of course as you
2 always have to be more strategic about -- because
3 let me just back up and say FACA does not prohibit
4 more than one or two meetings. That's why in the
5 charter it says estimated.

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

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

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

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

21 So you don't have to only have two

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1 meetings a year, but let me just say that of
2 course you want to make the best that you can for
3 the two meetings just in case we're not able to
4 find funds for you to have more than two meetings
5 a year.

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

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

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

20 DR. JACKSON-DENNISON: So, a question
21 to follow up on that is in previous years where

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1 we didn't meet what happens to the funding? Does
2 it carry over, or does it get lost?

3 MS. AKINS: It gets lost.

4 DR. PROUDFIT: I wonder who found it.
5 The annual reports that have happened over the
6 last decade or so, or the history, is there an
7 archive? Can we have access to them? Because I
8 can't find it.

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

21 DR. PROUDFIT: Nacie-ed.org?

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1 MS. BOULLEY: No dashes. Just if you
2 do a search and just have NACIE and then a space
3 and then ed.gov it's going to take you to that
4 site.

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

8 DR. PAYMENT: I emailed it.

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

11 DR. PAYMENT: It's very rough.

12 DR. JACKSON-DENNISON: Okay.

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

17 Is there any way that we have funding
18 available where we could do booklets of our
19 reports so that whether we go to different
20 conferences if this is something that we wanted
21 to share that we're allowed to do that?

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1 MS. AKINS: I'll check on that. I'm
2 definitely taking notes. Angeline and I will
3 follow up. So you are recommending, Chief
4 Anderson, a booklet versus like a full 8.5 x 11
5 like report type.

6 CHIEF ANDERSON: In addition.

7 MS. AKINS: In addition.

8 CHIEF ANDERSON: I believe that
9 Congress is probably going to require just the
10 pages so they can look at it.

11 The other thing that when I get a
12 document that is 30 pages I'm like okay, I want
13 a summary sheet. Yes.

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

16 DR. PROUDFIT: A glossy, pretty
17 report.

18 DR. PAYMENT: Pictures of Indian
19 kids.

20 DR. PROUDFIT: Who are in crisis.
21 Word of the day.

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1 DR. JACKSON-DENNISON: Okay, thank
2 you. Let's take a 10-minute break. So it's now
3 10:38. We'll be back at 10:48. We'll make it
4 10:50.

5 (Whereupon, the above-entitled matter
6 went off the record at 10:38 p.m. and resumed at
7 11:05 p.m.)

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

11 On the screen we have the draft
12 resolution that -- thank you, Dr. Payment. I see
13 your writing skills are still in handy because
14 you just did a dissertation and I remember how -
15 -

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

19 DR. JACKSON-DENNISON: Let's all read
20 it and then we'll start adding or changing and
21 wordsmithing.

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1 DR. PAYMENT: The first one comes
2 right from the charter. So the including
3 including is actually in my charter. It's not
4 my redundancy. But I think it's good. So it's
5 exactly from the charter.

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

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

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

17 DR. PAYMENT: First part.

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

20 DR. PAYMENT: The National Advisory
21 Council on Indian Education, NACIE, is --

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1 MS. BUTTERFIELD: Is created by
2 statute as an advisory board to the Secretaries
3 of. So take out the -- yes. And to be created
4 as an advisory board. Yes, to the Secretary of
5 Education and Interior. Yes.

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

10 MS. BUTTERFIELD: I really like the
11 third whereas.

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

15 DR. JACKSON-DENNISON: Okay.

16 MS. BUTTERFIELD: And.

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

20 Originally I wasn't thinking about
21 that, but that was articulated in our

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1 conversation so I wanted to -- that's language
2 that we try to include, both NCAI and NIEA tries
3 to include as much as possible so they know it's
4 distinct.

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

7 DR. PAYMENT: Is it clause 3? Yes.

8 DR. PROUDFIT: It's clause 3.

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

11 DR. PAYMENT: Yes.

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

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

17 MS. WHITEFOOT: Right.

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

20 MS. WHITEFOOT: It was 1970 or
21 something. Seventy because I --

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1 (Simultaneous speaking)

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

5 MS. BOULLEY: 1965 under ESEA it was
6 authorized.

7 (Simultaneous speaking)

8 MS. WHITEFOOT: Indian Education was
9 created in 1965.

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

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

15 DR. PAYMENT: 6141 of the Elementary
16 and Secondary Education Act of 1965.

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

20 DR. PAYMENT: So I would say --

21 MS. BOULLEY: It's 6141.

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1 DR. PAYMENT: Was created in 1965
2 pursuant to 6141 of the Elementary and Secondary
3 Education Act. The Elementary and Secondary
4 Education Act. That's all. You already said
5 '65.

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

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

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

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

18 Wait, how about uniquely recognizes.
19 On this side over here. Just before -- yes,
20 uniquely. Because that's what sets apart Indian
21 programming from everything else. Not

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1 reparations, it's not welfare.

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

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

8 MS. BUTTERFIELD: Yes.

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

11 MS. BUTTERFIELD: Sure.

12 MS. WHITEFOOT: I would say NACIE
13 faithfully publishes.

14 (Laughter)

15 MS. WHITEFOOT: Not a capital per
16 charter.

17 DR. PAYMENT: Well, charter could be
18 capital.

19 MS. WHITEFOOT: Yes, I meant per.

20 DR. PAYMENT: It's a proper noun, this
21 charter.

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1 MS. WHITEFOOT: Per charter comma.

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

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

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

13 MS. ORTEGA: Could you speak up
14 please?

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

18 MS. WHITEFOOT: I just want to ask a
19 question of us. I don't know if we want to
20 highlight this specific election. I'm wondering
21 if we want to be general because of transitions.

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1 We get caught in transitions.

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

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

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

10 MR. COURTNEY: So recently would take
11 over.

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

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

17 DR. PAYMENT: Treaties predate the
18 Constitution.

19 (Simultaneous speaking)

20 MS. BOULLEY: It was implemented in
21 2019.

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1 (Simultaneous speaking)

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

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

10 DR. PAYMENT: So just leave it at
11 recently.

12 DR. JACKSON-DENNISON: In the recent
13 years.

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

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

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

21 MS. WHITEFOOT: In recent years

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1 comma.

2 DR. PAYMENT: Yes. Have. Yes, good
3 deal.

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

7 DR. PAYMENT: Yes.

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

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

12 But I see what you're saying, have
13 occurred in the U.S. Department of Education and
14 --

15 MS. WHITEFOOT: And Interior.

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

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

20 MS. BUTTERFIELD: I would change the
21 sentence at the top which occurred in U.S.

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1 Department of Education and I would say that
2 impacted functional and operational aspects maybe
3 of the Office of Indian Ed.

4 MR. COURTNEY: Aspects of?

5 MS. BUTTERFIELD: Or functions.

6 MS. WHITEFOOT: Functions.

7 MS. BUTTERFIELD: But it says
8 functional and operational.

9 (Simultaneous speaking)

10 DR. PAYMENT: I think it would be
11 aspects.

12 MS. WHITEFOOT: Impacted functional.
13 What do we mean by functional?

14 (Simultaneous speaking)

15 DR. PAYMENT: One is the official
16 organizational, the other one is the functional.
17 What I think we're hearing is that while Angeline
18 reports up through, that would be the
19 organizational. But then functional if there's
20 some access she has directly to --

21 MS. WHITEFOOT: I understand that.

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1 (Simultaneous speaking)

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

6 DR. PAYMENT: Yes, I think so.

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

9 DR. PAYMENT: Yes.

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

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

19 MS. BUTTERFIELD: I would put Bureau
20 of Indian Education under Department of Interior
21 because it's the Secretary.

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1 MR. COURTNEY: Would you like this
2 that acronym or initiative? In the charter for
3 NACIE it is stated initiative.

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

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

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

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

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

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

21 MS. WHITEFOOT: WHIAIANE.

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1 (Simultaneous speaking)

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

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

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

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

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

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

17 No, no, I would say --

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

20 DR. PAYMENT: In recent years.

21 MS. BUTTERFIELD: Or you could start

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1 with that.

2 DR. PAYMENT: Yes.

3 MS. BUTTERFIELD: Without tribal
4 consultation or NACIE involvement.

5 DR. PAYMENT: Yes.

6 DR. JACKSON-DENNISON: NACIE
7 advisement.

8 MR. COURTNEY: In recent years
9 without --

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

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

14 DR. PAYMENT: Not without.

15 MS. WHITEFOOT: Yes, not without.

16 DR. PAYMENT: But tribal consultation
17 is capitalized because that's a specific thing.
18 That's per the executive order, presidential
19 executive order extended by this President. Or
20 not revoked by this President so it stands.
21 Without tribal consultation or NACIE advisement.

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1 Comma. No, no, in recent years.

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

4 DR. PAYMENT: Yes.

5 MS. WHITEFOOT: Reorganizations have
6 recently occurred.

7 DR. PAYMENT: Yes.

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

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

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

20 DR. JACKSON-DENNISON: But the BIE
21 didn't include us. They told us. As NACIE.

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1 DR. PAYMENT: So I would say the only
2 way around it is to take tribal consultation out.

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

5 DR. PAYMENT: Yes.

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

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

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

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

18 MR. COURTNEY: Without NACIE --

19 MS. WHITEFOOT: Advisement.

20 DR. PAYMENT: Yes. And that further
21 qualifies that the consultation didn't occur with

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1 Department of Education and the NACIE advisement
2 didn't occur with BIE. Even though it's in our
3 charter, it's in the statute.

4 MS. BUTTERFIELD: Okay.

5 DR. PAYMENT: Have occurred. Are we
6 good on that one? Can we go to the next one?
7 Wait, did you delete that?

8 MR. COURTNEY: No.

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

11 MS. WHITEFOOT: Have. Have
12 continued.

13 DR. JACKSON-DENNISON: Positions.

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

16 DR. JACKSON-DENNISON: Positions.

17 DR. PAYMENT: Represent.

18 DR. PROUDFIT: On the second line.

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

21 DR. PAYMENT: Oh yes. Yes.

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1 MS. WHITEFOOT: American Indian, I'm
2 sorry. To trust -- to American Indian/Alaskan
3 Native education.

4 DR. PAYMENT: Yes.

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

10 DR. PAYMENT: Whether these
11 positions.

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

17 So if we just said whereas vacancies
18 in the Office of Indian Education or U.S.
19 Department of Education have persisted period or
20 something like that and then go into not filling
21 these positions.

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1 DR. PAYMENT: Yes. And get rid of
2 that all the way to the period.

3 MR. COURTNEY: Delete that?

4 DR. PROUDFIT: Yes.

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

10 DR. PROUDFIT: And.

11 DR. PAYMENT: Persist.

12 MS. WHITEFOOT: Persist and.

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

15 DR. PROUDFIT: And by not.

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

19 DR. PROUDFIT: I agree.

20 DR. PAYMENT: Represent a
21 diminishment of commitment.

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1 MS. BUTTERFIELD: I think you need an
2 S on represents.

3 DR. PAYMENT: Really? You sure?
4 Yes, okay. Okay.

5 MS. BUTTERFIELD: Yes.

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

10 DR. PAYMENT: I think you start with
11 that.

12 MR. COURTNEY: Say that again?

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

15 DR. PAYMENT: Inhibits.

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

18 DR. PAYMENT: I would just say provide
19 services. And because you're saying OIE the
20 first time spell it out and then put it in
21 parentheses.

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1 MR. COURTNEY: I'm not. It's up
2 here.

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

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

6 DR. PAYMENT: Yes, it's good up there.
7 Represents. Do we say represents a diminishment
8 or the appearance of a diminishment? Leave it
9 affirmatively.

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

12 MS. BUTTERFIELD: Sure.

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

15 DR. JOHN: Statue or statute.

16 DR. PROUDFIT: Statute with a T,
17 right?

18 DR. JOHN: On the now therefore.
19 With enacting statute or statue?

20 DR. PROUDFIT: Statute with a T.

21 DR. JOHN: T-E?

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1 DR. PAYMENT: Yes. After U.

2 DR. JOHN: U, a T.

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

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

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

12 DR. PROUDFIT: Yes. No passive
13 aggressiveness.

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

17 MR. COURTNEY: Is it always the OIE?

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

20 (Simultaneous speaking)

21 MS. BUTTERFIELD: Be elevated --

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1 MS. WHITEFOOT: To be more directly,
2 to be more administratively positioned.

3 DR. PROUDFIT: To be directly.

4 DR. PAYMENT: To be, yes.

5 MS. BUTTERFIELD: To be elevated
6 within.

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

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

13 DR. PAYMENT: Okay, I'm sorry.

14 DR. PROUDFIT: To have direct access.

15 MS. BROWN: Be elevated to --

16 MS. WHITEFOOT: In order to have
17 access.

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

20 MR. COURTNEY: Have direct access?

21 DR. PAYMENT: Just take out be

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1 elevated. NACIE recommends that OIE have direct
2 access.

3 MS. BUTTERFIELD: Okay.

4 MR. COURTNEY: Say that one more time?

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

8 MS. BUTTERFIELD: Affirmative.

9 DR. PAYMENT: Yes.

10 (Simultaneous speaking)

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

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

16 MR. COURTNEY: Should statute be
17 capitalized?

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

21 MS. BUTTERFIELD: Do we want to say

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1 consistent with Indian treaties?

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

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

8 DR. PAYMENT: Where's that?

9 MS. BUTTERFIELD: The and.

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

12 MS. BUTTERFIELD: Take it out.

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

15 MS. BUTTERFIELD: Sometimes put now.

16 Take out the now. Take out the now.

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

18 MS. BUTTERFIELD: A now. Semicolon
19 now.

20 DR. PAYMENT: I've never seen it that
21 way.

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1 MS. WHITEFOOT: Well, we can decide
2 what we want to do. Do we want to put a period
3 at the end of that last whereas?

4 DR. PAYMENT: Yes.

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

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

12 DR. PAYMENT: Okay. Hey, Wayne.

13 MS. WHITEFOOT: Thank you, Wayne.

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

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

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

21 MS. WHITEFOOT: Right there.

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1 DR. PAYMENT: In low, yes.

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

5 DR. PAYMENT: Where is that at,
6 Phyliss?

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

11 MS. WHITEFOOT: And is a diminishing.

12 DR. PAYMENT: Yes.

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

15 DR. PAYMENT: Yes. To --

16 (Simultaneous speaking.)

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

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

21 MS. WHITEFOOT: Take represents out.

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1 CHIEF ANDERSON: Represents out.

2 MS. WHITEFOOT: And is a
3 diminishment.

4 DR. PAYMENT: Yes, I agree.

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

6 DR. PAYMENT: Taking, trying to --

7 MR. COURTNEY: Take out what else?

8 MS. WHITEFOOT: And is a
9 diminishment.

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

15 MS. WHITEFOOT: Right.

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

19 DR. PROUDFIT: Well, be it for the
20 resolved, do we really need that in the interim
21 a full implementation with our recommendations?

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1 Do we need that or should we take that out and
2 just say be it for the resolve, NACIE asserts the
3 following functional line of access and
4 communication?

5 DR. PAYMENT: Yes.

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

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

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

13 DR. PROUDFIT: Yes.

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

17 DR. JOHN: Oh, I see.

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

20 MS. BROWN: So just explain to me that
21 despite the three layers of implementation.

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1 DR. PAYMENT: So it's Angeline to
2 Ruth.

3 MS. BROWN: Ruby or Ruth.

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

6 MS. BROWN: It's three.

7 DR. PAYMENT: Three.

8 CHIEF ANDERSON: Two for her.

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

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

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

19 MS. WHITEFOOT: Yes, as a resolution.
20 It's a bullet point.

21 DR. PAYMENT: Where is it?

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1 MS. BUTTERFIELD: When the NACIE
2 report is finalized, we get a timely response
3 from the Secretaries?

4 DR. PAYMENT: Oh, yes.

5 MR. COURTNEY: So is this adding in?

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

10 DR. PAYMENT: Yes.

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

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

19 DR. PROUDFIT: Right.

20 DR. PAYMENT: Yes. So we're really
21 asking for the ability to present the report to

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1 the Secretaries. Is that correct?

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

4 DR. PAYMENT: Yes.

5 DR. PROUDFIT: NACIE will deliver,
6 present.

7 DR. PAYMENT: Present.

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

10 DR. PAYMENT: Or two.

11 DR. PROUDFIT: Or two.

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

16 CHIEF ANDERSON: We did. Mm-hmm.

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

19 CHIEF ANDERSON: Yes. And actually
20 sit there --

21 MS. WHITEFOOT: In five minutes.

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1 CHIEF ANDERSON: -- and testifying.

2 DR. PAYMENT: So testifying.

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

5 DR. PAYMENT: Yes.

6 DR. PROUDFIT: Provide testimony.

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

10 DR. PROUDFIT: Of the annual report.

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

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

19 DR. PAYMENT: How about annual report
20 and testimony. In testimony. In. In
21 testimony. Does that work?

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

3 (Simultaneous speaking).

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

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

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

14 DR. PAYMENT: Shall.

15 MS. BUTTERFIELD: Shall have, okay,
16 shall.

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

19 MS. BROWN: Why not?

20 DR. PAYMENT: I think you can't put
21 shall because we're advisory. I think this is

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1 what we want but we --

2 DR. JACKSON-DENNISON: Should have.

3 DR. PAYMENT: -- should or recommend

4 or --

5 DR. JACKSON-DENNISON: Yes.

6 MS. BUTTERFIELD: Should have.

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

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

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

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

20 DR. PAYMENT: Oh, I guess that would
21 work, yes. Go back up and say --

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1 MS. BUTTERFIELD: Will present the
2 annual report and testimony to those Secretaries
3 and just say requesting a timely response?

4 DR. JACKSON-DENNISON: With a timely
5 response.

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

8 DR. PAYMENT: Not requesting.

9 MS. BUTTERFIELD: No, not request.

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

12 MS. BUTTERFIELD: Right.

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

15 DR. PAYMENT: Or just with a timely
16 response.

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

19 DR. PAYMENT: A timely substantive
20 response. Otherwise we're going to get, I got
21 it. Received.

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1 (Simultaneous speaking.)

2 DR. PAYMENT: With a timely and
3 substantive response.

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

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

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

14 MS. WHITEFOOT: Right, me, too.

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

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

21 DR. PAYMENT: And then that would be

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1 yes. So are we good until we get into the list?

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

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

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

12 DR. PAYMENT: Yes.

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

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

18 DR. PROUDFIT: Yes.

19 DR. PAYMENT: Yes. What I would,
20 yes. Delete that right there. And then hit
21 delete again. Actually, yes, if you do it there.

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1 And then it's period. And then it's just a new
2 sentence.

3 DR. PROUDFIT: Take the bullet out.

4 MR. COURTNEY: Another be it further
5 resolved?

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

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

10 DR. PAYMENT: Yes. That should say
11 further.

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

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

19 DR. PROUDFIT: And I would say, like,
20 if we can stay away from despite layers of
21 communication. So what are we trying to say with

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1 that first sentence?

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

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

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

9 MS. WHITEFOOT: And then just move
10 that one.

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

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

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

17 DR. PROUDFIT: Take despite out.

18 DR. PAYMENT: Yes.

19 DR. PROUDFIT: That layers of
20 communication.

21 DR. PAYMENT: All of that out and just

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1 start with the OIE.

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

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

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

10 (Laughter).

11 DR. PROUDFIT: Affirmative assertive
12 now.

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

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

19 DR. PAYMENT: Yes. We got it.

20 MR. COURTNEY: Could you say that one
21 more time?

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1 MS. BUTTERFIELD: You said having
2 direct access.

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

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

7 DR. JACKSON-DENNISON: Okay.

8 DR. PAYMENT: -- to, yes.

9 DR. JACKSON-DENNISON: To OIE.

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

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

14 MR. COURTNEY: Okay. Having direct
15 access --

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

18 MR. COURTNEY: Should I delete that?

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

21 DR. PROUDFIT: No, we don't.

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1 DR. PAYMENT: Just start with NACIE
2 will.
3 DR. PROUDFIT: Right, yes.
4 MS. WHITEFOOT: Okay. You're right.
5 MS. BUTTERFIELD: Yes. Because we
6 kind of covered it in the previous --
7 MS. WHITEFOOT: -- therefore be it
8 resolved that's the whole issue.
9 DR. PAYMENT: And then now we just
10 have to include, NACIE will present the annual
11 report and testimony to both Secretaries of -- of
12 is missing. Both the Secretaries of -- on the
13 first line after Secretaries of.
14 MR. COURTNEY: It is really laggy
15 because that is not what I have.
16 DR. PAYMENT: Oh. So it's the
17 program not you.
18 MR. COURTNEY: For once.
19 DR. PAYMENT: Uh oh.
20 MR. COURTNEY: There we go.
21 DR. PAYMENT: We lost something.

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1 MR. COURTNEY: I should probably save
2 it.

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

6 MR. COURTNEY: So what would you like?

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

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

12 MS. BROWN: It's on there.

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

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

17 DR. PROUDFIT: Albeit further
18 resolved the --

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

21 MS. BOULLEY: Hi. And I was going to

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

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

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

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

21 MS. BOULLEY: You need to set your

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1 calendar. You need to establish your subcommittee
2 to work on the annual report.

3 DR. JACKSON-DENNISON: Okay.

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

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

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

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

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

20 DR. PAYMENT: Oh, okay, cool. That's
21 pretty wide open.

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1 DR. JACKSON-DENNISON: Yes.

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

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

10 DR. PAYMENT: First Tuesdays.

11 DR. PROUDFIT: First and third
12 Tuesdays?

13 DR. PAYMENT: First and third.

14 DR. PROUDFIT: Of every month.

15 DR. PAYMENT: Fourth Tuesdays are
16 good.

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

21 DR. PROUDFIT: So should we just stay

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1 away from Monday and Tuesday and look at Thursday
2 and Fridays? Should we get started on that?

3 (Simultaneous speaking.)

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

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

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

13 MS. WHITEFOOT: I'm sorry.

14 MS. BOULLEY: Sorry.

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

21 DR. PROUDFIT: Well, I think if you're

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1 talking about subcommittees, we're talking about
2 the next NACIE meeting, right?

3 MS. WHITEFOOT: The NACIE meeting.
4 Oh, okay.

5 DR. PROUDFIT: Face-to-face meetings?

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

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

12 DR. JACKSON-DENNISON: Right.

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

15 DR. PAYMENT: October 1.

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

19 My recommendation to you is that you
20 stay with two in-person meetings and then on the
21 off quarters do a conference call. A Skype or

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1 conference call that we could do with Skype that
2 we could have a screen, you know, your
3 presentations, everything, any documents that you
4 wanted to work on could be on a screen and then
5 people could be dialed in. They would also be
6 publicly available for people to participate in.

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

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

13 DR. PAYMENT: There is none.

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

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

21 MS. WHITEFOOT: And this year I

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1 definitely say NIEA.

2 DR. PAYMENT: That's in October.

3 DR. PROUDFIT: What are the dates on
4 that?

5 MS. BOULLEY: October --

6 DR. PAYMENT: 8, 9, 10.

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

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

17 MS. BOULLEY: Can you speak in the --

18 DR. JACKSON-DENNISON: Sorry. I
19 really liked when we did the one in Alaska where
20 we had public comments, and we had input from
21 stakeholders.

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1 DR. PROUDFIT: Yes. I presented them
2 to you. It was good.

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

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

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

20 DR. PAYMENT: Typically, listening
21 sessions are posted. Typically, they are posted

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1 as listening sessions or consultations.

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

6 DR. PAYMENT: You're right.

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

10 DR. PAYMENT: Yes.

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

15 MS. WHITEFOOT: Well, I'm suggesting
16 that we do the report officially during that time
17 as well since it's the 50th. Other than the
18 listening session is to do a presentation at
19 NIEA. If it's toward the end and then transition
20 over to an official meeting on whatever Monday or
21 whatever.

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1 DR. PAYMENT: Yes. Because if you
2 look at the dates, that's Wednesday, Thursday,
3 Friday, Saturday. So we might want to think
4 about --

5 MS. WHITEFOOT: Monday.

6 DR. PAYMENT: -- Tuesday

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

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

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

21 DR. PROUDFIT: Or maybe, because I

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1 think we might be biting off more than we can
2 chew, so maybe do as you say the report, the
3 plenary. Get people excited, interested. Then
4 have a meeting, maybe November, or after that and
5 then encourage people to come.

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

9 MS. BUTTERFIELD: Right.

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

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

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

21 DR. PAYMENT: What is the second

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1 Tuesday? October 8 is the second Tuesday.

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

4 DR. JACKSON-DENNISON: Yes.

5 DR. PAYMENT: Oh, okay.

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

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

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

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

16 DR. PAYMENT: Oh, yes.

17 DR. PROUDFIT: So should we have a
18 meeting before October Then meet at NIEA, present
19 at NIEA and then meet after? Because our budget
20 starts again in October. And then a meeting in
21 the spring.

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1 DR. PAYMENT: Well, we probably have
2 money to meet before the end of the fiscal year,
3 right?

4 DR. PROUDFIT: Right, before October.

5 DR. PAYMENT: Any ideas?

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

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

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

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

18 MS. BUTTERFIELD: Is that the 9th?

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

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1 you.

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

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

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

13 MS. BUTTERFIELD: When is that?

14 DR. PAYMENT: I'm looking it up.

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

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

19 DR. PROUDFIT: So coming here --
20 (Simultaneous speaking.)

21 MR. COURTNEY: We haven't, I don't

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1 think officially published the dates yet. But I
2 think you were right with the September the 8th.

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

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

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

10 DR. JACKSON-DENNISON: Yes.

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

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

15 DR. PROUDFIT: Correct.

16 MS. BOULLEY: I have a question as far
17 as your preference for location consideration.
18 The Smithsonian Native American Museum has a
19 beautiful meeting space that we've used for
20 tribal consultation, and it really is a great
21 location. And, you know, and there's a hotel

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1 that's nearby. And it's in close proximity to
2 Department of Education Building, which would be
3 conducive for, you know, having senior leadership
4 able to attend.

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

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

10 DR. PAYMENT: The W?

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

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

18 MS. BOULLEY: A Residence Inn?

19 DR. PAYMENT: Residence Inn.

20 MS. BOULLEY: And it's near where?

21 DR. PAYMENT: It's about two blocks

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1 from the Holiday Inn Capitol.

2 MS. BOULLEY: Oh, okay.

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

5 MS. BOULLEY: Oh, okay.

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

13 DR. PROUDFIT: We're not moving
14 there.

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

17 DR. PROUDFIT: What tribe? Just
18 kidding.

19 DR. PAYMENT: It depends on which
20 tribe.

21 DR. PROUDFIT: I know.

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1 DR. PAYMENT: Not my tribe.

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

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

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

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

13 DR. PROUDFIT: I know. MR.

14 COURTNEY: So are they recommending the -- Dr.
15 Payment, is it called the Residence Inn by
16 Marriott?

17 DR. PROUDFIT: The Residence Inn
18 works.

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

21 MS. BOULLEY: For lodging and then to

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1 do the meeting at the Smithsonian.

2 DR. PROUDFIT: Yes.

3 MS. BOULLEY: All right.

4 DR. PAYMENT: It's walking distance.

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

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

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

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

16 DR. PAYMENT: It was not a quality.

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

19 MS. BOULLEY: Yes.

20 DR. PROUDFIT: And they tried to
21 freeze us to death, remember?

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1 DR. PAYMENT: Yes. I'm good either
2 way. But the Residence Inn is a little nicer.
3 But I think the price is about the same. And
4 it's owned by a tribe. But if we're meeting at
5 the museum anyway that seems like it would work.

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

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

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

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

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

19 MS. BOULLEY: Okay.

20 DR. PAYMENT: So the Unity Days is
21 likely to be the second Tuesday would you say

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1 again -- of September.

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

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

6 DR. JACKSON-DENNISON: Okay.

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

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

15 DR. PAYMENT: For this one maybe yes.

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

19 DR. PROUDFIT: Yes. That works.

20 DR. JACKSON-DENNISON: Okay. Does
21 that work? I need to have dates on that so I can

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1 --

2 MS. BOULLEY: And for any calls that
3 you wanted to do, we can arrange for a Skype
4 meeting room.

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

7 DR. PAYMENT: September, is it 10th?

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

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

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

16 MS. BOULLEY: Okay. And then
17 regarding your discussion about presenting at
18 NIEA, if all you -- if you have a majority of
19 people who attend then it's considered an in-
20 person meeting and we would need to have it be
21 publicly posted as such.

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1 So I think if you planned to do it as
2 a subgroup of NACIE to present to do the plenary
3 presentation, then -- just we have to comply.

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

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

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

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

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

16 DR. JACKSON-DENNISON: I know --

17 DR. PAYMENT: Because that can't
18 possibly be because if everybody went to the
19 inaugural, that would be a meeting. If everybody
20 went to the State of the Union, that would be a
21 meeting.

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1 MS. AKINS: I understand. I just
2 want to be sure you're covered if everyone
3 attends and there's only the subgroup that
4 participates. But again, I don't want to speak
5 until I check in on that with our FACA legal
6 folks. Just so that you're covered.

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

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

19 DR. PROUDFIT: So going back to the
20 September date, it's Wednesday and Thursday,
21 September 11 and 12 with travel days being the

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1 10th for those people who need to travel and the
2 13th. Okay? And then we plan on having a --

3 DR. JACKSON-DENNISON: A subgroup,
4 subcommittee.

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

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

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

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

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

20 MS. BUTTERFIELD: Yes. I think we
21 should do that now.

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1 DR. PROUDFIT: What gives us the most
2 visibility?
3 DR. PAYMENT: Yes. That's good.
4 MS. BOULLEY: Early in the convention
5 has, yes.
6 DR. PROUDFIT: Yes, I think it --
7 DR. PAYMENT: Before people get --
8 DR. PROUDFIT: I've presented and --
9 DR. PAYMENT: So would that be October
10 8?
11 DR. PROUDFIT: I would say October 9.
12 DR. JACKSON-DENNISON: The 10th.
13 MS. BOULLEY: Thursday?
14 DR. PROUDFIT: It starts on the --
15 MS. WHITEFOOT: Yes. because it
16 starts officially on the 9th.
17 DR. PAYMENT: So the pre-conference
18 session.
19 MS. WHITEFOOT: Get everybody
20 situated. And then the 10th.
21 DR. PAYMENT: Oh, so you want it

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1 actually during --

2 DR. PROUDFIT: Yes.

3 MS. WHITEFOOT: It's the official
4 conference.

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

7 MS. BUTTERFIELD: It could be.

8 MS. WHITEFOOT: Yes.

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

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

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

18 DR. PROUDFIT: Right. Mid-morning.

19 DR. PAYMENT: I know that from NCAI

20 DR. PROUDFIT: Okay. So we've got
21 that one down. Then the next meeting would be

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1 spring or do we do November because we're
2 rallying the troops in NIEA to have a NACIE
3 meeting since our new year starts in October. So
4 do we want to move to have another meeting in DC
5 in the fall?

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

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

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

17 DR. PROUDFIT: Right.

18 MS. BUTTERFIELD: November and
19 December are not good.

20 MS. WHITEFOOT: Or January during
21 NCAI.

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1 DR. PAYMENT: February.

2 MS. WHITEFOOT: February?

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

5 DR. PROUDFIT: Okay. There you go.

6 MS. WHITEFOOT: Here in December.

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

11 DR. JACKSON-DENNISON: January?

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

13 DR. PROUDFIT: February.

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

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

19 DR. PAYMENT: No, no. It's February
20 10 and 11. So I would say --

21 DR. JACKSON-DENNISON: THE 12th and

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1 13th.

2 DR. PAYMENT: 12th.

3 DR. PROUDFIT: Okay.

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

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

12 DR. PROUDFIT: Okay.

13 MS. BUTTERFIELD: So but for us to
14 meet.

15 DR. PROUDFIT: Right.

16 MS. BUTTERFIELD: Face-to-face
17 meeting.

18 DR. PROUDFIT: Two solid days.

19 DR. PAYMENT: Yes.

20 DR. PROUDFIT: So 13, 14.

21 MS. BUTTERFIELD: Thursday and

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1 Friday.

2 DR. PAYMENT: Yes.

3 DR. PROUDFIT: Yes.

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

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

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

14 DR. PROUDFIT: Yes.

15 DR. PAYMENT: Isn't it?

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

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

21 DR. PAYMENT: Well, let's do --

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1 MS. BOULLEY: Are you going to have a
2 subcommittee that talks about the annual report?
3 Or are you going to have a full -- the annual
4 report is due June 30.

5 DR. PROUDFIT: June 30.

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

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

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

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

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

20 MS. BROWN: Oh, wonderful.

21 DR. JACKSON-DENNISON: This year?

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1 This June or next year.

2 DR. PROUDFIT: No, 2020.

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

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

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

10 DR. PAYMENT: It's June --

11 MR. COURTNEY: It's the 7th to the
12 11th.

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

15 MS. BUTTERFIELD: So would we do the
16 11th and 12th?

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

20 MS. BOULLEY: Okay. And I'm pretty
21 new to all of the meeting planning aspects in

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1 terms of federal. So I would need to check and
2 see when staff could get approved to travel or if
3 there's any travel considerations for federal to
4 go to Anchorage. I just want to make sure that
5 I know that I'm able to do that. I have to say
6 tentative, that I have to look into it.

7 DR. PAYMENT: Yes, yes.

8 DR. PROUDFIT: So --

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

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

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

16 DR. PROUDFIT: The 11th and 12th.

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

21 MS. BUTTERFIELD: Right. And the

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1 next NCAI is in --

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

4 MS. BUTTERFIELD: Or NIEA.

5 DR. PAYMENT: Yes.

6 MS. WHITEFOOT: Yes. NIEA is in
7 Albuquerque.

8 DR. PAYMENT: Oh, yes.

9 MS. BUTTERFIELD: What date is that,
10 10?

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

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

14 MS. WHITEFOOT: October -- oh, no.

15 DR. PAYMENT: It should be October.

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

18 DR. PAYMENT: For me that works.
19 Right now it will work because I can -- in advance
20 of next year's council schedule, assuming I'm
21 still chairman at that time, set the schedule

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1 well in advance. So I can just change my regular
2 meeting dates. So what date is that again?

3 MS. WHITEFOOT: The 7th through the
4 10th, which is a Wednesday through Saturday.

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

7 MS. WHITEFOOT: On that Monday,
8 Tuesday.

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

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

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

15 DR. JACKSON-DENNISON: Of what month?

16 MS. WHITEFOOT: October 2020.

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

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

20 DR. JACKSON-DENNISON: Okay.

21 DR. PAYMENT: Yes. We're scheduling

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1 in advance to avoid conflicts. And is that good
2 for 2020?

3 MS. WHITEFOOT: The year.

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

8 MS. BOULLEY: Yes.

9 DR. PAYMENT: Cool.

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

14 MS. BOULLEY: Sure. Yes.

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

21 DR. JOHN: They give you a pretty good

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1 cut for federal rates, like, for hotel and the
2 like.

3 MS. BOULLEY: Anchorage was June 11
4 and 12.

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

7 MS. WHITEFOOT: Yes.

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

10 DR. PAYMENT: Annual report.

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

13 DR. PROUDFIT: Committee.

14 DR. JACKSON-DENNISON: -- committee.

15 DR. PROUDFIT: And the dates.

16 MS. BOULLEY: So.

17 DR. PAYMENT: We need a committee.

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

20 DR. PROUDFIT: No. Mandy and I co-
21 chaired it. I think we're still in trauma.

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1 (Laughter).

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

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

7 DR. PROUDFIT: Let me text Mandy.

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

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

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

15 MS. WHITEFOOT: Patsy and Robin.

16 MS. BOULLEY: Patsy and Robin, Aaron
17 Payment.

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

20 DR. PROUDFIT: Mandy and I chaired.
21 But I'm very hesitant to do that again.

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1 MS. BOULLEY: Okay.

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

7 MS. WHITEFOOT: I'll help.

8 DR. PROUDFIT: I have a book due July
9 1 that I've pushed back for the last time before
10 they sue.

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

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

15 DR. PAYMENT: Wow.

16 MS. BUTTERFIELD: Oh, my God.

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

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

21 MS. BUTTERFIELD: Well, we could co-

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1 chair.

2 MS. WHITEFOOT: Yay.

3 DR. PROUDFIT: Okay. We'll flip it.
4 We'll be support team this year.

5 MS. BOULLEY: Okay.

6 MS. BUTTERFIELD: Three co-chairs.

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

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

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

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

19 DR. PAYMENT: Our editor.

20 MS. BOULLEY: Okay.

21 DR. JACKSON-DENNISON: Now we had

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1 mentioned that we wanted to do another
2 subcommittee. What was that on? Let me get my
3 notes from yesterday.

4 DR. PAYMENT: Was it bylaws?

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

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

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

15 DR. PAYMENT: Pick a date?

16 MS. BOULLEY: Mm-hmm.

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

19 MS. BUTTERFIELD: Well, it has to be
20 30 days out.

21 MS. WHITEFOOT: Right at the end of

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1 May. Yes.

2 MS. BUTTERFIELD: Is what we did.

3 MS. WHITEFOOT: Yes, in May.

4 MS. BUTTERFIELD: It's been our
5 practice.

6 MS. WHITEFOOT: So end of May.

7 DR. JACKSON-DENNISON: It had to be
8 to the Department by a certain time because even
9 though it's due in June, we've got to back it up.
10 I can't remember what the time.

11 DR. PAYMENT: Yes, it concluded in
12 June, right, June 30th. So what date do we need
13 to have it to you?

14 MS. AKINS: I'm sorry, 30 days.

15 MS. WHITEFOOT: If it's due June 30,
16 we should probably schedule a call like at least
17 like the 21st is a Friday. The 20th of June?

18 DR. PAYMENT: Oh, that's a board
19 meeting day.

20 MS. WHITEFOOT: Oh, no.

21 DR. PAYMENT: Oh, no, May.

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1 DR. JACKSON-DENNISON: May. We've
2 got to do May.

3 MS. WHITEFOOT: We have to write it
4 first.

5 MS. BUTTERFIELD: I know.

6 MS. WHITEFOOT: What we're trying to
7 get to is the submission of the report. So we're
8 saying May 20th or whatever to get approval from
9 the board.

10 DR. PAYMENT: Yes. So let's go back
11 to again the question is what date does the
12 Department of Education need to have it?

13 MS. WHITEFOOT: June 30th.

14 DR. PAYMENT: No. That's our --

15 MS. AKINS: That's the due date so
16 hopefully this time we would have it before then.
17 So to me, I don't have a calendar in front of me,
18 but at least the week before.

19 DR. JACKSON-DENNISON: What day is
20 the due date?

21 MS. WHITEFOOT: That's why I said the

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1 20th or 21st of June.

2 MS. AKINS: Well, June 30th is a
3 Sunday. So the last business day is the 28th.

4 DR. PAYMENT: So the Friday before
5 June 21st.

6 MS. WHITEFOOT: The 21st is the, yes.

7 DR. PAYMENT: Is that --

8 MS. BUTTERFIELD: So that's when we
9 would have NACIE, the full board, approve the
10 report. So then we back up from there.

11 DR. PAYMENT: Does that work? The
12 20th or the 21st?

13 DR. PROUDFIT: NACIE's internal
14 report is due the 21st of June.

15 MS. BUTTERFIELD: For approval by the
16 board.

17 DR. PAYMENT: Yes, the internal
18 report and meeting of NACIE, conference call.

19 MS. BUTTERFIELD: So which day?

20 DR. PAYMENT: The 21st.

21 MS. BUTTERFIELD: The 21st.

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1 DR. PAYMENT: That's a Friday if that
2 works.

3 DR. PROUDFIT: NACIE report approval
4 day.

5 DR. PAYMENT: What time do we? Yes,
6 this one is more specific than the other dates so
7 we've got to think about it.

8 DR. JACKSON-DENNISON: Yes. We've
9 got to pick a time and a --

10 DR. PAYMENT: Not 8:00 a.m. Eastern.

11 DR. JACKSON-DENNISON: I think the
12 best time is when it's Eastern. We go by Eastern
13 time so we know the staff are --

14 MS. BUTTERFIELD: Theresa's time is
15 it.

16 DR. JOHN: One time I called four
17 hours later or too early.

18 MS. BUTTERFIELD: It looks like 9
19 o'clock your time.

20 DR. PAYMENT: 9:00 a.m. your time.

21 DR. JOHN: 9:00 a.m. is fine, 10, 11,

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1 12, 1 o'clock your time, Eastern time?

2 MS. BUTTERFIELD: No. It would be
3 noon. It would be 12 for us.

4 MS. WHITEFOOT: Are you two hours
5 earlier than us?

6 MS. BUTTERFIELD: No, she's an hour.

7 DR. JOHN: One hour, one hour.

8 DR. PAYMENT: That's four hours.

9 DR. JOHN: Four hours from here.

10 MS. BUTTERFIELD: Okay. That's what
11 I'm say.

12 DR. PAYMENT: So it would be 1:00,
13 9:00 a.m. your time is 1 o'clock Eastern.

14 MS. BUTTERFIELD: Yes, 1:00 p.m.
15 here.

16 MS. BOULLEY: So a NACIE meeting 1:00
17 p.m. until --

18 DR. JOHN: What day is that?

19 MS. BOULLEY: On Friday, June 21.

20 And I'll go through all of these dates so that we
21 have everything captured for the record.

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1 DR. PAYMENT: So 1:00 to 3:00.

2 DR. JOHN: Friday.

3 DR. PROUDFIT: You're talking
4 Eastern.

5 DR. JOHN: Okay. So Alaska time will
6 be 9:00 a.m., my time, right?

7 MS. BOULLEY: Yes.

8 DR. PAYMENT: So two hours.

9 DR. JOHN: Okay.

10 DR. PROUDFIT: 10:00 a.m. Kelly time.

11 DR. PAYMENT: We get done early we can
12 always --

13 DR. JOHN: Yes.

14 MS. WHITEFOOT: Okay. So then I
15 would recommend that we would get the report to
16 the committee at least a week before that.

17 DR. PAYMENT: Yes. So NACIE draft
18 report to committee.

19 MS. WHITEFOOT: On the 14th we would
20 make sure that the whole committee got the report
21 to review.

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1 MS. BUTTERFIELD: We'll be at
2 Anchorage.

3 MS. WHITEFOOT: Anchorage?

4 MS. BUTTERFIELD: How long have you -
5 -

6 MS. WHITEFOOT: Are we thinking about
7 this year?

8 MS. BUTTERFIELD: One hour.

9 MS. WHITEFOOT: I'm way ahead of you.

10 MS. BUTTERFIELD: Twenty-first.

11 DR. PROUDFIT: Okay. So the draft
12 report is due June 14.

13 MS. BUTTERFIELD: I would say this is
14 the committee conference call to make sure that
15 the report is done, right?

16 MS. WHITEFOOT: Yes, okay.

17 DR. JOHN: Just for the record, when
18 I'm not in Anchorage, I don't have internet.
19 There's one place in the village I can go get in
20 line to do my email because my family doesn't
21 have internet out there.

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1 So for three months I have to kind of
2 like go play games to see if I can gain light to
3 sign up for one internet hour. So that's my
4 summer life. So end of May to August is like
5 that for me.

6 But I can do my smart phone thing so.
7 If you give me advance notice or give me a call
8 and remind me, please. Because I'm fishing.
9 We're fishing out in the ocean almost 24/7. So
10 you have to remind me remember. For the record,
11 thank you.

12 DR. PROUDFIT: June 14th, what time
13 is our call? Same thing, 9:00 Theresa's time?

14 MS. WHITEFOOT: Yes, like, the same
15 time would be good if we could just keep it the
16 same time.

17 DR. JOHN: What day?

18 DR. PROUDFIT: June 14th, 9:00 a.m.

19 MS. BROWN: Hey, Theresa, I'll send
20 you a message through public radio. A birthday
21 shout out.

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1 DR. JOHN: KYUK, message for Theresa
2 John.

3 MS. BROWN: That's really how we do
4 it.

5 MS. BOULLEY: Okay. So, how about if
6 I go through the calendar and just make sure that
7 we are all in agreement?

8 So, we have, in chronological order,
9 Friday, June 14th, 2019, and that's a NACIE
10 subcommittee, working on the--and we will provide
11 a Skype and toll-free conference line, to be able
12 to have that. Oh, and that Friday, June 14th,
13 was 1:00 p.m. to 3:00 p.m. Eastern time.

14 Friday, June 21st, is a full NACIE
15 online and teleconference meeting, 1:00 p.m. to
16 3:00 p.m., and the purpose of that is to approve
17 the annual report.

18 Then, we have a face-to-face full
19 NACIE meeting, September 11th and 12th, in
20 Washington, D.C.

21 Okay. Then, on October 10th, some of

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1 the NACIE members will be doing a plenary session
2 at National Indian Education Association's
3 Convention, which is located in Minneapolis this
4 year.

5 DR. PAYMENT: October?

6 MS. BOULLEY: October 10th.

7 MS. BUTTERFIELD: We'll shoot for the
8 morning of the 10th.

9 MS. BOULLEY: Okay. Okay. And that
10 finishes out 2019. Then, in 2020, we have
11 February 13th and 14th, a two-day, in-person
12 meeting of the full NACIE Board or Council in
13 Washington, D.C.

14 And then, we have June 11th and 12th
15 in Anchorage, immediately preceding NCAI. Or
16 immediately following. Okay.

17 And then, October 5th and 6th in
18 Albuquerque, immediately preceding NIEA's Annual
19 Convention in Albuquerque. We have a full two-
20 day, in-person meeting.

21 MS. WHITEFOOT: The only other

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1 suggestion I would have is that I think we are
2 going to need another Subcommittee conference
3 call maybe by like May 31st, because we have got
4 to have all of our assigned parts and stuff by
5 then.

6 MS. BOULLEY: Okay.

7 DR. PAYMENT: Wait. Let's go back to
8 that.

9 MS. WHITEFOOT: If that is another
10 Friday, we could just do the same time.

11 DR. PROUDFIT: Wait, wait, wait.
12 This is a meeting for what?

13 DR. PAYMENT: The Subcommittee.

14 DR. PROUDFIT: The Subcommittee?

15 MS. BOULLEY: What date?

16 MS. WHITEFOOT: In terms of who is
17 doing which parts, we probably just have some--

18 MS. BOULLEY: Okay. So, are you
19 looking at Friday, May 31st?

20 MS. WHITEFOOT: Yes.

21 DR. PROUDFIT: I can't do that date.

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1 DR. PAYMENT: It seems like it should
2 be earlier than that anyway.

3 DR. PROUDFIT: It's the State
4 Democratic Convention. Then, the week before is
5 Memorial Day or Memorial Day weekend.

6 MS. WHITEFOOT: Oh, it is.

7 DR. PROUDFIT: The 17th, graduation.
8 How about like maybe not Fridays, the 22nd or
9 23rd?

10 DR. PAYMENT: The 24th?

11 DR. PROUDFIT: The 24th.

12 DR. PAYMENT: No, that's Memorial Day
13 weekend, you said, right? Because the 27th is
14 Memorial Day.

15 DR. PROUDFIT: The 24th, why not?

16 DR. PAYMENT: What about the 31st?

17 DR. PROUDFIT: No, it's the State
18 Democratic Convention.

19 DR. PAYMENT: Oh, yes, you said that.

20 MS. WHITEFOOT: What about the 30th?

21 DR. PAYMENT: I can do the 30th if

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1 it's after, say, three o'clock Central, because
2 I've got an Intertribal Treaty meeting that day.

3 MS. WHITEFOOT: Or the 29th, May the
4 29th? How about the 29th?

5 MR. ROULAIN: Excuse me. I'm sorry
6 to interrupt. Mr. Dakota Brown would like to
7 let you all know that he has to head out for
8 class, but looks forward to talking and,
9 hopefully, being there in person next time.
10 "Thank you all for your help and being
11 accommodating."

12 DR. PAYMENT: God bless you.

13 The 29th, I chair the United Tribes of
14 Michigan and we have a meeting -- oh, not until
15 the evening.

16 MS. BUTTERFIELD: So, like the one
17 o'clock Eastern time, would that work?

18 DR. PAYMENT: I think so. Oh, wait.
19 Oh, I already have -- I am double-booked that day
20 already. So, something is already being
21 sacrificed.

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1 MS. BUTTERFIELD: The 28th, Tuesday?

2 DR. PAYMENT: Yes. Yes.

3 MS. BUTTERFIELD: The same time?

4 DR. PAYMENT: One o'clock.

5 This is a subcommittee, Annual Report
6 Subcommittee planning meeting.

7 DR. JACKSON-DENNISON: Okay. We do
8 have some presenters that are here.

9 MS. BOULLEY: Yes. Okay. We still
10 have a quorum, and I know that we are pushing it.
11 So, yes.

12 DR. PAYMENT: Do we have any action
13 items?

14 DR. JACKSON-DENNISON: Do we need to
15 put this in action?

16 MS. BUTTERFIELD: Well, we actually,
17 point of order, have a motion on the floor.

18 DR. JACKSON-DENNISON: Yes, you do, a
19 motion, and we held off on that motion. You
20 asked to hold off.

21 DR. PAYMENT: Oh, we need to reconvene

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1 that.

2 DR. JACKSON-DENNISON: Okay, let's go
3 back to it.

4 MS. BOULLEY: Dakota Brown is off the
5 line. Is Wayne on the line?

6 MR. ROULAIN: Yes, Wayne is.

7 MS. BOULLEY: Okay. Then, you still
8 have a quorum, and you need to make a motion.

9 He needs to type in his answers, his
10 affirmation.

11 DR. PAYMENT: So, we recessed, the
12 Robert's Rules of Order, we recessed a previous
13 motion until we reconvened. So, it is in order
14 to take a separate motion on the dates. We can
15 do that.

16 So, I'll make a motion that we
17 recommend those dates for our meetings for 2019
18 and 2020.

19 MS. WHITEFOOT: Second.

20 DR. JACKSON-DENNISON: Okay. So, the
21 motion is from Dr. Payment, and seconded by

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1 Patricia Whitefoot, that the schedule, the
2 calendar is the dates that were provided. And
3 so, we need to vote.

4 All in favor say aye.

5 (Chorus of ayes.)

6 Any opposition?

7 (No response.)

8 Okay.

9 DR. PAYMENT: So, we need Nicholas
10 back, to come back to the -- because there was
11 one change. Oh, I know what it was. Jill had
12 suggested that we have a little bit better
13 clarity on the one where it references the
14 treaties. It is collectively the treaties.
15 It's not individually a treaty. That wasn't in
16 a treaty. It was the combination of all the
17 treaties.

18 DR. JACKSON-DENNISON: Okay.

19 DR. PAYMENT: Yes.

20 DR. JACKSON-DENNISON: That was in
21 the resolution?

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1 DR. PAYMENT: Yes.

2 DR. JACKSON-DENNISON: Okay.

3 DR. PAYMENT: And I do have -- if we
4 can get back to that? I don't know how to do
5 that.

6 So, as they are calling it up, I also
7 happen to have -- one of my tribal members, in
8 his dissertation, he wrote, he researched there
9 were 374 treaties in total, of which 116 of them
10 had educational provisions. So, what we said
11 earlier was a little more generic. And I think
12 if we want to add that, I think it strengthens it
13 a little bit. There were 374 treaties in total
14 with American Indian tribes. Of those, 116 of
15 them had education provisions, and the education
16 provisions are pretty much the same because that
17 was a boilerplate the federal government was
18 using to tell education and social welfare into
19 perpetuity. The Laramie Treaty, it's similar,
20 boilerplate to match it.

21 DR. PROUDFIT: My fear with that is

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1 maybe we should just assume the treaty and trust
2 responsibility, the federal trust
3 responsibilities for all tribes, because they
4 never ratified the California treaty. So, we are
5 under Executive Order. So, I don't ever want
6 that to be -- I don't want things to be carved
7 out. I want to blanketly assumed this is the
8 intent, right?

9 DR. PAYMENT: Yes.

10 DR. PROUDFIT: Because they were
11 intentionally hidden under a vault for 52 years.

12 DR. PAYMENT: Yes. And also, like
13 Alaskan Natives don't all have treaties. So, the
14 way that we have it phrased does say not only
15 treaties, but legislative/judicial action --

16 DR. PROUDFIT: Yes.

17 DR. PAYMENT: -- or the culmination
18 of those things together. So, if you go up
19 there, let's see how we are saying it now --

20 DR. PROUDFIT: Okay.

21 DR. PAYMENT: -- to see if we need to

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1 modify it because maybe we won't.

2 MR. COURTNEY: Where right now? The
3 very top?

4 DR. PROUDFIT: Yes, toward the top.

5 DR. JACKSON-DENNISON: I don't see
6 what's wrong with that? Did you take that right
7 out of the Charter? Where is it?

8 DR. PAYMENT: The first one is right
9 out of the Charter, but the second or the third
10 one -- where was it that we referenced
11 judicial -- oh, it's the next one.

12 DR. JACKSON-DENNISON: Right there,
13 the third one.

14 DR. PAYMENT: "Treaty and trust funds
15 originate out of" -- "and is reinforced through
16 judicial precedence and further articulated
17 through legislation which uniquely recognizes the
18 treaty and trust responsibility." That covers
19 people who don't have treaties.

20 DR. JACKSON-DENNISON: Yes.

21 DR. PAYMENT: So, it seems like it is

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1 okay as is. It's just the clarification in the
2 third "whereas" that it's not one treaty.

3 "Fulfilling the treaty and trust
4 responsibility". So, that's not one treaty.

5 There's something wrong there, too,
6 anyway.

7 "Uniquely to aid the federal
8 government in fulfilling the treaty and trust
9 responsibility, pledging health, education, and
10 social welfare". So, that's not a specific
11 treaty. That's the treaty and trust
12 responsibility of the federal government. So,
13 that's in exchange for 500 million acres of land.
14 So, that's, again, not specific to one. "To the
15 federal government, which prepaid in full the
16 treaty and trust obligations".

17 The very last part of that one,
18 instead of "in full" -- we missed something when
19 we were drafting it. It should say, "in full,"
20 "paid in full, the treaty and trust obligations".
21 See, the "trust" part is not necessarily just for

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1 treaties.

2 DR. JACKSON-DENNISON: Unless you
3 say, "full, all treaty and trust obligations".

4 DR. PAYMENT: Yes, yes. Maybe that's
5 the way to do it.

6 DR. JACKSON-DENNISON: Yes. I was an
7 English teacher in my former --

8 (Laughter.)

9 DR. PAYMENT: So, do you know what?
10 We need to put a comma after "in full," which
11 "prepaid, in full, all treaty and trust
12 obligations".

13 DR. JACKSON-DENNISON: Yes.

14 DR. PAYMENT: That's a parenthetical.
15 And then, I think it's okay.

16 DR. JACKSON-DENNISON: Uh-hum.

17 MS. WHITEFOOT: A question --

18 DR. JACKSON-DENNISON: Yes, go ahead
19 with your question.

20 MS. WHITEFOOT: I just have one error.
21 The treaty and trust responsibility originates

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1 from Article I?

2 DR. PAYMENT: Yes.

3 MS. WHITEFOOT: Is that the
4 Constitution?

5 DR. PAYMENT: Yes.

6 MS. WHITEFOOT: Okay. So, maybe we
7 need to say that.

8 DR. PAYMENT: Oh, yes.

9 (Laughter.)

10 "Of the U.S. Constitution," after
11 "Clause 3".

12 MS. WHITEFOOT: "From the U.S.
13 Constitution".

14 DR. PAYMENT: Yes, "From the U.S.
15 Constitution, Article I, Section 8, Clause 3".
16 So, "originates from the" -- yes. No, I would
17 say, "The U.S. Constitution," capitals.

18 DR. JOHN: "United States" --

19 DR. PAYMENT: Yes. Yes. And in the
20 interest of time, I know we were back and forth
21 on listing out -- at the very bottom we left it

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1 open. Do we need to populate that? Because it
2 carries the same weight and --

3 DR. JACKSON-DENNISON: I think the
4 simpler, the better.

5 DR. PAYMENT: Yes.

6 DR. JACKSON-DENNISON: And then, we
7 can refer to the report.

8 DR. PAYMENT: Yes.

9 Could you go down to the bottom, Nick?
10 And I think we're just going to delete -- so, it
11 would change "(B) It's finally resolved that
12 NACIE will present," and then, delete the rest.
13 No, no.

14 DR. JOHN: The bullet.

15 DR. PAYMENT: The next "Resolved".

16 DR. JOHN: Yes, the bullet.

17 MR. COURTNEY: And "NACIE"?

18 DR. PAYMENT: Yes, delete that one,
19 too. No, no, delete the very last "Resolved".
20 Delete that.

21 MS. BUTTERFIELD: Right there.

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1 DR. PAYMENT: Yes. And then, the
2 other one, "Be it finally resolved".

3 MR. COURTNEY: Should this be a period
4 then?

5 DR. PAYMENT: Yes. Is that good?

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

8 DR. JACKSON-DENNISON: Let's call for
9 the question.

10 DR. PAYMENT: Yes.

11 DR. JACKSON-DENNISON: Dr. Payment
12 motioned -- what? Patricia second.

13 All in favor aye.

14 (Chorus of ayes.)

15 Any opposition?

16 (No response.)

17 The motion carries.

18 Now, we are set for the --

19 MS. BOULLEY: We do have some
20 presenters who have been patiently waiting.

21 DR. JACKSON-DENNISON: And thank you

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1 for patiently waiting.

2 MS. BOULLEY: I'd like to start with
3 David Cantrell.

4 DR. CANTRELL: Good afternoon,
5 everyone.

6 Can you hear me?

7 (Many respond "Yes.")

8 Awesome.

9 So, I'm David Cantrell. I'm the
10 Director of the Office of Program and Grantee
11 Support Services within the Office of Elementary
12 and Secondary Education. The charge of our
13 office is to oversee all technical assistance
14 investments that OESE supports financially.

15 And I see at least one familiar face.
16 I did present last year and talked about our
17 Comprehensive Centers. So, thank you again for
18 asking me to return. I do have an update
19 regarding the supports that our Comprehensive
20 Centers have been providing to Native American
21 students.

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1 So, I do have a presentation. He's
2 pulling it up right now.

3 So, our current Comprehensive Center
4 cohort is sunsetting this September. However,
5 we have a new competition that is currently on
6 the streets right now to award 20 new
7 Comprehensive Centers. It's a five-year cohort.
8 They will begin October 1 this year for the next
9 five fiscal years.

10 And their charge, again, is to provide
11 targeted, individualized technical assistance
12 that is aligned with the states' standards, and
13 those schools, districts, and any tribal
14 organizations that wish to access the support of
15 the Comprehensive Centers do need to work through
16 the state contacts. And then, they coordinate
17 the technical assistance efforts with the
18 identified Comprehensive Center.

19 So, if we can go to the next slide?

20 The overall charge of the
21 Comprehensive Centers is just to provide the

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1 necessary technical assistance that the state
2 deems as appropriate. It could be on a myriad
3 of topics, anywhere from implementation of
4 revised curriculum standards, assessment models,
5 statewide attendance policies, or working with
6 Native American students within that respective
7 state.

8 We do work closely with the
9 Comprehensive Center Directors, who have the
10 expectation to work closely with their
11 counterparts at the state level, to make sure
12 that whatever technical assistance activities
13 they've identified are current, are consistently
14 revised and modified based upon the needs of the
15 state.

16 Next slide, please.

17 So, this slide just overviews our
18 current cohort, which, again, is sunseting in
19 September. But now, that doesn't mean that the
20 activities that our current Comprehensive Centers
21 are working on with the states are going to go

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1 away. We have in place a seamless protocol of
2 transition between the current Comprehensive
3 Centers with the new Comprehensive Center that
4 wins the award, and they will go live October 1.

5 So, right now, any entity across the
6 country that is interested in bidding on the
7 competition to receive the grant for a new
8 Comprehensive Center, part of their competition
9 package is to present their efforts to coordinate
10 with the states in terms of identifying what are
11 the states' current and immediate technical
12 assistance needs. So, that is in play right now.
13 The competition packet is due to us by, I think,
14 the middle of May.

15 So, this slide overviews our current
16 structure, which is 15 Regional Centers, eight
17 Content Centers. Now the new structure -- I'm
18 going to pause on that.

19 So, do you have any questions
20 regarding the expectations, the Comprehensive
21 Centers, the structure?

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1 (No response.)

2 Okay. No questions. Next slide,
3 please.

4 So, I do want to go over the
5 Comprehensive Center that provides support in
6 California and to the Northwest states. So, the
7 first one is California. This is our California
8 Comprehensive Center, and they have been working
9 closely with the Comprehensive Center -- now the
10 entities within the State are the California
11 Student Support Division, American Indian
12 Education Office. So, this is an example of
13 where the individuals at the State that have
14 identified the statewide need to work with Native
15 American students within the State, they are
16 working closely with the California Comprehensive
17 Center.

18 They've identified the project to
19 address interventions and supports to assist
20 students with traumatic events and adversity.
21 So, they are working currently, the Comprehensive

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1 Center, with the State to identify online
2 training modules that can be provided to each of
3 the American Indian Education Centers throughout
4 the State.

5 So, this is an example of where the
6 State is being proactive to identify what are the
7 interventions that they feel are needed to
8 address the students within the State. Now that
9 doesn't mean that there are additional needs, but
10 this is an example of a project of work that the
11 Comprehensive Center has provided to us at my
12 office in terms of what they are working on with
13 the Comprehensive Center.

14 DR. PROUDFIT: So, do we have this
15 report now?

16 DR. CANTRELL: The PowerPoint?

17 DR. PROUDFIT: Yes. We do? Which
18 one is it?

19 So, I'm sorry, who is working on this
20 in California?

21 DR. CANTRELL: So, it's the

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1 Coordinated Student Support Division's American
2 Indian Education Programs Office.

3 DR. PROUDFIT: Coordinated Student
4 Support --

5 DR. CANTRELL: Uh-hum, it's the
6 California Coordinated Student Support Division,
7 and they have an Office of American Indian
8 Education Programs.

9 DR. PROUDFIT: I've never heard of it.

10 MS. WHITEFOOT: That's at the
11 Superintendent's Office?

12 DR. CANTRELL: Yes, ma'am.

13 DR. PROUDFIT: We have a like 0.5
14 person that works in there. I've never heard of
15 this. Interesting.

16 DR. CANTRELL: Great.

17 Let's see. The long-term objective
18 of this intervention the State has reported to us
19 is, of course, to improve the student
20 performance, right? So, they are feeling that,
21 because of students dealing with various trauma

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1 or adversity, it's negatively impacting their
2 educational performance. Okay?

3 So, the next slide I'd like to go over
4 is our Northwest Comprehensive Center that
5 provides support to Alaska, Idaho, Montana,
6 Oregon, and Washington. And last fall, we
7 actually didn't do an onsite monitoring of the
8 Northwest Comprehensive Center, and we spoke with
9 our colleagues at the State Department in Oregon.

10 So, the Northwest Comprehensive
11 Center is working on several interventions, but
12 one I would like to highlight, in particular, is
13 that they are working with each of the states
14 advocating for American Indian and Alaskan Native
15 students within those states to identify
16 communities of practice within each of the
17 states. The goal is to improve the understanding
18 of each of the state officials that address the
19 American Indian and Native Alaskan students needs
20 and to build capacity within each of those
21 individuals at the state levels.

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1 Okay. Are there any questions about
2 the Northwest?

3 MS. WHITEFOOT: So, we're talking
4 specifically about the Comprehensive Centers?

5 DR. CANTRELL: Yes, ma'am.

6 MS. WHITEFOOT: Okay, because there
7 is a difference. They are like two --

8 DR. CANTRELL: The RELs.

9 MS. WHITEFOOT: The RELs.

10 DR. CANTRELL: The Regional Education
11 Labs.

12 MS. WHITEFOOT: Okay.

13 DR. CANTRELL: Correct. Okay.

14 So, the Comprehensive Centers,
15 remember, their charge is to provide technical
16 assistance, interventions, activities, online
17 training modules, face-to-face training,
18 resources, that the state has identified as a
19 local need, right? Now the Regional Education
20 Labs, whom we work closely with, their charge is
21 more research-based, right?

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1 Now, with the new cohort beginning
2 this fall, we are rolling out a more
3 collaborative process before the Comprehensive
4 Centers and the Regional Educational Labs. So,
5 they are working in tandem versus separately,
6 which they have tended to do historically. Okay?

7 MS. WHITEFOOT: So, you're rolling
8 that out. Is that to say that you're also doing
9 funding with the RELs?

10 DR. CANTRELL: So, my office doesn't
11 immediately fund the RELs, but the Department of
12 Education does.

13 MS. WHITEFOOT: Thank you.

14 DR. CANTRELL: Sure.

15 MS. BUTTERFIELD: I'm just curious,
16 under outcomes and outputs, the last one, create
17 a regional theory of action to support -- what is
18 that?

19 DR. CANTRELL: So, a theory of action
20 is, essentially, an action plan that each of the
21 states would individually develop to address the

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1 needs of American Indian students. So, the
2 action plan -- remember, the first goal that
3 they're working on is building communities of
4 practice. So, the action plan is what are the
5 tasks necessary to establish strong relationships
6 between each of the individuals that is charged
7 with addressing the needs of the American Indian
8 and Alaskan Native students within each of those
9 states.

10 The Comprehensive Center, upon the
11 request of each of these states, was asked to
12 develop a model in which each of the states could
13 collaborate and partner for the benefit of the
14 needs of American Indian and Alaskan Native
15 versus working in isolation. So, the theory of
16 action is developing an action plan to establish
17 ongoing communities of practice between each of
18 these states.

19 MS. WHITEFOOT: And how many staff are
20 there in the Northwest?

21 DR. CANTRELL: The Northwest

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1 Comprehensive Center?

2 MS. WHITEFOOT: Working specifically
3 with Native students, our Native student needs.

4 DR. CANTRELL: So, are you asking at
5 the state level or the Comprehensive Center?

6 MS. WHITEFOOT: No, the Comprehensive
7 Center.

8 DR. CANTRELL: So, the Comprehensive
9 Center is funded by my office. The number of
10 staff is really based upon the projects that
11 they're working on in any given day. The number
12 of staff that are dedicated to the specific
13 project I don't know right now. I can get that
14 information, if you would like.

15 MS. WHITEFOOT: Yes, if you can.

16 DR. PROUDFIT: Could I have that for
17 California, too, please?

18 DR. CANTRELL: Sure. So, what you're
19 asking is the number of staff that are working on
20 a specific project that is associated with
21 American Indian and Alaskan Native?

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1 MS. WHITEFOOT: Yes.

2 DR. CANTRELL: Would you like the name
3 of the individual projects as well?

4 MS. WHITEFOOT: Yes.

5 DR. PROUDFIT: Yes.

6 DR. CANTRELL: I think that would add
7 some context, right?

8 MS. WHITEFOOT: Yes.

9 MS. WHITEFOOT: Nationwide would be
10 good.

11 DR. CANTRELL: Yes, nationwide, we
12 can certainly provide that.

13 So, while I'm just targeting the
14 Northwest and California, it doesn't mean that
15 our other Comprehensive Centers are not providing
16 supports to American Indians or Alaskan Natives
17 throughout the country, right? So, thank you for
18 flagging that.

19 MS. BROWN: And, David, one more
20 question.

21 DR. CANTRELL: Sure.

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1 MS. BROWN: You might want to forewarn
2 them. Once we get those names, the question I
3 have is, who is advising? Are they tribal
4 members? Are they Alaskan Native/American
5 Indian families, professors? Who is advising the
6 work that they are doing in these two
7 Comprehensive Centers?

8 DR. CANTRELL: Sure. So, that's a
9 great question. Each of these states, it's my
10 understanding, because, again, I was onsite with
11 Oregon and we actually met with the folks in
12 California as well, each of the state levels has
13 identified a staff member that is advocating for
14 the needs of Native American and Alaskan Native
15 students. Now whether this is a .5 staff member
16 or full-time staff member, again, I don't know
17 their names, but they are advocating for the
18 state level for American Indian and Alaskan
19 Native.

20 So, with each of the states, they have
21 a range of processes in which they identify what

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1 are the needs of the families, the students,
2 within those respective states. I would imagine
3 they are working closely with the Indian
4 Education Directors within those states, the
5 different offices within the states that are
6 advocating for American Indian and Alaskan
7 Native.

8 DR. PAYMENT: So, I guess just, rather
9 than it be a supposition, that we actually -- in
10 the U.S. Department of Education, it has a
11 consultation requirement.

12 DR. CANTRELL: Uh-hum, uh-hum.
13 Correct.

14 DR. PAYMENT: So, in those, that that
15 be formulated into a consultation with those
16 groups, and it might be more less than a
17 consultation than it is a communication, an
18 assurance that the tribal education departments
19 are involved. So, it seems like it would
20 just -- because just now you're talking to people
21 who are out in the field, and it's kind of news.

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1 DR. CANTRELL: So, I did present last
2 year, and it was in the transcript. So, that is
3 public record as well, right?

4 I will say, though, that with this
5 current cohort, and historically with the
6 Department, we have not done an effective job of
7 outreach, just selling the services of the
8 Comprehensive Center. In the last year, last
9 year and a half, we've revisited our technical
10 assistance from my office to the national
11 stakeholders, in terms of the Comprehensive
12 Centers are there. It is incumbent upon the
13 districts, the states to access the Comprehensive
14 Centers, right.

15 We know we have a branding issue. I
16 said this last year. We have taken some strides
17 to change our outreach from my office. But, with
18 the new cohort, we're also ramping up our TA, so
19 that all the states recognize that the
20 Comprehensive Centers are there to support them.
21 They're also there to support you guys in this

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1 room, to support the students nationally with
2 American Indian heritage and Alaskan Native; for
3 that matter, all students across the country.
4 Okay?

5 DR. PAYMENT: Would it be appropriate
6 for us to request like a guidance letter to have
7 them reach out to the -- just to kind of close
8 the gap -- to reach out to the education
9 directors or education stakeholders,
10 additionally, to basically like meet and tell
11 them what services are available?

12 DR. CANTRELL: So, I don't think there
13 is any harm from this body reaching out to your
14 respective states, asking to what extent they are
15 collaborating with internal stakeholders within
16 that state to address the needs of American
17 Indian and Alaskan Native. That way, then, you
18 are also helping me out to close the loop from
19 your end, and then, the states will get the
20 message from your side as well that, hey, we need
21 to address the needs of, or at least consider the

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1 needs statewide of American Indian and Alaskan
2 Native.

3 DR. PAYMENT: My suggestion is not an
4 evaluative suggestion. It's an promotional
5 suggestion.

6 DR. CANTRELL: That's what I meant.
7 I didn't mean evaluative, though.

8 DR. PAYMENT: Yes. Sometimes a
9 guidance letter from the Secretary might help
10 facilitate that or somebody to facilitate the
11 states to know to reach out to tribes. Because
12 they don't automatically do it. Some states are
13 better than others. And the thing is, if it
14 exists for that purpose, they do want some kind
15 of outreach. A guidance letter is a step, a
16 suggestion of a step, that they might want to
17 take to reach out.

18 And the way it would probably happen,
19 like I know the way it would happen in Michigan,
20 is the Michigan staff would reach out to the
21 tribes and probably come together for a meeting,

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1 and then, walk through and say, "Is there
2 anything that you need?" and promote. And a
3 guidance letter goes a step further than having
4 it available, if people would only use it sort of
5 thing.

6 DR. CANTRELL: Thank you for that
7 suggestion. I'll take it back to my office and
8 see what we can do.

9 MS. BUTTERFIELD: Just to sort of
10 clarify, in Oregon, we have a State-level
11 American Indian-Alaskan Native advisory group
12 that's developed a State plan. And I know that
13 our staff at the Department of Ed meets regularly
14 with their government-to-government group. And
15 then, once a year, they meet with the Title VI
16 folks.

17 So, I guess my question is, where in
18 the mix of the work that we're already doing does
19 the Comprehensive Center add value?

20 DR. CANTRELL: So, remember the
21 charge of the Comprehensive Center. They're

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1 there to provide technical assistance that the
2 state deems appropriate. So, if the state says
3 that, hey, let's roll out an online and resources
4 to support Native American and Alaskan Native
5 students in responding to trauma, that's that
6 state's example of an activity. And they go to
7 the Comprehensive Center and say, "Help us out
8 with this."

9 Now that doesn't --

10 MS. BUTTERFIELD: So, just ask the
11 state what services they've asked for or --

12 DR. CANTRELL: Exactly. Correct,
13 correct.

14 Now that also doesn't mean that the
15 states are not addressing the needs of Native
16 American and Alaskan Native. They certainly are
17 doing that separate and distinct from the
18 Comprehensive Centers. So, think of the
19 Comprehensive Center as an entity that provides
20 additional technical assistance to the state upon
21 their request, right? And that request could be

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1 to address the needs of Native American and
2 Alaskan Native students.

3 What I'm highlighting here are two of
4 our Comprehensive Centers that are working
5 extensively with several states to target
6 specific needs of Native Americans and Alaskan
7 Natives. Does that help?

8 MS. BUTTERFIELD: Yes.

9 DR. JACKSON-DENNISON: Can a school
10 district just go straight and ask for help from
11 the Comprehensive Center?

12 DR. CANTRELL: No, they cannot.

13 DR. JACKSON-DENNISON: They cannot?

14 DR. CANTRELL: They can certainly
15 coordinate with the state for a specific need,
16 and it's up to the states; they have the
17 discretion to address that need locally and
18 within the confines of their budget and their
19 staff. Or they could say, "Hey, we do have this
20 Comprehensive Center," because they could also
21 help out this district.

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1 DR. JACKSON-DENNISON: Okay.

2 DR. CANTRELL: Okay. So, just
3 remember, everything goes back through the
4 states. It's their responsibility to educate the
5 students within their state.

6 MS. WHITEFOOT: So, I just want to, I
7 guess, ask about the application process. At the
8 state level, you have 1 percent of turnover and
9 changeovers. How are we assured that the
10 transition also follows? Are there any
11 assurances about that, particularly when it comes
12 to transition in Indian country, there's
13 typically turnover, too.

14 DR. CANTRELL: Yes, turnover is
15 certainly an issue. So, I think what you're
16 asking is, in respect to the projects that the
17 state has in play currently regarding -- okay, so
18 my office requires each of the Comprehensive
19 Centers to provide to us a monthly report in terms
20 of all the projects they're working on. So, if
21 a Comprehensive Center, in collaboration with the

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1 state, has modified the project, we expect that
2 that Comprehensive Center to have done so in
3 collaboration with the state. Okay? So, if the
4 state has change in their leadership, it's
5 incumbent upon them to establish ongoing
6 communication with the Comprehensive Centers,
7 right?

8 And if the state decides to change the
9 project which the Comprehensive Center is working
10 on, they have the ability to do that. They have
11 the autonomy to do that, right?

12 So, I think what you're also asking
13 is, if the change in the educational leadership
14 at the state level changes the priorities of the
15 state or the activities, that that is within the
16 purview of their authority. And then, we do hope
17 that they don't forget the Comprehensive Centers,
18 that they're there to provide support, right?

19 MS. WHITEFOOT: Okay.

20 DR. CANTRELL: Okay.

21 DR. JACKSON-DENNISON: I might have

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1 missed this when I walked out to take a call.

2 DR. CANTRELL: Sure.

3 Next slide, please, too.

4 DR. JACKSON-DENNISON: But does
5 Arizona use the Comprehensive Centers?

6 DR. CANTRELL: So, Arizona, I didn't
7 bring an example of those projects of that
8 Comprehensive Center, but I do know there are
9 several projects addressing the students in
10 Arizona.

11 So, that's actually a great question
12 and segue to this next slide. The Comprehensive
13 Center Network, compcenternetwork.org, I want
14 over this last year as well. This is an
15 excellent resource. I do hope you remember this.
16 So, you can search by state. You can search by
17 topic to identify what are all the projects in
18 play right now by state.

19 This answers the earlier question in
20 terms of what are the projects that are in play
21 addressing Native American and Alaskan Native,

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1 but I still will follow up with additional
2 information to provide that needed granularity.

3 But this is a public domain website.
4 You can search by, again, topic, state, and then,
5 find out specifically what are the projects that
6 are currently in play by state, by domain topic.
7 Okay?

8 So, I would appreciate your support in
9 getting this website to your stakeholders, so
10 that they can understand what services and
11 activities, resources are in play nationally as
12 well.

13 Okay. Next slide, please.

14 DR. PROUDFIT: So, if we go to that
15 website, click on "California," it should tell me
16 that tribal --

17 DR. CANTRELL: So, remember, the
18 tribal group I mentioned was the name of the
19 office at the state level.

20 DR. PROUDFIT: Okay.

21 DR. CANTRELL: Okay. So, if you're

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1 interested to know who those individuals are, I
2 would encourage you go to the California State
3 Department of Education and look for the
4 student -- let me get the title here. Look for
5 the Coordinated Student Support Division's -- so,
6 it looks like the office is called Coordinated
7 Student Support, and they have a subdivision
8 addressing American Indian Education Programs.
9 So, that's an office within the California State
10 Department of Education.

11 DR. JOHN: What about in Alaska?

12 DR. CANTRELL: Excuse me?

13 DR. JOHN: In Alaska?

14 DR. CANTRELL: I don't have the one
15 for Alaska.

16 So, for any state in the country, if
17 you're interested in knowing who their point of
18 contact is to support American Native students,
19 the place to go is to the State Department of
20 Education, Office of Education. Okay? And
21 then, do a search. If the websites aren't

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1 updated, please reach out to them to say, who is
2 your person addressing the needs of Native
3 Americans and Alaskan Natives just within those
4 states? Okay?

5 So, the website that I went over a
6 minute ago is the compcenternetwork.org site.
7 The purpose of that site is to identify the
8 projects that all of our Comprehensive Centers
9 have in play that are deemed necessary by the
10 states. Okay? So, these are the individual
11 projects, resources, tools, right? Okay.

12 DR. JOHN: Excuse me.

13 DR. CANTRELL: Yes?

14 DR. JOHN: This is Theresa. I'm from
15 Alaska. My question is, when do you plan to
16 implement something for Alaska? Because we have
17 so many tribal organizations up there, over 200,
18 and the students up there are going through
19 tremendous trauma right now. We just had a
20 massive earthquake, and some schools closed and
21 some schools are being rebuilt. So, where are

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1 those students? Who's counseling them? Who is
2 giving them support?

3 And the climate change is impacting
4 villages, have to move. So, that means right now
5 our neighboring village Newtok is moving. And
6 the students aren't going to have school for two
7 years. There's no school being built in any
8 location. So, what's going to happen in the next
9 year or two for the kids?

10 You know, if this is designed to set
11 a framework, to build a support system for the
12 students, and for me to hear that you don't have
13 anything set for Alaska, it's kind of like the
14 students are going through massive trauma right
15 now. The suicide rate is skyrocketing from 13
16 to 17 years old right now.

17 DR. CANTRELL: So, let me clarify --

18 DR. JOHN: And, you know, it's like
19 this kind of system would be very, very helpful.
20 And I'm hoping that pretty soon I will have an
21 answer from your Department saying, "Okay, this

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1 is what our plan is and this is the strategy we
2 have," and be able to name somebody for me from
3 the State of Alaska that I can converse with to
4 help our students.

5 DR. CANTRELL: So, thank you for that
6 comment.

7 Earlier, in response to your question,
8 I said that I didn't know the names of the
9 individuals at the Alaska Department of
10 Education. Now, as I said a moment ago, the
11 Northwest Comprehensive Center is providing
12 technical assistance to Alaska, as one of the
13 five states they are assigned to.

14 Now the projects that Northwest
15 Comprehensive Center is working with specifically
16 for Alaska, I don't have all of those in front of
17 me right now. One of them is, as I went over
18 earlier, the establishment of communities of
19 practice, which includes the educational members
20 of the Alaska Department of Education. So,
21 that's one example of a project that Northwest

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1 Comprehensive Center is actively working on right
2 now to support the students in Alaska.

3 Now, your additional comment
4 regarding the overall supports needed for
5 students in Alaska, it is incumbent upon -- my
6 portfolio is for the Comprehensive Centers,
7 right? -- it is incumbent upon Alaska's
8 Department of Education to say to the
9 Comprehensive Centers, we need assistance in
10 preventing student dropout rate, for example;
11 increasing the student attendance rate because
12 they're going through local trauma, right;
13 assistance with students dealing with trauma
14 because they're displaced; they're having to
15 move. Those are just examples where the State
16 could go to the Comprehensive Center and say to
17 them, please help us out with X, Y, and Z. Okay?

18 Now what I promise to follow up with
19 is a detailed review by state, by Comprehensive
20 Center, of which projects that are in play
21 addressing Alaskan Native and American Indian.

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1 So, when I provide that list, you'll be able to
2 see specifically what Alaska State has asked for
3 supports from the Northwest Comprehensive Center.

4 Now, upon reviewing that, if you feel
5 that, hey, we really need some more support in
6 Alaska, I encourage you to advocate with the
7 State of Alaska. It's on record that you're
8 asking us to provide additional support to
9 students in Alaska. Okay? Does that answer your
10 question? I hope it clarifies my earlier
11 statement as well.

12 DR. JOHN: Yes. When you say "State
13 of Alaska," there are so many departments there.
14 So, which is it --

15 DR. CANTRELL: Department of
16 Education.

17 DR. JOHN: -- the Secretary of
18 Education, or who is it?

19 DR. CANTRELL: So, there is a
20 Secretary of Education within Alaska. What we
21 need to find out is who is the individual

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1 specifically addressing the needs of Alaska
2 Native and American Indian.

3 MS. WHITEFOOT: And given this
4 discussion, because I am right there in the
5 Northwest as well and work with the Comprehensive
6 Center in Portland, to me, this is a major issue,
7 particularly in Alaska, given the current or the
8 more recent incidents that have occurred in
9 Alaska. So, I'm wondering if the NACIE Board
10 needs to take action to direct our Director or to
11 help our Director provide, you know, target
12 support and assistance for Alaska Natives with
13 the earthquakes, et cetera, because it impacts us
14 all, not just Alaska. And trauma, I mean massive
15 trauma, is occurring in Alaska.

16 DR. JOHN: It is. It is.

17 DR. CANTRELL: So, I don't have the
18 information in front of me, but I would think
19 that Alaska is approved for our SERV grants,
20 which are emergency funds in response to natural
21 disasters. We can go back and see if they did.

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1 I know California did because of the fires,
2 right?

3 DR. JOHN: I would like some report
4 of your finding and a document come back.
5 Because, I mean, I like the potential of the
6 organization and how it can help the students,
7 especially in developing the -- Alaska adopted
8 Alaska Native culturally-responsible curriculum
9 standards a long time ago, but none of it has
10 been placed to a point of where they've designed
11 a way to implement, I mean, to curriculum
12 development. And I would like somehow someday,
13 when you see that --

14 DR. JACKSON-DENNISON: When you're
15 done with your report, then maybe we can make
16 a --

17 DR. CANTRELL: Okay. So, this slide
18 identifies two examples of products that were
19 developed by the West Comprehensive Center. And
20 the one on the right, the American Indian
21 Achievement Gap document, was developed by our

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1 Centers for Standards and Assessment
2 Implementation.

3 So, these are just two examples of
4 where, upon request from a state, the assigned
5 Comprehensive Center worked collaboratively with
6 the other Centers to develop a product, a
7 resource, that is asked upon by the customers,
8 who is the state, who are the states.

9 Next slide, please.

10 DR. PROUDFIT: Okay. So, it's
11 incumbent upon the state to ask for this?

12 DR. CANTRELL: Yes, ma'am.

13 DR. PROUDFIT: Okay.

14 DR. CANTRELL: So, the Comprehensive
15 Centers, I also do need to say that the charge of
16 the Comprehensive Centers is not to address the
17 needs that are covered under Title I, II, and
18 III, right? The Comprehensive Center's budget
19 is \$55 million. It's to fund 20 Centers, right?
20 So, the goal of the Comprehensive Centers is not
21 to address the educational performance in

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1 totality of students across the country. It's
2 to augment the technical assistance needs of the
3 states. Okay?

4 So, I hear what you're saying about
5 the educational needs of students, and I agree
6 with you. But think of the Comprehensive Centers
7 as additional support to those
8 states -- okay? -- to augment the funds that we
9 provide for Title I, II, III, and IV. Okay?

10 DR. PAYMENT: Can I say something?

11 DR. CANTRELL: Sure.

12 DR. PAYMENT: I think the frustration
13 lies in the fact that the format, the way the
14 service is delivered, is subordinating us to
15 state sovereignty. And title programs exist,
16 actually, to transcend state sovereignty. This
17 is an additional support states get.

18 So, I guess our expectation would be
19 some kind of self-assessment of if states are
20 reaching out to Indian country in delivering it.
21 Otherwise, I'm not sure why we're hearing about

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1 it at all.

2 And I don't mean that to be flip. I
3 think that some kind of a self-assessment, again,
4 from the Department about if there's adequate
5 outreach to tribes, and that being looked at as
6 a targeted activity, rather than if states
7 request it sort of thing. That's the part that
8 I think is a little frustrating.

9 DR. CANTRELL: So, that would be a
10 tribal consultation conversation.

11 DR. PAYMENT: Well, maybe; maybe not.
12 I mean, some of it can be proactive from the
13 Department. Because we existed before states
14 existed, and that was, then, embedded in
15 the -- you weren't here when we were drafting up
16 that section -- well, you were here for part of
17 it, yes -- in the Constitution. And the same
18 section that provides for state sovereignty
19 provides for tribal sovereignty or recognizes
20 inherent tribal sovereignty.

21 And so, if we're hearing about this

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1 because we are being asked for our input about
2 how this works, and you're saying to help
3 facilitate additional resources, there might also
4 be an expectation in the Department to see how
5 are these being done to ensure there's outreach
6 to tribal communities.

7 DR. CANTRELL: Okay. I'd be happy to
8 go back and look into that.

9

10

11 Centers, labs and centers, decided to
12 put additional pots of money in a few places to
13 do that additional outreach to Indian country.

14 And so, part of the frustration is, I
15 guess, in our minds, when we were thinking of
16 technical assistance, we were hoping that it
17 would actually get down to the local level. But
18 when it only goes to the states, and if you're
19 lucky enough to have a state that has a pretty
20 solid Indian ed program and staff, then it might
21 actually trickle down to folks. But if you

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1 don't, it goes to a state that's still not really
2 attending to the needs of their tribal citizens
3 the way that we want them to.

4 So, the money goes to a Comp Center
5 but it goes to a state that's still ignoring the
6 needs of a tribe -- so, the question we're asking
7 is, actually, did the request that we make attend
8 to the need that existed originally? So that,
9 yes, more money went to Comp Centers, but did it
10 actually make it all the way to providing better
11 services at the local level?

12 DR. CANTRELL: So, I would like to
13 clarify several points that you said there,

14 MS. BUTTERFIELD: Yes.

15 DR. CANTRELL: So, additional monies
16 did not go to the Comprehensive Center. Our
17 budget was static for the last cohort, \$55
18 million. It will remain static for the next
19 cohort, \$55 million. Okay?

20 The terms of requests for the specific
21 projects, and if there was collaboration to

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1 mitigate the specific asks for American Native
2 students and Alaska Natives, the extent to which
3 that collaboration, which is your point, has
4 taken place at the state level, I don't have that
5 information. I can go back and ask our
6 Comprehensive Centers for the projects that are
7 in play right now -- I'm actually pretty
8 curious -- to what extent did you collaborate
9 with the state officials specifically advocating
10 for Native American and Alaskan Native, right?
11 And then, going forward with the next cohort,
12 maybe we could put into place into our internal
13 protocols that ongoing question, right?

14 The other thing I wanted to say
15 is -- so you said that project supports went to
16 the state, but it doesn't trickle down to the
17 districts. I don't agree with that. I think
18 there are pockets of isolation where that may
19 occur. But, remember, the state asks for
20 targeted technical assistance for specific needs,
21 right?

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1 The one that I went over earlier was
2 developing resources/training that will go to
3 educators and school administrators in helping
4 students respond to trauma. So, that's an
5 example of a project that we funded, the
6 Comprehensive Center worked with the state to
7 develop, and then, it was rolled out to the
8 districts, right?

9 We all have questions of fidelity of
10 implementation. To what extent did the teachers,
11 you know, use those resources, right? But that
12 is an example, a concrete example, of a resource
13 that did trickle down to the lowest level.

14 The other example that I mentioned
15 earlier was the communities of practice in the
16 Northwest states. So, each of those state
17 leaders decided that we needed to work
18 collaboratively because we all have a lot of the
19 same challenges, instead of each of us working in
20 isolation.

21 Now the collaboration, in theory,

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1 would trickle down to those state leaders,
2 working with their superintendents, working with
3 their school administrators and teachers, right,
4 in terms of what are the best practices for
5 educating American Indian and Alaska Native,
6 right?

7 So, those are just a couple of
8 examples. I am sure there are many more. But I
9 hear you loud and clear that the goal is to make
10 sure that the educational needs of the Native
11 American students and Alaska Natives are
12 appropriately targeted, right?

13 DR. JACKSON-DENNISON: I don't
14 remember how long ago it was, but NACIE did
15 approve OIE funds for the Comp Centers. So, I
16 think that's where the question is coming from.
17 What happens, it goes back to a question I asked
18 when the Assistant Secretary was here, and I've
19 been asking this forever. When states submit
20 their plans to the Department, to the U.S.
21 Department of Education, there's got to be

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1 someplace in here that holds those states
2 accountable that those plans, including the
3 Comprehensive Centers and how we are using that,
4 include Native students.

5 Because I can tell you -- and you've
6 heard me say this before -- in Arizona, I was
7 looking right now at the WestEd, and that's the
8 Comprehensive Center, right?

9 DR. CANTRELL: Uh-hum.

10 DR. JACKSON-DENNISON: I see these
11 projects, but nowhere does it identify getting to
12 the level of the needs of Native students or
13 education on Indian reservations. So, it's not
14 happening. It's not happening.

15 DR. CANTRELL: So, I think some of
16 your questions can be spoken to by my colleague
17 in just a moment regarding Title I.

18 Sorry, Patrick.

19 (Laughter.)

20 DR. JACKSON-DENNISON: It's
21 bottlenecking. It's bottlenecking.

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1 DR. CANTRELL: Now, two years ago, I
2 believe we did provide a supplement addressing
3 the needs of Native American students to the West
4 Comprehensive Center, right. I think that is
5 what you were getting at as well, right?

6 MS. BUTTERFIELD: Yes.

7 DR. CANTRELL: Okay.

8 MS. BUTTERFIELD: It was a couple of
9 years ago --

10 DR. CANTRELL: Yes.

11 MS. BUTTERFIELD: -- but there were
12 actual additional funds that were given.

13 DR. CANTRELL: Uh-hum.

14 MS. BUTTERFIELD: I mean, we feel like
15 those Centers should already be serving our
16 communities, but they don't tend to pull our
17 population out and target resources there. So,
18 that was the issue.

19 DR. CANTRELL: So, this conversation
20 makes me think that we need to do a better job of
21 working with our Comprehensive Centers to get the

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1 message out about what they are doing. Because
2 I speak with them, and my team speaks with them
3 frequently, and there are many, many projects
4 they are working with that are in play at the
5 district level that trickle down to the schools.
6 But we have a branding issue, as I said before,
7 because it's unfortunate that you in this room
8 don't know for your respective states, respective
9 stakeholders, exactly what the Comprehensive
10 Centers are providing in terms of Native
11 Americans and Alaska Natives.

12 DR. PAYMENT: So, that's telling in
13 and of itself because the people in this room are
14 the cutting-edge advocates in our respective
15 states on behalf of Indian people. So, there's
16 something fundamental in what you're saying. And
17 the next title person might recognize this.

18 The battle between what does the
19 Department of Education do, why does it exist in
20 title funding, title funding is intended to
21 provide equity because equal is an assumption and

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1 it's not reality. So, title funding exists to
2 facilitate equity. And so, if this funding is
3 considered title funding or under the rubric of
4 title funding in the Department of
5 Education -- it's not?

6 DR. CANTRELL: Comprehensive Centers
7 are not title funding per se.

8 DR. PAYMENT: Not per se? Okay.
9 However, under the consultation policy, I do
10 think it would probably be --

11 DR. CANTRELL: Yes.

12 DR. PAYMENT: -- a good idea to have
13 consultation for the implementation because that,
14 in and of itself, might promote the states to
15 recognize their purpose in reaching out to tribal
16 communities.

17 So, our experience with states, going
18 back the last couple of hundred years, is that
19 we're an afterthought. Often, our opportunity
20 for equal education is at the interpretation of
21 states. That's why title funding exists. And

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1 leaving it up to the states to articulate that,
2 it could be something just kind of laissez faire
3 or it could be something purposeful. We don't
4 know. And so, my recommendation would be for us
5 to request consultation for those Centers to
6 reach out to tribal communities, so that it could
7 be articulated.

8 DR. CANTRELL: I think that's a good
9 suggestion, and I have that in my notes here as
10 well.

11 Now I do have to say, I'm not saying
12 that tribal consultation is not occurring for
13 each of these projects, because the state leaders
14 I've spoken with and Comprehensive Center
15 Directors I've spoken with, they are
16 collaborating. The needs of Native American and
17 Alaska Native students is always part of our
18 conversation.

19 So, I also have an ask of you. After
20 this meeting, go back and talk with your state
21 leaders. Ask these questions of them as well.

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1 I actually said this last year as well, right?
2 So, it is incumbent upon -- and I say this to the
3 state leaders. There are customers for the
4 Comprehensive Centers. It is incumbent upon them
5 to go to the Comprehensive Center, "Hey, this is
6 the support we need. We've asked for this the
7 last six months. What's the status of completion
8 of this? We want to shift gears and next year
9 focus on something different." But, then, it's
10 also incumbent upon you to go to the states and
11 say, "What are you doing in terms of working
12 collaboratively with the Comprehensive Centers?"

13 DR. PAYMENT: So, can I make a
14 clarification? Because, again, I think it's
15 partially because we're not speaking the same
16 language, even though we speak English. And I
17 don't mean this to be flip.

18 So, there's a report being released
19 next Wednesday, and there will be a press
20 conference. It's a GAO report on consultation
21 and the wide variances of what federal

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1 departments interpret consultation to be.

2 So, our understanding of consultation
3 is, pursuant to an Executive Order issued by the
4 President, and then, a continuation of each
5 President thereafter, and the U.S. Department of
6 Education's definition of consultation. And
7 it's not a seamless back-and-forth between
8 consultation and collaboration. And also,
9 tribal communities are not stakeholders. We have
10 a treaty and trust responsibility. And if we
11 look at the consultation policies for the
12 Department of Education, that's something
13 specific. It's not a collaboration back and
14 forth. It's an onus of the implementation of any
15 federal dollars that reach out to tribal
16 communities in a formal consultation. And so,
17 that's what I'm requesting.

18 Again, stay tuned. That report will
19 be released next Wednesday. I think I'm coming
20 back out here to be part of that press conference.

21 But the GAO report has identified

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1 shortcomings across agencies in what consultation
2 actually is.

3 DR. CANTRELL: Thank you.

4 DR. PAYMENT: Yes.

5 DR. CANTRELL: Okay. So, just a
6 couple more slides and I'll be finished.

7 So, this is an overview of the
8 competition. As I alluded to, it's on the
9 streets. Our new cohort will be awarded October
10 1. We're very much excited about that.

11 Next slide, please.

12 Now this is a slight change from our
13 current cohort. We've restructured the 19
14 Centers. This is association by state to an
15 individual Center, right? So, notice Center 13
16 is assigned to provide support to the Bureau of
17 Indian Education.

18 Now, in terms of providing support to
19 Native American and Alaska Native students,
20 that's an expectation, again, in
21 collaboration/consultation with the states for

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1 all the states across the country and our
2 insularies as well, right?

3 Okay. Next slide, please.

4 We will be rolling out, we will have
5 one National Content Center, and the charge of
6 that Center is to identify themes that are
7 appropriate and needed nationally versus one
8 specific state or a couple of states. And my
9 office will work very closely with the National
10 Center.

11 And the last slide is just my contact
12 information. Our group leader for this program
13 is Kim Okahara. She wasn't able to make it
14 today.

15 So, I do have some questions to follow
16 up with. I will get you some answers. Any last
17 questions of me?

18 (No response.)

19 Thank you, everyone.

20 (Applause.)

21 MR. ROONEY: Hello, and good

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1 afternoon, everyone.

2 My name is Patrick Rooney. I'm the
3 Director of the office that's responsible for
4 Title I, Part A. So, I was going to spend my
5 time talking about Title I, Part A.

6 I had a short handout that I was
7 delinquent in getting to Angeline. So, I don't
8 know if it ended up in your pamphlets or not, but
9 it's just a short summary of Title I, Part A. I
10 did not provide any slides.

11 DR. PAYMENT: Oh, we do have it.

12 MR. ROONEY: Oh, good. Good. It
13 doesn't have a lot of information, but it has a
14 little bit of basics about Title I, Part A.

15 I think you all are probably at least
16 somewhat familiar with Title I, Part A. So, I
17 wasn't going to spend a lot of time going into
18 details. I appreciate the opportunity to be
19 here. I thought I'd take a few minutes, and
20 then, I suspect you have lots of questions for
21 me. So, I was going to give you time to ask me

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1 questions.

2 I do want to say "hi" to Aaron, who I
3 had the good privilege of serving on a negotiated
4 rulemaking committee three years ago now.

5 DR. PAYMENT: Yes.

6 MR. ROONEY: It's surprising how fast
7 time flies.

8 It was on assessments under Title I,
9 Part A, back in 2016.

10 DR. PAYMENT: I shared with them
11 already that, when I did the blessing in Ojibwe,
12 and then, I said, at the end, I'm going to assess
13 your ability to recognize what I said and retain
14 what I said.

15 (Laughter.)

16 DR. PROUDFIT: He was there?

17 DR. PAYMENT: Yes.

18 MR. ROONEY: Yes. Yes, I was the
19 federal negotiator along with Aaron, and Leslie
20 Harper was also there representing tribes. So,
21 I definitely appreciated the opportunity. It was

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1 a good experience.

2 So, a couple of things. Title I, Part
3 A, is obviously the K-12 formula program. To
4 Aaron's point earlier, it is designed to even out
5 some of the funding distribution inequities that
6 exist across the country. About 65 percent of
7 districts get Title I funding in some way, and
8 then, once districts get those funds, they flow
9 down to schools based on the district rank-
10 ordering schools, based on the percentage of
11 poverty in the school. And then, they fund
12 schools along those lines.

13 And then, schools, once they have
14 those funds, have a great deal of discretion in
15 how they use those funds to address the needs in
16 their schools. And they would do a needs
17 assessment, and then, identify how they will use
18 the funds within the district and within
19 individual schools.

20 As a condition of getting Title I,
21 there are some things that we require as part of

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1 eligibility for Title I. And the two biggest
2 part of that are assessments and accountability
3 and school improvement. So, because the state
4 takes Title I funds, the state has to administer
5 assessments every year in reading, language arts,
6 and mathematics in each of grades 2-3 and once in
7 high school, and then, in science, once in
8 elementary, once in middle, and once in high
9 school. And they also have to administer an
10 English language proficiency test to all kids who
11 are identified as being English learners by the
12 state and by the district. And then, they need
13 to use those results in their state's
14 accountability system.

15 One of the big changes in ESSA is the
16 change from the accountability system under No
17 Child Left Behind to the new accountability
18 system. The 2017-18 school year was the first
19 year states had their new accountability system
20 in place. I heard you guys talk about
21 Consolidated State Plans a little earlier. The

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1 Consolidated State Plan, which was a very long
2 process for states and for the Department,
3 ended -- I've kind of blocked out when actually
4 it ended, but last year.

5 And all states now have an approved
6 state plan which they will use for their
7 accountability system this summer and into the
8 early fall and winter, depending on the timeline
9 for the state. And they use that to, then,
10 identify schools for comprehensive and targeted
11 support and improvement, which they are
12 now -- those schools that were identified should
13 be developing plans and implementing
14 interventions to address whatever the cause was
15 for why the school was identified for either
16 comprehensive support and improvement or targeted
17 support and improvement.

18 The main difference between those two,
19 comprehensive support and improvement, are
20 focused on schools with very low graduation
21 rates, below 67 percent, or schools that were in

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1 the bottom 5 percent of all Title I schools in
2 the state. Targeted support and improvement are
3 focused on schools that have subgroups of
4 students performing poorly or as poorly as the
5 bottom 5 percent of schools overall. So, those
6 are the distinctions between those two groups of
7 schools.

8 And two other things before I open up
9 to questions. I think you all know -- and
10 certainly, as Aaron knows because he was part of
11 our negotiated rulemaking committee -- we created
12 regulations around assessments back in 2016, that
13 one of the things we negotiated on, and we reached
14 consensus on the whole package of assessments
15 under Title I, was permission to allow states to
16 develop assessments in Native American languages
17 up through eighth grade in both reading and
18 language arts, mathematics, and science. The
19 rules require that, at least by high school,
20 their test is in English for all students. But
21 if the state chooses, they can develop Native

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1 American language assessments. That was kind of
2 an additional flexibility beyond what's in the
3 statute itself.

4 And then, the second piece that's, I
5 think, important to spend some sentiment on, just
6 to highlight, is the parent involvement
7 activities that are part of Section 1116 of Title
8 I, Part A. That is fairly expanded from what was
9 under NCLB. It delineates a lot more of the
10 requirements to make sure that districts and
11 schools are meeting regularly with parents in
12 their communities to involve them in the
13 development of the plans, in their understanding
14 the needs in the schools, and making sure that
15 parents have a say in what's happening.

16 If parents don't agree with the
17 school's plan, under Title I, the school
18 administrators have to share those concerns back
19 when they submit their plans for the state to get
20 approval for those plans. The goal is to really
21 make sure parents have a voice and are regularly

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1 involved in part of the process of the school as
2 it's thinking about how to spend its Title I
3 dollars to help meet the needs of students,
4 obviously, including Native American students as
5 well.

6 So, with that, I'm going to stop
7 because I feel like you probably have questions
8 for me. But if you want me to expand on anything,
9 I'm happy to do that, too. But I just want to
10 let you guys --

11 DR. PAYMENT: So, first, I want to
12 recognize Leslie Harper's role in this. It was
13 immensely helpful. I'm not sure how two got
14 selected for the negotiated rulemaking team for
15 the two Natives, but I'm not complaining.

16 So, what I was going to ask is, the
17 requirement for consultation in the development
18 of the ESSA plans was something that we had
19 consensus on, but I heard -- I haven't got this
20 confirmed, though -- but I heard that that was
21 struck out by the legislature after we were

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1 concluded. Do you know if that's true?

2 MR. ROONEY: The consultation on the
3 state plan was not part of what we negotiated on.
4 We focused on the assessment requirements, and
5 the state plan actually, the Consolidated State
6 Plan deals with the rest of Title I, Part A, but
7 assessments were actually not part of Title I,
8 Part A, because they have to go through -- states
9 have to submit their assessments for a separate
10 peer review in order to demonstrate the quality
11 of their assessments. So, that's done outside
12 of the Consolidated State Plan.

13 The Consolidated State Plan are those
14 things the Secretary identified as most important
15 for the state to describe its plans for how it's
16 implementing that part of the law, not just Title
17 I, Part A, but, obviously, all of the Elementary
18 and Secondary Education Act, in order to receive
19 funding. So, once your Consolidated State Plan
20 is approved, then the state, as long as it remains
21 in good standing with the requirements, continues

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1 to be eligible for the formula funds from one
2 year to the next real the life of ESSA.

3 DR. PAYMENT: Do we have any
4 understanding across the states if any kind of
5 consultation occurred or any outreach to tribes
6 occurred?

7 MR. ROONEY: So, one of the things
8 that I think is a little tricky around the
9 Consolidated State Plan, just to be honest, is
10 when we developed the state plan template, which
11 we put out in -- we put out a state plan template
12 in late 2016. We regulated, the Department
13 regulated outside of negotiated rulemaking, but
14 the Department regulated on some aspects of Title
15 I and the Consolidated State Plan. In 2016, they
16 also regulated on accountability systems.

17 When the change in administrations
18 happened in early 2017, Congress actually passed
19 a law rescinding those regulations. It rescinded
20 our regulations on accountability systems and our
21 requirements for state plans. So, in late 2016,

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1 we had put out a template for what needed to be
2 in a Consolidated State Plan. In March of 2017,
3 Congress rescinded those regulations that the
4 template had been based upon. Subsequently, the
5 Department put out a revised template that
6 focused on those things the Secretary determined
7 most important for the state to describe in order
8 for their state plan to be approved.

9 DR. PAYMENT: So --

10 MR. ROONEY: Sorry. One second.

11 But in that revised template, states
12 did not have to describe the consultation that
13 they were undertaking in developing their state
14 plan. The template itself identifies those items
15 the states had to respond to. And then, for
16 everything else, there was a series of assurances
17 that said, we assure that we have done; we assure
18 we've done that. And the consultation was part
19 of the assurances that they had done, but it was
20 not something that we checked as part of
21 reviewing and approving a state plan because it

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1 wasn't something they had to describe.

2 DR. PAYMENT: So, the time period, if
3 you think about it, that was late '16. That's
4 like a guidance letter that went out. And then,
5 those states that were proactive and those Native
6 communities that were proactive -- so, in
7 Michigan, we developed a plan with the
8 consultation requirement at the time, and it was
9 concluded before the administration changed and
10 the plan was already in place. And so, the plan
11 was already articulated and a restatement of the
12 value of "Consultation" with a capital "C". So,
13 that's really the template for Michigan.

14 MR. ROONEY: Right.

15 DR. PAYMENT: Because we're trying to
16 get across different agencies in Michigan to
17 adopt that same plan. And so, it is unfortunate
18 that, under the new administration, that all that
19 work was basically scrapped. So, okay.

20 MR. ROONEY: A lot of states went
21 through that same process Michigan went through,

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1 and they had gone through a lot of consultation
2 with tribes in their state or with other
3 stakeholders. Tribes were specifically a group
4 they were required to consult with. We didn't
5 ask for them to describe how they did it.

6 DR. PAYMENT: Okay.

7 MR. ROONEY: Our assumption is that
8 they did, but because we didn't ask for it, it
9 was not a requirement to get approved when we
10 approved the Consolidated State Plan.

11 DR. PAYMENT: Okay. Thank you,

12 MR. ROONEY: Yes.

13 MS. BUTTERFIELD: I'm just curious
14 about how many Native students are improving as
15 a result of Title I support.

16 MR. ROONEY: So, I don't have the
17 latest data at my fingertips. I'm happy to look
18 at that. There's a website the Department puts
19 out which shows all of our assessment data. It's
20 called Ed Data Express. And each year the states
21 have to submit on an annual basis all of the data

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1 around a number of elements that they have to
2 submit to the Department, one of which is
3 achievement by subgroup for reading by grade, by
4 math by grade, science by grade. And then, we
5 post all of that up on our website. So, you
6 could look at information overall or you could
7 look at information by state to see progress in
8 achievement by each subgroup. That information
9 is publicly available always.

10 We are in the midst of collecting data
11 from the 2017-18 school year. We won't have that
12 data publicly available until sometime probably
13 in the early fall, is our general timeline of
14 when we release it. But the 2016-17 data and
15 prior years are all available on that website.

16 MS. BUTTERFIELD: What's the website
17 again?

18 MR. ROONEY: Ed Data Express. I
19 think it's just eddataexpress.gov.

20 MS. BUTTERFIELD: And I guess what I'm
21 asking is, what impact has Title I had in

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1 supporting Native students specifically?

2 DR. PROUDFIT: And then, the followup
3 question, could you answer that question every
4 time you meet with us? Can you bring us an
5 updated report of that?

6 MR. ROONEY: Sure. I'm happy to do
7 that.

8 MS. BUTTERFIELD: Yes, because I know
9 the BIE system is all Title I. I mean, all the
10 schools get Title I funds, but I know a lot of
11 our public schools, for example, in Oregon, get
12 Title I funds, especially our low-income tribal
13 schools that are public schools on tribal lands,
14 or on or near tribal lands.

15 MR. ROONEY: And one of the challenges
16 we always have in Title I is it is a broad
17 program, and states have a lot of discretion;
18 districts have a lot of discretion; schools have
19 total discretion in how they use those funds.
20 So, being able to identify the impact of Title I
21 on individual students or schools is a little

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1 challenging to come up with causation, but I'm
2 happy to share trends in data. And I can share
3 with Angeline to share with you probably next
4 week. And then, in the future I'm happy to come
5 and talk about that. Sure.

6 MS. WHITEFOOT: What is the per-pupil
7 cost for Title I funds per student?

8 MR. ROONEY: I don't know that I know
9 the answer to that. But maybe can you clarify
10 what you mean by the "per-pupil expense"?

11 MS. WHITEFOOT: Allocation, per-pupil
12 allocation for Title I resources.

13 MR. ROONEY: So, I don't know that
14 there is a per-pupil allocation for Title I. The
15 way Title I works, it's a formula based on
16 poverty, and it's a relative poverty. So, if
17 poverty in all states went up, the states that
18 went up more would get more of the funding and
19 the states that went up less would get less of
20 the funding from one year to the next. And then,
21 from there, there are allocations down to the

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1 districts.

2 Once the districts have the
3 allocations, how they allocate their funds to
4 individual schools, again, can vary greatly in
5 terms of they have to fund schools if they're at
6 75 percent of poverty and above -- but, below
7 that, they can, then, rank-order their schools
8 and make decisions about who they're going to
9 serve. And it's very common for districts to
10 prioritize elementary schools at the expense of
11 middle or high schools.

12 MS. WHITEFOOT: And then, just an
13 issue of Ed Data Express or some of the data
14 within the Department of Education. When you're
15 looking at your data that you have at home, it
16 doesn't always match up with the federal
17 government's data, with the achievement scores.

18 MR. ROONEY: That's fair. And my
19 guess is there's probably a couple of reasons for
20 that. The data we produce are data that are
21 given to us by the states and confirmed through

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1 a fairly rigorous process by each state education
2 agency. There may be some differences in terms
3 of the data that get reported to the district and
4 how it gets cleaned before it gets reported to
5 the U.S. Department of Education. There's also
6 sometimes, particularly with American Indian
7 students where the population is small, in which
8 case they have to suppress some of the data in
9 order to protect the privacy of individual
10 students. So, that may relate to some of the
11 discrepancies that you are seeing when they roll
12 it up to the state-level information.

13 There's always some difference
14 between the data of the kids who are tested and
15 the data for all students versus what ends up in
16 the accountability system, because the state has
17 some rules about who gets included. And the kids
18 who transfer who transfer into a school, say, in
19 February, start receiving instruction in
20 February, take the test in April, those kids
21 haven't been there for most of the year. They

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1 get excluded from the accountability system. So,
2 if you're looking at the accountability system
3 data, it's going to be a subset of all the kids,
4 just kind of as the nature of the way the system
5 works.

6 There's probably some other nuances
7 that I'm not thinking of, but those are some of
8 the ones that may account for the difference.

9 MS. WHITEFOOT: Thank you.

10 MS. BOULLEY: We have a number of
11 speakers and we have planned only a half-hour for
12 each.

13 DR. JACKSON-DENNISON: Okay.

14 MS. BOULLEY: And so, we're running
15 really behind.

16 DR. JACKSON-DENNISON: Okay.

17 MS. BOULLEY: I do apologize to the
18 speakers that are waiting.

19 DR. JACKSON-DENNISON: Well, if you
20 have any additional questions, I guess you can
21 email them and we'll --

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1 MS. BOULLEY: I would say, if you have
2 any additional questions for followup, please
3 send them to me. I will send them to the office
4 where you have the question. I will cc everyone,
5 and then, they can respond "Reply All," and
6 everyone will get that.

7 MR. ROONEY: We're neighbors. So,
8 for sure, she'll notify me.

9 (Laughter.)

10 MS. BOULLEY: Actually, in fact,
11 we're going to run with the rural program.

12 DR. JACKSON-DENNISON: Do we need to
13 make a motion? Do we need to make an action item
14 before you leave? Because we're going to lose a
15 quorum.

16 DR. PAYMENT: Oh, yes. Is there
17 anything else we need to act on?

18 MS. WHITEFOOT: I had one. I wanted
19 to follow up on Alaska. And I don't know, if we
20 don't take an action, I've learned we're not
21 going to follow up. So, I just want to say, by

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1 May 30th, 2019, the Office of Indian Education
2 will assess and follow up with the Comprehensive
3 Centers and related education programs to ensure
4 that natural disasters and traumatic events
5 impacting American Indian and Alaska Native
6 students are readily addressed to support the
7 immediate and long-term health and safety needs
8 of American Indian students, and with a report to
9 NACIE by June 30th, 2019, is my motion.

10 DR. JACKSON-DENNISON: Do we have a
11 second?

12 DR. JOHN: Second.

13 DR. JACKSON-DENNISON: Seconded by
14 Theresa.

15 All in favor say aye.

16 (Chorus of ayes.)

17 All opposed?

18 (No response.)

19 The motion carries.

20 DR. PAYMENT: And I apologize.

21 DR. JACKSON-DENNISON: Okay. And I

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1 think we can still do reports without any more
2 business.

3 DR. PAYMENT: Yes.

4 MS. WHITEFOOT: I have a motion to
5 approve Aaron's apology and exit.

6 (Laughter.)

7 DR. PAYMENT: I'll leave with a clear
8 conscience.

9 (Laughter.)

10 Thank you.

11 DR. JACKSON-DENNISON: We've just got
12 to reassure you it's okay fly.

13 (Laughter.)

14 DR. PAYMENT: No, I'm going by train.

15 Thank you.

16 DR. JACKSON-DENNISON: Okay. Our
17 next report is from -- do you want to introduce
18 our next one?

19 MS. BOULLEY: We have Patrick Carr
20 with the Rural Education Achievement Program, and
21 then, Jake Stern.

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1 DR. JACKSON-DENNISON: All right.

2 MR. CARR: Great. So, thank you for
3 having us this afternoon. We don't have that
4 long of a presentation. We hope that you ask
5 questions as we go through it, but we did want to
6 provide a couple of brief updates that we think
7 might be relevant.

8 I think there was one question we
9 received in advance around the number of American
10 Indian and Alaska Native students served by the
11 REAP programs. So, we have that figure to share
12 with you as well.

13 Just by way of quick background, the
14 Rural Education Achievement Program is made up of
15 two programs, the Small Rural School Achievement
16 Program and the Rural and Low-Income Program,
17 both of which are focused on supporting smaller
18 rural districts, but have a tough time applying
19 successfully to federal grants, but also face
20 some of the challenges that are common across all
21 rural school districts in terms of capacity and

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1 ability to take advantage of what sometimes are
2 very small federal awards. So, this program
3 provides flexible awards to amend those other
4 federal awards, title awards.

5 I think we can go ahead and go to the
6 next slide.

7 So, one of the things that we did want
8 to provide -- and this is actually late-breaking
9 news as of 11 o'clock this morning -- our Small
10 Rural School Achievement Program application was
11 set to close this evening at 11:59 and 59 seconds.

12 (Laughter.)

13 And we've extended it for two weeks.
14 So, if you have someone working on an application
15 at home, tell them to take a breath and you can
16 wait until May 10th. Well, don't wait until May
17 10th, but --

18 (Laughter.)

19 You have a little bit of breathing
20 room to go ahead and put in that application
21 through grants.gov. So, I wanted to make you

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1 aware of that.

2 And then, we just wanted to share this
3 information to let you know a little bit about
4 how our office works in terms of the information
5 that goes into eligibility determinations for
6 these two programs. We try to make an effort to
7 get eligibility information out as early as
8 possible. We did that in late January this year,
9 and then, districts have about, for the Small and
10 Rural Program, have about two and a half months
11 to get their application submitted.

12 We check the data, and then, each year
13 in July we'll make awards, both for the Small
14 Rural Program, which is a direct program -- so,
15 districts apply directly to the Department of
16 Education each year for this program. And we
17 make about 4,000 awards. And then, for the RLIS
18 program, which is a program that's administered
19 through states and down to districts, we make
20 awards in the July timeframe as well. So, I just
21 wanted to bring that to your attention and share

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1 that update on the timing of the application
2 period.

3 In regards to the number that was
4 requested, the request that we received was, what
5 is the total number of American Indian and Alaska
6 Native students that attend districts that
7 receive RLIS or SRSA funds? In the year that we
8 have information for most recently, that number
9 was 207,000. That number varies significantly
10 by states. As you would imagine, in states like
11 Alaska, Arizona, Montana, North Dakota, New
12 Mexico, of the SRSA and RLIS districts, the
13 percent of American Indian and Alaska Native
14 students as a total percent of those districts is
15 between 20 and 50 percent, the highest in Alaska,
16 where it is 58 percent of the students. And
17 then, nationwide, it's about 4 percent of
18 students in districts that receive funding
19 through those two parent programs are American
20 Indian or Alaska Native. So, for SRSA, it's
21 under 600 by statute.

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1 Those are the big updates that we
2 wanted to share with you related to the program.
3 And then, Jake is going to talk a little bit about
4 some common use of funds questions that we
5 received. Because even though there is great
6 flexibility with the program, we still get a lot
7 of calls and inquiries about how can we use these
8 funds; how can we take advantage of it. Most
9 districts use it either for professional
10 development or to improve the technology in their
11 district. But Jake is going to walk through some
12 examples of use of funds, acceptable use of funds
13 that are in compliance with the law and with
14 regulations.

15 MR. STERN: Thanks.

16 So, yes, on the next slide, you can
17 see here that the RLIS and the SRSA programs are
18 really highly flexible programs. And the
19 original intent of them was to help very small,
20 very rural school districts meet their own unique
21 needs.

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1 So, as you can see here, a lot of
2 similarities between the two programs. However,
3 where they differ is in parental involvement
4 activities, which is very, very broad, as well as
5 Title IV, Part B. So, in SRSA, you can use Title
6 IV, Part B. In RLIS, you can use parental
7 involvement activities.

8 This isn't to say that there aren't
9 parental involvement activities that could be
10 used in the SRSA program under one of these other
11 title programs, but this is just a small
12 distinction between the two.

13 MS. BUTTERFIELD: I'm sorry, can you
14 just say what does R-L-I-S stands for and --

15 MR. STERN: Sure. Sorry. SRSA. So,
16 yes, RLIS stands for Rural Low-Income School
17 Program and SRSA stands for Small Rural School
18 Achievement Program. And the difference between
19 the two is that, for RLIS, you can be larger than
20 600 students in your LEA. Your poverty
21 percentage just needs to be above 20 percent

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1 poverty. And those are figures that are reported
2 by the SEA to us.

3 So, for this current year, we are
4 using FY17 data, which is the most accurate and
5 reliable data that we're going to use for RLIS
6 and SRSA. And for next year, it will be '18; the
7 year after, it will be FY19 data. So, it will
8 be two years in arrear each year.

9 Yes, any other questions about this
10 slide?

11 MS. BUTTERFIELD: And we have a copy
12 of this somewhere?

13 MR. CARR: I think so. We sent it in
14 advance. But, if not, we'll definitely follow
15 up.

16 MS. ORTEGA: We'll send it to you
17 later. It was received very late, after this was
18 published. So, we'll send it to you.

19 MS. BUTTERFIELD: Okay. Thank you.

20 MR. STERN: Any other questions? No.

21 Next slide.

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1 Okay. So, here is just sort of
2 another little infographic depicting the two
3 programs. However, it offers some examples that
4 we have worked with the other title programs
5 throughout OESE to verify. And these are just
6 examples, of course. It's not the only use of
7 those programs.

8 I would point you to Title IV, Part A.
9 This is probably the title program which gets
10 used the most by our rural LEAs because we know
11 that rural connectivity is such a priority for
12 our districts. And in the next slide, when we
13 talk about the Alternative Fund Use Authority,
14 we'll show you why that's so important.

15 So, if you look back at Title IV, Part
16 A, you may remember that there is a certain cap,
17 a percentage cap, on what you can use the funds
18 on for technology purposes. And I think that
19 number is about 15 percent.

20 Under the Alternative Fund Use
21 Authority, grantees of the SRSA program and those

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1 that are eligible -- so, important, you don't
2 necessarily need to apply for SRSA in order to
3 use this flexibility. You need to be eligible.
4 These districts can use their Title II, Part A,
5 and their Title IV, Part A, funds to pay for
6 activities under any of the aforementioned title
7 programs.

8 Additionally, if an LEA is eligible
9 for both programs, which can occur, they can use
10 this authority even if they choose to participate
11 in the Rural Low-Income School Program rather
12 than the SRSA program. So, just an additional
13 little piece of flexibility added to the program.

14 Finally, as you see here, the LEA
15 doesn't need to apply in order to use this
16 authority. And why is this so significant? It
17 is that, by consolidating the Title II, Part A,
18 funds and the Title IV, Part A, funds under Title
19 V, Part B, they, then, become, in essence, Title
20 V, Part B, funds, negating that 15 percent cap on
21 technology.

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1 So, if a school wanted to completely
2 revamp its technology infrastructure or its
3 capacity, its one-to-one capacity, whatnot, but
4 it was bumping up against that 15 percent
5 threshold, by using this authority, they would be
6 able to alleviate that barrier.

7 So, it's something that, whenever we
8 go to presentations, we talk about it
9 extensively. However, we don't know how many
10 districts are actually utilizing this. So, as
11 advocates for rural and isolated school
12 districts, we really would press upon you to make
13 sure that your districts know about this and to
14 make sure that they're asking the questions of
15 their SEAs as to how do we implement this; can
16 you help us implement this? And if they have
17 even more questions, they can just contact us,
18 and we'll be happy to help use that. So, a really
19 important part, and sort of encompasses the
20 general intent of the title program, which is
21 increased flexibility for rural districts.

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1 MS. BROWN: I have a question.

2 MR. STERN: Sure.

3 MS. BROWN: So, do you have a list of
4 the school districts that currently have applied
5 or are receiving funds by state?

6 MR. STERN: So, we have a list of
7 those districts that were awarded FY18
8 allocations with dollar amounts on our website.
9 Additionally, we have a list of districts who
10 have applied for FY19, this current year that
11 Patrick was just talking about, and that is also
12 on our website. Those don't have allocation
13 amounts yet because we don't have the final
14 figures. But, yes, we have those on our website.

15 MS. BROWN: Okay. I'll look. Thank
16 you.

17 MR. STERN: Sure.

18 MS. WHITEFOOT: What's that address?

19 MR. STERN: It's
20 ed.gov/programs/reapsrsa, I think.

21 MR. CARR: Or Google it.

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1 DR. PROUDFIT: Do you have successful
2 case studies on there?

3 MR. STERN: What do you mean by that?

4 DR. PROUDFIT: A successful example.
5 Because my recommendation next time you come to
6 see us, tell us about a tribe that is utilizing
7 these grants in a positive way. This is really
8 difficult to understand what you guys are
9 providing.

10 MR. STERN: Sure.

11 DR. PROUDFIT: I'm just speaking for
12 myself.

13 MR. STERN: Okay. Sure.

14 DR. PROUDFIT: If I'm having a
15 difficult time, I'm thinking some of our other
16 folks --

17 MR. STERN: Sure.

18 DR. PROUDFIT: So, if you can give us
19 a nice showcase, then we can share that.

20 MR. STERN: A very basic example of
21 that, a district will utilize this grant for a

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1 one-to-one computer or tablet initiative for
2 their students, just at the outset. This is a
3 relatively small grant. It's capped at \$60,000.
4 And so, the school will decide, we want to devote
5 all of our SRSA funds to a one-to-one computer
6 initiative. Additionally, they'll use it for
7 professional development.

8 But because it's so flexible and
9 because it's so wide-ranging, we don't have the
10 specific, you know, here's this or here's that,
11 but those are probably the two main focuses, at
12 least that I've worked on in the last few years.

13 MR. CARR: One thing we can provide,
14 after the meeting we'll send forward, is there
15 was a 2015 study done on how districts are using
16 these funds, and that does provide some examples,
17 I think, and will give you some context. That
18 might be what you're seeking.

19 DR. PROUDFIT: Thank you.

20 MR. STERN: Yes, so this is the last
21 slide that we have. I don't know if you had

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1 other questions regarding the REAP programs or
2 grant programs.

3 (No response.)

4 MR. CARR: Okay. So, we'll follow up
5 with the slides. Jake has one more point. Then,
6 we'll make sure the report gets to you.

7 MR. STERN: Yes. When I was sitting
8 over here, I heard that there are some folks from
9 Alaska here. And I just wanted to point you to
10 a small uniqueness in Alaska for our program.
11 When Alaska redid its Consolidated State Plan,
12 like all other states did a year and a half ago,
13 they indicated that they, the SEA, no longer
14 wanted to administer the RLIS program to the
15 LEAs.

16 So, what that meant is that we, then,
17 were the administrators of the grant program.
18 And I think two years ago we had eight of the 23
19 eligible apply to the Department. The next year
20 we had 10 of the eligible apply to the Department.
21 And this past year, we've had 15 apply to the

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1 Department.

2 So, you just speaking about it made me
3 think about it. It is that we have seen a real
4 increase in the desire of Alaskan LEAs to
5 participate in the RLIS program. As you can see
6 over here, we've got increasing numbers. And so,
7 I would just continue to ask them to stay engaged
8 with the program and to be reminded of that.
9 Because when I spoke with them on the phone -- I
10 contacted like 25 of them -- they were all very
11 excited about the program.

12 MR. CARR: Okay. Thank you for
13 having us.

14 DR. JACKSON-DENNISON: Okay. Thank
15 you so much. Thank you.

16 (Applause.)

17 MS. BOULLEY: And then, I apologize
18 to Impact Aid. We had shifted them, but please
19 come up.

20 MS. WALLS: I haven't actually met
21 Angeline yet. Nice to meet you.

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1 MS. BOULLEY: Nice to meet you.

2 MS. WALLS: I'm Kristen Walls, a group
3 leader in Impact Aid.

4 MR. TALIAFERRO: I'm Jason
5 Taliaferro. I'm also a group leader in Impact
6 Aid.

7 We're going to just pretty much give
8 an overview of Impact Aid.

9 DR. PROUDFIT: So, what number/letter
10 is that?

11 MR. TALIAFERRO: I'm not sure. It
12 looks like probably this.

13 MR. ROULAIN: We did not receive a
14 presentation.

15 MR. TALIAFERRO: Okay.

16 MR. ROULAIN: But we did receive like
17 a brochure.

18 DR. PROUDFIT: Would you like me to
19 forward it to you, if I sent to you by email right
20 now? Then, we can put it on.

21 MS. ORTEGA: There is a brochure on

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1 there.

2 MS. WALLS: And we also have copies
3 of the brochure, if you would like a paper copy.

4 MR. TALIAFERRO: We can pass it
5 around. Oh, got it, yes.

6 MS. WHITEFOOT: Oh, and on letter L,
7 we have the policies monitoring as well.

8 MS. ORTEGA: If you go to K, that
9 little handout is there. Under K, you have a
10 brochure for Impact Aid. That's all we have.

11 MR. TALIAFERRO: Okay. We're sending
12 the presentation. Do you have it? No, no
13 presentation? No presentation. Again, I queued
14 it up for you. Send.

15 But I would just give an overview.
16 And we'll make sure, if you need the
17 presentation, we can send that out, too.

18 So, I'm going to start off with the
19 purpose of Impact Aid is to compensate local
20 LEAs, local school districts, for a loss of tax
21 revenue due to federal involvement or agreement,

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1 federal lands. And that is the overall premise
2 for Impact Aid.

3 Once the school district receives
4 Impact Aid, it's treated like general funds,
5 essentially. So, it just goes back to the
6 general fund. It can be used to pay the
7 teachers. It can be used pretty much for
8 anything they would use Impact Aid for,
9 utilities, computers, special education. That's
10 pretty much the only stipulation, is that we do
11 have a part for children with disabilities. The
12 school district has to spend those funds
13 educating children with disabilities.

14 I'm going to skip ahead here a little
15 bit.

16 MS. WALLS: Maybe we could take a
17 short break and see if they got the email.

18 MR. TALIAFERRO: Yes. Did you?

19 MR. ROULAIN: It's not received yet.

20 MR. TALIAFERRO: Okay. So, I'll
21 still keep going. I'm just making sure I'm

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1 catching up with the slides here. Not having the
2 slides is a little different. All right.

3 For basic support payments, in 2018,
4 we had about 1100 applications. About half of
5 those are typically Indian land districts or a
6 mixture between federal lands and Indian lands,
7 other types of federal land.

8 Let's see here. Appropriations.
9 Well, I was really prepared to have the slides
10 up. So, I do want to talk about the
11 appropriations that we received for 2019. So,
12 for basic support, we have \$1.2 billion. For
13 children with disabilities support, we have \$48
14 million. And those combined together are our
15 basic support payments. For construction, we had
16 \$17 million, and then, for federal property,
17 because we do have 7003, which is for federally-
18 connected children, and then, 7002, which is for
19 federal property. For federal property, we have
20 the \$73 million. Facilities maintenance was only
21 about \$4 million, and those are for add-on

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1 facilities. Those don't impact -- I don't think
2 we have any of that on Indian land districts.

3 One other portion that we do have in
4 our law, Section 7007, which is equalization. I
5 mean 7009. Sorry. We have three states have
6 submitted requests. All three states were
7 approved, Alaska, Kansas, and New Mexico. Kansas
8 has a conditional approval right now, but treated
9 like it's approved.

10 I guess I can pause for questions
11 right now, and if anybody has any questions about
12 Impact Aid -- I'm not sure how familiar everyone
13 is. Do you have any specific questions?

14 DR. JACKSON-DENNISON: I can tell you
15 I'm familiar.

16 MR. TALIAFERRO: Okay.

17 DR. JACKSON-DENNISON: We're an
18 impacted school, and I've been on the NAFIS Board
19 for a number years, not now, but I was in the
20 past.

21 MR. TALIAFERRO: Okay. Yes.

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1 DR. JACKSON-DENNISON: But I don't
2 know about anyone else.

3 MS. WHITEFOOT: I've worked on the
4 policies for school districts for tribes.

5 DR. JACKSON-DENNISON: Great.

6 MS. WALLS: I'm going to start and I'm
7 going to introduce the new Impact Aid Grant
8 System that's supposed to come online next
9 September. And what that means for you, if
10 you're not a school district, is that the general
11 public will be able to go online and run certain
12 reports. One report that we have breaks down
13 school districts' payments by military, Indian
14 lands, children, and civilians.

15 And so, I'd also like to point out
16 that we are not being insensitive when we say
17 "Indian lands". That's how it's referred to in
18 our law. We respect referring to them as Native
19 American children. It's just something specific
20 to a very old law that we have.

21 DR. PROUDFIT: So, where is that

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1 report?

2 MS. WALLS: It will be in the new
3 system that's being rolled out in September, we
4 hope September.

5 MR. TALIAFERRO: Yes, it should be
6 September, but that part will probably be rolled
7 out, I would say, next spring, 2020, the spring
8 of 2020. However, we still have the data. And
9 if, for some reason, you wanted that, yes, if you
10 wanted that --

11 MS. WALLS: Yes. We're happy to give
12 it to you.

13 MR. TALIAFERRO: -- just email us.

14 DR. PROUDFIT: Here's my card as well.

15 MR. TALIAFERRO: Okay. Joely?

16 DR. PROUDFIT: Yes.

17 MR. TALIAFERRO: Okay. I can email
18 you.

19 DR. PROUDFIT: California, I want
20 California.

21 MR. TALIAFERRO: Okay.

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1 MS. WALLS: Okay.

2 MR. TALIAFERRO: I don't have it right
3 here on my phone, but I will get it to you.

4 DR. PROUDFIT: Yes, yes.

5 MR. TALIAFERRO: Look for it about the
6 middle of next week.

7 DR. PROUDFIT: Sounds good.

8 MS. WALLS: And we really enjoy
9 communicating with everyone. So, if you do have
10 any questions at anytime, feel free to always
11 contact us.

12 MS. ORTEGA: Excuse me. When you
13 email, could you include Angeline Bouley in your
14 email, so she gets --

15 MR. TALIAFERRO: Absolutely, yes.

16 MS. ORTEGA: Thank you.

17 MR. TALIAFERRO: Thank you.
18 Definitely will.

19 MS. WALLS: I apologize, the slides
20 are actually fairly short and instructive. Would
21 you like me to try and resent the presentation

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1 again? Or have you received it?

2 MR. ROULAIN: No, I have received
3 nothing.

4 MS. WALLS: So, that's the problem
5 with being in the basement of a building.

6 (Laughter.)

7 DR. JACKSON-DENNISON: Yes, it's
8 really slow, the internet.

9 MS. WALLS: Yes, yes.

10 MS. BOULLEY: I apologize, my
11 computer, I'm not able to receive any emails or
12 to send them on. So, sending it to me doesn't
13 help us right now.

14 MS. WALLS: Okay. Hopefully, we'll
15 have it in just a second.

16 But I get the pleasure of talking
17 about the stuff that you guys are really
18 interested in. I have done some Indian lands
19 data for FY 2019. We are currently working on
20 FY 2020 applications. Our LEAs submit
21 applications a year before the funds become

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1 available. We monitor prior to payment. That's
2 unique to Impact Aid.

3 In 2019, we had 869 LEAs and 28 states
4 claimed children residing on Indian lands. And
5 that's with greater than 5 percent Indian lands.
6 We have a number that have one or two kids, and
7 they're in the .03 percent. But, for the most
8 part, 869 school districts in 28 states.

9 Those LEAs claimed 109,265 children in
10 average daily attendance in 2019. And the
11 payments for those children totaled \$627,601,421.
12 So, \$627.6 million were paid so far, and we have
13 one more payment to make for 2019.

14 And I have two charts that show you
15 the states with the highest Native American child
16 counts, and then, I have a slide that shows you
17 the total payments by state. And the reason that
18 I provided those to you, if you have a chance to
19 look at them, is to demonstrate that, even though
20 the highest number of children, which is in South
21 Dakota, they are actually the fifth most -- they

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1 get the fifth amount of payment.

2 And the reason for that is that in the
3 Impact Aid payment there are a number of
4 different factors just aside from membership.
5 Those include local contribution rate, your total
6 current expenditures for the school district.
7 There are a number of factors that cause the
8 school district that maybe has the higher child
9 count to not have the highest payment.

10 In Arizona, they are the State that
11 receives the largest amount of money for children
12 residing on Indian lands. And that's at about
13 \$160 million. The reason for that is that the
14 school districts are smaller and the percentage
15 of Indian lands children is higher, and those are
16 two parts of our formula. So, even though
17 Arizona is maybe halfway down on the highest
18 populations, they are the largest recipient of
19 Impact Aid funds for that category.

20 Okay. We also have a part of our law
21 relating to Indian policies and procedures. Are

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1 you all familiar with what IPPs are? The purpose
2 of our IPPs are to ensure equal participation, to
3 improve communication and cooperation between
4 tribes and school districts and parents. The
5 third purpose is to make sure that parents of
6 Indian lands' children and the tribes have the
7 opportunity to provide input on the development
8 of the educational program, school-sponsored
9 activities, as well as the development and
10 creation of the consultation process through the
11 Indian policies and procedures.

12 Okay. There are six new -- well,
13 they're not new so much anymore. On September
14 20th, 2016, our regulations were updated, and in
15 that we also updated the requirements for Indian
16 policies and procedures. There are six
17 requirements that an LEA must fulfill. They have
18 to show, one, that the policy is there, and,
19 second, how they are going to implement it.

20 And so, they have to demonstrate that,
21 they certify with their application -- I am on

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1 slide -- okay, maybe we want to go back to the
2 slide with the charts. How about slide 15? Is
3 that slide 15? No. It's just very slow. Well,
4 if we can get to slide 15 -- so, this is the
5 information I was giving you on the data for 2019.

6 This is the chart I was talking about.
7 You can see South Dakota at the top has by far
8 the largest number of Indian lands children of
9 our 28 states. And these aren't all 28. It
10 would have been impossible to see anything there.
11 Montana was second. North Dakota was third.
12 Minnesota was fourth, and Michigan was fifth.

13 And then, in terms of payments on the
14 next slide --

15 DR. PROUDFIT: Is it percentage to the
16 overall population in the state?

17 MS. WALLS: No, it's percentage
18 related to the school districts, right?

19 DR. PROUDFIT: The land?

20 MS. WALLS: Oh, by state? I'm sorry.

21 MR. TALIAFERRO: Oh, no.

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1 MS. WALLS: Yes, so to the total
2 population. You're right, yes. I'm sorry.

3 So, this one here shows funding by
4 state. You can see Arizona, Alaska, New Mexico,
5 Montana, South Dakota, those five states.
6 Arizona wasn't in that top section of the slide
7 before. And again, that is due to the fact that
8 there are many factors in our formula outside of
9 membership.

10 DR. PROUDFIT: Land base is pretty
11 much --

12 MS. WALLS: It's the financial
13 factors.

14 DR. PROUDFIT: Okay.

15 MS. WALLS: It's the school
16 district's percentage of federally-connected
17 children to their total membership, what their
18 basic maximum support payment would be in
19 relation to their total current expenditures, if
20 we were fully funded. It also takes into
21 consideration the local contribution rate, which

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1 is the local effort for educating children.

2 Okay?

3 So, if you have any questions about
4 those slides later on, feel free to let us know.

5 You may move to the next slide.

6 And again, this slide is what I was
7 just explaining on the purpose of the Indian
8 policies and procedures.

9 We could move to the next slide.

10 So, with its application annually, the
11 school district has to certify that it has
12 established its Indian policies and procedures in
13 consultation with the tribe and the parents of
14 Indian children. It has to provide a written
15 response to all comments, concerns, and
16 recommendations received through the
17 consultation process. So, any information that
18 comes into a school district, they have to
19 respond in writing. So, if a parent or a tribe
20 requests Native language instruction, and the
21 school district can or cannot provide it, they

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1 will provide that written response. And in our
2 preamble to the regs that were published on
3 September 20th of 2016, it says it should be
4 thoughtful consideration. So, we are looking at
5 that as well.

6 This is the first year, 2019, where we
7 will actually be monitoring those written
8 responses because 2018 was the first year we
9 implemented the new IPPs for school districts.
10 Bear in mind, we do a year. So, we're a year
11 ahead, fiscal years. So, 2018 was submitted in
12 2017 after the regs were published; 2019 was
13 submitted in 2018.

14 So, those are the assurances they sign
15 every year, and they swear that they are doing
16 this in submitting their application.

17 If we could move to the next slide?

18 There is an option to Indian policies
19 and procedures. This is called the tribal
20 waiver, and they are an alternative to IPPs. We
21 changed our regulations on this, too. So, before

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1 a tribe signs a waiver of their rights to waive
2 their rights to consultation under Section 7004
3 of our law, they should receive a copy of the
4 regulations governing consultation. So, that is
5 34 CFR 222.91 through 94.

6 If the tribe is satisfied with the
7 services that the school district is providing,
8 they can waive their right to consultation. The
9 LEA must submit a copy of the waiver every year.
10 So, it's not something they can reuse. They
11 should be consulting with the tribe every year,
12 and if the tribe remains happy and satisfied,
13 they will sign another waiver, but they have to
14 do it annually. The same with Indian policies
15 and procedures, they must be Board approved
16 annually.

17 We did make a change as well. We
18 heard during our tribal consultation during the
19 regulation and writing process that some tribes
20 felt that they were being pressured when a school
21 district submitted Indian policies and

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1 procedures, and then, were reviewed, that the
2 school district didn't have the documentation to
3 support their Indian policies and procedures and
4 would go to the tribe and say, "We need a waiver
5 for consultation in order to get our Impact Aid
6 money." So now, we have what we internally call
7 a "pick-and-stick" policy. Whichever you submit
8 with your application is what you are obligated
9 to for that fiscal year.

10 Next slide.

11 We receive IPPs annually for
12 regulatory compliance. So that is that they have
13 addressed the six policies and they have
14 procedures in place to accomplish those policies.

15 And we did send a handout that is the
16 IPP screening document that I think you probably
17 have in your packages. With that is literally a
18 checklist, and we use it when reviewing an IPP.
19 If we determine that a school district is not in
20 compliance, we will provide them with that
21 checklist specifying what areas are deficient.

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1 We do technical assistance for 30
2 days, and then, we have a formal procedure that
3 we can follow if we are not able to resolve the
4 issues, where they have to revise their Indian
5 policies and procedures within 90 days. So, we
6 look at about 120 days total for an LEA to revise
7 its IPPs. We never have gotten to --

8 MR. TALIAFERRO: A hundred and 20
9 days --

10 MS. WALLS: Yes. We've only had to
11 send one out since the new regulations came into
12 place. Prior to that, we had a couple, but we
13 have a more stringent review process in place
14 now, more structured with the checklists and the
15 specific information.

16 Okay. Next slide. Oh, I'm sorry,
17 you were up there.

18 There were six policies that they have
19 to write procedures to, and one is the
20 dissemination of information. They have to say
21 what documents they're disseminating to the tribe

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1 and the parents of Indian children. And that
2 includes, at a minimum, the Impact Aid
3 application, the educational program or
4 curriculum, and that includes school-sponsored
5 activities; and also, their equal participation
6 analysis. They have to say how they are going
7 to disseminate them, and they have to say when
8 they are going to disseminate them.

9 The second one is consultation, and it
10 is giving the parents of Indian children and
11 tribal leaders the opportunity to provide comment
12 on those documents. In our regs, it says that
13 they have to provide sufficient time, so that the
14 tribe and the parents of Indian children can
15 provide thoughtful input.

16 We have allowed the school districts
17 to send summaries to parents with the
18 understanding -- and it's written in their
19 IPPs -- that full copies would be available upon
20 request. But the application for Impact Aid and
21 the assessment and the evaluations can be quite

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1 lengthy, and trying to get them to everyone they
2 said was a problem. So, we do allow them to do
3 a summary, and they have to distribute that
4 summary.

5 Okay. And then, the third policy is
6 ensuring equal participation of Indian lands
7 children or Native American children with non-
8 Native American children. And that's
9 representative. So, if a school district has 20
10 percent Indian lands children, their percentage
11 in programs, including AP courses, football,
12 anything that's outside the regular curriculum,
13 should also be representative of that population.
14 And if it's not, they have to provide us with how
15 they're addressing that.

16 Okay. Four, revising the Indian
17 policies and procedures, they have to say how the
18 parent can provide input on the development of
19 the Indian policies and procedures, how the tribe
20 can provide input.

21 The second part of communication, the

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1 second part also includes that they have to take
2 the tribe's preferred method of communication
3 into consideration. So, we are checking with
4 them. If they're faxing them to the tribe that
5 has no fax machine, that's not very effective.
6 Or if they're sending them snail mail and they
7 get lost in the mail, and a meeting is held a
8 week from the time they send the documents,
9 again, that's a problem. So, they need to
10 consult with the tribe on what their preferred
11 method of communication is.

12 If they are not having significant
13 responses from parents or the tribe, they are
14 asked to consult with the tribe to see if
15 modification of the location and times of
16 meetings would help participation. One of the
17 things that we hear a lot from school districts
18 is that no one comes to their meetings.

19 We talked about five a little bit.
20 They have to provide thoughtful written responses
21 to information that comes from the consultation

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1 process, and they have to distribute those
2 written responses before they can submit their
3 Impact Aid application.

4 And six is providing a copy of the
5 revised IPPs to the tribe before they submit
6 their application or within 30 days of any
7 changes to the IPPs. So, if we're screening an
8 IPP and we have found it to be deficient in some
9 way, and they have to correct it, they have to
10 get that correction Board approved, but they also
11 have to send both the Department and the tribe
12 the revised Indian policies and procedures within
13 30 days.

14 If you would move to the next slide?

15 We've talked about screening. Now
16 we're talking about monitoring for
17 implementation. And this is the first year we've
18 done this, and we've seen the gamut of responses.
19 So, it's been an interesting learning experience
20 so far with the field reviews.

21 We monitor Indian policies and

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1 procedures when a school district is selected for
2 what probably is more commonly referred to as an
3 audit. We call them field reviews. We select
4 about 220 applicants every year to monitor. And
5 so, as a part of that monitoring, we now include
6 monitoring for implementation of Indian policies
7 and procedures.

8 When we are monitoring, I have also
9 included the monitoring. It's a narrative
10 response now. Before, we used to require the
11 school district to essentially put a binder
12 together with the newspaper clips that they
13 advertised the meetings, with Board minutes,
14 with -- and they were quite lengthy documents.

15 So, we have switched to a narrative
16 response for monitoring implementation, and they
17 have to answer how they did all of the things
18 that they said they would do in their Indian
19 policies and procedures. They have to provide
20 dates when documents were distributed. They have
21 to identify the preferred method of communication

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1 from the tribe.

2 So, what we do is we look at their
3 responses and we look at their IPPs, and we ensure
4 that they've done everything that they said they
5 were going to do in relation to consultation.

6 Next slide.

7 Our analysts are still doing this, and
8 we've come across quite a few situations which
9 sort of made our eyebrow raise. One school
10 district, in particular, had said that it
11 couldn't -- in their IPPs, they said they were
12 going to SMS, so text message notices out to
13 parents and email them. And then, in their
14 narrative response, they said, well, we couldn't
15 do that because no one has cell phones or
16 computers on the reservation. So, their response
17 was they were going to post them on their web
18 page.

19 (Laughter.)

20 You guys got that quicker than some of
21 my analysts.

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1 (Laughter.)

2 So, you know, this is new to them, and
3 we expect there are some bumps along the road,
4 but we do point those things out to them and we
5 make sure that they appropriately address those.

6 And that comes in the form, if you
7 look at the next slide, it's technical
8 assistance. So, we try very hard to work with
9 school districts in the capacity of technical
10 assistance rather than punitive actions. And the
11 reason for that is, ultimately, it's the children
12 in the seats who suffer when money is delayed.
13 And so, we work very hard to ensure that technical
14 assistance is our first approach, and we work
15 with tribes until the issue is resolved.

16 But in some cases of the past we have
17 had a few school districts that simply refused to
18 amend their Indian policies and procedures. We
19 do send them a notice that we do have the right
20 to withhold part or all of their funding for non-
21 compliance with the Indian policies and

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1 procedures. That usually spurs action very
2 quickly.

3 Okay. Next slide.

4 If you ever have any questions for us,
5 this is where you reach us. Again, I'm Kristen
6 Walls. This is Jason Taliaferro. We are group
7 leaders in the Impact Aid Program.

8 If you look at the next slide, because
9 I know you are all interested to know how we
10 calculate our payments, right? So, in
11 supplemental information we have given you six
12 slides or, essentially, six steps to calculating
13 an Impact Aid payment. And we've provided those
14 for you for your reference.

15 And if you, like Joely said -- Joely,
16 is it Joely?

17 DR. PROUDFIT: Joely.

18 MS. WALLS: Joely said she would like
19 the information for California. We are happy to
20 respond to those, to comply with those requests,
21 any type of information that you want, even if

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1 it's not related just to the Indian lands
2 children. If you want information on state
3 totals, we're happy to do that as well.

4 MS. WHITEFOOT: Can you go back to the
5 slide with your contact info?

6 MS. WALLS: Sure. Also, if you
7 Google "Impact Aid," it will take you right to
8 our website.

9 MR. TALIAFERRO: Yes.

10 MS. WALLS: Which we're also working
11 on to make more user-friendly. So, hopefully,
12 that's coming in the near future as well.

13 Okay. Does anyone have any questions
14 for us? We caught you at the last. We're the
15 last ones up. So, is anybody asleep?

16 DR. PROUDFIT: No, you guys were good
17 and thorough, and I appreciate that. Anytime you
18 can show us where the money comes from and how
19 it's broken down and sent out, I appreciate that.

20 MS. WALLS: Sure. And we have, as a
21 plug, right now, if you're working with school

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1 districts, we do have our discretionary
2 construction program open right now, and it
3 closes in June.

4 MR. TALIAFERRO: Yes. Well, yes, it
5 closes in June. I want to say it's June 15th.

6 MS. WALLS: And it is you have to have
7 50 percent Indian lands children or 50 percent
8 military children or be a heavily-impacted school
9 district in order to apply. As it has shaken out
10 over the years, we make seven to eight awards a
11 year, anything from repairing boilers and
12 chillers to replacing an entire school.

13 So, if you are working with your
14 school districts and they have a construction
15 need, they should contact us. We have a very
16 simple decision tree that would tell them if they
17 are eligible or not. We're happy to provide
18 that.

19 As I was saying, most of our awards in
20 the past couple of years have gone to Indian land
21 school districts. Okay?

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1 DR. JACKSON-DENNISON: We were a
2 recipient of the last one. So, thank you.

3 And I was just asking my business
4 manager if we can apply again, and she said that
5 we could.

6 MS. WALLS: Yes.

7 DR. JACKSON-DENNISON: She checked
8 with someone. So, I'm very interested.

9 And then, also, she said to relay the
10 message that she really likes the online, she
11 said she really likes the new program that you're
12 putting together, the new -- how did she say it?
13 Let me find her message. She really likes the
14 new application system you're putting together.

15 MS. WALLS: Yes, that's our IAGS, the
16 Impact Aid Grant System, that's rolling out in
17 September for applicants. So, in September, we
18 expect it to go live for application intake.
19 There are going to be what we call two or three
20 ATOs, right?

21 MR. TALIAFERRO: Yes, well --

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1 MS. WALLS: Authorization to Operate.

2 MR. TALIAFERRO: So, they'll probably
3 be up and running internally around September.
4 We are hoping to open an application period this
5 year a little earlier because it is a new system.
6 We typically open in December and it's open until
7 like January 31st. We're hoping to open it a
8 little earlier this year, just so people get used
9 to it. Maybe not as early as September, but as
10 early as we can.

11 MS. WALLS: We've made it as simple
12 as we could.

13 MR. TALIAFERRO: Yes.

14 MS. WALLS: I know more tables that
15 asked some questions --

16 DR. JACKSON-DENNISON: I saw that,
17 yes.

18 MS. WALLS: -- and follow it. So,
19 we've really tried to improve the end-user
20 interface, so that it is far less complicated.

21 MR. TALIAFERRO: We hope to have some

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1 demos rolling out to our applicants pretty soon,
2 too, before it goes live.

3 DR. JACKSON-DENNISON: Robin?

4 MS. BUTTERFIELD: I'm just curious
5 how you know if a community has honestly been
6 consulted.

7 MR. TALIAFERRO: I was going to say,
8 well, there's always a process. Even if like we
9 look at the IPPs and they meet our regulatory
10 requirements, and we're okay with it, you always
11 have the option to request a hearing. So, if
12 there's something -- and I think that's something
13 that a lot of people may miss, is that you always
14 have the option of saying, "We don't feel like
15 our needs are being met. We want to request a
16 hearing." And so, that's one avenue.

17 MS. BUTTERFIELD: Okay.

18 MR. TALIAFERRO: Yes.

19 MS. BUTTERFIELD: Yes, because not
20 currently, but in the past I've had districts
21 that have said that they just feel like they're

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1 ignored.

2 MR. TALIAFERRO: Yes, and we don't
3 want that. So, they can request a hearing. I
4 would say try to work with your LEA first, right?
5 But if you can't, then let us know.

6 MS. WALLS: And often in technical
7 assistance, when it gets to that point, we can
8 assist as well, so that it does have to go to a
9 formal hearing.

10 MR. TALIAFERRO: Yes.

11 MS. BUTTERFIELD: Okay.

12 MS. WALLS: Ensuring that the LEA
13 understands that, if they're not in compliance,
14 we can withhold part or all of their payment,
15 that is sort of the stick to the carrot that we
16 offer.

17 MR. TALIAFERRO: Yes.

18 MS. WALLS: We do have that authority.
19 And we are, as I gave you that example, we are
20 finding some things that just don't make sense.
21 We try to encourage our school districts to give

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1 the tribal officials and parents at least one
2 week notice with the documents before a meeting.
3 I would say 80 percent of the IPPs that are in
4 place right now, because I drafted the template
5 that they use, says that it's not restricted just
6 to a Board meeting; that a parent or a tribal
7 official can contact the school district at
8 anytime, and that's still considered
9 consultation. And they still need to respond in
10 writing.

11 So, if you have examples or you have
12 issues where the school district is not
13 responding in writing to concerns or questions,
14 we can probably help with that.

15 MS. BUTTERFIELD: Okay. So, how many
16 people do you have that actually can provide
17 technical assistance? And do you go onsite,
18 then, or is it mostly remote?

19 MS. WALLS: We do some onsite visits.
20 Most of our monitoring is now done by mail or in
21 email in this case.

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1 MR. TALIAFERRO: Yes, mostly --

2 MS. WALLS: Next year it's going to
3 be uploading.

4 We do state workshops. I'm going to
5 Oklahoma in June and South Dakota in August to do
6 some technical assistance. We will spend some
7 amount of time talking about their obligation
8 under consultation and IPPs.

9 So, we are open 24/7 for questions.
10 So, if you have a question, that's the email box.
11 Jason and I monitor it. We'll make sure you're
12 getting responses.

13 MR. TALIAFERRO: Yes.

14 MS. WHITEFOOT: And then, the last
15 question I have is on construction dollars. Do
16 you have like a finite set of money, and then,
17 you use it until it's spent? Or how does that
18 go?

19 MS. WALLS: So, we have two
20 construction programs, and they alternate by
21 appropriation. The law actually says that 60

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1 percent of the \$17.4 million is supposed to go to
2 formula and 40 percent is supposed to go to
3 discretionary. But 40 percent of \$17 million
4 doesn't go very far in school construction. So,
5 in the annual appropriations language, they will
6 specify one program or the other, and it just
7 happens that they are alternating.

8 So, in one case, we have a formula
9 construction payment, and then, we have the
10 competition. In each case in both years, the
11 number is the same. But a school district that
12 comes in with a compelling emergency for \$14
13 million, and the readers believe that the health
14 and safety of those students are truly at risk,
15 we might just allocate \$14 million to that one
16 school district. So, there is no finite on the
17 discretionary side.

18 If a school district has a certain
19 amount of assessed valuation, they can only get
20 \$4 million over four years. We don't actually
21 every four years -- is it every four years? I

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1 think so.

2 MR. TALIAFERRO: Yes, we'll have to
3 check.

4 MS. WALLS: But most of our Indian
5 lands districts don't fall under that umbrella
6 because they tend to have very low assessed
7 valuations due to the amount of trust-restricted
8 properties within the boundaries of their school
9 districts. So, that rule doesn't generally apply
10 to most of our applicants, but it does for those
11 with higher assessed valuations, assessed
12 valuations between \$50 and \$75 million.

13 MS. BUTTERFIELD: So, if
14 infrastructure dollars are available, could
15 Impact Aid request some of those for school
16 construction?

17 MS. WALLS: We don't lobby for
18 anything in Impact Aid. NAFIS lobbies a lot.

19 MS. BUTTERFIELD: Oh, okay.

20 MS. WALLS: They request funds for
21 construction. So, we just implement.

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1 MR. TALIAFERRO: Yes.

2 MS. WALLS: Whatever Congress says,
3 we do.

4 MR. TALIAFERRO: Yes.

5 MS. BUTTERFIELD: Okay.

6 MR. TALIAFERRO: And also, I just want
7 to, because we talked about when the grant closes
8 this year, it's June 11th this year. So, I was
9 a few days off, but looked it up. It's June 11.

10 MS. WALLS: It's a fairly simple
11 application. You get a certifying official, a
12 fire marshal, a building facilities inspector who
13 identifies the emergency. You write what your
14 emergency is. Half of the scoring is based on
15 objective data, the number of children in the
16 school, the number of children in the school
17 district. There's an objective scoring, and
18 then, the readers come in and they do their
19 subjective evaluation of the applications.

20 MS. BROWN: I'm from Anchorage. So,
21 how does FEMA fit in with this?

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1 MS. WALLS: Nothing.

2 MS. BROWN: Nothing? It doesn't
3 parallel?

4 MS. WALLS: No.

5 MS. BROWN: They're not going to
6 interfere?

7 MS. WALLS: Impact Aid actually did a
8 lot of that FEMA work way back in the '60s.

9 MS. BROWN: You can come back.

10 (Laughter.)

11 MS. WALLS: I was cleaning out the
12 files the other day. I saw some from 1962. I
13 think it was a program that's now run by FEMA.

14 MS. BOULLEY: We do have the slide
15 presentation. If you have your jump drive and
16 give it to Phillip, they can load it, load this
17 presentation onto your jump drive. Otherwise,
18 we can email it to you.

19 MS. WALLS: Does anyone want paper
20 copies of this? You already have paper copies?

21 MS. BOULLEY: They already have that.

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1 MS. WALLS: Perfect.

2 MR. TALIAFERRO: And I just want to
3 say there's more to the presentation than we were
4 able to go through. Like Kristen said, there is
5 a breakdown of how the payment is calculated.
6 So, I would say it's very useful to request the
7 presentation because there's more there.

8 DR. JOHN: I was going to ask, because
9 I know the village of Newtok is in the process of
10 moving, I think, like 40 miles away or something.
11 Their houses are falling underground, under
12 water. And the same with Shishmaref.

13 MS. WALLS: That's Bering Straits
14 School District?

15 DR. JOHN: Yes. But, specifically,
16 Newtok is near my island. And I was wondering,
17 what is the process that LKSD is doing in order
18 to make sure that the students have education
19 next year or while they're in process? Because
20 they would probably have to relocate them like
21 100 miles away.

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1 MS. WALLS: I actually, in 2007, spent
2 nine days in LKSD, up and down the river looking
3 at communities. I was at Newtok. I was at a
4 bunch of different -- Toksook Bay, you want to
5 talk about --

6 DR. JOHN: Oh, I'm from Toksook Bay.

7 MS. WALLS: Oh, yeah?

8 DR. JOHN: Yes.

9 MS. WALLS: Yes, I went and enjoyed
10 your new school. We helped build that school
11 years ago.

12 DR. JOHN: Yes. I was going to ask
13 you if it's common for one village to have K
14 through 12 in one building. That's what we have.

15 MS. WALLS: Yes, that's not unusual.

16 DR. JOHN: Yes.

17 MS. WALLS: We have a lot of K-12
18 districts in Alaska.

19 DR. JOHN: Yes. I was wondering if
20 there was like communication difference between
21 kindergarten and 12th-graders.

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1 MS. WALLS: Oh, well, you know, there
2 have been some studies on that that I looked at
3 when I was looking at different types of -- the
4 pros and cons of having a K-through-12 district
5 versus broken out by age group. And there's a
6 lot of information out there. It just happens
7 that in those smaller communities it is generally
8 not feasible to have both an elementary and a
9 high school building. The maintenance and
10 upkeep, the difficulty of getting materials, all
11 of those things pose specific problems unique to
12 Alaska.

13 DR. JOHN: Yes. I know they used to
14 have elementary, but due to asbestos, they had to
15 shut those down. So, they had no choice but to
16 push those kids to the high school.

17 MS. WALLS: And schools like Lower
18 Kuskokwim School District, LKSD, they do have the
19 ability to use their regular Impact Aid revenues
20 for construction. The purpose of Impact Aid is
21 to replace lost local revenues due to the federal

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1 presence, and they are treated just like local
2 revenues. So, if the school district decides
3 that they've got \$23 million from Impact Aid and
4 they need a new school building, they could use
5 that Impact Aid money for that purpose.

6 Anyone else?

7 MR. TALIAFERRO: Any other questions?

8 DR. JACKSON-DENNISON: Well, thank
9 you very much.

10 MS. WALLS: Thank you.

11 DR. JACKSON-DENNISON: We appreciate
12 it.

13 MR. TALIAFERRO: All right. Thanks
14 for having us.

15 MS. BOULLEY: That concludes the
16 presentations.

17 In advance of the next NACIE meeting,
18 I would like to really go through more OSEP and
19 some of the other agencies that maybe we have not
20 ever heard from before. So, I'd like to try to
21 have more programs that do their presentations,

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1 that provide their information ahead of time, and
2 that we can focus most of your limited time on
3 discussion and questions. It's just it's really
4 hard to balance --

5 DR. JACKSON-DENNISON: Right.

6 MS. BOULLEY: -- with all the other
7 things that you want to do in your meeting how
8 much to spend hearing from programs, and then,
9 your business part of your meeting, and then,
10 meeting with senior leadership.

11 DR. JACKSON-DENNISON: Well, I think
12 now that we have the dates, I think that was the
13 whole purpose of getting the dates down, so that
14 we can know ahead of time. And I think it will
15 be helpful with our time if we receive these even
16 electronically ahead of time.

17 MS. BOULLEY: Yes.

18 DR. JACKSON-DENNISON: So that we can
19 have questions already. Like the one gentleman
20 that already had the question someone asked of
21 him at some point. So, I imagine that we would

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1 be able to be better prepared with the questions
2 that we have ahead of time.

3 MS. BOULLEY: I think so, too, and I
4 think what would be really helpful is if we have
5 an agenda a month ahead of time, and we get the
6 materials out to you, if you have a chance to
7 look those over. And then, any questions that
8 you want to make sure that they cover, that we're
9 prioritizing those questions that you have.
10 Because there's so much good information, it's
11 hard to fit everything into a half a day --

12 DR. JACKSON-DENNISON: Right.

13 MS. BOULLEY: -- of time with you.

14 DR. JACKSON-DENNISON: Great.

15 MS. WHITEFOOT: So, the kinds of
16 questions that I've had over the years has been,
17 first of all, on data, and that includes the
18 American Indian and Alaska Native students that
19 are impacted by those federal resources. In
20 addition to that is the location of these
21 students and the LEAs, perhaps with maps or

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1 something like that, to be provided for us. And
2 then, the dollar amount and per-pupil allocation,
3 if there is a per-pupil allocation, or how the
4 allocation is determined, whether that's formula,
5 discretionary, whatever that is.

6 DR. JACKSON-DENNISON: Okay. Thank
7 you, Patsy.

8 Anybody else? Robin?

9 MS. BUTTERFIELD: Yes, I think
10 earlier I had asked for just a comparison of
11 basically this per-pupil amount, based on Title
12 I, Title III, Indian Ed. I'm trying to think
13 what other one. Migrant Ed. I don't think
14 Johnson-O'Malley is done on a per-pupil.

15 MS. BOULLEY: But you still are able
16 to ask for that information because that is under
17 Interior.

18 DR. JOHN: Oh, that's true, yes.

19 MS. BOULLEY: Yes, because NACIE is
20 over all Indian education programs that serve
21 American Indian and Alaska Native children or

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1 adults, or benefit from those programs. And so,
2 not only within Education, but Interior as well.

3 DR. JOHN: I was just wondering if we
4 should consider inviting the Secretary of the
5 Interior at some point, too.

6 MS. BOULLEY: Okay, definitely.

7 DR. JOHN: To our next meeting or
8 future meeting.

9 MS. BOULLEY: Uh-hum.

10 MS. BUTTERFIELD: And then, the other
11 issue that I was concerned about was the Office
12 of Special Education, how they were addressing
13 the needs of Native parents. How were they
14 tracking services to Native parents, given that
15 some of their resources were consolidated or cut
16 back?

17 MS. BOULLEY: Sure.

18 And that was one thing that I wondered
19 if you might want to discuss. You have three
20 vacancies on NACIE. And as we saw in the
21 Charter, a tribe or Indian organization may

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1 nominate. And the one Senator has put forward
2 two names. I wondered if you might want to have
3 a discussion about what -- you all bring so much
4 expertise and your strengths and your experience.
5 I thought maybe if you could assess any gaps that
6 you could look at prioritizing.

7 For example, special education,
8 someone who might be able to or has a very strong
9 background in special education, or if there is
10 a particular region that isn't represented on
11 NACIE, looking at that. And then, certainly,
12 encouraging people that you know who might have
13 that experience or from those regions, to have
14 their tribe or an Indian organization put forward
15 a nomination.

16 DR. JACKSON-DENNISON: Do we have
17 three positions open now?

18 MS. BOULLEY: Three.

19 DR. JACKSON-DENNISON: Because Sam
20 McCracken resigned?

21 MS. BOULLEY: Yes.

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1 DR. JACKSON-DENNISON: And then, the
2 other two that were vacant, yes.

3 MS. BOULLEY: Uh-hum.

4 DR. JACKSON-DENNISON: So, we only
5 have, okay, three positions, yes.

6 MS. BOULLEY: Uh-hum.

7 MS. WHITEFOOT: I would add to that
8 discussion with special education also the needs
9 of foster care children because of the
10 significant number of Native children that are in
11 foster care in some of our tribal communities,
12 and because of the court care that tribes are
13 going through now on this whole topic of foster
14 care.

15 DR. JACKSON-DENNISON: And I would
16 also like to add that, besides special education,
17 an individual that may have experience, the most
18 recent on the intergenerational trauma and being
19 more -- what programs are out there for Indian
20 children who have experience, which are very
21 many, you know, the trauma and the brain

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1 development, and what happens to the brain from
2 a medical standpoint of what happens.

3 MS. BOULLEY: Sure. Okay, so Dr.
4 Payment has experience with a BIE grant, tribal
5 grant school. Is there any other? I was
6 wondering what BIE, if there are any other
7 individuals that have that experience working
8 with BIE schools, since that's an area that, you
9 know -- okay. All right. Very good.

10 DR. JACKSON-DENNISON: I did a long
11 time ago, but it's not enough -- before I even
12 know I was going to go down that road.

13 (Laughter.)

14 MS. BOULLEY: And then, early
15 education.

16 MS. WHITEFOOT: That's been my
17 background.

18 MS. BOULLEY: That's your background,
19 too? Okay, wonderful.

20 MS. WHITEFOOT: It's in the report.

21 MS. BOULLEY: Okay. Good.

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1 DR. JACKSON-DENNISON: Do we have
2 anybody with tribal colleges or universities? We
3 need somebody with that background.

4 MS. BOULLEY: Okay. Very good.

5 DR. JOHN: I know Pearl Brower has her
6 doctorate degree, and she runs the Ilisagvik
7 Tribal College in Barrow. She would be a good
8 one, too.

9 DR. PROUDFIT: What about a
10 K-through-12 teacher? Just like an award-
11 winning teacher who's actually in the classroom
12 with students?

13 MS. WHITEFOOT: We're old teachers.

14 (Laughter.)

15 MS. BOULLEY: It might be neat to have
16 a teacher from a BIE school who has that National
17 Board certification, that professional
18 development, that certification that was talked
19 about yesterday. You know, having someone that
20 has that perspective might be really good, too.

21 So, I just put that out there. I

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1 really appreciate the suggestions. And if you
2 talk with your colleagues and families and
3 community members, and encourage them and
4 encourage your tribes and Indian organizations to
5 put forward names for consideration.

6 MS. WHITEFOOT: Who do they send it
7 to, though? Because there's not a single
8 person --

9 MS. BOULLEY: If it came to me, I
10 would forward it to the -- I would find out who
11 it needed to go to. So, for a lack of a clear
12 answer, if it came to me, it would be recorded
13 and tracked, and then, routed to the correct
14 place.

15 DR. JACKSON-DENNISON: She's asking
16 would the recommendation come from like a tribal
17 leader of some sort to -- what significance do we
18 need as far as the recommendations as they come
19 forward to you?

20 MS. BOULLEY: A tribal leader, or it
21 says Indian tribes or Indian organizations. It

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1 also makes references to lists of names put
2 forward. And so, certainly that's something
3 that -- yes, I'm looking for my copy of the
4 Charter. Yes, here it is.

5 So, under "Membership," it says,
6 "Appointed by the President from lists of
7 nominees furnished from time to time by Indian
8 tribes and organizations."

9 DR. PROUDFIT: Do we count as an
10 organization that could send a list?

11 (Laughter.)

12 MS. BOULLEY: I don't believe we do.

13 MS. BUTTERFIELD: We're an advisory
14 council.

15 MS. BOULLEY: No, you're --

16 DR. JACKSON-DENNISON: NCAI would be
17 good.

18 MS. BOULLEY: NCAI is an
19 organization.

20 DR. JACKSON-DENNISON: NCAI is an
21 organization.

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1 MS. BOULLEY: AIHEC is an Indian
2 organization.

3 DR. JOHN: AFN in Alaska --

4 DR. JACKSON-DENNISON: Right.

5 DR. JOHN: Alaska Federation of
6 Natives.

7 DR. JACKSON-DENNISON: Right.

8 MS. BOULLEY: Yes.

9 DR. JOHN: Any organization.

10 DR. JACKSON-DENNISON: Yes, a tribal
11 president or chairman or leader.

12 DR. JOHN: Any tribe.

13 DR. JACKSON-DENNISON: Yes.

14 MS. BUTTERFIELD: I do have a question
15 around consultation. Somebody in Oregon was
16 asking me this, and I wasn't quite sure how to
17 respond, although I thought they were kind of way
18 off base.

19 But this is the second-largest school
20 district in Oregon is Salem. And they had got,
21 the Title VI person had shown me a directive that

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1 had come around to the district that said that
2 every school in the district had to consult with
3 Indian tribes. And it's in a sort of shared land
4 heritage between the Grand Ronde Tribe and the
5 Siletz Tribe. So, her question was originally,
6 which tribe or who should I have the schools
7 consult with? And I said, well, I don't think
8 it's school by school. I said, at a minimum, it
9 would be the district. But it's an urban,
10 largely urban district. So, isn't that right?
11 They don't have to --

12 MS. MARTIN: They might be referring
13 to the new Title VIII requirement for school
14 districts to consult with tribes before they
15 submit a local plan to their state, if they are
16 an affected district. And those are districts
17 that have over 50 percent American Indian/Alaska
18 Native students or that receive a formula grant
19 under Title VI of over \$40,000. And that's a new
20 requirement with the ESSA changes, that school
21 districts, not individual schools, have to

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1 consult with tribes before they submit these
2 local plans. And that includes the formula grant
3 local plans like Title I. It also includes the
4 Title VI.

5 MS. BUTTERFIELD: So, it's like the
6 Title VI program has more than \$40,000? That's
7 why the district is consulted?

8 MS. MARTIN: Yes.

9 MR. ROULAIN: I'm sorry to interrupt.

10 MS. MARTIN: So, that district, that
11 urban district, of course, would be a large
12 recipient probably.

13 MR. ROULAIN: I'm sorry, ma'am, for
14 the record, could you please state your name?

15 MS. MARTIN: Oh, yes. Jill Martin,
16 Office of the General Counsel from the Department
17 of Education. Thanks.

18 DR. JACKSON-DENNISON: And I know
19 that that's what we do in the district I work.
20 I present to the tribal council. We work on that
21 with my Federal Programs Director. We present

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1 and do the consultation.

2 MS. BUTTERFIELD: But, in this case,
3 the district was having every school.

4 DR. JACKSON-DENNISON: No, it's the
5 superintendent of that school.

6 MS. BUTTERFIELD: And I said, that
7 does not sound even possible or plausible. Why
8 would you do that? Okay. So, thank you. That's
9 what I wanted to know.

10 MS. BOULLEY: Okay. And then, just
11 as a point, people who are interested in being
12 nominated for NACIE should address the letter to
13 the President and copy the Secretary of
14 Education.

15 Well, I would just like to say that
16 it's been a pleasure meeting with you these past
17 two days. I'm really excited, as I said, to be
18 here, but to be working with you and to be working
19 with such an esteemed group of people who bring
20 such expertise. And the questions that you were
21 asking, I wish we could have had two whole days

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1 to meet with all the different programs because
2 I think it was good for them to hear those
3 questions as well.

4 And so, certainly, I've been writing
5 down all my questions for followup. I'll go back
6 through the transcript and make sure. And then,
7 anything where we had a question, I'll be
8 tracking that we follow up on that.

9 DR. JACKSON-DENNISON: Well, we thank
10 you very much and we welcome you. It is very
11 wonderful to have you onboard.

12 MS. WHITEFOOT: I don't want to end
13 yet.

14 (Laughter.)

15 DR. JACKSON-DENNISON: Oh, she has
16 more questions, Patsy.

17 MS. WHITEFOOT: I have questions as
18 guidance.

19 DR. JACKSON-DENNISON: Okay. Go
20 ahead, Patsy.

21 MS. WHITEFOOT: So, for the next

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1 agenda, since I submitted the list of all these
2 programs, I would like there to almost be like
3 some kind of revolving list of programs moving
4 forward. And I don't think we need to have like
5 NIEA here an hour. I think a half an hour is
6 sufficient in the future.

7 So, for instance, Bureau of Indian
8 Education is one that needs to be here.

9 MS. BOULLEY: More thorough, yes.

10 MS. WHITEFOOT: And NIEA. And I want
11 to add AIHEC here as well because we are trying
12 to reach out to -- you know, our initiative is
13 with tribal colleges as well. So, we need to
14 include AIHEC.

15 And because of the court case that our
16 tribes are going through around Indian child
17 welfare, I'd like to make certain we have -- I've
18 got a list here. You don't have to -- National
19 Indian Child Welfare Association, those kinds of
20 organizations, and just maybe a half an hour,
21 something like that.

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1 And some of the standing I would like
2 to make certain that we're continuing on has to
3 do with the data that we have, the Comprehensive
4 Centers and the Regional Education Laboratories.
5 They are two separate entities, and we really
6 have to be working to collaborate with one
7 another out in our regions.

8 And, of course, the White House
9 Initiative on Indian Education, and, also,
10 special education because a number of Native
11 students are in special education.

12 And another one is Migrant Education
13 because, when you go to the conferences around
14 our states and in the region and nationally,
15 there is not a Native presence necessarily in
16 Migrant Education, but, yet, our students are
17 eligible. We are the original migratory people.
18 And unfortunately, our young people and our
19 families aren't signing up for those services.
20 So, I would like to see those programs next time.

21 MS. BOULLEY: Okay. I am glad that

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1 you mentioned the White House Initiative. As you
2 know, Ron Lessard wanted to be here, and he had
3 a previous commitment. I know that he was really
4 disappointed that he couldn't be here. He did
5 do a very thorough report that is included in
6 your packet and on your jump drive.

7 And he lists consultations and
8 activities thus far, and he also identifies some
9 really excellent events that are happening. For
10 example, TEDNA, Tribal Education Departments
11 National Assembly, is doing a conference.
12 They're doing a regional conference coming up in
13 Scottsdale, Arizona, on family empowerment. And
14 so, just I encourage you to look over his report
15 and those dates.

16 MS. BUTTERFIELD: Could we also add
17 to the list Title III and what kind of services
18 our Native kids are getting from Title III? I
19 remember, well, just a few years ago, when I was
20 in Washington, I was trying to work with our Title
21 III staff and make sure that Native kids were

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1 getting the benefit of those services. So, I am
2 kind of curious how many Native kids, or do they
3 track how many Native kids specifically? And I
4 don't know if it's still under the Puerto Rican
5 Amendment where they can still do almost like
6 bilingual competitive grants. Do they still have
7 that available? I think they're demonstration
8 grants. Anyway, I thought they were competitive.

9 MS. WHITEFOOT: And then, just
10 reorganizing our agenda, so that we have to do
11 revisioning, or whatever we're going to do, I
12 guess formal actions, perhaps in the afternoon of
13 day one. I think it would be beneficial, rather
14 than waiting until the second day.

15 MS. BOULLEY: Sure.

16 MS. WHITEFOOT: So, we don't run out
17 of time.

18 DR. JACKSON-DENNISON: Yes. I think
19 the only reason we pushed that to the second day
20 was because it was just things came up and it
21 ended up to be that way. But I felt like it was

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1 meaningful to have it at the beginning, like
2 you're saying, the beginning of the first day.

3 MS. BOULLEY: Okay.

4 MS. WHITEFOOT: Yes. And I know in
5 the mornings you have to do like introductions,
6 all of those kinds of things, and new staff coming
7 in. So, someplace on that first day, you know,
8 immediately after lunch perhaps, if there are
9 action items that we need to be focusing on, then
10 let's do that the first day while we have a
11 quorum.

12 MS. BOULLEY: Okay. Very good.

13 MS. WHITEFOOT: Then, the reports can
14 go on the second day, or something like that.

15 DR. PROUDFIT: Who is the agency or
16 the organization responsible for letting us know
17 how American Indian and Alaska Native students
18 are doing in non-tribal college universities? We
19 don't have any --

20 MS. WHITEFOOT: Department of
21 Education.

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1 DR. PROUDFIT: -- cohesive data.

2 MS. WHITEFOOT: So, it's the Higher
3 Education Act.

4 DR. PROUDFIT: The Higher Education?

5 MS. WHITEFOOT: Yes.

6 DR. PROUDFIT: NASNTIs? No, NASNTIs
7 are 10 percent higher. So, we don't have any
8 data on higher education, how American Indians
9 and Alaska Natives are doing in mainstream
10 institutions, because NASNTIs have 10 percent or
11 higher, right? And then, you have tribal
12 colleges, and then, mainstream institutions.
13 And the majority of our students are in
14 mainstream institutions.

15 So, if we can get some kind of report
16 or who is the reporting agent for that, that would
17 be helpful.

18 MS. BOULLEY: Okay.

19 MS. WHITEFOOT: And I would put those
20 together with AIHEC, AIHEC and Higher Education,
21 so that we have the information together. Try

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1 to organize it in such a way that they're back-
2 to-back or something like that.

3 DR. JOHN: University of Alaska,
4 Anchorage, lost their Teacher Department
5 credential this year. So, the students are going
6 to have to relocate either to Fairbanks or
7 Juneau. So, it's a massive, massive hit for
8 future teachers in Alaska.

9 I don't know how long -- the dialog
10 was that they don't know how long it's going to
11 be, and the University President I believe
12 alluded to the fact that they will not consider
13 another department of education for the
14 University of Alaska, Anchorage. The students
15 have to apply or relocate to the University of
16 Alaska, Fairbanks, or to Juneau, which are like
17 300-400 miles away from Anchorage. So, that's a
18 massive, massive stress and tension in Alaska
19 right now for our future teachers.

20 DR. JACKSON-DENNISON: Why did they
21 lose their accreditation?

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1 DR. JOHN: Is it Northwest something?
2 Evaluation Group.

3 DR. PROUDFIT: Northwest Regional
4 Education Center.

5 DR. JOHN: Assessed that they did not
6 meet the par to have their credential. Just so
7 you know, it's a massive, massive change for -- I
8 mean tension for our future teachers as well as
9 the University itself.

10 And all the whole University of Alaska
11 system is going through massive strategic
12 infrastructure change. So, there is some dialog,
13 very serious dialog, about closing Alaska Native
14 programs or clumping all the Alaska Native
15 education programs into one. So, that's in
16 discussion.

17 So, I don't know even know if we'll
18 exist next year as the Center for Cross-Cultural
19 Studies because of all the massive budget cuts
20 and me being the only tenured in that program,
21 and having 40-some PhD students and master

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1 students. It's like we don't know what the
2 future holds. So, I'll keep you posted. Keep
3 us in prayer.

4 MS. WHITEFOOT: And that's part of the
5 reason that I recommended that action, was to
6 just zero-in on Alaska. Because we've looked to
7 Alaska for a model as well, but just because of
8 the current stresses and tensions that go on
9 there, not only natural disasters, but these
10 events, these traumatic events that go on, that
11 impacts the entire region because it impacts not
12 only you, but it impacts us in the Northwest as
13 well. So, it's important that we just be serious
14 about taking a look at Alaska and the whole
15 Department of Education.

16 DR. PROUDFIT: Is there any agency or
17 agent that we can look to in terms of reporting
18 the per-pupil spending on American Indians per
19 state from the states collectively?

20 MS. BOULLEY: I will find out. I have
21 no idea.

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1 DR. JACKSON-DENNISON: Yes, you can
2 look at -- for public schools, I know that's part
3 of their report that has to go in. You can
4 actually look at the state web page. I'm sure
5 it's on every state web page.

6 DR. PROUDFIT: But it's not.

7 DR. JACKSON-DENNISON: It should be.

8 DR. PROUDFIT: Yes.

9 DR. JACKSON-DENNISON: The annual
10 financial reports. Yes, they're on the annual
11 financial reports, and they have a general
12 amount. That per-pupil spending is usually part
13 of the report that goes in.

14 DR. PROUDFIT: So, a consolidated
15 report that has how much is being spent on
16 American Indian youth by state. I think it would
17 be pretty powerful.

18 DR. JACKSON-DENNISON: It's just
19 general, you're right. It's not by American
20 Indian youth.

21 DR. PROUDFIT: Yes. So, by American

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1 Indian, that's my concern. Just to give you an
2 example, tribes in California are gifting \$3-400
3 million a year to the State of California. I'm
4 just curious how much money the State of
5 California is spending on American Indian youth.
6 With all my research skills and my folks, I have
7 not been able to collect that data.

8 DR. JACKSON-DENNISON: See, I should
9 have thought of this when Impact Aid was here.
10 The equalization in New Mexico is a really hot
11 topic again right now because that's generally
12 what's happening, is the funding is going to the
13 State and it's not -- Impact Aid is supposed to
14 be used to equalize up for children. And it's
15 not Indian education funds, but it's supposed to
16 help equalize children that are on Indian lands
17 or military bases to equalize up.

18 But, in New Mexico, it's used to fund
19 across the State. So, it's not really -- it's
20 not fair at all. And it really does hurt the
21 children that generated the most -- that need it

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1 the most. So, that went all the way to the
2 Supreme Court. And now, it's coming back up
3 again.

4 Well, it's 4:07. So, are there any
5 other comments? I know we don't have a quorum
6 anymore.

7 Again, I really appreciate this
8 meeting. I feel like it was very productive.
9 And thank you very much.

10 MR. ROULAIN: Thank you.

11 On behalf of Mr. Wayne Newell, he
12 would like to let everyone know, "Thank you for
13 your help today. Please inform the Chair of my
14 departure. My best to all, and I wish everyone
15 a safe journey home. My best regards, Wayne
16 Newell."

17 DR. JACKSON-DENNISON: Thank you.

18 DR. PROUDFIT: Does anyone have a
19 picture of Wayne? I don't even know what he
20 looks like.

21 DR. JOHN: Do we need to make a motion

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1 to adjourn or?

2 MS. BOULLEY: No.

3 DR. JOHN: We don't need to?

4 MS. BOULLEY: No. Technically, the
5 meeting adjourned when Aaron --

6 DR. JOHN: Okay.

7 MS. BOULLEY: When Aaron left, the
8 meeting adjourned.

9 DR. JOHN: Oh.

10 MS. BOULLEY: And so, this has been
11 informational from that point on. So, we're good
12 to leave.

13 MS. BUTTERFIELD: Well, now you tell
14 us.

15 (Laughter.)

16 MS. BOULLEY: All right. Thank you.

17 DR. JACKSON-DENNISON: Yes, thank
18 you, staff.

19 (Whereupon, the above-entitled matter
20 went off the record at 4:09 p.m.)

21

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