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TRANSCRIPT OF TRIBAL CONSULTATION MEETING  
BUREAU OF INDIAN EDUCATION'S  
REORGANIZATION  
DEPARTMENT OF THE INTERIOR  
MAY 1, 2015, AT 8:00 A.M.  
IN OKLAHOMA CITY, OKLAHOMA

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Reporter: Christy A. Myers, C.S.R.

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**APPEARANCES :**

**(See sign-in sheet attached)**

## 1 CONSULTATION MEETING

2  
3 DR. ROESSEL: Let's go ahead and  
4 get started then. And I thank you for your  
5 patience. I apologize for starting this a  
6 little later. I'm sure it was my fault in  
7 communicating the start of the time. So I  
8 apologize for that.

9 Before we get started, a couple of  
10 things, as I'm sure most of you are familiar  
11 with consultation, but before you have a  
12 comment, please state your name, who you are  
13 representing, and if it's a tricky name, spell  
14 it. We have these forms that we would like,  
15 if you could, fill them out so that we then  
16 have a way to ensure that we have your name,  
17 your title, your organization, spell it  
18 correctly. A couple of things just -- it's a  
19 very simple agenda. It's in your packet.  
20 There are two different -- there are two  
21 different documents here. We have a  
22 presentation that is based on re-organization,  
23 but in greater detail. In your packet, is the  
24 consultation packet which identifies the  
25 agenda, which is the introductions. The

1 review of this PowerPoint and then we'll open  
2 it up for consultation and discussion. We are  
3 here as long as there are questions and just  
4 for some backdrop at Pine Ridge we were there  
5 11 hours. At Navajo, we were there for 10  
6 hours. So we're -- when I say we are here  
7 until the final comment, we are until the  
8 final comment from everybody.

9           As we move forward, just so you know,  
10 this is the Consultation Booklet, if you have  
11 that. There's information in here that is the  
12 same as up here, but it's just kind of pulled  
13 out in more detail. There's an alignment and  
14 more discussion, more of a background on the  
15 different slides that we have here that a  
16 Tribal -- Dear Tribal Leader letters. There's  
17 the letter that went out, as Don said, after  
18 this consultation was then added to the list.

19           So, I think, as we move forward, if  
20 you have any questions you can ask questions  
21 from, of course, this booklet as well as the  
22 presentation.

23                   MS. CATHERINE FARTHEREE: Dr.  
24 Roessel?

25                   DR. ROESSEL: Yes.

1 MS. CATHERINE FARTHEREE: The  
2 people in the audience, your packet that he's  
3 talking about, it doesn't have the address  
4 because I had already run them off before I  
5 got that one. So it has a blank spot there.  
6 So that's what you're talking about.

7 DR. ROESSEL: Okay.

8 MS. CATHERINE FARTHEREE: Okay.  
9 Thank you.

10 DR. ROESSEL: So, with that, we'll  
11 go ahead and get started. As you know, when  
12 we were out here, as Don said, a few weeks  
13 ago asked for a formal consultation; we're  
14 doing that.

15 I think this an issue that most of us  
16 know pretty intimately at this point, so I'm  
17 open to get into some fairly detailed -- in  
18 the needs-type of questions, to be honest. I  
19 think that we've had quite a few meetings.

20 I think one of the things that I want  
21 to bring up just for backdrop is this process,  
22 consultation process -- it's actually been  
23 three years in the process. We started with  
24 consultation three years ago about  
25 reorganizing the Bureau; and then last year we

1 had the blueprint for Reform and Initiative  
2 and we went out to consultation. In addition  
3 to that, also, BIA has had individual  
4 consultations with affected areas. I've met  
5 with nearly twenty Tribal Leaders directly and  
6 individually in those areas where they're  
7 being impacted, and then, like -- and again,  
8 like in this case, we come back here for a  
9 formal consultation to discuss your specific  
10 needs.

11           So, I think that we've gone in much  
12 detail in terms of what we want from this  
13 reorganization. And, again, I think we're  
14 doing that. This is my goal as BIE Director,  
15 to really get into the details. I think that  
16 having those types of conversations and really  
17 understanding why are we doing something, how  
18 do we come to that decision, why you want a  
19 change, and understanding that, I think is the  
20 only way we can move forward. So I'm looking  
21 forward to this consultation today as we move  
22 forward in trying to improve Indian education  
23 within the BIE.

24           I think it's important to start with  
25 exactly what we are consulting on; and number

1 one, and number two, the strength in BIE's  
2 capability to address school operating needs.  
3 And, two, provide greater oversight and  
4 improve service delivery to BIE-operated and  
5 Tribal-controlled schools.

6 As you know, this kind of language is  
7 very much reflected in the GAO reports that --  
8 you know, it's almost like if it's -- there's  
9 another GAO report on BIE, as we are  
10 scrutinized very, very, much in the past --  
11 past year and, also, by the Inspector General,  
12 we have these other reports that are coming  
13 out on different schools, on safety reports  
14 and academic success.

15 We had two issued yesterday. And a  
16 lot of this has to deal with, one, financial  
17 oversight, but, also, academic oversight.  
18 From our perspective, all these issues in  
19 terms of addressing school operating needs,  
20 that's direct, but how we improve educational  
21 outcomes. When we talk about service delivery  
22 and oversight, it's really in terms of how  
23 that operation is supporting educational  
24 outcomes.

25 So the big part of what we're looking

1 at with BIE in this reform effort is not just  
2 moving boxes for the sake of moving boxes, but  
3 each of those boxes reflects a function and  
4 reflects people and how do those people and  
5 those functions help improve outcomes within  
6 Indian education.

7 I think as we go through this  
8 consultation and we do the presentation,  
9 you'll see what we were thinking. At least  
10 you'll hear from us, and if you disagree,  
11 that's where we start the consultation  
12 process. Of course, this is about BIE, but we  
13 also understand that there are always open  
14 items and opportunity to discuss other issues  
15 as they seem fit.

16 Usually what we've done as we've gone  
17 through consultations that we've asked, when  
18 we start the process, that a Tribal Leader  
19 speak first and first opportunity to speak,  
20 and then we move on down from there, just  
21 because a lot of times they may have to be  
22 leaving for other meetings or other things,  
23 and so we give them that opportunity early on.

24 So with that, this is, again, the  
25 Reorganization for BIE based on the

1 Secretarial Order 3334, as well as the  
2 Blueprint for Reform, as well as the Brauner  
3 Report, as well as we can go back to the  
4 myriad of reports, if you will, in terms of  
5 what we're trying to accomplish, and that's  
6 improving the outcomes.

7           Before we get into the details, I  
8 think it's really important, you know, we've  
9 had these consultations. To me the most  
10 important number up there, other than the  
11 student count, is the 64 Tribal Communities.  
12 This Reform, this Reorganization has to meet  
13 the needs, requirements, desires, whatever  
14 words you want to use for 64 separate Tribal  
15 Nations. So it cannot be a one-size fits all.  
16 So the idea of what we're trying to accomplish  
17 here is that each Tribe, whether it's Cherokee  
18 Nation, whether it's Hopi Nation, Navajo  
19 Nation, Ogala, that they can -- this plan,  
20 moving forward, provides them the support of  
21 wherever they are.

22           In many ways, we look at these 64  
23 different Tribal Communities as a spectrum.  
24 You have some areas that have very  
25 high-functioning Tribal Ed Departments. They

1 operate just like a state. They have the same  
2 functions and they do the same sorts of  
3 things.

4 Then you have other Tribal Ed  
5 Departments, or Tribes, that are just now  
6 beginning to think about Tribal Ed Department,  
7 or creating educational codes. So this plan  
8 has to be able to meet all those individual  
9 needs.

10 I think the other thing that's very  
11 important is to look at the top number, which  
12 is 126 Tribal controlled schools, as well as  
13 the 57 Bureau operated.

14 This plan has to meet two different  
15 needs for two different types of school  
16 systems. One, a tribally controlled school,  
17 where the Tribe is operating it, the local  
18 school board is operating it; and then we also  
19 have our 57 Bureau operated schools who have  
20 direct control and oversight of those schools.  
21 So, again, we have the school responsibility  
22 and accountability for what we're working on.

23 I think the other -- and this is just  
24 to kind of give you a snapshot of what we're  
25 trying to accomplish as we move forward, is 23

1 separate states. Some of the questions that  
2 come up is, okay, how does this plan reflect  
3 state standards and what areas that we're  
4 going to be looking at in terms of  
5 assessments. And so, it has to be flexible in  
6 all these different types of demographics, if  
7 you will, from our school system.

8           You can see on the left, the number of  
9 schools that we have; the total number of  
10 schools, as well as the enrollment.

11           MR. DON YU: Thanks, Monty. So I'm  
12 just going to do a very high-level overview of  
13 the general mission for the BIE under the  
14 Obama Administration here. So, I think I  
15 mentioned briefly earlier -- and I think I had  
16 spoke to you -- most of you, about a month  
17 ago or so, so I'll try to go through this  
18 quickly, but immediately after Secretary  
19 Jewell was confirmed by the United States  
20 Senate, spring of 2013, she and Arne Duncan  
21 met to talk about BIE. Both of them said  
22 that, at the time, there was three-and-a-half  
23 years to go, and they both felt that with time  
24 running out, the Obama Administration had to  
25 do something dramatic and could not -- it had

1 to leave our -- one of these Federal school  
2 systems in better shape than when they had got  
3 here.

4 So, pulled together a team, kind of a  
5 lot of -- Assistant Secretary Kevin Washburn  
6 was the Chair. Monty and I, a few others  
7 pulled onto this team to sort of find out the  
8 issues facing the BIE and then design a plan  
9 to address them all.

10 So, our charge, though, was -- and  
11 Monty has reinforced this many times -- you  
12 know, in the past BIE has been a -- my  
13 understanding, and I'm new to the system --  
14 relatively new to the system, and many of you  
15 here have been working on this whole system  
16 many, many years, much longer than me, so --  
17 but my understanding that in the past the BIE  
18 has been a command-and-control-kind of  
19 operation, directing reforms to its schools.

20 Our charge and directions was that --  
21 our understanding was that the biggest partner  
22 that has not been involved in Indian education  
23 has been Tribal Nations, had to get their  
24 input and this reform plan was going to  
25 reflect concerns from Tribal Leaders and other

1 BIE stakeholders. Our recommendations would  
2 be focused on the issues that they felt the  
3 school system fixed.

4 So, I spent about at least six weeks  
5 on the road. I'm sure visited dozens of --  
6 probably, you know, at the time last year, I  
7 think we had visited over some three hundred,  
8 spoken with some three hundred people through  
9 our listing sessions, et cetera, and then we  
10 put together a draft of the Blueprint for  
11 Reform.

12 That was in early April we put  
13 together the drafts. Most people at the time  
14 did not know why we were -- the timing was  
15 driven by President Obama's trip to Standing  
16 Rock Sioux Reservation on June 13, 2014, and  
17 the White House had asked us to make sure that  
18 this Plan was developed. We had consulted on  
19 it, cleared it within the Department and the  
20 White House, so the President could talk about  
21 it in his remarks on June 13th when he visited  
22 the Standing Rock Sioux Reservation.

23 So, we took the Plan out for  
24 consultation, had numerous changes to it based  
25 on consultation, revised the Plan based upon

1 those changes.

2           So, here's the after consultation,  
3 this is the basic structure of the Blueprint  
4 that day, extremely high level here, but this  
5 kind of our summary of it. Obviously, our  
6 goal is world-class instruction for all BIE  
7 students delivered by Tribes, and that is our  
8 -- what the Obama Administration thinks what's  
9 successful is, like generally -- in general  
10 and, obviously, as Monty said, you know, the  
11 goal of the BIE is to be an extremely flexible  
12 school improvement organization that can  
13 deliver resources and support to each of our  
14 schools -- and the uniqueness -- the needs of  
15 each of our schools are so unique, because we  
16 have so many different types of schools.

17           So, but in general, it sort of turned  
18 to BIE move us away from direct operation of  
19 schools, day-to-day management and trying to  
20 stay a school improvement organization, and  
21 sort of, over time, where the Tribal Nations,  
22 once you do this with us diminish the Federal  
23 footprint building capacity of Tribes. So,  
24 I'll just run through some of these areas of  
25 reform here.

1           The first most important one is  
2 promote self determination for Tribal Nations,  
3 which is what I talked about, and that has  
4 been focused on, again, building a --  
5 generally, our initiatives to build a capacity  
6 of Tribal Education Departments. Some of  
7 those things are focused on the STEP Program,  
8 which is partnering Tribal Education  
9 Departments with State Educational Agencies,  
10 the BIE's sovereignty in Indian education and  
11 enhancements and, also, these sections, 2020,  
12 for instance, which are also focused on  
13 building a capacity of Tribal Education  
14 Departments as well.

15           Monty will talk a little bit more  
16 about, especially for the Section 2020 Grants,  
17 a little bit later, but this is -- before the  
18 Administration started, there was no funding  
19 at all for building a capacity of --  
20 specifically designated to build the capacity  
21 of Tribal Education Departments. This  
22 upcoming -- this fiscal year, it's probably a  
23 combined at least six or seven million  
24 designated for Tribal Education Departments.  
25 Again, that is not nearly enough to get the

1 job done, but taking steps in the right  
2 direction.

3           For those of you who have been  
4 following the Reauthorization of the  
5 Elementary and Secondary Education Act, the  
6 STEP Program is now -- in the Senate version  
7 of that Bill includes the STEP Program which  
8 is formally recognized in there, so it will be  
9 a permanent part of ESEA, assuming if that  
10 Bill passes the House, which, obviously, no  
11 one has any idea about that -- whether that  
12 will occur.

13           Okay. So, the other areas of reform  
14 too is also getting the best teachers and  
15 principals we can to our schools -- which is  
16 that top circle there. You know, during the  
17 consultations, one of the issues that we heard  
18 from all of our principals, either, both at  
19 the Grant schools and the Federal schools, is  
20 that it's so hard in general to recruit  
21 teachers and retain them, also for principals  
22 at those schools.

23           We had stories that a new teacher  
24 would come to the school on the Reservation,  
25 and the teacher housing would be so bad and in

1 such poor condition that the teacher would  
2 come up and look at this housing and then just  
3 up immediately drive away. So, recruitment  
4 has been such a huge issue.

5 One thing, the first step we've taken  
6 since we issued this Blueprint about ten  
7 months ago, and we still have some other  
8 working groups underway, but to support our  
9 schools we decided one thing that we could do  
10 short-term was provide them -- since it's so  
11 hard to get new teachers to our schools, one  
12 thing that we could do and need to do, and  
13 teachers have asked for it, was give them the  
14 best possible professional development that we  
15 can.

16 So, the BIE has been partnering -- has  
17 an official partnership with the National  
18 Board for Professional Teaching Standards.  
19 And of course, most of you know, and Secretary  
20 Arne Duncan has said that this -- teachers  
21 with National Board Certification are  
22 generally considered the cream of the crop of  
23 the teaching -- of teaching workforce around  
24 the country. So, BIE has been paying -- for  
25 those of you that know this -- it's quite

1 expensive and it takes a lot work for a  
2 teacher to complete the National Board  
3 Certification process. It can take one to  
4 three years, depending on the initial  
5 assessment but -- and it costs, generally, on  
6 average almost three thousand dollars per  
7 teacher, but BIE has been -- will pay for all  
8 those costs for any teacher in a Grant or  
9 Federal school interested.

10 Registration for our first cohort just  
11 ended late February. We registered 252  
12 teachers in the entire system for Component I  
13 (One) of National Board Certification, which  
14 is pretty good actually. Generally, a school  
15 district of our size, a really, really good  
16 turn out in the first year of a partnership  
17 with a national board is usually about three  
18 hundred (300) teachers, so we were right up  
19 there with them, and we have a very  
20 complicated system to communicate with our  
21 teachers. So, 252 was, at least in my  
22 opinion, pretty good. And we have a few other  
23 things in the way, but that's generally where  
24 we are with effective teachers and leaders.  
25 We did have some money in the budget, and

1 we'll get to that in one second once we get  
2 to the budget piece, but we did have a bit of  
3 money for the teacher housing issue.

4           The next circle there at the top  
5 right, Agile Organizational Environment, that  
6 circle is essentially with the deck that you  
7 have, the rest of this deck, and what we --  
8 when Monty said he'd really like to get in the  
9 weeds, that's what we'd like to talk to you  
10 about, the structuring of the BIE, so --  
11 although, I'm happy to discuss any questions  
12 you have about anything in this entire  
13 Blueprint and where we are in terms of  
14 implementation, what we're focused here on  
15 today is the structural piece of the BIE, and  
16 the rest of this deck is really focused on  
17 that part there.

18           But this is in response to the many,  
19 many complaints that the BIE was really  
20 failing to deliver good instructional services  
21 to our schools. A lot of complaints about how  
22 the Division of Performance and Accountability  
23 was delivering service -- technical assistance  
24 to our schools and also the many, many  
25 complaints about operational services at our

1 schools, taking way too long to procure  
2 textbooks, hire teachers, responses on major  
3 facility repairs taking too long, that sort of  
4 stuff. So the rest of this deck is really  
5 focused on a lot of those pieces.

6           The Secretarial Order 3334, the one  
7 that Secretary Jewell signed on the same day  
8 the President went on his trip really is  
9 focused mostly on this area as well. Not only  
10 does it direct the BIE to take some steps to  
11 change us to a school improvement organization  
12 but, also, establishes the very first school  
13 Operations Division within the BIE and that's  
14 designed to address lots of criticisms that we  
15 heard from everybody in the field that the  
16 BIA, which delivers procurement acquisitions -  
17 - facility services was not optimal and, also,  
18 some of the services delivered by the Deputy  
19 Assistant Secretary for Management to our  
20 schools as well. A lot of those functions  
21 under Secretarial Order 3334 will then be  
22 moved to the BIE to consolidate everything.  
23 That will eliminate, at least, one hoop that  
24 everyone has to jump through. And it also put  
25 school operations under BIE where we make it

1 our priority; it sort of gets lost in the  
2 weeds over at BIA. That's with school  
3 operations over there too. So that's kind of  
4 a super-high level of what we're trying to do  
5 with this one, essentially reduce -- the big  
6 part here is reduce the bureaucracy.

7           Next piece there is the bottom right  
8 corner. This one is about partnerships and  
9 building a capacity -- the BIE in a capacity  
10 of our schools through -- and everybody always  
11 says, we heard a lot of criticism, the BIE, we  
12 really don't know what we're doing to deliver  
13 a really good technical assistance. So, one  
14 thing we're trying to do is build a capacity  
15 of the school systems and our schools,  
16 themselves, by partnering to deliver services  
17 that the BIE cannot do.

18           Some examples are, I think there was  
19 just an article in the "New York Times"  
20 yesterday, actually, about the suicide crisis  
21 at our schools and many of our BIE funded  
22 schools. One thing that we're trying to do  
23 here is partner with all of the other  
24 resources that are available within the  
25 Federal Government at other agencies that the

1 BIE has traditionally not tapped into. Many,  
2 many other resources, again, that we just  
3 haven't taken advantage of at other Federal  
4 agencies.

5 One of them being our Project SERV  
6 Grant at the Education Department, and working  
7 really closely with ED right now on their --  
8 this Project SERV Application which is a  
9 funding for -- to help schools that have had  
10 their learning environments disrupted by  
11 traumatic events.

12 You know, the most famous examples of  
13 Project SERV Grants have gone to Sandy Hook  
14 School in Connecticut after the school  
15 shootings there a couple of years ago. Right  
16 now, BIE -- and if you have issues here or  
17 interests in this grant, please come and talk  
18 to me afterwards. We can help you apply for  
19 the grants if that's what you'd like.

20 We're really trying to turn BIE into a  
21 -- what kind of problems do you have? What  
22 kind of barriers are you facing? How can we  
23 help you address that? Have you had a  
24 traumatic event at your school? We'll go and  
25 find out resources for you. So, we've had a

1 rash of suicides at our school, BIE funded  
2 schools, and Pine Ridge, we are now going  
3 through the application process with ED for  
4 funding.

5           Some of you may have heard of the  
6 incident that happened in Rapid City with our  
7 students from American Horse School. We are  
8 going through the application process with ED.  
9 A couple of our other schools have had  
10 suicides, working with them now. So, if you  
11 have issues, happy to work on that particular  
12 issue with you.

13           Some other things that we had, we have  
14 partnerships with ED also in the Earlier  
15 Learning Program, and Monty will probably talk  
16 about this more later, earlier learning for  
17 BIE has mostly been the FACE Program before,  
18 but for the first time ever, now BIE will be  
19 eligible after a conversation between the two  
20 Secretaries, but BIE will also access the  
21 Department of Education's Early Learning  
22 Program. So, BIE will be eligible for the  
23 first time for Department of Education's Early  
24 Learning Challenge Grants -- Preschool  
25 Challenge Grants for the first time. Before,

1 as previously, only states were eligible.

2 Department of Housing and Urban  
3 Development. This is also a budget issue. It  
4 also overlaps with the teacher issue, but HUD  
5 now has set aside in its Fiscal Year 2016  
6 Budget, ten million dollars to help us repair  
7 teacher housing at our schools, and it's not  
8 enough, but it's a step in the right  
9 direction, partnering with HUD.

10 Another example of some partnerships,  
11 also, with the National Board for Professional  
12 Teaching Standards. These are all new  
13 partnerships, outside resources, that we  
14 haven't tapped into before. Trying to do a  
15 much, much better job of that, pulling in all  
16 these additional partnerships.

17 Also, we have one with Verizon for all  
18 of our stand-alone dorms. We learned during  
19 consultations that one of the issues was that  
20 our stand-alone dorms. Our students living at  
21 a BIE funded dormitory but attending a public  
22 school, they were not eligible for the E-rate  
23 Program, which is a federal program that  
24 provides funding for educational technology to  
25 our schools, but our stand-alone dorms are not

1 eligible. So, actually, the White House  
2 helped us get -- secure a partnership with  
3 Verizon. Estimated cost of that partnership  
4 is almost seven million dollars to build cell  
5 phone towers, other infrastructure for the BIE  
6 dorms.

7 I think we have some dorms here;  
8 right? In Oklahoma; right? Yeah, so, we  
9 should have had site visits from Verizon at  
10 this point completed. If you have questions  
11 about that, I'll be happy to talk about that  
12 as well with you offline. Should have had the  
13 site visits at our dorms completed for Verizon  
14 to get the cost estimates and planning done  
15 before the -- actually the infrastructure  
16 would bring high-speed internet to our dorms,  
17 and that's another partnership that we've  
18 done. And Microsoft has also committed once  
19 the high-speed internet is delivered, to bring  
20 hardware to our schools; tablets, things like  
21 that, for our students residing at those  
22 dorms.

23 Anyway, these are just examples of  
24 some partnerships that we're really trying to  
25 bring to the table.

1           Last piece there is the Budget. So,  
2 the budget, again, align sort of -- for all of  
3 the questions, concerns, and areas that we've  
4 had, heard issues about, making sure the  
5 budget requests are now aligned to support the  
6 things that you have asked for, you know. So,  
7 that might be, for example, teacher housing  
8 has been so bad. So, the BIE's budget, again,  
9 we had the ten million dollar increase in  
10 HUD's budget for us. BIE's budget was only  
11 increased two million for that. Again, that's  
12 not enough, but it's a step in the right  
13 direction for teacher housing.

14           So many -- pretty much everywhere we  
15 went, we've got school facilities in poor  
16 condition. Also, this back log on a 2004  
17 school construction priority list was totally  
18 unacceptable. That list is still in place.  
19 Haven't had any funding for new school  
20 construction since the Recovery Act in 2009;  
21 and then three schools have languished on that  
22 list for many years; eleven years at this  
23 point.

24           So, the Fiscal Year 2015 Budget, and  
25 this is just kind of like inside base full

1 about the federal budget process, but this  
2 team started September 2013. If you're  
3 familiar with how the federal budget is  
4 developed, the Interior Department actually  
5 already makes its submission to the White  
6 House Office of Management and Budget about  
7 what it requested. Our team actually started  
8 after the Department Budget for Fiscal Year  
9 2015 had been completed.

10 But anyway, as we started going  
11 through this process, it picked up a lot of  
12 momentum, a lot of support for both  
13 Secretaries. We went up to the Hill  
14 Appropriations staff, quite a few times, House  
15 and Senate sides, and briefed them on all of  
16 any needs that everyone here had asked about  
17 and then presented to them about the Blueprint  
18 and, also, what we heard, and with a lot of  
19 work with the Hill and support from the  
20 Administration, and great people on the  
21 congressional side there had the Fiscal Year  
22 '15 Budget for BIE, which was already  
23 completed, President signed that into law in  
24 December of 2014. That Cromnibus Bill, which  
25 some of you may have heard about, 40 million

1 new dollars in there for BIE. For those of  
2 you that follow the Federal D.C. stuff, you  
3 know, getting an increase in a federal budget  
4 for an agency is a huge, huge win, especially  
5 now (inaudible) control Congress.

6 I think most federal agencies tend to  
7 think now that maintaining the status quo,  
8 just keeping their budget, not having a cut is  
9 a win, but we got a 40 million dollar  
10 increase. 20 million dollars went to new  
11 school construction. That means that the  
12 Beatrice Rafferty School now in Maine is now  
13 completing its designs for its new school for  
14 the Passamaquoddy Tribe, one of the schools  
15 that's been on the list.

16 Then we also have planning and design  
17 money -- not construction funds, but planning  
18 and designing money for two schools, Coal  
19 School and Little Sierra School in Arizona,  
20 also on that 2004 list.

21 We also had funding -- this goes back  
22 to the Agile Organizational Environment piece,  
23 but every -- almost every seminal principal  
24 that we spoke to, one of the biggest issues,  
25 and maybe the biggest, I'm not sure, was that

1 our principals -- dozens of principals have  
2 told us that it's so hard for them to focus  
3 on their partnering mission of instructional  
4 leadership. That's what they're trained to  
5 do, hired to do, help build instructional  
6 teams, drive student achievement.

7 But our principals, though, we're  
8 dealing with holes in the roofs, gigantic  
9 cracks in the walls, students who -- coming  
10 from a really, really challenging situations  
11 at home. There's just so much going on for  
12 our principals, especially in terms of  
13 operations, keeping like basic issues about  
14 trash removal, keeping the lights on due to  
15 Federal bureaucracy procurement of utilities.  
16 All these kinds of complications for our  
17 principals that many principals at other  
18 schools do not have to deal with.

19 They told us that the reason that most  
20 of this happens, especially for the Grant  
21 schools, is that tribal -- the grant support  
22 costs for the Tribal schools is only funded at  
23 some six to seven percent, or something like  
24 that, of the statutory formula. So, took that  
25 message also up to the Hill, and based upon

1 that in the Fiscal Year '15 Budget, there is a  
2 14 million dollar increase for our 120  
3 Tribally controlled grant schools, and because  
4 that funding is forwarded funded, you will get  
5 that money July 1st. But that is guaranteed  
6 it's going to happen. That's not something  
7 that is up to the Hill at this point. It's  
8 been appropriated. So, that's Fiscal Year  
9 '15.

10 We also got the Section 2020 funding,  
11 which I briefly mentions before. Monty will  
12 talk about that later. Two million dollars to  
13 build a capacity of Tribal Education  
14 departments. So much of that work was lead by  
15 -- actually, not in the Blueprint, much of  
16 that, but was one of our focuses, but the  
17 Section 2020 funding, also -- I know he's not  
18 here today, but Quinton from the Tribal --  
19 TEDNA, Tribal Education Department's National  
20 Assembly, did great, great work going to the  
21 Hill lobbying for that money for the Section  
22 2020, which we now have two million dollars  
23 for that. Doesn't sound like much, but that's  
24 actually the statutory limit. We couldn't get  
25 more money than that. That's the limit

1 established by the law.

2 Fiscal Year '16. Even more money from  
3 the President's budget. So the Fiscal Year  
4 '16 Budget, that was the first budget that  
5 this team had its opportunity to develop from  
6 the beginning, and we started that immediately  
7 after the President's trip.

8 Just an FYI, you know, the federal  
9 budget process stuff, the Department begins  
10 its process actually June. So, for Fiscal  
11 Year '17, I know that seems really far away,  
12 but actually the Department has to begin its  
13 Fiscal Year '17 budget development that will  
14 likely be the last one for the Obama  
15 Administration for the school system but we  
16 will start that process very soon. So, it's  
17 something to think about.

18 If you have Fiscal Year '17 requests,  
19 you need to really start thinking about that,  
20 what they might be. We have heard a lot, so  
21 I think we have a very good sense of what  
22 those needs are, but if you do have specific  
23 ones, felt like they haven't been addressed in  
24 the Blueprint, et cetera, please start  
25 bringing those to our attention as well for

1 Fiscal Year '17.

2           Anyway, back to Fiscal Year '16. It  
3 was a 180 million dollar increase over the  
4 Fiscal Year '15 requested from the President,  
5 and then -- so 140 million increase over what  
6 was actually enacted. So, a historic  
7 increase. BIE's numbers have increased that  
8 big. If you exclude the Recovery Act money  
9 from the equation, this is a historic increase  
10 for the school system. So much of it's driven  
11 by the President's trip to Standing Rock.  
12 He's also in July hosting a very first Native  
13 Youth Summit Hearing back in D.C. Both  
14 President and First Lady very moved by the  
15 trip and also providing so much budgetary  
16 support.

17           So, again, this 180 million over '15 -  
18 - Fiscal Year '15 requested, so much -- 60  
19 million of that is for new school  
20 construction. We'll complete construction of  
21 those two schools in Arizona, also additional  
22 funding (inaudible) to replace individual  
23 buildings, so we can replace school facilities  
24 in a much more surgical way than we have in  
25 the past.

1           There's also 34 million in the BIE's  
2 budget for educational technology. The Fiscal  
3 Year '15 request was only six million. So  
4 this is a 28 million dollar increase for  
5 educational technology, because too many of  
6 our school principals said they were -- only  
7 had T-1 kind of access to the internet. Many  
8 of them were really worried about assessments  
9 that they had to do, actually doing right now,  
10 for Smarter Balance, in part, which are those  
11 two 21st Century online assessments. We  
12 realize we really needed to bring high-speed  
13 internet to our schools. So 34 million  
14 dollars there.

15           Also, under the (inaudible) other  
16 really critical things, the other big thing  
17 was 100 percent funding for Tribal Grant  
18 school support costs. That was a 33 million  
19 dollar increase. We actually asked for more  
20 than 100 percent, actually, because we are  
21 working with several schools that will convert  
22 from Federal status to Tribal status in Fiscal  
23 Year '16. So we were trying to calculate,  
24 estimate how many would convert. We actually  
25 asked for more than 100 percent to make sure

1 that Fiscals did convert, it wouldn't take  
2 money from our other grant schools for their  
3 grant support costs. We actually asked for  
4 more. So, 33 million, if I'm right, for  
5 Tribal grant support costs.

6 And there was a lot of other -- other  
7 things that are big was 20 million dollars,  
8 total, for operations and maintenance for all  
9 of our schools open, (inaudible) all of our  
10 schools that will benefit (inaudible) also,  
11 facilities, improving or repair, I think,  
12 also. Only 10 million in there. So 20  
13 million dollars, total, for just kind of basic  
14 operations.

15 Based upon what everyone told us, I  
16 really do think if we correct all of those  
17 issues, infrastructure issues, and things like  
18 that, you know, principals then will really be  
19 able to focused on construction. Also, I  
20 think I said it was only increased by five  
21 million, but our understanding was that  
22 everybody, the principals and school boards,  
23 had to take money out of their constructional  
24 budget, out of ISEP, to pay for all of the  
25 basic day-to-day operational needs. So,

1 actually, by plugging up all of the  
2 operational gaps in the budget, you'll watch  
3 in a way -- a -- actually in a way getting a  
4 lot of seedings for the instructional budget  
5 issues, which can be then used for obviously  
6 school improvement needs.

7 Okay. I think that's it. That's the  
8 basics of the budget there. Thanks.

9 Okay. This one's for Secretarial  
10 Order 3334, really this one is mostly focused  
11 on the actual Organizational Environment  
12 bucket there. The other four, it really  
13 doesn't affect those. We probably could have  
14 long discussions about all five of those, but  
15 we're trying to do this piece by piece here.  
16 So, really, today, this deck is about  
17 implementation of Secretarial Order 3334,  
18 which is, you know, to create the School  
19 Operations Division; also, restructuring of  
20 the Education Line Offices into essentially  
21 these education resource centers, which are  
22 technical assistance centers, again, trying to  
23 make the change to here's what you're going --  
24 I'm going to tell you what to do, because we  
25 know best from D.C., which is crazy. I mean,

1     how would we know in D.C. what schools in  
2     Arizona, South Dakota, Oklahoma, Washington,  
3     what their unique needs are? I mean, it's  
4     impossible. It's just impossible for us to  
5     know that.

6             What we can do, though, is when you  
7     let us know, what we need passed, what you  
8     need to be successful, we need this kind of  
9     resource, we need this kind of funding, we  
10    need this kind of support. That is something  
11    that can be done, D.C. isn't good at budget  
12    work and things like that, et cetera, so kind  
13    of train us into a much more responsive  
14    organization to request that is the ultimate  
15    goal.

16            That will take some time for us to get  
17    there. That is not going to happen  
18    immediately over night. There are some things  
19    that we need to do short-term, which we really  
20    have been working on, and you can see in that  
21    School Year '14-'15, you know, providing  
22    immediate relief. You know, we've faced a lot  
23    of challenges.

24            This whole thing has to, you know,  
25    we've been briefed into hell about how our

1 restructuring process, et cetera -- you know,  
2 this goes through an official reprogramming  
3 process with the Appropriations staff on the  
4 Hill that has our team. That is, if I had to  
5 say one thing that we didn't anticipate very  
6 well, I would definitely say the reprogramming  
7 process, working with the Hill, working with  
8 the Republican staff, you know, there's just  
9 kind of natural tensions there sometimes. So,  
10 that has slowed down our process quite a bit  
11 with a lot of vacancies, existing vacancies,  
12 people, staff that have left. It has been  
13 challenging to refill some of those positions.

14 In general, I think a lot of our, some  
15 of our staff at the BIE level -- some, not  
16 all, we have some great staff that is  
17 absolutely true. Some of our staff, you know,  
18 BIE used to a long time ago, as you all know,  
19 run all of the schools. It was entirely  
20 federally run, all federal officials, and all  
21 were doing day-to-day operations and  
22 management of these schools.

23 Some of our staff are kind of -- and  
24 BIE's really trying to become more of a  
25 diagnostic technical assistance, what do you

1 need, we'll try to get it for you kind of  
2 organization, rather than actually running  
3 schools in a day-to-day basis, and we would  
4 love to fill those existing vacancies with  
5 more school improvement specialists types,  
6 because that is what people ask for, better  
7 technical assistance, better resources, and  
8 support, et cetera. So, that's kind of the  
9 basic plan there, what Sally's Order directs  
10 us to do. You're going to hear about parts  
11 of that implementation today.

12 DR. ROESSEL: I think one of the  
13 things, too, to point out that is very  
14 challenging is that when we talk about the  
15 reprogramming process, we're also talking  
16 about two different fiscal years with two  
17 different start times, and in addition to  
18 that, we have the four funded programs. So,  
19 trying to align all of that, this structure  
20 that we're looking at right now is talking  
21 about '15 money. It's not talking about '16  
22 proposed, so we're talking about current, but  
23 it also includes the four funded '15 money as  
24 before. So, it gets kind of confusing as we  
25 move forward, because it then aligns down the

1 road all the different -- from the two  
2 different fiscal years, the two different  
3 start times, and then the '16 and '15 of the  
4 four funded programs.

5 Those of you that aren't familiar,  
6 when you talk about EPM, and that's our  
7 administrative cost line item really. It's  
8 called Education Program Management. That's  
9 our, for instance, Tribal grant support costs.  
10 That is not forward funded; yet the money we  
11 get, Tribal grants support costs, is forward  
12 funded. So, just kind align when we move  
13 forward in this reorganization is trying to  
14 ensure that, okay, this is using '15 money and  
15 we're not talking about '16 money, but it is  
16 talking about '15 forward funded and, you  
17 know, it gets confusing.

18 So, if you have questions about that,  
19 please, you know, speak up as we move forward.

20 Again, when we start talking about the  
21 reorganization, what we're really talking  
22 about is changing -- trying to change the  
23 equation, trying to change the dynamics that  
24 is happening in the classroom. That is the  
25 primary focus of this reorganization.

1           Everything, as I mentioned earlier,  
2 about having great accountability and  
3 oversight, is to improve the outcomes. And so  
4 our primary goal, if you will, is to focus on  
5 that classroom first and then build up. How  
6 do we try to improve educational outcomes?  
7 You know, that's the first circle that we had,  
8 teachers and principals. They need to have  
9 the training, we need to get teachers in  
10 there, HR support, professional development  
11 support, all those things, and then we slowly  
12 build up from the classroom to the principal,  
13 to the school board to the community to the  
14 Tribe, and then BIE. That's how we focus on  
15 this reform effort.

16           In doing that, we try to also be very  
17 strategic in terms of when we start talking  
18 about the conversion between a line office to  
19 an education resource center.

20           A line office had a lot of different  
21 functions. One of the things that we saw  
22 coming in to BIE is that one of the problems  
23 that hurt educational outcomes in the  
24 classroom was this clouded functions and roles  
25 and responsibilities. People were not clear

1 on what their roles and responsibilities --  
2 they did a lot of things, but they didn't do  
3 a whole lot well. And so, how do we try to  
4 clarify that so that -- we said, okay, well,  
5 you know what, you're just focusing on grants,  
6 you're just focusing on education,  
7 professional development in the classroom.

8 We tried to realign by function, not  
9 by people. And I want to make that very  
10 clear. We realigned by functions. We're not  
11 talking about people today, and I know it's  
12 very difficult because we come from situations  
13 where we know the people at the line office,  
14 we know the people at the schools, and it's  
15 very important that we take that out of the  
16 equation. That's what we tried to do.

17 So, when we looked at all the  
18 different functions that we're creating, we  
19 did a functional analysis of every position of  
20 the BIE. We looked at the Grant Management  
21 Office. We looked at the education specs. We  
22 looked at the ABDs. We looked at all these  
23 different positions, and then we realigned  
24 those roles and responsibilities. We  
25 realigned them to functions.

1           One of the reasons why when we get  
2 into the next one here in terms of the  
3 Secretarial Order Phase I, was we had ADD  
4 responsibilities based on geography. We've  
5 changed that to say it should be based on the  
6 functions, so ADD for BIE operated schools  
7 only. ADD for Tribal controlled schools only.  
8 We tried to change that so that we were  
9 aligned to what we were talking about, so that  
10 we could then have people that knew how to  
11 operate Tribal controlled schools, given the  
12 support but not directly operating.

13           And the other instance BIE operated,  
14 we had people there that provide that  
15 oversight and direct, quote, command and  
16 control, as we move forward there. If we're  
17 moving to a school improvement agency, then  
18 what do we need to have in place to provide  
19 that support for Tribal ED Departments? So,  
20 we looked at really trying to get away from  
21 people and functions.

22           Now, one of the things that is  
23 beneficial when you're doing that, is that  
24 when you have a current staffing level that is  
25 so much lower, because we have so many

1 vacancies, it's a lot easier to not put people  
2 in those positions because you can really  
3 identify just as the function what we want,  
4 how do we want to move forward. So, that's  
5 one of the things.

6 I think one of the challenges of this  
7 breaks down the Tribally controlled, BIE  
8 operated, and Navajo, if you look at the far  
9 right side, 53 Tribes are Tribally controlled,  
10 16 for BIE operated, and one, of course, for  
11 Navajo.

12 That next structure right there, they  
13 (inaudible) BYP restructuring. It gives you  
14 the sense of the challenge, this is what we  
15 have to do, we have to improve the educational  
16 outcomes.

17 We all know ESEA, and what's going to  
18 happen with the reauthorization. We don't  
19 think there's going to be AYP Department. It  
20 will be some sort of growth model.  
21 Nonetheless, this shows you the challenge that  
22 we have that many of our schools are not  
23 meeting and not performing at the level we  
24 need them to be and that we want them to be.  
25 As Director of BIE, as everyone here as an

1 educator, a Tribal Leader, we -- no one would  
2 be happy with that in No Child Left Behind  
3 status there. Nobody.

4           The current system, as it is right  
5 now, has gotten us there. We need to do  
6 something different, and the focus has been  
7 saying let's do something in the classroom and  
8 move up. That's what this reform is all  
9 about. It's not about moving boxes, as much  
10 as it is about clarifying roles and  
11 responsibilities, and clarifying the support  
12 that we would give.

13           In other words, from a school  
14 perspective, what can you expect of us and  
15 from BIE? What is our expectation of the  
16 school? We don't clarify that with schools  
17 right now as we move forward, but we need to  
18 do something different, and that's the premise  
19 here, from the President to the Secretaries on  
20 down to the Assistant Secretary. The current  
21 system has got us in this position where more  
22 than two-thirds of our schools are not  
23 performing the way they should be. We need to  
24 do something different. That's what we're  
25 trying to accomplish here as we move forward.

1           Then that gets us to the -- we start  
2 getting into the structure. Now, at first  
3 glance, this looks pretty confusing, but if  
4 work with it and take it down, and if you --  
5 the really basic premise of what we're trying  
6 to do, and that is where we have central  
7 functions we're trying to move them down  
8 closer to schools, and we did that in two  
9 different ways.

10           One, getting the functions that we  
11 felt we needed closer to the schools. But,  
12 two, also, and as we forward, is then looking  
13 at what's our historical -- the historical  
14 issues and challenges that we've had with the  
15 schools. So, what we did is we did just one,  
16 say okay, here, there's eight schools here,  
17 fourteen here, twelve there, whatever that  
18 case; we looked at and said, okay, what kind  
19 of challenges do we have with these schools?  
20 What have we seen in the past? Have we had a  
21 lot of problems in Special Ed? Are we having  
22 problems in finance? Have we had challenges?  
23 And then staff accordingly.

24           We're not trying to be a cookie-cutter  
25 reorganization. It really is focused on what

1 kind of challenges we've had, what issues that  
2 we've had to deal with from different regions  
3 and areas as we move forward. So, this  
4 reorganization is also reflective of that.

5 We looked at the data, the enrollment  
6 data, the distance to ERCs, the number of  
7 complaints that we've had from the Special Ed,  
8 the number of challenges we've had from  
9 audits, and then identified where is the best  
10 place to put our resources. So, we've gone  
11 through that and that's what is reflected  
12 here. And so, as we move forward, you know,  
13 we'll go into greater detail with that.

14 But what I want to show right now, is  
15 this is kind of -- everything that Don talked  
16 about earlier is reflected in this, and I just  
17 want to quickly go over the reorganization.  
18 The current system is on the left. The  
19 Associate Director for Administration, that's  
20 in Albuquerque. We all know that as "Admin".  
21 That's the idea that we had in Albuquerque.  
22 Those of you that have been in the system for  
23 a while, you know that that's David Talley  
24 Shaw (phonetic). He worked here. So -- and  
25 the people there. That's what the admin --

1 we're changing that. As we move forward we  
2 will get into that a little more when Vicki  
3 speaks. But if you follow those lines, those  
4 lines go out from Albuquerque out to the ADD  
5 level and out to the ERCs. They're not in  
6 Albuquerque anymore.

7           The next one on the left is DPA,  
8 Division of Performance and Accountability.  
9 Again, think about this. If they came right  
10 now, they're all stationed in Albuquerque, so  
11 they have to travel from Albuquerque out to  
12 area schools. The underlying priority here is  
13 let's get them out closer to the schools. So,  
14 they're, again, defined based on what  
15 challenges we've had.

16           For example, in central New Mexico,  
17 Navajo, we have -- our data showed that we had  
18 a lot of complaints, a lot of challenges, a  
19 lot of lawsuits with Special Ed. So we  
20 staffed accordingly to give more support  
21 there. We have one other site that we've done  
22 the same thing to. So we look at things like  
23 that to say how we and where we put these  
24 people, but the underlying principals, again,  
25 that used to be in Albuquerque. Now, it's out

1 in the field. So they're closer to the  
2 schools and able to go and provide that  
3 support that they need in oversight.

4 The other area that's different is the  
5 policy evaluation of post-secondary. That has  
6 been -- we're creating a new office of  
7 sovereignty in Indian education within that  
8 office. I'll get into that a little bit more  
9 in the next slide. We're talking about areas  
10 like early childhood JOM and Native language  
11 culture.

12 One of the things within that office  
13 in current -- it used to be Haskell and  
14 Sidney. Well, one of the challenges that  
15 we've had is we've gone through, first,  
16 Sidney, a year ago, with their accreditation,  
17 and just a couple weeks ago, Haskell  
18 accreditation, is giving them more on timing  
19 so they're not just encompassed with all the  
20 other post-secondary, but also providing them  
21 that resource. So, now they are separate and  
22 report directly to the Director, instead of  
23 being underneath the post-secondary.  
24 Post-secondary now is focused just on the  
25 other TCUs. So, we tried to clarify.

1           One of the things that we've talked --  
2 we've talked about the BIE Restructure, but we  
3 have to remember this is the entire  
4 organization, so we're also trying to reflect  
5 those challenges that we have in other areas,  
6 JOM, Haskell and Sidney, post-secondary.

7           Research. One of the areas that we're  
8 creating is, again, the Research Office,  
9 trying to build that up. We had some funding  
10 that came through with scholarships targeted  
11 towards research and trying to align,  
12 primarily, those with STEM, but aligning  
13 research work for the TCUs, our universities,  
14 and how can we get more information. We don't  
15 have enough research on Indian Education that  
16 helps us move forward. How do we try to move  
17 forward in a way that could help us, and we  
18 can then align the research. So, we're trying  
19 to also create that capacity and re-invigorate  
20 the office that we once had, but using other  
21 fundings so we're not having to take money  
22 away from anybody, but use it so we can  
23 coordinate these different kinds of research  
24 that help reflect and create a research agenda  
25 that is helping Indian education.

1           This is the proposed reorganization as  
2 it is now. The yellow, or the dark yellow,  
3 are the new areas. So I'll start from the  
4 bottom there, Associate Deputy Director  
5 Tribally Controlled, as well as Associate  
6 Deputy Director for Bureau Operated.

7           This is part of Phase I of the  
8 Secretarial Order 3334. The realignment of  
9 the ADDs from a geography determination to a  
10 functional determination, Tribally Controlled  
11 schools and BIE Operated schools.

12           Navajo's in the process of converting  
13 their 66 schools over to a single grant, so  
14 they're working on their own timeline of --  
15 well, we were there in consultation just  
16 recently. So, they have their 66 schools.  
17 So, what we're trying to do is align the  
18 functions of -- and I think the bottom two,  
19 we've started that process now.

20           In addition, the Deputy Bureau  
21 Director for School Operations, that is taking  
22 two things into account. One, it's  
23 consolidating the resource that we have right  
24 now in Albuquerque, putting it under a central  
25 function, but, also, it allows for that Phase

1 II part of the Secretarial Order that we'll  
2 get into in a little bit, which is also  
3 aligning the Acquisitions and Contracts  
4 Office, the HR Office, the IT Office, and  
5 communications at the facilities; which right  
6 now, we don't have any control over. The only  
7 one we do have is with communications. We  
8 hired that person, and they report under  
9 School Op, but those other four functions, we  
10 have to go outside of BIE.

11 If we want a teacher, we have to go  
12 through BIA. If we want textbooks, we have to  
13 go to BIA. If we want IT, we have to go to  
14 Deputy Assistant Secretary for Management. We  
15 don't control any of that within BIE. So one  
16 of the major things that is changing here is  
17 that now we're going to start bringing those  
18 functions that are in the other areas will  
19 come under BIE, and that's a big, big change  
20 as we move forward, because now we'll have  
21 that line of authority. And this really  
22 primarily impacts BIE's schools, except for  
23 facilities and IT, which is a shared resource  
24 amongst both Tribally Controlled schools as  
25 well as our BIE Operated schools.

1           Finally, the Division Chief of the  
2 Office of Sovereignty in Indian Education,  
3 like I said earlier, that's what we're looking  
4 at, our early childhood, our JOM, as well as  
5 our Native language, history, and culture.

6           What we're looking at there with that  
7 Native Language, History, and Culture, again,  
8 when we go back to that 64 different Tribes,  
9 we have a broad spectrum. I've had many  
10 meetings with Tribal leaders who would say how  
11 do you start a language program when you don't  
12 control the schools, when you don't have any  
13 standards, and all that? So we have that  
14 spectrum, to another spectrum that says we  
15 want to include language in an alternative  
16 definition of AYP.

17           So we have to be able to provide the  
18 support. It's not telling people this is how  
19 you do this. It's saying if you want to  
20 create a language program, do you want it to  
21 be in a conversion program, bi-lingual,  
22 heritage, maintenance, whatever it might be;  
23 if you want one of those, this is what you  
24 need to do. So we help to facilitate that  
25 conversation and provide the resources in

1 terms of moving forward.

2 One of the things that we have in our  
3 budget moving forward in '16 is identifying  
4 about three million dollars to help Tribes  
5 plan for language programs, not to implement  
6 them. Again, one of the problems that, you  
7 know, we've seen is that we jump before we  
8 actually plan and work this through. So one  
9 of the things is actually letting Tribes  
10 develop them, as opposed to local schools,  
11 because Tribes need to develop these other  
12 standards, and if they are going to then  
13 implement that into an alternative definition  
14 of AYP as we move forward -- which we've just  
15 approved Mimisuki's (phonetic) alternative  
16 definition, and we're in the process of  
17 finalizing Navajo's -- both of them have  
18 high-end language as we -- moving forward.

19 So part of this funding that we have  
20 is to help Tribes develop those standards in a  
21 way to then implement a language program,  
22 however they may see fit. And I think that's  
23 reflective of this new goal of working with  
24 Tribes to improve and become a school  
25 improvement agency as opposed to saying this

1 is what kind of program you will use, and  
2 what-not. So, I think that's reflected there.

3 The other, as Don mentioned about the  
4 early childhood program, we're really confined  
5 by the FACE Program. They have a lot of  
6 support in Congress. And we try to expand now  
7 and create new opportunities for Tribes and we  
8 were shut down. "No, you will use FACE."

9 So now with this new opportunity with  
10 the Department of Ed, it's, again, allowing  
11 the schools -- when we say BIE, we mean both  
12 Tribally controlled as well as BIE Operated to  
13 access that. So, again, the idea there to me  
14 is working with Tribes. What kind of early  
15 childhood program do you want?

16 I think one of the things that's  
17 really important is that having that  
18 conversation is important because it allows  
19 Tribes to be involved in creating a system of  
20 schools and not having a bunch of individual  
21 schools, but they should be able to control  
22 this is the outcome we want and then work with  
23 the different schools.

24 UNIDENTIFIED SPEAKER: Explain what  
25 FACE is, please.

1 DR. ROESSEL: FACE is our Family  
2 and Child Education Program. It's a very  
3 scripted model of early childhood where you  
4 have five staff, each school -- very, very  
5 scripted. Each school gets 260,000, now I  
6 think it's 280,000 to operate their program.  
7 We tried to instill some Native language  
8 across the whole board, but really right now  
9 it's just based on the capacity and the desire  
10 at each individual school. So, I think, what  
11 we're looking at trying to do as we move  
12 forward is trying to say how can we try to  
13 involve the Tribe in those decisions, and not  
14 just the schools. And I'll be honest with  
15 you, you know, we get a lot of pushback, you  
16 know. And so what we're trying to say and  
17 what I believe and what we've heard from our  
18 listening sessions, is that Tribes want a  
19 greater role in the education process in the  
20 education system that is operating within  
21 their boundaries. And so what we're trying to  
22 do, if nothing else, provide a chair and say  
23 come to the table and have that meeting. If  
24 you choose not to, you want the schools to  
25 run, that's fine.

1           The other part that's really important  
2 for us as we move forward is, you know, people  
3 say, well, you're trying to push these schools  
4 off, you know, and get rid of them and move  
5 them. Two things. One, we're not doing that,  
6 because it's up to the Tribes to decide. And,  
7 two, it's up to the Tribe to decide. In  
8 other words, it's not up to a school board to  
9 decide.

10           All of these Tribally controlled  
11 schools are just that, Tribally controlled.  
12 They may be operating as a local school board,  
13 which is fine if that's how they want to  
14 operate, but what we heard in the listening  
15 session, and if you want to go back to, you  
16 know, in the Blueprint for Reform online, in  
17 the index you'll have all the remarks,  
18 everything that we heard, Tribes wanting to  
19 have a greater partnership with their own  
20 schools.

21           I know that kind of sounds a little  
22 crazy in a way, because they are saying we  
23 want to be more involved in our school and,  
24 yet, they operate the school. But I think  
25 that is a process that we're going to break

1 down. Okay, what does that look like? What  
2 does that mean? And we're trying to provide  
3 that opportunity for that moving forward.  
4 Again, looking at those 64 separate Tribes,  
5 what does each Tribe want? It's very  
6 different. What Navajo wants is very  
7 different from what (inaudible) may want.

8           So, we have to provide that  
9 opportunity, but we want the opportunity to  
10 hear what they have to say. It's part of our  
11 consultation process, but also part of just  
12 getting out there and figuring out exactly  
13 what and how we move forward so this -- when  
14 we talk about language, we're talking in a  
15 different way. When we talk about early  
16 childhood education, we're talking about  
17 bringing it forward.

18           When we talk about JOM. I think JOM  
19 is something that we hear a lot about. BIE.  
20 JOM is -- you know, goes in many different  
21 directions. We don't have any metrics to say  
22 this is what we've done in JOM. We need to  
23 get together, all of us, the schools, the  
24 Tribes, BIE, and we need to figure out what  
25 are those metrics that show we are being

1 successful; come to terms with that, and then  
2 we're able to move forward and then go back to  
3 Congress and say here's our program, this is  
4 what it does. But I think we need to have  
5 some joint metrics moving forward in terms of  
6 our success and how we look at our JOM  
7 program. That's one of the reasons why with  
8 the new coordinator that we have with BIE,  
9 that's part of the process, and we've asked  
10 her to do this, go out there and listen to  
11 people and try to come up with something that  
12 we all can agree on as we move forward.

13 We start the consultation process  
14 earlier. I think the comment period ended  
15 today, I believe, but that's one of the  
16 things. And then, again, that's part of the  
17 Sovereignty Office, because one of the things  
18 is here's a way that we actually can work with  
19 public school systems. So, through this  
20 process we've built a much stronger  
21 relationship with Department of Ed, but at the  
22 same time we're talking about, you know, I say  
23 10 percent of the students. There's still 90  
24 percent that are in public schools. But how  
25 do you try to -- one of the things we always

1 hear is how do we try -- from the public  
2 school side, how do we influence what's  
3 happening with our kids? Well, I think if we  
4 had a more coordinated JOM effort, I think we  
5 could do a lot better than we are. So,  
6 that's one of the areas that BIE can help in  
7 that, in addition to the STEP Program that Don  
8 talked about earlier. So a big part of this  
9 is, again, looking at how do we move forward  
10 bringing Tribes into the intimate conversation  
11 where they want to be.

12 (Inaudible comments)

13 MS. VICKI FOREST: I'm Vicki  
14 Forest, and I'm on this screen where it says  
15 the Deputy Bureau Director for School Ops.  
16 That's me.

17 As I said before, I'm a CPA licensed  
18 in New Mexico. And so while we're getting  
19 ready for that slide, when we see it, you'll  
20 see that the administrative functions that Dr.  
21 Roessel is talking about whether it's  
22 facilities, IT, HR, Communications -- okay.

23 That is the proposed School Operations  
24 Division, and while it looks very large, most  
25 of that staff is already in place and already

1 in the field. And, so, when Dr. Roessel  
2 talked about realigning the ADDs into function  
3 rather than geography, the School Operations  
4 staff is a aligned in the same way.

5 The colored boxes at the top are the  
6 five areas called for in the Secretarial Order  
7 to be under the School Operations Division, to  
8 have an education focus on each one of those  
9 business lines. As Dr. Roessel talked about,  
10 right now, we work with BIA, or have to ask  
11 BIA on all of these issues -- again, at the  
12 top it's HR, IT, Acquisition and Grants,  
13 Facilities and Communications. And so once we  
14 get further along into the transformation,  
15 then we will have control over all of those  
16 for an educational focus. And so I've really  
17 seen that in my three years now in BIE, it's  
18 much different.

19 And so when we have staff that it's  
20 very well-meaning, I think, in contracting  
21 with our friends at BIA, we really need  
22 somebody that is educationally focused; and so  
23 when we're buying textbooks, when we're buying  
24 software that we need for IT, when we're  
25 trying to buy assessments, when we're trying

1 to do any of the things that schools need, we  
2 really need somebody with an educational  
3 focus, and that's what that top group is  
4 intended to do. They will work with the field  
5 staff.

6           If you look at the bottom right -- and  
7 Monty will get into these a little bit later -  
8 - but the first one is ADD Tribally  
9 Controlled. And so what you'll see there is a  
10 lot of Grant Management staff. And so what we  
11 found from BIE and also from several GAO  
12 Reports is that we need to do a better job in  
13 Grants Management.

14           For me, since I've worked at my Tribe,  
15 I worked at BIA, I've been a CFO for Indian  
16 Affairs, so I've been honored to work in  
17 Indian Country all my life, but also always on  
18 the business side. We do need to do a lot  
19 more work in the grants area. And so for  
20 Tribally Controlled, for the schools that are  
21 doing well and don't need any help, that's  
22 great. For schools that are not, and we have  
23 some of those that we're actually working with  
24 have asked us to work with them on their  
25 audits, try to get them -- their staff

1 trained. And so we're going to work with the  
2 Native American Finance Officers Association,  
3 and work on some training for school staff for  
4 the two schools that have talked to us about  
5 their A133 audits.

6 When I first came to my Tribe a long,  
7 long time ago, there was contract staff that  
8 was running the finance piece of it. And so  
9 I see that in a lot of schools across the  
10 country. And so what I really want to do and  
11 this is kind of my dream in this, is that  
12 we're able to train financial specialists. We  
13 see a lot of Indian attorneys in Indian  
14 Country, which I think is awesome, but we  
15 don't see a lot of Native CPAs, and so -- or  
16 financially trained staff in some manner.

17 Arizona State University has a Tribal  
18 Financial Management training course. I'd  
19 like to partner with them, with Native  
20 American Finance Officers Association so that  
21 we can build something that BIE sponsors for  
22 schools that want that. And again, for this  
23 first problem, for schools that don't want  
24 that Tribally Controlled, it's totally up to  
25 you.

1           But so far we've had a couple of  
2 schools ask about specifically for the A133  
3 audits. It can be a complex process. Each  
4 CPA firm, the rules are the same, but each CPA  
5 firm interprets them differently. So, all of  
6 the reports look different, the findings look  
7 different, and so it can be difficult for  
8 staff that are not financially trained. So  
9 that's why you see a lot more staff in that  
10 Tribally Controlled group at the bottom,  
11 because those will be the folks that help us  
12 maintain the requirements we have on the  
13 United States side, but most importantly, I  
14 want to provide technical assistance to Tribal  
15 staff that want that.

16           So in the next box for ADD BIE  
17 Operated, again, these are just the operated  
18 schools, you see a lot less staff there.  
19 They're still required to meet all of the  
20 internal functions that we have, whether it be  
21 the financial audit for the Department or  
22 internal controls, all of those kind of  
23 things. The still order books. You'll see  
24 some contract specialists there. They're  
25 still going to order school supplies, all

1 those things that are needed, coordinate with  
2 my office, and Dr. Roessel's office on  
3 Professional Development. That's been a  
4 really big issue for us. Nobody in Interior  
5 has the same kind of mission that we did, and  
6 so while it's a great place to work, we're not  
7 focused on the yellow (inaudible) or other  
8 things like that. We actually are focused on  
9 people in BIE. So that's one of the reasons  
10 that it's really been an honor for me to stay  
11 in D.C., and even though I want to move back  
12 to Tahlequah, I think this is a really  
13 exciting time to be in BIE, work with Dr.  
14 Roessel and Don and the study group, and  
15 Rosie, to get this in place.

16 So if you look at the next box, ADD  
17 Navajo, that staff is already there. It's  
18 going to remain the same since they have 32  
19 BIE Operated schools and then 33 Tribal  
20 Schools, that staff has been structured like  
21 that for a while. So that will remain the  
22 same.

23 That right box, that's the staff that  
24 used to be Admin, which is what David  
25 Calliantiwah (phonetic) had back when he was

1 there. That staff's going to be dispersed out  
2 into the field at the ADDs. So some of them  
3 will continue to work with me on getting out  
4 to the field for grants, for training, and I  
5 want to really stand up a much more robust  
6 training effort.

7           If you look at the right box at the  
8 top, the Communication Specialist, we've  
9 actually hired her. Her name is Kim Bijou  
10 (phonetic). We've been doing -- and I hope  
11 you've seen the announcements, we've been  
12 doing a lot of webinars. We did one on  
13 Facilities, on FEMUS and Maximo (phonetic).  
14 Maximo will be the Department's new way to  
15 input work tickets for things that need to be  
16 put on our back log, either be fixed or in  
17 line for funding.

18           We've done a new school construction  
19 list webinar recently. Gone and talked about  
20 the project SERV Grant that he's working on.  
21 We've had just a lot of tragedies in that  
22 area. We had hosted a suicide prevention  
23 webinar. Dr. Roessel's actually also worked  
24 with the NIEA and hosted a series of webinars  
25 about the reorganization, and then also the

1 Native language framework that he was talking  
2 about earlier.

3           So our website is clunky. And so Kim  
4 is, in addition to all these other things,  
5 trying to reconstruct that to make it a lot  
6 more user-friendly. All the webinars that  
7 we've done are posted up on that website. All  
8 the consultation materials that Dr. Roessel  
9 talked about previously are on the website,  
10 but it's still under construction. So we  
11 really want that to be the one place that  
12 people can go to easily find what you need  
13 about BIE or some education topics.

14           So, I wanted to announce he's going to  
15 host a webinar on May 6th about BIE budget.  
16 I think there's a -- it is complicated, and so  
17 he wanted to have a webinar where we can talk  
18 about that.

19           Some of you may know Dr. Joe Heron,  
20 who's been the budget officer for many, many  
21 years with BIE. He will help Dr. Roessel and  
22 myself with that, so I hope that you can  
23 attend that.

24           Kim's sending out a Newsletter every  
25 week or every other week. She's also fired up

1 our Twitter and Facebook accounts. So, we're  
2 really trying to find as many places as we can  
3 to communicate with all our stakeholders,  
4 whether they be Tribes, BIE schools,  
5 interested parties. We've had congressional  
6 staff that want to be a part of that.

7 So, as Dr. Roessel said, the IT in the  
8 School Facilities line is very, very  
9 intertwined with BIA and the Deputy Assistant  
10 Secretary for Management. So that one will  
11 take a little bit more time to work out, but  
12 we're definitely focused. We work very  
13 closely with them. We're definitely focused  
14 on both of those issues. We're excited about  
15 the plus-up for 2016 budget for IT and  
16 bandwidth.

17 The HR staff, we're looking forward to  
18 having HR staff that is knowledgeable about  
19 education, whether it's hiring, recruiting,  
20 retaining. I think Don and Monty talked about  
21 the National Board for Professional Standards  
22 -- Teaching Standards Initiative. We'll have  
23 another cohort with that next year that's open  
24 to Tribal and BIE Operated school teachers.  
25 So we will get some more information out about

1 that.

2           The Acquisition and Grants piece is we  
3 actually have a couple of folks there that  
4 were transferred from the (inaudible) into  
5 office. So, we do have planning capability  
6 there now and are able to work closer with BIA  
7 on trying to get everything we need for the  
8 classroom. I've been very adamant that it  
9 seems -- and I'm not blaming anyone. It seems  
10 when I first came that schools were waiting  
11 for their materials to get ready for school  
12 the day of school. And so we really worked  
13 diligently with BIA and (inaudible) to ensure  
14 that we get a big start-to-school effort going  
15 as quickly as we can; that we ensure that the  
16 needs of the principals and teachers are met.

17           I think my role in School OPs as the  
18 Deputy Bureau Director is to make sure that  
19 the principals and school leaders have  
20 everything they need. Don talked about the  
21 burdens that are non-educational on our  
22 principals right now. I really want to  
23 alleviate as much as I can for any of those  
24 business lines. Certainly, they're going to -  
25 - it's their schools, I want them to -- this

1 is for BIE Operated schools, I want them to  
2 tell me what they need, but we're really  
3 placing a high focus on trying to work with a  
4 lot of partners in Indian Affairs right now.

5 So as we get into Phase II, as Dr.  
6 Roessel talked about, then we should have that  
7 -- those yellow boxes at the top, which are  
8 really the only new pieces of this that will  
9 report to him, and that will all have an  
10 education focus. So, I'm really looking  
11 forward to that piece of it.

12 Again, my biggest initiative is  
13 technical assistance for Tribes wanting -- for  
14 the two that we're working with now, they've  
15 asked us to come to their school and help them  
16 take a look at their finances. So we're happy  
17 to do that. I've not worked in the CPA  
18 profession as an auditor, so I'm not one of  
19 those "gotcha" kind of folks. I really want  
20 to get in there and help Tribes set up a  
21 internal control system, set up accounting  
22 systems, if they want that, help them to work  
23 with their local CPA firms, or whomever  
24 they're working with. So, that's really a  
25 passion of mine. I'm very excited about that

1 part. Also, to address the -- again, the  
2 multiple GAO issues about oversight and school  
3 spending.

4 So, I talk really fast. I apologize.  
5 That is what the proposed School Operations  
6 looks like, and with a small staff there in  
7 D.C. The facility staff is a little bit  
8 larger. Most of them are going to be in  
9 Albuquerque, because that's where BIA's Office  
10 of Facilities Management Construction is  
11 located. So the rest of them, though, will be  
12 in D.C.

13 The Human Resources staff that Dr.  
14 Roessel talked about is detailed to us from  
15 BIA, but we still don't have that -- we still  
16 need to make some pieces move internally so  
17 that they report for everybody to us, and then  
18 we can really have a much larger role in what  
19 they do. So that's what School Ops looks  
20 like, or the Proposed School Ops looks like.

21 DR. ROESSEL: Okay. This is the  
22 DPA Performance and Accountability. I think  
23 I'll just go over the idea here again. All  
24 of these positions right now are in  
25 Albuquerque, and there will be two changes.

1           One, is the managers of each area,  
2 Special Ed, School Improvement, which is Title  
3 I, as well as NASIS, our data unit, and School  
4 Improvement, they will be moving back to  
5 Washington. Primarily because of two things.  
6 One, that the primary role of this Division is  
7 to actually oversee the Department of Ed.  
8 Funds. So they'll be there, because they  
9 primarily work with the Department of Ed; in  
10 addition, having the data unit, because so  
11 much of what we have to do and report through  
12 EdFax and different things is having that  
13 (inaudible) data capability there, so they can  
14 be able to report there in addition to helping  
15 and supporting my office as well as School Ops  
16 office in terms of getting Data to work with  
17 OMB, Congress, and those areas.

18           If you see the position that they're  
19 -- it shows us what we have now -- right now,  
20 I think there are only twenty-six employees  
21 within DPA. They have vacancies around  
22 thirteen or fourteen. So the numbers is what  
23 -- right now, the encumbered positions that we  
24 have is no plus-up.

25           I want to bring that -- you know, make

1 that point right now, is that this Re-Org is  
2 budget neutral, because we have so many  
3 vacancies. It's taking those vacancies that  
4 we've had over the past year and it's not  
5 plussing up. We do have some money that we're  
6 looking at when we come to the 16 as proposed,  
7 and that's bringing some of those staff over  
8 as was talked about earlier, with Vicki, in  
9 terms of acquisitions and facilities and that.

10 We don't want to hurt BIA. We don't  
11 want to hurt (inaudible). So in those cases  
12 we may have to, then, actually hire people to  
13 fill those positions as opposed to just move  
14 them from BIA under BIE. So we have that in  
15 our plans as we go into '16 budget, and you  
16 can see that in our green book. It's  
17 reflected in there.

18 But here I just want to bring to the  
19 point that if you notice, these people that  
20 are stationed now in Albuquerque are out in  
21 the field. So they're closer to the schools  
22 from the Special Ed and Title programs.  
23 They're all out in the field.

24 We still maintain our NASIS  
25 specialists at each ADDs, so this person will

1 be training schools on NASIS, because every  
2 year they have new teachers, and things like  
3 that. So we still keep that function at the  
4 ADD level, but then we create a more robust  
5 Data Unit in D.C. with education research  
6 analysts as well as NASIS specialists that can  
7 help us run this data and keep that  
8 information flowing.

9 This is the Bureau Operated Schools.  
10 The process of the next few slides is it will  
11 show the ADD level, then it will show the  
12 distribution of the schools, and then the next  
13 slide will show then the staff that supports  
14 that distribution. So, here you see where the  
15 schools for BIE Operated are located, and the  
16 ERC that they are reporting to.

17 One of the things that just, you know,  
18 I want make clear also, I think it's self  
19 evident here that we're having a consultation  
20 after it was requested to happen here, but  
21 this plan is not set in stone. I mean, we  
22 are, and we have made many changes to it.

23 For example, the administrative  
24 support in Pine Ridge. When I went out and  
25 met with the Chairman of those Tribes in that

1 area, in the Plains, one of the challenges  
2 they said they were faced with is they were  
3 having to have those big schools, and they  
4 have Flandreau, Pine Ridge, and Eagle View.  
5 They're all 600, 700, 800 enrolled students,  
6 and they have some real challenges based on  
7 that.

8           There's dorms that are associated with  
9 all of them, so they say we want to have  
10 someone closer by that can provide that  
11 administrative oversight of those principals.  
12 And so we added a supervising person that can  
13 oversee and be responsible for those three  
14 schools out in the field, not back in  
15 Minneapolis. That's just one example.

16           Another example is, you know, Don  
17 mentioned earlier about Project SERV and the  
18 rash of suicides. We all know, you know, all  
19 too well, it happens in all of our  
20 communities. It's not just a Pine Ridge  
21 issue. When I was at Navajo, we had to deal  
22 with that. There's nothing worse. I hate it.  
23 I mean, it's going to -- you know, when a  
24 child -- when a student commits suicide, going  
25 to the family, being there for the students,

1 being there for the classrooms, it's the  
2 worst. Those of you that have been in  
3 schools, you know it's the worst feeling in  
4 the world having to meet with the parents and  
5 meet with the students and the classmates.

6 So in the past, what we've done is  
7 really allowed that support just to be at the  
8 school level, but we don't have any position  
9 that actually is looking at it from more of a  
10 global BIE level. Each school is on their  
11 own. So one of the things that we realized  
12 is that we need somebody above it all that can  
13 help coordinate and find money and find  
14 resources, at a global level for our BIE  
15 operated schools and BIE funded schools,  
16 tribally controlled, and so we've created  
17 another position that's part of that  
18 Sovereignty Office, which is a behavioral  
19 health, supervise that. I don't know what  
20 exactly the title is called, but it's at a  
21 position that can help coordinate programs  
22 with all the schools, look for funding, help  
23 them, in addition to what the school and an  
24 ADD might be doing, or a Tribe might be doing.  
25 So we're trying to provide that support at a

1 higher level in terms of -- again, getting  
2 back to this idea of not direct operations,  
3 but support in school improvement.

4 This is the staffing that is proposed  
5 for the BIE Operated Schools. You'll see that  
6 there's a staffing pattern, and I'm sure, you  
7 know, it's not -- it's nothing really  
8 complicated, but it is reflective of what  
9 we're trying to do.

10 One of the challenges that we have is  
11 two things. One, this is reflective of an  
12 organization that actually operates the  
13 schools. So we need to have more supervision  
14 in this area. We do have common curriculum  
15 that we're trying to -- and we can, in terms  
16 of this case, Common Core across the entire  
17 system, we can provide assessment  
18 accountability across this entire system  
19 because we operate these schools. So we try  
20 to consolidate. A big part of this effort is  
21 what can we consolidate and what can we  
22 actually leave at the local level?

23 In terms of the BIE Operated Schools,  
24 we can consolidate and awful lot. We can  
25 consolidate, as Vicki mentioned earlier, the

1 Acquisitions and Contracts. We can  
2 consolidate Professional Development in this  
3 ground, so that we can actually cut costs  
4 down.

5 At every ADD there are some functions  
6 that are similar. One of them is that we  
7 focused on is residential life. So that  
8 position is in here. We have so many dorms  
9 to -- so many challenges that we're faced  
10 with. They can help working with these  
11 schools that have dorms as they move forward.

12 In addition, we have a research  
13 analyst at each ADD level that can help run  
14 the data as we know for the schools, for the  
15 ERCs, and help them in that process in working  
16 in concert with people that we have in  
17 Washington. So, that's one of the things that  
18 we, really, in the past we've had none of  
19 that. Every school was on their own to run  
20 their own data, which they still can do.

21 But again, at this global level, if  
22 start looking at schools and school  
23 improvement, you can say, okay, with these  
24 schools that we have in the Albuquerque  
25 Region, what are those common concerns they

1 have? What are the problems that they're  
2 facing? We can run that data, then we can  
3 utilize the (inaudible) resources to actually  
4 address that and provide professional  
5 development that is specific to those needs.

6 One of the other founding principals  
7 that we have with this Reorganization is that  
8 a lot of our schools are very small. They  
9 have one grade level per school. So, if you  
10 were to get together and say let's have all  
11 third-grade teachers get together, we're going  
12 to provide this kind of professional  
13 development. There would be one third grade  
14 teacher in that corner, one fourth grade  
15 teacher in this corner. There's nobody there  
16 to collaborate with.

17 So, one of the things that we're  
18 trying to do here in this process is actually,  
19 with these ERCs, they would coordinate, and it  
20 becomes a little more, I think, effective in  
21 the Tribally Controlled schools, but, also,  
22 here, where could have that one school  
23 training for third-graders that could come  
24 together; another school coming hosting, say,  
25 fifth graders or elementary or high school

1 teachers, whatever -- whatever that decision  
2 might be. We're trying to do things and it's  
3 reflected here as well as Tribally Controlled.  
4 The local professional development that  
5 schools get for this, they continue. We're  
6 not trying to control that.

7 But at the ERC level, one of the  
8 things that we can see is we can see it  
9 across more, you know, four, five, six, seven,  
10 eight schools. We see a challenge that we  
11 have here. We can consolidate that, and then  
12 at the next level up, which is the BIE level  
13 funding, we then can control, you know,  
14 certain things and in this case we can say,  
15 okay, let's get these principals together, we  
16 would you be willing to have a training on  
17 "X". And then we provide that funding for  
18 that training that might be even more of a  
19 global and ERC level approach professional  
20 development, in addition to what may be  
21 happening locally. So we're trying to get two  
22 different levels here.

23 We can maintain what a principal  
24 wants, what a school board wants, at that  
25 local level, but at the same time looking at

1 it from one step up and say, okay, what are  
2 those challenges that we have at the ERC level  
3 and what can we do to bring teachers in  
4 together, principals together? In the case of  
5 these schools we can do that much easier than  
6 the case of the Tribally Controlled schools,  
7 which Rosie will go into.

8           This is where I think it becomes much  
9 more effective, because you do have Tribally  
10 Controlled, and then we can get together. And  
11 the idea with staffing is that there will be a  
12 school improvement specialist. There will be  
13 Special Ed Specialists at these ERCs. They  
14 then will be meeting with principals, maybe  
15 weekly, on conference calls looking at certain  
16 issues, and then we would, then, help and we  
17 would fund certain professional development  
18 hosted at different schools, paid for by BIE,  
19 to move forward and that's part of our, you  
20 know, money that we have actually plussed-up  
21 with in our budget but, also, to be very  
22 specific, if you look at the enhancement  
23 monies which is a line item within BIE.

24           We've gone away from what we used to  
25 have, and that was the BIE reading and math

1 count, which was very direct instruction, we  
2 were told, you must do this. If you don't do  
3 this, you don't get the money.

4           And you know, I used to be on the  
5 other side which, you know, a superintendent  
6 of a Tribal school, and I hated it. And so I  
7 gave the money back at that time, because we  
8 wanted to have something that would actually  
9 integrate. I came from a Navajo school --  
10 Navajo language, and those types of direct  
11 instructions do not allow that opportunity.  
12 So we backed away from that. We've slowly  
13 been shifting over the last couple of years,  
14 shifting the language in the green book to  
15 allow this opportunity to create a different  
16 approach, a more collaborative approach.  
17 That's what we have right now.

18           Then, as we go into the '16 of our  
19 proposal is to really plus up. We have a ten  
20 million dollar plus-up in enhancement costs  
21 that we're proposing that could really make us  
22 much more robust. But it's allowing, one,  
23 money to flow directly to the schools and,  
24 two, allow coordination amongst schools.

25           So, with that, I'll let Rosie talk.

1 MS. ROSIE: A plus-up to the last  
2 presentation is that everything has been said  
3 pretty much. All I can do is say ditto to  
4 all that Monty said and all that Vicki said.

5 As you look at the Proposed ADD  
6 Tribally Controlled distribution by the  
7 schools. What we did was we employed  
8 strategic placement, looking at geographics as  
9 well as student dynamics. Again, the goal  
10 being to improve direct services to students.

11 We looked at accessibility and  
12 proximity of the ERCs to schools. The reason  
13 being, if there was a situation at one school,  
14 the ERCs are placed so that a team could  
15 actually be put together quite quickly given  
16 whatever the needs are of the particulars  
17 Tribes and their schools. So, accessibility  
18 and proximity did not only take into  
19 consideration driving to any kind of schools  
20 but being able to pull a team together to help  
21 one school.

22 Our current structure is limited.  
23 It's a limited base. They only serve  
24 "X-amount" of schools, or such-and-such  
25 schools, and we are looking to expand that.

1           We looked at student enrollment,  
2 specific needs of the particular schools. And  
3 Monty mentioned, and it's on the slide next  
4 where you'll see a residential staff by  
5 specialists at the ADD level, and we do not  
6 have that right now, and you can see that we  
7 have five residential areas. So, this will  
8 allow us to really focus on that.

9           Monty mentioned our limited staff right  
10 now. We would move to where our staff at the  
11 ERC levels would be increased and increase our  
12 services to the students, customize technical  
13 assistance, and our timing and responding to  
14 that.

15           Again, as Vicki said, there's no blame  
16 intended for everyone. It's just that we have  
17 some areas to address and we need to be more  
18 responsive to our schools being able to assist  
19 them.

20           As you look at our existing focus with  
21 the line office structure, we do a lot of  
22 everything, and we do not have that intense  
23 focus that we need. So in the school  
24 improvement specialists in the ERCs would be  
25 able to actually do school improvement

1 activities, because school operations would  
2 have taken from them the responsibilities,  
3 sole responsibility for facilities, for anyone  
4 to be pre-audits, all that administrative work  
5 that we do now.

6 We should be able to go to our schools  
7 and we should be able to do curriculum  
8 planning with them. We should be able to do  
9 language integrations -- integrate with them.  
10 We should be able to do data analysis, et  
11 cetera, et cetera, and we're not able to do  
12 that right now in the current structure. So,  
13 you know, we look forward to being able to  
14 provide those services. I know many of you  
15 pay consultants to come in to do that work at  
16 this point, and we should be able to provide  
17 those services to you free of cost.

18 Monty mentioned the enhancement  
19 dollars. This is an area that we're now  
20 working with with our Tribally Controlled  
21 schools at this point, and we moved from  
22 saying, you know, you have to do this program,  
23 you have to do that program. We moved into  
24 the application process, and we looked at the  
25 types of proposals that were being submitted,

1 and now we're working with schools to improve  
2 their applications.

3 We're also creating a team from the  
4 field to refine the process even more. So,  
5 it's not solely the Associate Deputy Director  
6 Office making the decision on how does this  
7 application process will look. There is  
8 actually volunteers from the field to the  
9 schools who will be working with my office in  
10 refining that.

11 So, these are some of the efforts --  
12 some of the changes that we're looking at, but  
13 we want to be able to provide direct TA to  
14 Tribe schools.

15 Thank you.

16 DR. ROESSEL: The next area, and I  
17 don't know if we need to go over Navajo, but  
18 same concept here where you have the  
19 distribution of their 65 schools. They  
20 actually have 66 schools, but one of the  
21 schools is a satellite to the Navajo Nation,  
22 prefers to be with the Tribally Controlled  
23 schools instead. So, 66 schools, they're  
24 lumped together by their ERCs. The staffing,  
25 same sort of staffing.

1           Vicki had mentioned earlier, Navajo has  
2 already consolidated their administrative  
3 functions into one office, and they have  
4 identified that office just for administration  
5 with the Ship Rock office. And then, you have  
6 the other, in addition to the school off to  
7 the left side, you have the Ship Rock office  
8 that also has an ERC.

9           I'll jump into -- and segue from here,  
10 let you know that that's the last slide, and  
11 I'll jump into -- if you -- in your booklet,  
12 which I think this is probably what most of  
13 you want to discuss. If you look at this page  
14 in your booklet, it has the ERCs, the Proposed  
15 ERCs.

16           Within our Proposal, we are  
17 recommending four education line offices to be  
18 closed, and this is the entire office to be  
19 closed. One is New Mexico North, ELO, which  
20 is in Espanola, New Mexico; the  
21 California/Nevada ELO Office, which is in  
22 Sacramento; the Montana/Idaho/Wyoming ELO,  
23 which is in Billings; and then New Mexico,  
24 Navajo South, which is in Gallup. Those four  
25 are being recommended for closure. A couple

1 of them are already closed. We have not had  
2 staff there a long time.

3           What I want to also point out is one  
4 of the reasons for this one, when the re-org  
5 happened back in 2008, I believe -- it started  
6 in 2006, then it got held up -- the budget  
7 was around \$19 million for ETM, which funds  
8 most of this. And just for clarification,  
9 when you looked at these four charts, there's  
10 a number, FTE number, that number reflects  
11 only the ETM positions. It doesn't reflect  
12 the DPA and some of the other functions. So,  
13 this is for clarification some of those  
14 numbers are there.

15           So then in addition to those four, we  
16 are also then changing and we had to come up  
17 with a different identification for other  
18 offices where we were removing education line  
19 office function, but there's a joint function  
20 happening there already. So we came up with  
21 another term for that. So there's a series of  
22 categories.

23           And I'll jump right in. One of them  
24 is we are recommending the education line  
25 office functions of the Oklahoma City/Kansas

1 office to be closed but remain in place a  
2 Business Service Center, because primarily the  
3 focus of this office has been on process in  
4 JOM contracts. So, I want to say that right  
5 upfront. You know, that's one of the reasons  
6 why we're having this meeting here today.

7 In addition, there are a couple other  
8 instances of change that has happened. One  
9 area, Pine Ridge, we're moving the education -  
10 - proposed education line office functions,  
11 but they still have a facilities operations.  
12 So we call those facility support centers,  
13 because we're not totally closing down that  
14 office. There's still going to be some  
15 functions there that deal with facilities.

16 Well, in addition to that site,  
17 Standing Rock, at Fort Gates, is in that same  
18 position. Cheyenne River also is a facility  
19 support center that is remaining open, and  
20 Arizona North of Kings Canyon, that's in that  
21 same position. We're recommending that the  
22 education function be closed, but the facility  
23 support center will remain there.

24 A new dynamic that has happened over  
25 the last five years is that in some cases

1 tribes have taken over that educational line  
2 office function. In that case, what we call  
3 them is "technical assistance centers". And  
4 we have three Tribes that have done that;  
5 Rosebud, which their office is in Mission,  
6 South Dakota; Crow Creek, lower Bruel, which  
7 is in Lower Bruel; and Standing Rock, which is  
8 in Fort Gates. Those areas, those tribes has  
9 (inaudible) the educational/technical  
10 assistance. So, it's not that we're closing  
11 it down, but they've taken over that function,  
12 and we still then just operate the government  
13 parent functions, but we can do that within  
14 this Re-Org. We don't have to be right on  
15 site for that. So, those are the different  
16 levels that we're looking at.

17 But one of the reasons as we move  
18 forward, again, is there used to be 19 million  
19 dollars to fund this. That's when we had 22  
20 line offices, 5 employees at every line  
21 office, in addition to, I think it was 56  
22 people who DPA, and Administration had  
23 something like 35. Those are the good old  
24 days.

25 Now, we have 14 million dollars --

1 14.2. So, that's a 5 million dollar cut. One  
2 of the things that we tried to do in terms of  
3 trying to move forward is just like at the  
4 school level, and those of you that are  
5 representing schools, we keep talking about  
6 this consolidated school budget where you can  
7 use the different funds that's helping the  
8 entire system. We're taking that same  
9 approach. That's why we're looking at the  
10 enhancement funds as helping.

11 Those are school improvement for  
12 coaches, specialists, and they can help in  
13 that school improvement function. So we're  
14 trying to combine some of those resources as  
15 we move forward in a way that can impact all  
16 of our schools is how we're trying to move  
17 forward and, again, trying to improve the  
18 educational outcomes.

19 Our staffing currently, as you know,  
20 in the office even here, is very low. And so  
21 a lot of these positions, the process that Don  
22 mentioned earlier, is we have you go through  
23 consultation. At the end of consultation  
24 we'll go back to Congress and say this is what  
25 we heard, and then they'll go through and give

1 us their approval, non-approval, whatever that  
2 process, and then we move forward.

3 There are some things that are aligned  
4 with this reprogramming. There are other  
5 things that are just, you know, problematic  
6 that we're moving, you know, that are not with  
7 this, whether or not the Re-Org happens, we're  
8 moving ahead.

9 One of those, for instance, is the  
10 Bridge Program with TCUs, trying to get more  
11 of our kids to start thinking about college,  
12 working with TCUs in a partnerships, giving  
13 monies to these Tribes, Tribal colleges, to  
14 develop programs and start getting -- not at  
15 the high school level but at the elementary  
16 school level, thinking about college.  
17 So, some of these things are aligned with  
18 this, but they're not specific to the Re-Org.

19 This is primarily about the line  
20 offices of Org charts and moving forward in  
21 terms of this Re-Organization.

22 So, with that, I don't know if you  
23 want to take a short break and we can come  
24 back and we can start with comments from all  
25 of you.



1 a K-through eighth grade public school. And  
2 we had pretty close to about 45 percent  
3 funding less of -- between 35, 40 percent  
4 Native American students in that school  
5 system. And some of us are still here see  
6 some of the educators still here in Indian  
7 education -- you know, some of the people in  
8 there and they do a wonderful job in the state  
9 of Oklahoma to make sure Native American kids  
10 are taken care of. So I'm glad to see those  
11 faces still in that area because I got out in  
12 2006 and decided to go work for my tribe,  
13 which is the Absentee Shawnee Tribe. And so I  
14 was assistant to the Lieutenant Governor and  
15 then he moved up to the Governor spot and then  
16 I stayed with that individual until his  
17 election came and he was defeated. So then I  
18 left for a couple of years and I was glad to  
19 draw unemployment because I never got to draw  
20 unemployment but those nine months, ten months  
21 was really a blessing to me, to be able to  
22 stay home because I was always on the go. So  
23 (in) for my tribe and I implemented an after  
24 school program for our Native American kids  
25 out in northeast of Shawnee, which is the

1 school area where I grew up and worked at the  
2 school for 15 years. So all the students that  
3 I had ties with in the public schools, their  
4 kids were coming in and so it was like really  
5 a good community-atmosphere because I had  
6 generation -- generations of different  
7 families with their kids. So, I just -- you  
8 know, I just tried to be a tribal leader and  
9 then I went back and then I decided to run for  
10 Governor and then I got the position. That  
11 was -- I'm the second female to get the title  
12 of Governor. The first female lasted six  
13 months and she resigned. So I had a lot of  
14 bets -- people was betting to see if I was  
15 going to make it through the whole term and  
16 so, whoever betted that I wouldn't, they  
17 surely lost. Because I'm still here and I  
18 plan on being that tribal leader to guide our  
19 people in the right direction. So, education  
20 is a very, very big -- has a very big place  
21 in my heart, because it's kids that -- they  
22 depend on you in the public schools and I can  
23 just imagine what's going on in these days  
24 because 2006 isn't anything compared to what  
25 our kids are facing today. And even in the

1 national programs I see a lot of kids -- I try  
2 to get out there as much as I can before and  
3 after school and just -- when I do and see  
4 these kids out there, they face a lot of  
5 problems -- you know, the bullying, it's the  
6 one thing, and just their home life. So, I  
7 can only -- really in the state of Oklahoma  
8 our Indian educators are really, you know, I  
9 know what they're going through.

10 But as a tribal leader, just to see  
11 something happen as you don't, like, closing  
12 an office down, that's something that we  
13 really don't want to do. And a resource  
14 center, you know, the ERC -- our educators  
15 here really depend upon that office -- and to  
16 be restructured. And I know a lot of the  
17 resources office and working in the school, I  
18 depended upon a lot of those resources in --  
19 within the state of Oklahoma. And to have to  
20 go out to another state to even ask a  
21 question, that's not very -- that's kind of  
22 ridiculous, sort of. But then again, as  
23 tribal leaders, you know, I went out to Reno,  
24 Nevada and I got out there Sunday afternoon  
25 and I think they had the education program

1 going on while I was on the way out. But in  
2 the afternoon they did let me talk -- because  
3 the leaders were in the morning then it goes  
4 into afternoon. But I spoke on several issues  
5 of being -- the parents -- people being --  
6 participating in the education. But it's sad  
7 to see that as leaders, we have 39 federally  
8 recognized tribes in the state of Oklahoma and  
9 every education meeting that they have I try  
10 to attend. So I appreciate those emails that  
11 I get from everyone because I'm able to put  
12 that on my schedule to come and talk. But to  
13 emphasize the education and what our people do  
14 here in public schools is, you know -- we talk  
15 things a lot -- a lot of resources --  
16 resources, funds, to help these kids. I know  
17 in listening to the presentation earlier about  
18 the BIE schools, I can imagine those are  
19 probably in pretty bad shape too. The  
20 structure of the buildings and stuff. But  
21 don't forget that we have problems here too in  
22 Oklahoma, with our public school systems,  
23 because, you know, we face that -- I see that.  
24 As a tribal leader, you know, we have people  
25 coming in, as their children not getting

1 treated right in the public schools and I try  
2 to make the school board meetings in our local  
3 area there. And so, we kind of placed a  
4 little different situation. For the first  
5 time, we have a Native American individual  
6 that is sitting on that school system board  
7 member at the Shawnee Public School. So, I  
8 think that that's one way of getting our foot  
9 in the door and that has given us a little bit  
10 of a listening -- an ear, so they would  
11 listen. So, I'm excited about that. Because  
12 I've been in office -- took that position for  
13 about three -- three months ago. So I'm kind  
14 of traveling to see how that works with, you  
15 know, the school board members. And then as  
16 our tribe, we have a sitting issue in our area  
17 with the sales tax. So we -- tribes got  
18 together in a area and we decided that we  
19 needed to put some people on that city  
20 commission position, so one of my staffers won  
21 her position. So she's on the city commission  
22 and then another tribe came in and their  
23 person is on that too. So, a lot of that is  
24 just gaining positions like that and I think  
25 that's how -- as tribal leaders, that's how

1 we're going to have to fight these situations  
2 that come up, you know, with the State --  
3 state level, because -- and then for us to  
4 have to do this for our own children in the  
5 school system -- you know, fighting for this  
6 office and resource office and then -- I'm not  
7 really sure how -- coming from the Education  
8 Recourse Center and then having a business  
9 office so I don't know if the ties are going  
10 to be the same or what. So that's one, I  
11 guess, question I need to ask, if they're  
12 going to still be doing that role of resources  
13 and we're still seeing that Oklahoma could  
14 call and ask for guidance on whatever  
15 situation that a child needs in the school  
16 system. So, I'm not going to take up too much  
17 time because I have a cold and I'll start  
18 coughing here in a minute, so -- and I  
19 appreciate the time too, that you have given  
20 me to speak and I hope that you take into  
21 consideration what's the needs and the --  
22 throughout the afternoon or their comments and  
23 really listen to it, because I seen it here,  
24 you know, in Oklahoma. Thank you.

25 DR. ROESSEL: Do we have any other

1 tribal leaders -- elected tribal leaders?

2 MS. REYNA: Hello, my name is --  
3 hello, my name is Yolanda Reyna. I'm with the  
4 Apache Tribe of Oklahoma. And like Edwina, I  
5 (in) the Tribal Business Committee -- that  
6 I've had some federal employee background in  
7 contracting. I worked for the government for  
8 32 years, so I've seen the need for  
9 development in our professional fields. And I  
10 also have worked with looking at cost analysis  
11 and stuff like that.

12 One of my questions, you know -- I'd  
13 like to see some dollar figures presented to  
14 us on the current field offices with the cost  
15 of operations are in like in the Oklahoma City  
16 area, versus how's it cost effective to go to  
17 Minnesota or (inaudible) South Dakota for our  
18 people. And one of your bullets here was that  
19 -- it was to develop the tribes and  
20 self-determination. I -- as a tribal leader,  
21 you can't see how moving the resources from  
22 Oklahoma out. We have 39 tribes in Oklahoma.  
23 We have to have the opportunity and the  
24 resources for our people -- our children to  
25 get mentored and to be encouraged to move into

1 those areas, like contract specialists.  
2 That's what I was for 32 years, a contract  
3 specialist. And, you know, the need to have  
4 those specialists in the education,  
5 specialized in finding educational needs. I  
6 just can't see how it's going to accomplish  
7 that, moving them to D.C. I feel like there  
8 should be some type of field mentoring  
9 positions -- trainees in those areas. When  
10 you limit and you're taking away from us out  
11 here, to develop our people in those areas, I  
12 don't see how it's going to accomplish that  
13 tribal self-determination, because I'm  
14 speaking from the problems of our tribe.  
15 We're rebuilding and our people don't  
16 understand the areas -- core business areas of  
17 a functioning business that's required under  
18 Public Law 93-638; in the field of business  
19 law, business management, finances and  
20 accountability, contracting, property -- all  
21 these are core requirements of being a  
22 functioning tribal government. And I'm glad  
23 that a lot of these larger tribes are  
24 connected. We aren't. And so I'm here to  
25 speak for our people that are in -- that have

1 that need in our children. It's discouraging  
2 to see that a lot of our children aren't  
3 encouraged. They don't want to go to school.  
4 They aren't -- they don't have that  
5 self-esteem to want to go to school and aren't  
6 even exposed to these types of needs that will  
7 affect them in the future. You know, if we  
8 don't take care and we don't start educating  
9 ourselves, no one else is going to. So, you  
10 know, I would like to see the Oklahoma area to  
11 stay -- the Resource Center stay here and also  
12 start developing a mentoring program in these  
13 and start exposing it to our high schoolers.  
14 Have a scholarship for them. As someone  
15 mentioned earlier about encouraging them to go  
16 on to college. Well, let's start now saying  
17 if you are going to be interested in a  
18 business field. These are what a tribal  
19 government should be specialized in and start  
20 presenting it to our high schoolers. But make  
21 way -- and I don't see how moving this office  
22 to South Dakota and Minnesota is going to help  
23 us here in Oklahoma. And, you know, if you  
24 can -- one more thing, you spoke about the  
25 successes. The reason you're moving those

1 offices are because of successes in other  
2 area. Can you present that and give us  
3 examples of how South Dakota was more  
4 successful than the Resource Center here in  
5 Oklahoma? Those are the types of things that  
6 I want to see happen and, you know, we have to  
7 be sold on that. We don't feel like Oklahoma  
8 is being represented or even listened to. You  
9 know, we have 39 tribes here and we should be  
10 part of this restructure and have the office.  
11 And I appreciate your -- the opportunity.

12 DR. ROESSEL: I'll try to answer  
13 some of the questions that you asked.

14 MS. REYNA: Uh --

15 DR. ROESSEL: Okay. Oh, okay. All  
16 right.

17 (Comments)

18 MS. FRANCIS-FOURKILLER: Sorry.  
19 I'm sure a lot of you recognize me, walking in  
20 a little late. I am Tamara  
21 Francis-Fourkiller. I'm the Chairman of the  
22 Caddo Nation. Unfortunately, while we have  
23 meetings like this, I still have business to  
24 carry on at Tribal Headquarters and that's  
25 what I was doing this morning before I got

1 here.

2 Now, the question about keeping what  
3 we've got here and allowing our children and  
4 our schools and things, to have what we need  
5 locally. It's not a question of whether we  
6 deserve it, whether we should have it; it's  
7 the question of why we shouldn't. I mean,  
8 we've got so many educators here today. We've  
9 got so many Tribal Leaders here today. And I  
10 think this representation right here speaks  
11 for itself about how adamant we are about  
12 having our education stuff here in Oklahoma.

13 Now, I know there's a lot of folks  
14 here that have grandchildren, nieces, nephews,  
15 that go to these different schools. Well,  
16 right now, I have three children that are in  
17 college. I have -- well, one that's in  
18 college; one that's getting ready to go to  
19 college; and one that's seeking to go to  
20 college. And when it comes to their education  
21 and anything that they need, I don't want any  
22 of the questions that I'm asking for them to  
23 have to go states away to get answers. I want  
24 to be able to go -- come here, face-to-face  
25 with somebody and say, okay, look, this is

1 what's going on. This is how we need to take  
2 care of it. And you also have to realize that  
3 here in Oklahoma, we're a completely different  
4 group of Native entities. We're not a  
5 reservation; we're not tribes that are in  
6 their aberrational areas, with the exception  
7 of the Wichitas. We were grouped and put  
8 here. So why, once you've already grouped us  
9 -- put us together here, would you take away  
10 something that's necessary for us to continue  
11 helping our students.

12 Right now, I've got about 200 students  
13 that are looking forward to going to college  
14 this next fiscal year -- school year. And I'm  
15 just now getting my 638 Programs back from  
16 BIA. I try to make sure that my kids are  
17 taken care of. It doesn't matter if they're  
18 in Texas, Arkansas, Louisiana, Washington  
19 D.C., our kids still get help from us. But if  
20 you take that organization, that group, away  
21 from these tribes that are all here -- they  
22 can speak with them locally -- you're doing us  
23 a disservice and you're doing something that's  
24 -- well, basically, that we haven't asked for  
25 -- that we're not requesting. You know, why

1 fix something that is not broken. Why not  
2 follow along the lines of each one of these  
3 tribes and these individuals that are saying  
4 this is what we need, this is how you can help  
5 us. Because after all, isn't that what  
6 consultation is between the federal government  
7 and the tribes, trying to find a mid-ground  
8 and stuff. Well, for us, the mid-ground is  
9 not states away. The mid-ground is here  
10 amongst us, here where we have our best  
11 concerns taken care of for ourselves. How  
12 many of the tribes that are up over in the  
13 North understand the cultural aspects of all  
14 these different people down here? They don't.  
15 They don't understand why we have different  
16 feasts. They don't understand why we have  
17 different pow-wows and dances and things and  
18 traditions. So why would you put our group  
19 with somebody else that doesn't understand us,  
20 that doesn't have this vast array of knowledge  
21 for all of these 39 tribes in Oklahoma? And  
22 that's 39 different groups versus how many  
23 that you got up there. You know, if something  
24 like were to actually be a real consideration,  
25 which I do not consider it, you would have to

1 have somebody that's culturally versed upon  
2 each and every one of those tribes, so that  
3 they understand what is most important to  
4 those people.

5 Like I said, I'm a Tribal Leader. I  
6 love my people. I love my kids. I'm just  
7 trying to make sure that their needs are  
8 looked out for and I think it's best that it's  
9 here in Oklahoma.

10 DR. ROESSEL: Are there any other  
11 Tribal Leaders?

12 (No response)

13 DR. ROESSEL: I guess I'm going to  
14 try to answer some of the questions that were  
15 asked. I think one of the things that -- and  
16 I mentioned this in my opening, is trying to  
17 get down to the details. And so I'll be blunt  
18 and I think, you know, hopefully, as  
19 transparent as possible in this conversation.

20 You know, one of the concerns that we  
21 had as we looked at this is to say, okay, what  
22 services are being provided now that is going  
23 to be taken away? And I think if you ask  
24 that question, the answer is none of them.  
25 And so, when I come back to you, I ask you

1 again, what are we taking away? We're taking  
2 an office? But we're not really taking an  
3 office because those functions that are --  
4 that primarily is being done now are going to  
5 stay there. Primarily, this office here is  
6 handling contracting issues, whether it's  
7 Adult Ed, whether it's JOM. And the reason is  
8 most of your schools, they're operating on  
9 their own. They're tribally controlled  
10 schools. So your Tribal Ed Departments are  
11 handling those issues. So it's not about the  
12 taking that away and moving it. Those  
13 functions -- a majority of those functions are  
14 being handled by you -- by the Tribal Ed  
15 Departments around this table. And so when we  
16 looked at this, we said, okay, because we  
17 don't have that need to be there -- because  
18 you're all operating your schools and doing a  
19 good job of it. What is then the role of  
20 BIE? If you want a federal government  
21 presence on your reservation, that's what  
22 we're talking about. We're talking about  
23 Oklahoma City here. So the issue that we  
24 looked at is what services -- specifically,  
25 what services are we providing and what

1 services are you asking for? We have not  
2 received that in response. And maybe we get  
3 that when it comes down to more of the school  
4 functions and the school representation. What  
5 are those things that you want from us?  
6 Primarily, it's been we're operating our  
7 schools; go ahead and leave us alone.

8 Yes?

9 MS. FRANCIS-FOURKILLER: Okay. I  
10 realize that you're making a very viable point  
11 but at the same time, you need to reword  
12 whatever your reference is back to the  
13 Oklahoma tribes. We are not on a reservation;  
14 okay. These are all individual public  
15 schools. Not all the schools are not run by  
16 the tribes, they are public schools. We have  
17 entities that come in, in Indian education to  
18 help us out. But that does not mean that they  
19 are under the jurisdiction of an individual  
20 tribe. So that is a vast difference between  
21 us and the northern tribes.

22 DR. ROESSEL: Okay. The purpose of  
23 this consultation is just for the BIE-funded  
24 schools. So, we're not talking about the  
25 public schools. This is the -- those schools

1 -- and I believe the number is -- what, 10 or  
2 11 that are op -- six. The six schools that  
3 are operated here, that's the purpose. We're  
4 not talking about -- the Bureau of Indian  
5 Education overseas, you know, either directing  
6 -- Riverside being one that we directly  
7 oversea and operate and then --

8 MS. FRANCIS-FOURKILLER: The  
9 schools themselves are still not on  
10 reservations. There is a vast difference  
11 between here in Oklahoma versus other states  
12 where Indian tribes are at. These children  
13 that go to all of these different schools and  
14 stuff, they don't go home to reservations and  
15 stuff. They go home to regular cities, towns,  
16 and things like that. It's not a reservation  
17 situation.

18 DR. ROESSEL: I understand that,  
19 but I think again what we're talking about are  
20 just schools that we have control over, either  
21 indirectly, which are the tribally controlled  
22 schools -- and that's how they're defined  
23 under 100-297, is the Tribally Controlled  
24 School Act. So any school that's operated  
25 under that is approved by the tribe to operate

1 as a 297, which use to be a 638 grant, so --

2 MS. FRANCIS-FOURKILLER: Yes.

3 DR. ROESSEL: -- so that -- so  
4 those are the only schools that we're talking  
5 about here and all those schools have been  
6 authorized by a tribe -- those schools.

7 Because that's the way the law is written for  
8 the Tribally Controlled School Act. So, I  
9 understand there's no reservations --

10 MS. FRANCIS-FOURKILLER: And even  
11 with that justification, how many schools here  
12 in Oklahoma versus how many schools are up  
13 north? What is the student population ratio?

14 DR. ROESSEL: There's 1,116  
15 students in Oklahoma that are in our system.  
16 If you look at North Dakota you're looking at  
17 6,600 -- probably about 10,000 in North and  
18 South Dakota alone. And then it tells you  
19 there are also the number of schools that are  
20 (inaudible) schools that we're talking about  
21 for this consultation. So this reorganization  
22 and those workshops that we see are only to  
23 reflect. And when it gets down to the ADD in  
24 Oklahoma, the operation of these schools --  
25 the federal side of it, like the JOM, that's

1 all handled out of Washington -- our office  
2 too. So this structure is just for our BIE  
3 funded schools. Now, we do have impact with  
4 JOM, you know, indirectly, but we do not have  
5 any other type of connection with public  
6 schools. So when we talk about the services,  
7 that's what I'm getting -- and I understand  
8 your point and I appreciate it and I agree  
9 with you, but I have no control over those  
10 individuals. The people that we have for  
11 Oklahoma are these five schools. One of them  
12 is a BIE operated, which is Riverside and the  
13 others are tribally operated, which are grant  
14 schools. And those, I don't have any control  
15 over in terms of directly; the tribe has  
16 control over those four schools. Riverside is  
17 operated by the BIE, so the purpose of that --  
18 that's when we -- when I say what services do  
19 we need. The one school we have, which is  
20 Riverside, that is a direct oversight. That  
21 would be moving to Albuquerque with oversight,  
22 but that's the only school that we have that  
23 is directly operated by BIE. The other four  
24 schools are all tribally operated and so the  
25 Tribal Ed Departments who authorize the

1 operation of those schools, they have more  
2 oversight and control than I do as the  
3 Director of BIE. That's the reason why -- if  
4 you want to know, that's the reason why, with  
5 only four schools and one with direct  
6 oversight for schools -- do you keep the BRC  
7 for just that number? So part of it was  
8 looking at those numbers, especially when you  
9 come back to, you know, the fact that the type  
10 of resource, specific technical assistance  
11 that you're asking for, you know, I guess  
12 that's what I'm hoping to hear from you for  
13 the Tribal Ed Departments and the schools we  
14 hear more of what is it that you want us to  
15 do? Because what we heard earlier was, you  
16 know, when they call us -- well, you know, we  
17 still are keeping the business center open, as  
18 processing the 638 grants, those 297 -- or,  
19 you know, grant -- oversight Adult Ed Grants.  
20 That is still staying here. The scholarship  
21 grants that are also being processed, those  
22 are all staying here. We're not moving that  
23 somewhere else. That's the connection we have  
24 with the tribes that are in the area that have  
25 their JOM contracts, that have their Adult Ed,

1 that have their scholarships --

2 MS. FRANCIS-FOURKILLER: But the  
3 basic thing --

4 DR. ROESSEL: -- that is staying  
5 here.

6 MS. FRANCIS-FOURKILLER: -- the  
7 basic thing that you're saying is that the  
8 entity that's going to be helping and making  
9 decisions for these groups, you're taking it  
10 out of Oklahoma?

11 DR. ROESSEL: And I don't agree  
12 with the premise of the question. I don't  
13 think we are making decisions for tribes. I  
14 think tribes are making those decisions and  
15 then we're in a position to say, okay, we're  
16 processing the paperwork of the contracts for  
17 the funding. That's what's happening.

18 MS. FRANCIS-FOURKILLER: But if we  
19 were to have some kind of problem, some  
20 question, something that needed to be fixed,  
21 we would have to go through all kinds of red  
22 tape to get that taken care of, because the  
23 office would not be here in Oklahoma.

24 DR. ROESSEL: The office currently  
25 is not here in Oklahoma and that's the other

1 point. And for years --

2 MS. FRANCIS-FOURKILLER: Yes.

3 DR. ROESSEL: -- of services. So  
4 we have not -- what we've done is try to  
5 streamline, so if you have, like, an issue in  
6 whatever that might be and is a BIE funded  
7 school -- Riverside, that's one thing -- the  
8 tribally funded school, we're trying to  
9 identify and have clear lines of authority for  
10 those schools.

11 MS. FRANCIS-FOURKILLER: But you  
12 can't have clear lines of authority if that  
13 entity is not here in Oklahoma; if the tribes  
14 here in Oklahoma don't have that communication  
15 -- that face-to-face consultation with  
16 whomever it is.

17 DR. ROESSEL: Well, the purpose of  
18 the change --

19 MS. FRANCIS-FOURKILLER: And if you  
20 don't have it, you're failing the tribes.

21 DR. ROESSEL: Well, the purpose has  
22 changed. I think that's something that, as we  
23 went through the slide deck early on, that  
24 we're no longer -- again, only with the  
25 tribally -- only with the BIE operated, do we

1 have the ability and authority to tell them  
2 what to do. With the tribally controlled  
3 schools, it's flip-flopped. We don't have  
4 that authority. We can't come in and tell the  
5 school you must do this or any of that. The  
6 tribe has that authority. So, you know,  
7 again, what we have and in the process for it  
8 is we're moving away -- our current structure  
9 looks the way it did 40 years ago when we had  
10 all BIE operated schools and no tribal  
11 schools. We need to change and reflect those  
12 times that have changed now. Tribes are  
13 taking a greater responsibility of operating  
14 and overseeing their schools, so we don't need  
15 to have this command and control structure.  
16 So what we need is just the assistance to help  
17 tribes do what they want to do. They make the  
18 decisions at the local level, like this -- at  
19 the ERC for tribal is helping to coordinate  
20 professional development. But that is really  
21 being handled now, especially here in Oklahoma  
22 and I think we'll hear that, that's being  
23 handled by the Tribal Ed Departments; greater  
24 responsibility, greater control, and how to  
25 move forward. So, what this structure

1 reflects is that transition from going from  
2 this command and control to this new era where  
3 it's tribes that are (inaudible) so that  
4 issues that are coming up, that we deal with  
5 now at the ERC level are specific to schools  
6 and help to coordinate -- okay, we need --  
7 we're having problems with classroom  
8 management, so can we have some training that  
9 can be along those lines. That's what we're  
10 focused on now. The office is about  
11 educational needs. Anything that deals with  
12 the grant management, those office of business  
13 will still be here; but all of that were  
14 streamlined so they have direct control,  
15 direct contact with the people that can make  
16 decisions. What we heard from tribal leaders  
17 when we went out for our listening sessions is  
18 that they go to an ELO and then they'd have to  
19 wait because we had no staff there. And then  
20 it'd go up and then it'd sit there, so what  
21 we're doing is we're cutting that middle  
22 person out. And so this person can go  
23 directly to the ADD -- the tribes can go  
24 directly to ADD and get their questions  
25 answered. So what we're doing is actually

1 cutting that part out and also really defining  
2 the role of it -- before -- now, you'll know  
3 it's at ADD. If you have a problem with  
4 contract, it's going right to the person at  
5 ADD. If you have a problem with professional  
6 development or something to do with tribal --  
7 or Department of Ed Funds, it goes directly to  
8 this person. So we're clarifying those roles,  
9 so we don't have this murkiness that we have  
10 currently and what I believe, at the line  
11 office level. Where you get the run around  
12 down here and then you get bumped up here.  
13 You get the run around down here and then you  
14 get up to Washington. I spent my -- you know,  
15 11 years outside of the Bureau, I'm relatively  
16 new to the Bureau. So I've been on the other  
17 side where I'm sitting on hold for a long time  
18 and I'm trying to get the answers that is  
19 moving around, trying to define those roles  
20 and responsibilities. That's what we tried to  
21 do with this, so that we would have that  
22 direct conversation -- direct communication  
23 with tribes, so -- and here, you're talking  
24 about four schools -- five. Okay, five  
25 schools. So that's what we're trying to focus

1 on, is how we're trying to provide the services  
2 that we're talking about and, also the  
3 services that are being requested. We do not  
4 have a lot of services. I think we have one  
5 dorm here, then we -- was it two dorms?

6 (Inaudible comment)

7 DR. ROESSEL: Two dorms in three  
8 schools. So, we're trying to provide that  
9 service, but it has to be from our tribal  
10 controlled schools what's being requested of  
11 us. Our history here has been that not much  
12 is requested of us. Now, that might be  
13 because of -- you know, for whatever reason --  
14 you know, some of it may be because of  
15 staffing -- a lack of staffing. So, you know,  
16 we're looking at it in its totality as we move  
17 forward also.

18 MS. FOREST: And at the business  
19 center -- or the ELO currently, is doing other  
20 kind of work and that's what we want -- would  
21 like to hear in detail today. Because for the  
22 two dorms and the three schools, we're hearing  
23 a lot of -- from staff, 638 contracts, JOM  
24 contracts, Adult Ed contracts -- and that's  
25 all going to stay here. So if there's other

1 things that they're doing -- I know they begun  
2 working on the Adult Ed, but if there's other  
3 things that they're doing for BIE funded  
4 schools -- and I think that's where we'd like  
5 to know -- to know about that. Because,  
6 again, for the five schools that are BIE  
7 funded here because this is the kind of  
8 services that we're talking about -- those  
9 will stay here.

10 MR. NUTTLE: For the record, it's  
11 three residential and one (inaudible).

12 MS. REYNA: May I ask another  
13 question? Okay, on Page 11, do they all have  
14 tribal and Bureau schools -- like all of them?

15 DR. ROESSEL: Page 11, they just  
16 have -- in this chart, they just have tribally  
17 controlled, that's how they're realigned.

18 MS. REYNA: Okay. And I appreciate  
19 you saying that your office is trying to look  
20 out for the needs and to meet the needs of  
21 Oklahoma. The purpose of a consultation is to  
22 hear us, so -- but we're saying here as a  
23 representative, we do not want the Oklahoma  
24 office to be moved at all. We want it  
25 improved -- the resources center and I think

1 that in utilizing the GS-15s relocation to  
2 Minnesota in these five areas, that money can  
3 be channeled to Oklahoma to help meet our  
4 needs, whether it's tribally owned or only the  
5 one BIE operated school here. Bottom line,  
6 Oklahoma wants Oklahoma to stay here. I  
7 appreciate it.

8 DR. ROESSEL: And I understand  
9 that, but as a person that is going to be  
10 operating these offices, I need more than  
11 that. What are they going to do there? Now,  
12 hear me out, what are they going to do there?  
13 Because currently, we don't have that position  
14 and we -- up until the time we presented this,  
15 we didn't hear any complaints. So what do we  
16 have? Do we just have an office of people  
17 that are not providing services but at least  
18 there's an office there? So I need to know  
19 what services you want at that office.  
20 Because, currently, when -- up until this  
21 time, we have not heard any complaint. In  
22 fact, a lot of our staff -- they're working on  
23 non-BIE stuff, with the processing of BIE  
24 contracts, and whatnot. So I what I need to  
25 hear is, okay, what does the person do,

1 because that's what I -- that's the purpose.  
2 Again, the purpose of consultation, like you  
3 said, to hear you. We have an office and,  
4 okay, what do you want these people to do  
5 there?

6 MS. REYNA: We want the same  
7 (inaudible) that you're proposing that the  
8  
9 Flandreau, South Dakota office is going to do  
10 to meet the needs of the tribally operated --  
11 why not have those positions here?

12 REPORTER: Ma'am, could you please  
13 state your name one more time?

14 MS. REYNA: I'm sorry. Yolanda  
15 Reyna with the Apache Tribe.

16 REPORTER: Thank you very much.

17 MS. REYNA: I think that's the only  
18 comment on that. The school that we usually  
19 deal with is Riverside Indian School. And  
20 from my understanding of the past couple of  
21 years, a lot of the involvement from the  
22 tribes depends of the students or whatever are  
23 actually enrolled in the school. Now,  
24 previously, we had a chairman that was  
25 actually kicked off of the board. And since

1 then, we have tried to have a Caddo Nation  
2 Chairman replaced on that board. But that  
3 hasn't happened. We've had BIE projects going  
4 through off our ceremonial grounds and stuff  
5 and we've opposed that. But that -- those  
6 letters and things like that have fallen on  
7 deaf ears. Myself, I've spent about two years  
8 trying to get a project stopped, only to  
9 discover that it had gone through over the  
10 weekend, while I was not at work. So as far  
11 as my having a complete understanding and  
12 trust in BIA -- BIE, I do not. Until they  
13 actually rectify the situations that they've  
14 placed on the Caddo Nation, the only thing I  
15 can say is that -- what she said, we need  
16 something here, and we need somebody here that  
17 we can speak with. Because having to be  
18 transferred from one person to the next just  
19 to find out what's going on through your kids  
20 -- what kind of things are being paid for, for  
21 them; why certain questions aren't being  
22 answered. Why there hasn't been a  
23 representative come down and actually walked  
24 through and visited the facility. We need  
25 somebody that can actually be here -- come

1 down, see the situation and recognize that it  
2 needs to be fixed, and that's not what's  
3 happening right now.

4 DR. ROESSEL: I think one of the  
5 things -- and I'd just like to bring up again,  
6 is that the reorganization is changing where  
7 we no longer have a educational line officer  
8 in ELO -- that type of position in any of the  
9 ERCs. That the focus has changed there, so we  
10 will not have that type of position in there  
11 anymore. For one, they were ineffective --  
12 that they did, you know, a little bit of grant  
13 and a little bit of school programs, a little  
14 bit of administrative functions. Never able  
15 to actually focus on what they're supposed to  
16 do, which is act as a superintendent of  
17 schools, so they could focus on a structural  
18 leadership. What we've tried to do is to  
19 clarify those roles and responsibilities --  
20 those areas that dealt with grant management,  
21 that is separated out from that position.  
22 Those areas that are dealing with school  
23 improvement and instructional leadership,  
24 those have been separated out. So the model  
25 that was in the past, which was somebody doing

1 a lot of things, we scraped that because that  
2 got us in this current situation, where our  
3 schools are not performing well. And we heard  
4 that from line officers and we heard that from  
5 principals, here's the problem I have, I go  
6 upstairs, too much of my time is spent doing  
7 administrative stuff. I don't get to focus on  
8 educational items. Too much of my time is  
9 spent on environmental protection things, it's  
10 not spent -- all these different things that  
11 we deal with, so what we try to do is to  
12 clarify that. That was the -- an initial idea  
13 in the older re-org, but it never happened  
14 because these are just piled on. They never  
15 checked at the next step of saying an  
16 instructional leadership should focus on  
17 instruction.

18 MS. REYNA: Okay.

19 DR. ROESSEL: And that -- and so  
20 this reflects that --

21 MS. REYNA: I understand everything  
22 that you're saying, but the difference is  
23 between what you were actually saying -- what  
24 I just said to you about different people  
25 coming down and actually visiting the

1 facilities. While you've got numbers and  
2 you've got statistics and stuff all over these  
3 papers, the overhead, you're not dealing with  
4 statistics. You're not dealing with all of  
5 these just nameless tribes, kids, and stuff  
6 like that. You're dealing with individuals,  
7 and these kids are coming from different  
8 places where they have next to nothing. They  
9 show up at a place where they're supposed to  
10 stay there all year long, like Riverside. A  
11 lot of them come in and they don't have  
12 anything. They're supported by whichever  
13 local group wants to go ahead and donate prom  
14 dresses -- getting them facials and stuff so  
15 they're nicely dressed up for prom. You've  
16 got to look at them as they're individuals and  
17 as these are kids that we're trying to take  
18 care of, not statistics. And that's what I'm  
19 saying, I've been to these different places,  
20 I've been to Riverside. I've donated dresses  
21 and stuff, I've donated makeup and stuff, so  
22 that these girls -- these kids -- all of the  
23 -- they can have these things. It's not just  
24 a number, it's not a statistic; it's you're  
25 having to deal with the faces, with real

1 people. It doesn't matter who's up in the  
2 office and stuff -- whatever they're doing, as  
3 long as they are dedicated to making sure that  
4 these children are taken care of. And that's  
5 the whole thing, you get tired of these -- the  
6 folks coming into the office, oh, I've got a  
7 job to do; today, I'm going to do my job.

8           Okay. Why are you doing that job?  
9 You're doing that job to help our kids, to  
10 help them better themselves. And by taking  
11 all of this stuff further away, you're making  
12 us into larger statistics than we were before,  
13 rather than having somebody here that can go  
14 to each one of the individual schools and say,  
15 hey, I met so-and-so, they're the teacher of  
16 this class and that class and stuff. These  
17 are their top students and stuff. That's the  
18 kind of interaction a person needs to have if  
19 they're going to be guiding our kids. You  
20 can't just have somebody that's a name -- a  
21 name on a piece of paper with so-and-so does  
22 this, but we never met them at the schools.  
23 Thank you.

24           DR. ROESSEL: And I agree with  
25 everything you said, I too have been to

1 Riverside. And I spent my -- you know, my  
2 career in education and working with kids. I  
3 agree, I think we're coming at it, I believe,  
4 in two different -- we want the same outcome  
5 but coming at it in two different ways of -- I  
6 believe that if I can free up an educator so  
7 they're not dealing with facility issues and  
8 administrative issues and all these things and  
9 they can focus their time on kids, that is to  
10 me exactly what you're talking about in terms  
11 of you helping these kids. That's what we're  
12 trying to do with this structure in the  
13 federal government -- is trying to realign  
14 those roles or responsibilities, so the people  
15 that are in charge of these things, they  
16 actually can work with these students and not  
17 deal with all this other administrative stuff.  
18 That's kind of the basis of this reform. It's  
19 what we heard when we went out in our  
20 listening sessions with parents, students,  
21 principals, teachers, tribal leaders, tribal  
22 organizations -- all of these different  
23 peoples. So we're trying to reflect that in a  
24 document that can meet the needs of 64  
25 separate tribes and that if they -- you know,

1 we understand, you know, and one of the things  
2 that we've done and the reason why we're back  
3 here today is because we knew that, you know,  
4 you're upset about the proposal. And rather  
5 than just make it and change, we came back.  
6 (Inaudible) just a few weeks ago, if we came  
7 back -- we had our first initial consultation  
8 here that, you know, was held early on a year  
9 ago -- a listening session, a consultation.  
10 You know, so, you know, we've come back. We  
11 still haven't heard the details of what do you  
12 want to solve this and the services to be --  
13 what service is provided and so, you know, I  
14 understand some of the other stuff. I think  
15 it's important that we just -- I'm going to  
16 keep asking specifically, you know, what we --  
17 what kind of services do you want in those  
18 offices.

19 Okay, we'll go ahead and --

20 MR. JOHNSON: Hello. Is it on?  
21 Hello? Hello?

22 Can you hear me? Well, first of all,  
23 I'm Wayne Johnson. I'm Secretary of Education  
24 and Training for the Muscogee Creek Nation.  
25 And first of all, Dr. Roessel, I appreciate

1 you guys coming and being here and going out  
2 in Indian country and talking about these kind  
3 of issues. You ever feel like you won the  
4 battle.

5 One thing I will say is that I have  
6 about 16 years of experience in the Bureau.  
7 My first job was at Pine Ridge. I spent about  
8 two-and-a-half years there and I've been at  
9 Pine Ridge and Rosebud and worked at the  
10 Riverside Indian School. And you know what I  
11 think, when we look at what Indian education  
12 is always been, you know, to many of us, not  
13 only as jobs, but many of you probably  
14 attended, you know, some of these schools. I  
15 think the issue here, you know, with us in  
16 Oklahoma, is the fact that, you know, there's  
17 39 sovereign nations here in this state.  
18 Recently, at our Inter-tribal Council, our  
19 five civilized tribes voted to support keeping  
20 the Oklahoma City office here, because this is  
21 our home. Is it home by choice? No.

22 Muscogee Creek Nation, home is Georgia  
23 and Alabama -- this is where we are. This is  
24 the Cherokee, this is the Chickasaw, the  
25 Seminole -- they're all of the five tribes.

1 Nationwide, those five tribes represent almost  
2 700,000 American Indian people. So when those  
3 five chiefs voted to support keeping the  
4 Oklahoma City office here, those are all the  
5 people that they speak for. And I think if  
6 all the 39 sovereign tribes were represented  
7 there today, I think they would say the same  
8 thing. But as we know, that's not what this  
9 issue is about. You know, it's about Native  
10 children. It's about Indian education, but  
11 yet most of us want this office here, because  
12 we feel we had some representation from the --  
13 you know, as you heard, we're talking about  
14 BIE funded schools. We're not talking about  
15 children in public schools. But in fact,  
16 there's tribes here in Oklahoma, that is who  
17 we stand for, but all of a sudden, here we are  
18 put in a position by the federal government to  
19 have to draw a line between that. And while  
20 that's difficult, it's certainly frustrating,  
21 because the majority of Indian children are in  
22 public schools, that is who we represent. I  
23 have over 16,000 Native American children in  
24 my Johnson O'Malley Program within the Creek  
25 jurisdiction. And we are the sub-contractor

1 of Oklahoma City, you know, to receive that  
2 funding and that is important to us as a  
3 tribe. Like Dr. Roessel said, you know,  
4 that's an area where that will remain here.  
5 It's not just about that option. It's about  
6 all of the other possible functions. You  
7 know, one of the other organizations that I  
8 represent is that I'm President of Tribal  
9 Education Department Specialists. I work with  
10 people like Quinton Roman Nose. We think  
11 about the number of students, tribal  
12 organizations that we're trying to represent.  
13 And within that organization, and why are we  
14 -- why is it important for us to have the  
15 National Tribal Education Departments and  
16 National Assembly? Why is it important? Why  
17 is it important to have that organization?  
18 Because we won't have representation in the  
19 BIE. Somebody has to represent us. Why are  
20 the states treating us like local education  
21 agencies? Why aren't we working together,  
22 more interactive? Somebody has to stand for  
23 that, and that's us. And I do think that when  
24 the Oklahoma City office was here, they were a  
25 part of that. You know, they were always a

1 part of the connection that we had working  
2 together here in Oklahoma to address many of  
3 the concerns that I think we have in Indian  
4 education. Fortunate to have the Johnson  
5 O'Malley award as well. (Inaudible) serve on  
6 the Oklahoma Council for Indian Education. So  
7 we -- we're always seeking that representation  
8 to be a part of what Indian education is. And  
9 we can't allow ourselves to continue to be  
10 separated and be treated in (inaudible) manner  
11 to say well, we serve these people and you  
12 serve these people over here. That's always  
13 troubled me -- still troubles me. So I think  
14 just based on the fact that, you know, there's  
15 a lot of Indian people here in Oklahoma that  
16 want to feel, you know, some representation of  
17 what, you know, Indian education is about. Do  
18 we talk about -- not too long ago I went up  
19 to Rose Bud. You're in the middle of a  
20 suicide epidemic. Not too long ago when BIE  
21 was in Rapid City, I went down to Pine Ridge  
22 to see some of my friends. They were in the  
23 middle of a suicide epidemic, but I was  
24 invited to their Indian school. We dealt with  
25 the suicide epidemic from the students from

1 Lone River. It's amazing throughout my career  
2 of 40 years that I've been in situations where  
3 we were dealing with these kinds of issues and  
4 yet, we still deal with them today. So it is  
5 important for us to believe that as we work  
6 together to try and address not only just  
7 education, you know, with this -- with the  
8 social nature of who we are as a people. You  
9 know, whether we have enough of a voice to  
10 keep, you know, the Oklahoma City office  
11 functional -- you know, I know we're -- I know  
12 the difficulty of Dr. Roessel's office and  
13 trying to, you know, create an organization  
14 that is efficient and effective. You know,  
15 the 16 years that I spent in the Bureau, you  
16 know, we had issues then. You know, we had  
17 kids coming from Arizona going to the  
18 Flandreau Indian School, kids from Oklahoma  
19 going to (inaudible) Indian School. And they  
20 wanted borders, you know, to where, okay,  
21 within this area, you go here. I don't think  
22 it's that way any more. For a time there was  
23 need for reorganization, a need for structure.  
24 So, I guess my point is that, you know, while  
25 we have this opportunity, you -- are we going

1 to agree? No. We probably won't. But in  
2 the end, let's hope that by the mere voice  
3 that you bring here today, that you will share  
4 your comments, that the end result will serve  
5 our Indian students. We can't just think  
6 about the students that are in the Bureau, and  
7 we can't just think about the students that  
8 are in the public sector. Because as tribal  
9 people, we have to think about all of our  
10 children. So let's just continue to work  
11 together. You know, let's try to establish  
12 some sort of agreement, some sort of  
13 consensus, because I do believe that maybe we  
14 could keep the Oklahoma City office here, if  
15 in fact, we could work together and find out  
16 what kinds of services the Oklahoma City  
17 office provides for us. I think we know what  
18 those services can be. So whether you make  
19 known those comments today, at least submit  
20 what those things might be before the  
21 deadline, so that they can be considered.  
22 Thank you.

23 DR. ROESSEL: I just want to say  
24 real quickly that I'm not saying no, to  
25 anything, but what I'm trying to get at is the

1 why. I have to justify this to the Assistant  
2 Secretary, to the Secretary of Interior, and  
3 to Congress as we move forward. So I need to  
4 know why it's -- it can't just be because we  
5 -- I said so. That's not going to go very  
6 far with me. So, that's what I'm doing, I'm  
7 trying to get down to that level, so please  
8 don't mistake my comments as being I'm opposed  
9 to it. I'm telling you why we decided to make  
10 this proposal. I think you want to hear that  
11 also, that this wasn't just something we threw  
12 a dart at. There was some thought behind it  
13 and we really put it out there. The reason  
14 we're here today is because I believe you have  
15 to have the courage of your convictions. And  
16 if we're saying this is what we want, then we  
17 need to come here to Oklahoma and say this is  
18 what we're proposing and why. And not just do  
19 it from behind -- you know, an (inaudible).  
20 So -- and I agree, Mr. Johnson, I think one of  
21 the things that we're trying to do is -- and I  
22 think the same thing that you're talking about  
23 and I think you see it here in the Oklahoma  
24 tribes -- is redefining Indian education.  
25 It's a new era. It's an era where you have

1 Tribal Ed Departments who are actually  
2 starting to control education. And so I -- my  
3 belief is we look forward, we don't look  
4 backwards. What does that look like moving  
5 forward? We don't want the same organization  
6 that kept us in the past. We need to look  
7 forward, we need to look at something that's  
8 new going forward. So I think that's  
9 something that I personally -- I personally  
10 believe it. I mean, that the tribal control  
11 of Indian education is something that, even  
12 when I was a kid, I grew up around. I say  
13 this all the time, but my father was that  
14 person that started tribal controlling. He  
15 started it first in Indian community control  
16 school -- (inaudible) school. Two years  
17 later, he went down the road and started  
18 Navajo Community College, the first tribal  
19 community college. I grew up with this, I  
20 operated (inaudible) Community School for 11  
21 years as the superintendent. So this is  
22 something that I'm intimately involved with,  
23 not from the federal level but from the tribal  
24 level. And so, when I talk about these  
25 things, I'm talking about how we can move

1 forward. And I think earlier, we talked about  
2 the 20/20 grant, which is the Tribal Ed  
3 Department -- \$2,000,000 which I think Don  
4 mentioned also (inaudible) Indian education  
5 initiative, which was \$1.2 and that was  
6 refunded again, so within a two year span,  
7 \$5,000,000 for Tribal Ed Departments. I think  
8 that shows the commitment that we have when  
9 you see budgets being flat lined everywhere.  
10 But we're able to get \$5,000,000 -- actually a  
11 quarter -- \$4.9 is -- I'm sure somebody will  
12 do the math and come back and say I did it  
13 wrong. So \$4.9 million for Tribal Ed  
14 Departments, in building their capacity and so  
15 I think that's what we're trying to go  
16 towards. We're not trying to drive a wedge  
17 between tribal schools and tribal departments  
18 of education. But we're trying to build that  
19 capacity across the entire system. And, you  
20 know, one of the things when I looked at this,  
21 I looked at what the Oklahoma tribes that are  
22 reflected in our schools here -- what they are  
23 doing in education. And part of my decision  
24 of saying we don't need that office was  
25 because of what's being accomplished here by

1 the tribes. You know, so -- so, you know, I  
2 know it's one of the things that in all of  
3 Indian country and also in education, when you  
4 do well and pull resources, seems like --  
5 right, you know, it's only when you do that.  
6 Our schools -- when they're (inaudible)  
7 bottom, you know, five percent get all this  
8 same money -- hundreds of thousands of dollars  
9 in schools that are actually performing well,  
10 they get money taken away. And so it is here,  
11 but at the same time -- that idea then is to  
12 come back around and to fill capacity and then  
13 add the \$4.9 million that's helping there and  
14 then the capacity, in terms of our schools  
15 solution teams that are working with tribes to  
16 build that capacity level that we're coming  
17 from at a different angle, so we're trying to  
18 get there together, but I do appreciate the  
19 comments that have been so far. So -- well --

20 MS. TEEHEE: Testing. Okay.  
21 Kimberly Teehee, Cherokee Nation and I wanted  
22 to sort of speak broadly and then pass the mic  
23 on to our Deputy Director of Education who is  
24 going to have to leave shortly. So I make  
25 sure that he has an opportunity to make a

1 comment as well. As was already said,  
2 Oklahoma is home to 39 federally recognized  
3 tribes -- the Cherokees, Muscogee Creek,  
4 Choctaws, Seminoles, and Chickasaws represent  
5 more than 500,000 tribal citizens. The  
6 Cherokee Nation is the largest tribes in the  
7 United States. We have more than 350,000  
8 tribal members and we span more than 7,000  
9 square miles in all or a part of 14 counties  
10 in Northeast Oklahoma. We provide educational  
11 services to Indians living within our  
12 boundaries. We have, approximately, more than  
13 27,000 Cherokee students attending public  
14 schools and we have over 24,000 who  
15 participate in JOM programs. In addition, we  
16 have 380 students who attend Sequoyah High  
17 School, which is supposed to be part of the  
18 Flandreau, South Dakota proposal. We don't  
19 leave our students behind. You know, I know  
20 that there's this dialogue taking place with  
21 BIE operated, tribally controlled, and public  
22 schools. We feel an equal obligation to all  
23 of our students who attend public schools  
24 within our boundaries, period. And each of  
25 those public schools, given the volume that

1 Cherokee Nation alone has, relies completely  
2 on (inaudible) assistance and other resources  
3 that we provide. And there is no way that  
4 only one or two people in a proposed business  
5 support center could possibly provide for the  
6 needs -- even technical assistance needs that  
7 is required for the volume of students that  
8 (inaudible) schools require. You know, you  
9 asked earlier what is it that we need. I  
10 mean, presently, it's my understanding that we  
11 rely on the Oklahoma office for training,  
12 technical assistance, program development,  
13 ensuring compliance with the federal programs,  
14 such as JOM. So to, you know, tell us that,  
15 you know, we don't want to go backwards  
16 because tribes run these programs. Well, we  
17 can't (inaudible) either. the fact is is that  
18 (inaudible) programs -- even when we contract  
19 them, require federal requirements and require  
20 federal compliance with those requirements and  
21 to have a body of people -- we have really  
22 awesome relationships with our public school  
23 districts. And we hope to grow our JOM  
24 Program. We -- as you all know, Congress has  
25 asked for JOM numbers, so obviously, as the

1 student count increases, hopefully federal  
2 resources increase. But once that occurs,  
3 there's going to be even more reliance upon  
4 having an office that has adequate staffing  
5 and resources to be able to respond to the  
6 types of questions that we will have. And so  
7 we're hoping that, that office stays open.  
8 And in reading in the booklet, what the ERCs  
9 would do is precisely what I think we're  
10 asking for our Oklahoma office to do, whether  
11 we call it ERC or something else. Those  
12 resources are necessary for local school  
13 improvement, for accessing strength and needs,  
14 for building tribal capacity, for developing  
15 leadership assessments, special education  
16 needs. I mean, those are the things that  
17 we're asking for in our own office. I think  
18 that's not inconsistent with what we're saying  
19 here. And with what we're saying, the  
20 Oklahoma office presently provides this,  
21 whether it's tribally controlled schools or  
22 public schools that serve our JOM students.  
23 By designating the Oklahoma office, we  
24 believe, as a business support center,  
25 drastically reduces the services that I just

1 mentioned are presently being offered. And we  
2 don't believe that staff being at the level  
3 that we suspect will be staffed at one or two  
4 staffers is going to possibly meet the needs  
5 of our people in -- as I mentioned, Cherokee  
6 Nation alone has 27,000 students that are  
7 attending schools in our district.

8           One of the other things, interestingly,  
9 in your booklet is that the ERSs will be  
10 geographically positioned close to schools.  
11 Well, guess what, you know, from Tahlequah,  
12 Oklahoma where Sequoyah High School is -- you  
13 get to Flandreau is over 670 miles. That's  
14 not exactly geographically positioned close to  
15 where we're located at and I suspect that's  
16 the same with most of our schools here.  
17 That's a great inconvenience and it's -- for  
18 us and -- so we just believe that the impact  
19 of the reorganization plan is completely  
20 inconsistent with the Department of Interior,  
21 President Obama's message to strengthen the  
22 government-to-government relationship. We  
23 don't believe that it honors that. We  
24 understand that the reorganization plan is  
25 intended to strengthen the school systems. We

1 believe that it will actually weaken it. You  
2 know, Don talked earlier about the New York  
3 Times article and read that article and it's  
4 -- you all are aware of the suicide rates that  
5 are occurring in the Great Plains and the  
6 ninth suicide that had taken place in that  
7 community since December and the -- I think  
8 150 attempts of suicide that occurred too.  
9 But the answer is -- you know, does include  
10 increasing resources, but it shouldn't be at  
11 the expense of diminishing resources from  
12 Oklahoma to deploy them out to the Great  
13 Plains. We need those resources too and so  
14 our hope is that you'll consider making  
15 Oklahoma City an ERC center. Our hope is  
16 that, you know, as you look at it as a  
17 business support center that you recognize the  
18 obligations that we feel towards our students  
19 and the fact that regardless of the tribal --  
20 you know, self-determination policies that  
21 exist in the amount of contracting that takes  
22 place, that you see that. We still have to  
23 comply with federal rules and regulations and  
24 we still have to make sure that our public  
25 school districts work with our Indian

1 students and are also in compliance, in that  
2 there's a resource available to them to  
3 continue to operate those programs effectively  
4 as well. So with that said, I also want to  
5 submit the resolution by the Inter-tribal  
6 Council of the Five Civilized Tribes for the  
7 record. And I know that was referenced  
8 earlier, but I don't know if you actually have  
9 a copy of it, where it poses the restructuring  
10 plan. And I want to pass the mic to Bruce  
11 Davis, if he has any further comments. Thank  
12 you.

13 MR. DAVIS: Well said, Kimberly. I  
14 -- we're blessed at the Cherokee Nation to  
15 have Kimberly with us. She was in D.C. for a  
16 number of years and she has those personal  
17 contents that we're blessed with -- that she  
18 can get on the phone and make those personal  
19 contacts when we have questions. But a lot of  
20 people and a lot of tribes do not have those  
21 personal contacts that the Cherokee Nation has  
22 without having Kimberly onboard. Also, a  
23 former student of mine, Ms. Vicki, is working  
24 in D.C. and we're -- got to see her this  
25 morning. So, we have some contacts that other

1 people do not have. Being a former  
2 superintendent at public ed schools, I'm  
3 familiar with those differences that we have  
4 with the BIE schools and I was impressed with  
5 the comments about the internet services, the  
6 speeding up the services on the construction.  
7 That's one of our biggest -- I'll say problems  
8 that we have with Sequoyah at this time,  
9 because our buildings are old and we got a  
10 good construction crew that's working with us  
11 and we're proud to work with those people.  
12 And if we can speed those processes up that  
13 would be great, but our facilities are old and  
14 need work all the time. And so those are some  
15 of the things that we're trying to upgrade as  
16 we go along. We have 400 students and we have  
17 a residential; that's what -- three of us in  
18 Oklahoma that's -- that only -- that has our  
19 students. So, with that being said, if we  
20 lose an office, whether it be Tahlequah or  
21 Oklahoma City, we all know that we're not  
22 going to go backwards and get that office  
23 back. If we ever lose something, we will not  
24 get it back and that's our -- I guess,  
25 question today, is that with Kimberly's

1 remarks, the things that we would like to see  
2 happen with the Cherokee Nation and the BIE,  
3 we want it to get better. And so, if there's  
4 anything that we can do within the Cherokee  
5 Nation, we'd be glad to try to do that and  
6 don't hesitate to contact us. Thank you. I  
7 want to pass the mic to our Johnson O'Malley  
8 Director, Mark Vance.

9 MR. VANCE: I'm just here  
10 (inaudible) JOM is staying here, so I think  
11 Debra Davis (phonetic) is the new contact  
12 (inaudible) -- or Jennifer -- Jenn --

13 FEMALE: Jennifer.

14 MR. VANCE: -- (inaudible) last  
15 time was here. (inaudible) offices but, thank  
16 you.

17 MR. JOHN: My name is Thomas John  
18 and I'm the Under Secretary for the Department  
19 of Community Services for the Chickasaw Nation  
20 and that includes our divisions of education,  
21 divisions of youth. I've actually got more  
22 questions than comments at this point, but I  
23 may come back after lunch with commentary.  
24 First off, with regard to your proposed  
25 restructuring plan, you've identified a couple

1 of new offices, I presume, that are going to  
2 be in Washington D.C., that you've presented  
3 no information on. Could we get an  
4 organizational chart similar to what you've  
5 presented in your packet for the Office of  
6 Indian -- or Offices of Sovereignty and Indian  
7 Education, as well as the Office of Research,  
8 Policy and Post-Secondary and the description  
9 of what those offices will do.

10           The other question I wanted to pose at  
11 this time is you've mentioned about requesting  
12 the -- from the tribes what they want from a  
13 program office here in Oklahoma City. But I  
14 guess my question back to you all is, is this  
15 actually the same thing? What can you do for  
16 us in that office in Oklahoma City? Because  
17 we've seen the statistics that you've  
18 presented here and roughly there's  
19 approximately 1,000 kids are involved here in  
20 BIE funded schools. Well, that represents  
21 less than one percent of what are youths are  
22 here in the schools in Oklahoma. What can you  
23 do for the other 99 percent of our Indian  
24 youth that are primarily in the public school  
25 systems?

1           And will this proposed organizational  
2 structure, whether it's in Washington D.C. or  
3 whether it's in the field, can you do anything  
4 for them?

5

6                           (End of Part One of Meeting)

7

8           DR. ROESSEL: Okay. We can provide  
9 -- on our website, we have a -- an additional  
10 PowerPoint that goes into detail with the  
11 other offices, but in your consultation  
12 booklet we do have the functions of those  
13 offices outlined in there. The Office of  
14 (inaudible) policy and post-secondary what  
15 we're looking at as well as the Office of  
16 Indian Education. so within that on Page 7,  
17 we have that. Maybe during the break we can  
18 at least try to see if we can pull up that  
19 chart so you can see that for those two  
20 offices.

21           In terms of what we can do -- that's a  
22 really good question. In terms of the 99  
23 percent, I'll be honest, we don't have any  
24 direct control over that other than indirectly  
25 through JOM. And then that really is just as

1 a funding source. It has nothing to do with  
2 the terms of what we can do to try to push  
3 towards certain areas. I think one of the  
4 things that we're looking at doing is trying  
5 to build partnerships with tribes so we can  
6 work in concert with them as they work with  
7 the public school system, so that we ensure  
8 that some of the things that we have heard  
9 about and now that we have a person onboard,  
10 is that, you know, some of the JOM money is  
11 diverted to you to be used with other non-  
12 Native students. So being able to try to be  
13 an advocate and assist from where we are in  
14 Washington in terms of being able to go to  
15 public schools and try to help clarify some of  
16 that -- and also I think that we had some  
17 common goals that we could look at across our  
18 entire system with JOM, I think would actually  
19 help us as we move forward, and it would even  
20 help in terms of the public schools that  
21 receive these funds for their students. And  
22 it's a sad thing. We talk about Bureau of  
23 Indian Education, everyone thinks it's just,  
24 you know, this (inaudible) structure. We  
25 don't have any control over those schools and

1 those students that are in the public school  
2 system. So here, you know, 99 percent --  
3 there's -- to be honest, there's not much that  
4 we can do. Public schools are not going to  
5 listen to us. We're a federal system; they're  
6 a state as you know that. And so we don't  
7 have that oversight of those schools. No, I  
8 think one of the things that we are doing  
9 that's coming out of this is that we are  
10 having a stronger relationship with the  
11 Department of Ed. And the Department of Ed, I  
12 think is seeing -- you have seen recently they  
13 have their own grant that was just released a  
14 couple of days ago, you have the STEP Grant.  
15 I think they're seeing under Secretary Duncan  
16 a real push in trying (inaudible). It's not  
17 enough just to say it's a state responsibility  
18 that there are things that can be done at the  
19 federal level for public schools and I think  
20 you would really see an emphasis from  
21 Secretary Duncan along those lines. I'm going  
22 to let Don respond to that and Vicki, because  
23 I think, you know, he's reflective of that  
24 priority. I know a few weeks ago I was in a  
25 meeting with the state school officers and

1 Secretary Duncan, and it was a luncheon, and I  
2 was amazed at how often he was talking to the  
3 State Officers, you need to do something about  
4 the Indian Education. You need to hold a more  
5 (inaudible). He was (inaudible) as much as he  
6 was a part about anything else, (inaudible) he  
7 would continue to do that practice that's  
8 going to be taking place in a few weeks.  
9 Again, trying to get states to get more  
10 involved. So I think we're invited to that.  
11 We're trying to work with that but the sad  
12 fact is that we don't have any direct impact,  
13 but I think Don can probably speak to that  
14 better.

15 MR. DON YU: Sure. I can answer  
16 that question and I know it's frustrating when  
17 federal officials come for these tribal  
18 consultations and then you have to deal with  
19 other parts of bureaucracy. But -- so, you  
20 know, our mission here -- you know, this team  
21 right here, you know, we are definitely asked  
22 to do a much more of a search cooperation.  
23 We're 100 percent aware BIE educates 8 or 9  
24 percent of all the American Indian students in  
25 the country. Our students have to do much

1 worse than American Indian students in public  
2 schools. There's a significant achievement  
3 cap just between the school students and the  
4 BIE funded schools and American Indian  
5 students in public schools. Sally already  
6 asked us to do much more (inaudible)  
7 cooperation and get this thing corrected since  
8 these are our federally funded schools and we  
9 have a responsibility there. So this is like  
10 a team working (inaudible) operation on that.  
11 As Monty said, lots of great work going on at  
12 my former Department -- Education Department.  
13 There was the STEP Grant, which was issued  
14 several years ago. Money has come back for  
15 that program. He also mentioned that the  
16 Native Youth Community Partnerships Program  
17 just announced two days ago, that is also to  
18 address -- allows. There's many eligible  
19 entities. One of them are public school LEAs  
20 that surveyed larger percentage of American  
21 Indian students, they can partner with other  
22 community groups. That notice is in the  
23 Federal Register. So if you need some help  
24 getting some technical assistance in that,  
25 please just ask me. I'd be happy to give you

1 all the information on that grant. It is only  
2 \$3 million for this year -- fiscal year '15.  
3 Those grant applications are due June 29th  
4 back to the education -- NICs Department of  
5 Education. The request though for fiscal '16  
6 in the President's budget is \$60 million, I'm  
7 pretty sure. I can double-check those numbers  
8 but I think this fiscal year '16 of the  
9 President's is \$60 million. And there's also  
10 the Title VII Program at the Education  
11 Department that's about \$20 million. But most  
12 of the work for the American Indian students  
13 at the federal level for American Indian  
14 students in public schools, it's not the  
15 Education Department. But, again, you know,  
16 I'm here because (inaudible) into Native  
17 Youth. He asked me to come on -- I've been  
18 doing a lot of different things for him over  
19 the years. He dedicated me to come over here  
20 and create much more of a partnership between  
21 Interior and the Education Department and  
22 Monty is right that Sally (inaudible), the  
23 Executive Director for the (inaudible) school  
24 officers will be meeting next week. And Monty  
25 and I will be attending that as well, just to

1 make sure that we do bring in these State  
2 Educational Agencies into play here. But the  
3 (inaudible) and the federal government has  
4 almost -- we have provided money to state  
5 educational agencies but we have (inaudible).  
6 And they can't force them to do anything. If  
7 they accept our money we can ask them to do  
8 certain things but we can't directly tell them  
9 what to do. But if you did look at the  
10 reorganization for the Elementary Secondary  
11 Education Act that the Health and Education  
12 and Labor Pensions Committee on the  
13 (inaudible) side, released -- that was 12-0  
14 unanimous vote. There's actually much, much  
15 more in that bill for improvements in American  
16 Indian Education for students attending public  
17 schools rather than BIE -- there's much more  
18 in there. STEP Grant was now a committed part  
19 of the ESEA in that bill. Also, I'm pretty  
20 sure -- I can double-check this, but also if I  
21 recall right there is now also a consultation  
22 requirement that states have received Title I  
23 funds from ESEA which is the biggest bucket of  
24 money in the ESEA, now have to -- if they  
25 receive that federal money, they also have to

1 have some plans working Tribal Education  
2 Departments about how that money is used for  
3 public schools located on tribally controlled  
4 lands. (Inaudible). But that is also the  
5 Senate. There's a few other things in that  
6 bill too. If your -- most of your concerns  
7 are about public -- your students in public  
8 schools. And I'm happy to send you that  
9 information as well.

10 DR. ROESSEL: Okay.

11 MR. BRAD SPEARS: Good afternoon.  
12 My name is Brad Spears. I'm the  
13 Superintendent at Jones Academy located  
14 (inaudible), Oklahoma. First of all, I would  
15 just like to say I understand and appreciate  
16 the organizational reorganization and the  
17 things you guys are going through. I know you  
18 have some difficult decisions to make. And I  
19 know that the reorganization has been going on  
20 for two or three years. And we've been a part  
21 of that process for several consultation  
22 hearings. I've heard some things today that I  
23 think there's going to be some good things  
24 come out of this. We've talked about best  
25 practices, and developing partnerships with

1 BIE schools and the technical -- developing  
2 technical assistance with school improvement.  
3 But I was a little concerned on this round  
4 But I was a little concerned on this  
5 round of consultation hearings. I could not  
6 believe that Oklahoma -- when (inaudible)  
7 these proposed re-organization came out  
8 Oklahoma was not even on the (inaudible)  
9 consultation here. I felt that was a -- that  
10 was a slap in the face to the Oklahoma  
11 schools. Then we had a mini consultation with  
12 Don, we visited with him. And I know, Don, at  
13 that time, we would have (inaudible) from the  
14 Five Civilized Tribes. We would have that  
15 turned in, which we did. And long and behold,  
16 about the time we turned that in, this meeting  
17 stepped in. The leadership of the Five  
18 Civilized Tribes -- all five of them,  
19 unanimously voted for that resolution. They  
20 understand the decisions that we're making  
21 today affect generations of our children here  
22 in Oklahoma for years and years to come. Now  
23 last month, when we was with Don, he passed  
24 out a -- the re-organization and it showed  
25 that under Flandreau, South Dakota, there were

1 7 schools listed, 3 residential schools  
2 listed, for a total of 10 in schools. And  
3 when you did the travel distance, going to  
4 Flandreau, South Dakota from those ten  
5 schools, it was 425 miles to Flandreau, South  
6 Dakota. It was 421 miles to the Oklahoma City  
7 office, if we had an Oklahoma City office.  
8 Now today -- today, we did the re-organization  
9 and now it shows that there's the total of 10  
10 schools listed for Flandreau and 3 residential  
11 schools listed, for a total of 13. However,  
12 there was only 12 listed on the sheet, not 13.  
13 And now, the distance has changed. I was  
14 given this chart, I don't think you guys have  
15 that. And it shows now that the distance has  
16 been skewed by adding these other schools, to  
17 373 miles to Flandreau, South Dakota. First,  
18 it's 481 miles to Oklahoma City, so that's  
19 kind of skewed the geographical location.

20 Today, I'm hearing things that -- you  
21 know, we're making this -- we're realigning by  
22 function, not by people. There's been a lot  
23 of complaints, lawsuits; we're having to staff  
24 accordingly, the Oklahoma office -- and they  
25 had deals with JOM. We're looking at student

1 populations. I would say that every school  
2 that's represented here today and the tribes  
3 represented today would disagree  
4 wholeheartedly that the Oklahoma City office  
5 does more than just process FDDs and work with  
6 JOM for public schools.

7           As I said, I am in -- at Jones Academy  
8 for almost 20 years, as the superintendent.  
9 Jones Academy is a little different than most  
10 schools, in that we are a tribally-controlled  
11 peripheral grant school. Our first through  
12 sixth graders attend Jones Academy. We're now  
13 considered a BIE elementary school. Our  
14 seventh through twelfth grades attend the  
15 Hartshorne Public School System. I know first  
16 hand what the Oklahoma City office does for us  
17 in Jones. They're helping us with all the BIE  
18 reports that's required. They're helping us  
19 with all the Native Star requirements that's  
20 required, all the annual reports that we get.  
21 I look back two years ago when we were  
22 designated as a BIE -- re-instated as a BIE  
23 elementary school. If it wasn't for the  
24 Oklahoma City Area Education Office, there  
25 wouldn't have been a smooth transition. There

1 was a lot of work that, that office worked  
2 with Jones Academy and with the Choctaw Nation  
3 to make sure we had a smooth transition. And  
4 that, we could fit into that system and we  
5 could function, and function well. And I  
6 appreciate all the work that they did for us.  
7 I do know that if that office hadn't been in  
8 Oklahoma City and it had been in South Dakota,  
9 we wouldn't have got those services; I know  
10 that. If we move the office, again, to South  
11 Dakota, it's going to be our students that's  
12 going to suffer, and I -- we all know that.

13           You know, it looks like to me, since  
14 we're tribally-controlled and that we're doing  
15 a good job, it looks like that's a big part of  
16 the reason why they're moving this office.  
17 And we're not saying we don't want assistance;  
18 what these ERCs are do -- that's what we want.  
19 We want, as the Cherokee delegations -- that  
20 we want to know what these best practices are.  
21 Yes, I think we do a good job at Jones  
22 Academy. Could we do better? You bet we can  
23 and I'm sure there's a lot of schools out  
24 there we could learn a lot from. That's what  
25 part of these ERCs are for (inaudible). We're

1     suppose to learn these best practices. We  
2     want the technical assistance for school  
3     improvement; we want that. We're not trying  
4     to shove anybody out (inaudible) it's only  
5     Choctaw Nation -- it's only the tribe and we  
6     don't want your help. We do want the help.  
7     We want to strengthen the partnerships with  
8     other BIE funded schools. We can all learn  
9     from one another. Again, we can all improve,  
10    we can all do better. If the offices moved,  
11    our students are going to suffer. Everyone's  
12    students in this room is going to suffer. My  
13    Chief -- Chief Batton of the Choctaw Nation,  
14    he is very concerned about this. That's why  
15    he signed on to this resolution. That's why  
16    I'm going to report back to him, after I find  
17    out how this is going to move forward.  
18    Because then that's going to decide what next  
19    step the Tribe takes. So, thank you.

20                   DR. ROESSEL: It's 12:35 now. As  
21    we had mentioned earlier, we're here for the  
22    duration, somebody could (inaudible) time, its  
23    up to all of you of you want to break for  
24    lunch and come back. Or if you just want to  
25    continue, so we -- we leave it up to all of

1 you with this process. So, do you want to  
2 break for lunch? Or do you want to just  
3 continue?

4 (Multiple responses to break for lunch)

5 DR. ROESSEL: All right. Let's  
6 break from the -- be back by 1:30.

7 (Lunch break)

8 (After lunch break)

9

10 AFTERNOON SESSION BIE CONSULTATION

11

12 MS. BUTLER-WOLF: Okay. Thank you,  
13 everybody for taking a little break with us.  
14 Now, we're going to reconvene back for the  
15 afternoon. So, I wanted to (inaudible)  
16 conversation, so we wanted to go ahead and  
17 continue, then take comments and answer  
18 questions.

19 So, does anybody have anything to  
20 start us out with this afternoon?

21 MR. JORGENSEN: All right. I know  
22 it was a long time ago, 1999, when we were  
23 \$743 million on infrastructure spending.  
24 Again, there was, like, a deficit that you  
25 guys were requesting for improvements. What's

1 that administrative on?

2 MR. DON YU: I'm sorry, your  
3 question is what school --

4 MR. JORGENSEN: The school, yeah,  
5 school construction.

6 (Multiple conversations)

7 MR. DON YU: That's amazing  
8 (inaudible) 2011 (inaudible) the last time  
9 (inaudible) \$1.3 billion needed to bring all  
10 the Indian schools (inaudible) school  
11 currently looked, you know, rated poor  
12 condition (inaudible).

13 MR. JORGENSEN: Okay. So, is that  
14 even plausible for funding?

15 MR. DON YE: Obviously, a huge, huge  
16 problem and so, we have seen some increases in  
17 '15 and '16 budgets to start addressing some  
18 of these schools, but we do need to develop a  
19 long-term plan.

20 MR. JORGENSEN: Okay. All right.  
21 So, I mean, besides that you guys had  
22 mentioned that you went from \$19 million to  
23 \$14 million on your administrative cost;  
24 correct --

25 (Multiple conversations)

1 MR. JORGENSEN: -- on downsizing.

2 MR. DON YU: For the Tribal grants  
3 and court costs?

4 MS. FOREST: No, no --

5 MR. JORGENSEN: No, for your --

6 MR. DON YU: Oh, EPM, yes.

7 MR. JORGENSEN: Yes.

8 MR. DON YU: Okay. All right.

9 MR. JORGENSEN: And so, you know,  
10 you're looking at a \$1.3 billion shortfall,  
11 again, unless it's funded this year for fixing  
12 up the structures.

13 MR. DON YU: Yes. That's correct.

14 MR. JORGENSEN: Okay. Next thing  
15 --

16 MR. DON YU: (Inaudible) probably,  
17 and (inaudible) \$1.3 billion. That doesn't  
18 include the -- because the schools that are  
19 being -- the money that the BIE received from  
20 the Recovery Act, those schools are still  
21 being built right now; right? (Inaudible).

22 MR. JORGENSEN: Okay. Okay. All  
23 right. And another thing, Navajos identify  
24 themselves as a state under -- when they  
25 submitted their Alternative Accountability

1 Workbook, and I asked if the courtesy of  
2 recognizing them as a SEA has been extended  
3 yet? Have they accomplished that?

4 MR. DON YU: No. They haven't --  
5 they don't have (inaudible)

6 MR. JORGENSEN: Okay. But are all  
7 the Tribes going to be (inaudible) that  
8 privilege any time soon, or is that even on  
9 the -- in that?

10 MR. DON YU: That would not be  
11 (inaudible) under current Federal law  
12 (inaudible) they tend to have their  
13 alternative, AYE workbook created (inaudible)  
14 standards.

15 MR. JORGENSEN: Correct.

16 MR. DON YU: The SEA, though,  
17 designation that's currently not feasible  
18 under Federal law.

19 MR. JORGENSEN: Okay. So, they  
20 will not expand that definition --  
21 (Multiple conversations)

22 MR. DON YU: They are --

23 MR. JORGENSEN: -- the opposite of  
24 Indian education.

25 DR. ROESSEL: They won't get the

1 termination of being an SEA (inaudible)  
2 requested that. That has to be done by  
3 (inaudible)

4 MR. JORGENSON: Okay. Because I  
5 was -- the reason I was asking is because, you  
6 know, Common Core, which you guys adopted is  
7 English dominant and -- but there's not  
8 competent funding to -- for Language  
9 Revitalization; correct? You can't spend the  
10 same amount on Language Revitalization that  
11 you spend on English is what I'm good with --

12 MR. DON YU: The reason that we had  
13 to -- so, by the Federal regulation, BIE has  
14 to comply with the state academic standards  
15 and assessments of the state in which the  
16 schools are located, that's Federal  
17 regulation. So, that is the primary reason  
18 and because the vast majority of the 23 states  
19 in which our schools are located have adopted  
20 the Common Core of the state have. We have to  
21 comply with what the state has adopted there  
22 essentially.

23 There's, I don't know, maybe, three or  
24 four of our states that have not adopted the  
25 Common Core, (inaudible) Arizona -- I can't

1 remember the two others, but --

2 M: Oklahoma just backed out of it.

3 MR. DON YU: Right. So, we, the  
4 BIE schools follow, again, by Federal  
5 regulation, follow what the state has adopted  
6 for standards.

7 MR. JORGENSON: But I guess they  
8 passed the Language Revitalization that that  
9 they had the Tribes (inaudible) apply for  
10 those funds separate from the BIE (inaudible)?

11 MR. DON YU: (Inaudible). We also,  
12 in the Fiscal Year '16 budget, under the  
13 enhancements line -- budget line, if we do get  
14 the requested increase from the Hill for the  
15 enhancements line, some of that money will be  
16 used for Native Language Enrichment programs  
17 and other language programs. That is in the  
18 green book, so if you want to go online, look  
19 up the Fiscal Year '16 budget Green Book for  
20 Indian Affairs, and then look up the BIE  
21 budget and you will see that.

22 MR. JORGENSON: And \$1.3 billion  
23 (inaudible) be in there as well?

24 MR. DON YU: The BIE's total budget  
25 every years is \$750 million from the Interior

1 Department, \$200 million from the Education  
2 Department, so that brings us up just under a  
3 billion every year. So, that would be a more  
4 than 130 percent increase in our budget. It  
5 was a huge fight just to get \$180 million  
6 increase over the Fiscal Year '15 enacted and  
7 requested. So -- but we do have money for  
8 construction, and we'll take care of three  
9 schools -- if we had the '15 and if we get  
10 what we requested in '16, we'll take care of  
11 three schools. That is not enough. We need a  
12 long-term plan, though. Probably be something  
13 like a 68 -- six- to eight-year plan to bring  
14 all those school conditions into good  
15 condition.

16           The other thing, though, is even if we  
17 -- hypothetically, even if we got \$1.3  
18 billion, there's no way the Department of  
19 Interior could spend that much money that  
20 fast. It couldn't be done. We don't have the  
21 staffing. The Office of Facility Construction  
22 Management is not built in a way that they got  
23 that certain funds and we could spend it in  
24 time. So, that has to be factored in. So,  
25 we need a long-term plan for all the schools.

1 MR. JORGENSEN: Okay. Thank you.

2 Was I suppose to state my name?

3 THE COURT REPORTER: I have it but  
4 you can, go ahead.

5 MR. JORGENSEN: Okay. I just want  
6 to make sure.

7 THE COURT REPORTER: Thank you.

8 DR. ROESSEL: And also just for  
9 clarification, in terms of Native Language, in  
10 addition to those funds that are outside,  
11 within the accent formula, there is -- the BIE  
12 spends about \$23 million on Language, and  
13 that's utilized at the school level, however  
14 they want to utilize those funds in terms of,  
15 could be English Acquisition or Native  
16 Language Acquisition. I think it's one of the  
17 areas where we talk about trying to move it  
18 one level up and getting Tribes involved.

19 We had spent \$22 million a year over  
20 the last ten, twenty years, and we can't point  
21 to one fluent speaker that we've developed  
22 with those funds. So, I think part of the  
23 thing that we're looking at, also, are the  
24 issue and challenge we have, is how do we  
25 start changing that conversation from just

1 Native language, just start talking fluency,  
2 and we have to have a goal that it's something  
3 that's common and I know that you can have  
4 different levels of fluency, but I think we  
5 need to start talking about that as being the  
6 goal of Native Language programs and not just,  
7 you know, fifteen minutes here, because people  
8 could say, well, I have fifteen minutes here  
9 at this. But what is the real goal? I think  
10 we all would agree that from a Tribal  
11 perspective, the goal should be fluency, if  
12 that's possible, and how do we move forward?  
13 So \$23 million a year, if you look at it from  
14 the perspective of a Tribe that oversees more  
15 than one school, that funding could be  
16 consolidated and then utilized in a better  
17 manner to try to have Native Language taught,  
18 learned, and, also, with a goal and an outcome  
19 that is beyond just a practice of language  
20 but, actually, a target fluency.

21 So, just to kind of talk a little bit  
22 about that. That's part of this  
23 re-organization also looking at when we talk  
24 about bringing Tribes to the table, it's  
25 letting them be a part of that conversation of

1 what do they want their schools to actually do  
2 accomplish in the same manner as we talk about  
3 in the other school system?

4 MR. WELLS: (Inaudible). I'm not  
5 going to use this after all, apparently.

6 THE COURT REPORTER: Okay.

7 MR. WELLS: My name is Danny Wells.  
8 I'm with the Chickasaw Nation. I've got a  
9 question or two, a couple comments, and I'm  
10 going to start by saying we appreciate the  
11 opportunity you've given us to be here and  
12 listen to our discussion and our comments, and  
13 to have a discussion. That's what a  
14 consultation is to be about is to have a  
15 discussion between two groups, or whatever, so  
16 we appreciate the opportunity.

17 A couple of things that, I guess, that  
18 I'm going to have to admit my ignorance,  
19 because I guess I always had an idea that when  
20 we said Bureau of Indian Education, in my mind  
21 it was all about all the students, all Indian  
22 students, and what I've heard here today is,  
23 is that, no, it's just about those that are  
24 BIE schools, and that concerns me.

25 So, I think, a suggestion is, maybe

1 you ought to change your name to BIE's, for  
2 being for Bureau of Indian Education Schools,  
3 because I mean that in seriousness, because it  
4 bothers me that we've got a large number of  
5 students that you say you can't help, and I  
6 agree. You said you can't tell them what to  
7 do, and I agree with that. You don't need to  
8 be public schools, but that doesn't mean you  
9 can't help.

10 I think there are a lot of services, a  
11 lot of things you could help with that would  
12 benefit our students. And so, we start talking  
13 about the benefits of having the office here  
14 in Oklahoma, that benefit is obvious with our  
15 public schools. Because that's where, as Tom  
16 pointed out, that's where the majority of our  
17 schools, our students are -- is 99 percent of  
18 our students are in public schools.

19 So, you know, from my perspective,  
20 when you talk about BIE, it ought to be about  
21 all students -- and I know school teachers, so  
22 that's how I see it. To me, it's all about  
23 all students. So, that really concerns me is  
24 that we -- Don, you're wanting to say  
25 something, so go ahead and say it, then I'll

1 pick up (inaudible) .

2 MR. DON YU: (Inaudible) .

3 MR. WELLS: Go ahead.

4 MR. DON YU: Yeah. And just to  
5 respond, you know, again, if you're speaking  
6 about the Federal Government's role as a  
7 whole, and, you know, education as a whole,  
8 then the Federal Government has -- does have  
9 some leverage to interact with states in terms  
10 of American Indian students attending public  
11 schools. That is mostly the United States  
12 Department of Education's mission, though,  
13 because we have no statutory leverage to  
14 interact with state educational agencies at  
15 all. We don't have any congressional  
16 authority to do that. The Federal education  
17 department, where I used to work for a long  
18 time, does. So, I do want to say that as a  
19 whole Federal Government does have a role in  
20 that, you know, and we do have some leverage.

21 This team here, though, and maybe next  
22 time we could have a consultation with ED TIER  
23 II, so that we would have a full  
24 representation of the federal officials that  
25 cover all education for BIE students and,

1 also, students attending public schools as  
2 well. But this here, though, is we don't have  
3 any statutory authority to engage state  
4 educational agencies.

5 MR. WELLS: Okay. Well, this is  
6 the sixth consultation I've been to in regard  
7 to restructuring BIE, and so, really, for six  
8 meetings I've been to, it doesn't really  
9 affect us because we work with public schools  
10 predominantly, and that concerns me that, you  
11 know, okay, why did I even bother? Well, I  
12 bothered because to me it's all about Indian  
13 students.

14 So, understand there are some things  
15 that I still think that you guys can  
16 participate in, help with, whatever, because  
17 you've said -- indicated that based on some  
18 things, the flexibility that some of you have,  
19 so just understand that we feel like that even  
20 though your focus is on BIE schools, I think  
21 there's still some room there that you guys  
22 can provide some other services with the U.S.  
23 Department of Education --

24 MR. DON YU: Right.

25 MR. DANNY WELLS: -- and kind of

1 help our students overall.

2 MR. DON YU: And Danny, happy to  
3 help, you know, we're partnering much better  
4 with Ed now. That didn't really happen so  
5 much before. But Danny, also having to  
6 facilitate so you can build relationships with  
7 the Education Department as well. Because  
8 then, you can just skip us and go straight to  
9 them, you know. Rather than you come to us,  
10 and then I have to go tell the -- it's just  
11 more bureaucracy, you know. But having to  
12 facilitate, connect you with any of my former  
13 colleagues, the ones that were on issues for  
14 American Indian students at public schools.  
15 There is a dedicated team for that, and happy  
16 to facilitate -- and they do consultations as  
17 well.

18 MR. WELLS: Well, and again, the  
19 reason, of course, the reason we think like  
20 that is because we've had a staff here that we  
21 could ask questions that we know -- I've seen  
22 Catherine at lots of functions that I go to  
23 where it involves students, and opportunities  
24 and activities for students. I've seen  
25 Catherine at lots of those functions.

1 MR. DON YU: Uh-huh.

2 MR. WELLS: So, you talk about  
3 being valuable and what we'll miss. That's  
4 the things we'll miss.

5 MR. DON YU: Right.

6 MR. WELLS: And granted, that may  
7 not be in her job description, Dr. Roessel.

8 MR. DON YU: Right.

9 MR. WELLS: And may not be what you  
10 guys expect her to be doing, but from our  
11 perspective it's important that she's there  
12 providing assistance to our students. So  
13 understand, there is an important role that  
14 she plays.

15 MR. DON YU: Right.

16 MR. WELLS: And that, that office  
17 plays, because there are a lot of things that  
18 they involve them selves in, in regard to  
19 helping our students and helping them identify  
20 things that will help them and benefit them.  
21 So understand, it is an important role.

22 MR. DON YU: Right. And I guess,  
23 just to be clear, like in terms of statutory  
24 functions and what that money can be used for,  
25 that probably shouldn't be happening, so that

1 funding has strict parameters about how that  
2 funding can be used, if it's EPM money, may  
3 not -- I'm not sure. We'd have to go look at  
4 it, but that's probably not how that funding  
5 is to be used.

6 The person here who would be really  
7 helpful and then -- at the United States  
8 Department of Education provides money for  
9 this Comprehensive Technical Assistance  
10 Center, is -- I think he was here this  
11 morning, Jacobs --

12 MR. WELLS: Jacobs, yeah, Jacobs.

13 MR. DON YU: That is the mechanism  
14 for the Federal Government to engage public  
15 schools, and the Federal Ed provides money for  
16 that. But that is the proper routing of the  
17 federal -- I'm sorry it's so bureaucratic.

18 MR. WELLS: It is bureaucratic. I  
19 completely agree.

20 MR. DON YU: It is. I cannot  
21 change that, though. I don't have any choice  
22 about it, so -- but that is how it is, the  
23 funding is supposed to be routed.

24 MR. WELLS: Okay. All right. My  
25 next one is a question. As we look at this,

1 what I see is I see a lot of administrative  
2 positions being added instead of direct  
3 service. And, I mean, there's some direct  
4 service being added, but there's a lot of  
5 administrative being added, and that concerns  
6 me. Any time you're adding administrative  
7 cost, that to me, is taking away from direct  
8 services. So, how do you justify that?

9 MR. DON YU: I'm happy to discuss  
10 that as well, so, I guess the first thing I  
11 might mention is that what we -- I've heard  
12 this morning is that some of this  
13 administrative services, it sounds like you're  
14 asking for them and you would like to retain  
15 them, you know, that's what I'm hearing today.

16 MR. WELLS: No. What I'm seeing is  
17 all those new ones that you guys have added.

18 MR. DON YU: Right. Okay. Sure.  
19 I'm happy to talk about that, too. So, from a  
20 budget perspective, you know, the BIE's budget  
21 for educational management is about \$14  
22 million to oversee 186 schools in 23 different  
23 states. You're basically asking us to run a  
24 \$1 billion operation on about -- what is that  
25 -- less than 1 percent of our own budget.

1           The Tribal grants and Court costs that  
2 we provide to our own grant schools, which is  
3 the equivalent of the Education Program  
4 Management, that's much higher percentage of  
5 the school operating budget than we have to  
6 run our own schools.

7           The reason that we have had constant  
8 GAO report after GAO report, report after it  
9 comes out -- one comes out every three or four  
10 months. BIE has failed to comply with its  
11 fiscal oversight responsibilities or  
12 construction responsibilities or facilities,  
13 maintenance, operation, procurement  
14 responsibilities for its schools. That's  
15 because when you operate a school system on  
16 less than 1 percent of its budget for  
17 management purposes, we don't have any staff.

18           I'll be happy to provide you  
19 information about all of the education line  
20 offices right now. They're almost all empty.  
21 There's no staff providing any kind of  
22 service, and that's why we constantly have  
23 Congress telling us -- and we have  
24 investigations that show that we failed to do  
25 safety inspections at our schools, as we

1 probably only have a couple of safety  
2 inspectors for the entire system, so --

3 MR. WELLS: But to me, those are  
4 more direct, and you got pretty high levels,  
5 "Gs," way up here on your administrative,  
6 which means you got lot higher salaries. So,  
7 to me, what you just described fits down here  
8 in the direct services.

9 MR. DON YU: Okay. I'm going to be  
10 discussing any time -- this question has come  
11 up so much, and if you identify the -- so  
12 that's all funded by the \$14 million in the  
13 Education Program Management, again, that is  
14 running a billion-dollar-system on less than 1  
15 percent of the budget.

16 I'm happy to talk about that any time,  
17 if there's somewhere else that -- to me,  
18 that's actually not enough, and that's why BIE  
19 has really been such a failure for many, many  
20 years. That's what happens when you don't  
21 have enough people to provide those kinds of  
22 services.

23 MR. WELLS: So, providing those,  
24 those administrative spots are going to solve  
25 the problem?

1                   MR. DON YU: Not by itself. You  
2 have to get the right people in those jobs,  
3 for sure, you know. I mean, just filling it  
4 in with a bunch of people that can't do the  
5 job well, that's not going to solve the  
6 problem. But there's nobody in those offices  
7 right now.

8                   But I'm happy at any time if you want  
9 to go through and ask for which offices, or go  
10 through a budget line by line by line about  
11 where that money for FTE, full-time employees,  
12 is coming from. Again, in my opinion, the \$14  
13 million is not enough to run a \$1 billion  
14 operation. Anyone that's been in business, I  
15 remember running a complicated organization,  
16 again, that's part of the reason why we have  
17 done such a poor job.

18                   MR. WELLS: But Don, I would think  
19 if you were sitting in this seat, you'd be  
20 questioning about why there's that much more  
21 administrative, that many more administrative  
22 spots being added.

23                   DR. ROESSEL: Here's the School  
24 Office of Professional Standards. Can you  
25 identify -- I don't know what positions you're

1 talking about. If you're talking about the  
2 functions that we have up here within the  
3 School Office of Professional Standards that  
4 are, you know, communications, human  
5 resources. Are you talking about --

6 MR. WELLS: I'm talking about all  
7 of them.

8 DR. ROESSEL: Okay.

9 MR. WELLS: I'm not just talking  
10 about just those. I'm talking about those on  
11 the other pages, where all those in yellow  
12 that are new, that there's a lot of  
13 administrative spots being added.

14 DR. ROESSEL: Okay. So, let's take  
15 one at a time, then, because I would like to  
16 clarify it.

17 You know, the -- these yellow that are  
18 right here, most of these functions are all  
19 being done outside of BIE. So when you talk  
20 about acquisitions, BIE has no acquisitions  
21 people. We have to utilize BIA.

22 An example of where we -- where this  
23 really hurts our schools is in the area that  
24 we're in right now, the Assessment area, time  
25 and period. So, a year ago when schools

1 transitioned -- and states were deciding,  
2 okay, we're going Park and Smart Balance, or  
3 do their own thing. It really changed the  
4 equation in terms of what BIE could do.

5 In the past what we did is, we had  
6 arrangements with the States, and that was  
7 okay, but when they started going Park and  
8 Smart Balance, they actually went out -- it  
9 was no longer a state test that was being  
10 administered. It was now Park and Smart  
11 Balance, and then they changed it over time  
12 and maybe go on their own state. But what  
13 happened was they created a vendor, and so we  
14 had to, then, no longer go to the State of  
15 Oklahoma and get the test. We had to go to  
16 the vendor.

17 So, we issued a contract through our  
18 contracting office, which is in BIA. We did  
19 it about -- in April of last year. It's sat  
20 on their desk for four months. We finally  
21 moved that contract from -- and I can't  
22 remember. Was it Albuquerque -- it was in  
23 Albuquerque. We finally got that out and we  
24 moved it to the Washington, DC office. It sat  
25 there for four months; why? Because the

1 contracting office -- it was just another  
2 contract. They didn't understand that this is  
3 mandatory. They wanted us -- you know,  
4 there's only Park and Smart Balance. It's  
5 sole source. They told us, no, you have to  
6 got out to bid, you have to go out to request  
7 the proposals. They didn't understand the  
8 educational aspect. We barely, just up until,  
9 like, a couple weeks ago, we're still working  
10 with individual states to try to address that  
11 in having MOUs, where you get things worked  
12 out with each state.

13           That whole issue happened because we  
14 don't have our own Contract and Acquisitions  
15 office. We had to borrow from BIA, and that's  
16 the end of this case. So, now what we're  
17 saying and this Re-Org is saying those people  
18 that work for BIA, now we're going to have  
19 them work for us. So, you had twenty people  
20 in BIA, and they did -- BIA is about 40  
21 percent of the workload. So that 40 percent  
22 of that staff that was over here, now comes  
23 over here. So, is that creating new --

24           MR. WELLS: (Inaudible).

25           DR. ROESSEL: Yeah, and content

1 specific to education, same way with  
2 Facilities. Those of you that deal with  
3 Facilities, and we have a different network  
4 here that tries to combine and can consolidate  
5 facility uses, same thing. They don't care  
6 necessarily about the educational functions of  
7 a building. They just care about the  
8 facility. So, now, we have people that will  
9 be content specific, again, people that were  
10 being paid over here, they're moving under our  
11 shop, and then we are able then, at that  
12 point, to be able to hire people who have a  
13 background in educational facilities.

14 Same way with HR, it's over in BIA.  
15 It moves under us. So, that whole yellow is  
16 creating things that were being done by DASSAM  
17 or BIA. Now, they come in BIE. So, that, to  
18 me, you know, it's not a plus-up of  
19 administrative. It's actually defining that  
20 and us have control over those functions,  
21 that's one thing.

22 In terms of the areas that are occurring  
23 at the ADD level -- well, the DPA level, that  
24 stays the same. There's no change here other  
25 than getting the positions out to the field.

1 So, that one, there were 36 positions. There  
2 are 36 positions that will continue, no  
3 structural change.

4 The Bureau Operated, right now, the  
5 function that we had were in the line offices  
6 that we had, as well as at the ADD level, so  
7 we tried to consolidate it. Here we did that,  
8 because then we can have one curriculum, so  
9 you have a curriculum office. And the model  
10 that we're doing, and I'm sure you recognize  
11 this, is the school district. We started to  
12 model all of our systems, BIE Operated,  
13 Tribally Operated, and Navajo, as operating as  
14 a school district. So we consolidated so you  
15 have a director of Special Ed, a director of  
16 curriculum that oversees those schools.

17 MR. WELLS: Okay. Quick question.  
18 The one before, the one that add the four at  
19 the top -- five at the top, there was four  
20 spots on that one on the previous slide. So,  
21 you know, again administrative. You go back  
22 about three or four slides.

23 Yeah, it's Office --

24 MR. DON YU: This one?

25 MR. WELLS: This right here is one

1 of them.

2 MR. DON YU: Division of Department  
3 (inaudible) --

4 MR. WELLS: It's the proposal of  
5 Re-Organization, the very first one you  
6 started off.

7 MR. DON YU: Okay. All right. Let  
8 me find (inaudible) here.

9 MR. WELLS: And (inaudible) one  
10 more back.

11 MR. DON YU: Okay.

12 MR. WELLS: Okay. I don't really  
13 necessarily want to expect -- here's the  
14 thing, I guess. You're communicating to us,  
15 now, why you did it, and it's a reasonable  
16 reason that you did it, but not knowing that,  
17 it appears as if you guys are just mounting  
18 more bureaucracy. It looks like you're just  
19 adding more people in administrative, but with  
20 an explanation that's why we have  
21 consultations, is that we can convey  
22 information back and forth and have a  
23 communication.

24 You just communicated to us based when  
25 we ask why that was done. That wasn't

1 explained -- I don't remember you explaining  
2 that to us as we went through it.

3 MR. DON YU: Okay.

4 MR. WELLS: You understand what I'm  
5 saying? When we look at it sitting here, it  
6 looks like that you guys have just stacked a  
7 lot of administrative on top up there with no  
8 explanation. This, you know, now that you've  
9 explained it, it makes sense. Where, if  
10 you're having to bring people out of BIA to do  
11 that job, now you're trying to get them  
12 in-house. That makes perfect sense, but  
13 understands because you now communicated to us  
14 what the reasoning is.

15 MR. DON YU: Sure.

16 MR. WELLS: And that's what's  
17 important. That's why we have this discussion  
18 is that we get those things, that information.

19 MR. DON YU: I understand and  
20 appreciate that. We try as much as possible  
21 to get the information out. We've had  
22 webinars. We had the --

23 MR. WELLS: Remember, I told you,  
24 this is the sixth one of these I've been to.

25 MR. DON YU: Yeah. Yeah. So,

1 we've tried, and I think, sometimes, it does  
2 change, and sometimes as we're hearing back  
3 from you, you know, it does shift, and maybe  
4 we don't -- you know, it's hard to try to  
5 address -- I mean, we're coming in and looking  
6 at this, what we're going to focus on. But  
7 again, your perspective is going to be  
8 different, what you're focusing on, and  
9 sometimes it may just pass right by each  
10 other.

11 MR. WELLS: Okay.

12 MR. DON YU: It was never our  
13 intent to try to do that. I think what we  
14 tried to do is just to try to clarify, and now  
15 come back and swap the roles and  
16 responsibilities. It's just is really  
17 clouded.

18 MR. WELLS: Okay.

19 MR. DON YU: We really did two  
20 things also is try to maintain budget neutral,  
21 so we're not fussing up anything, and that the  
22 number of employees that used to be in 2008  
23 turned to batter re-org. What we have now is  
24 much less. I think it's something like  
25 thirty-four positions, fewer than they had

1     been, because we don't need to have that  
2     direct command and control.

3             But I do understand what you're saying  
4     and what you see there. I apologize if I  
5     wasn't clear earlier.

6             MR. WELLS: I'm a little slow  
7     minded sometimes, so maybe I just didn't catch  
8     it.

9             All right. And the last, I have a  
10    different option for you to consider since  
11    we're discussing this, and you said you'd  
12    listen to our proposals. Our proposal is  
13    this, when I look at the map what I see is  
14    five of seven ARCs at the top part of the  
15    United States, five of seven are all in the  
16    north part.

17            My proposal is this, Minneapolis is  
18    only has four, and they're Tribally run  
19    programs. Oklahoma has four, with one BIE.  
20    We chop them by one, but why not move  
21    Minneapolis over to Grand View, leave Oklahoma  
22    City alone? That way you're kind of  
23    dispersing a little bit more. Now, you got  
24    four out of seven up in the north. You've got  
25    Tennessee, us, and Albuquerque down here in

1 the lower part. Again, you know, we're  
2 discussing, we're proposing. To me, that is  
3 reasonable. Thank you.

4 MR. DON YU: I appreciate that.

5 MR. JOHN: I have a couple of  
6 questions also related to more of a  
7 headquarters restructure as well.

8 Tom John, Chickasaw.

9 Part of it is a follow up on my  
10 questions this morning as to what a couple of  
11 those offices are actually going to do because  
12 you don't provide anything other than just  
13 that paragraph in the booklet.

14 It didn't reference, though, in either  
15 one, the higher education program. So, I'm  
16 presuming at this point that it's going to go  
17 within the office of Research Policy post  
18 secondary education; is that correct?

19 MR. DON YU: Yes, that's correct.

20 MR. JOHN: Okay. And my next  
21 question then is relative to those Tribes that  
22 currently have self-governance compacts  
23 through the BIA for those programs. If  
24 they're going to be restructured and into your  
25 two new offices under the BIE, how is that

1 going to impact the flow of the funding and  
2 the compact functions associate with those  
3 programs for self-governance compacts and  
4 funding agreements?

5 DR. ROESSEL: There will be no  
6 impact at all with those. Primarily the focus  
7 of the post-secondary is working with Tribal  
8 colleges and looking at how we can try to  
9 advocate for their work, but then how do we  
10 work with Congress? How do we work within our  
11 own area in terms of moving forward? Trying  
12 to find programs that we can work with, with  
13 our K-12 -- it's, you know, process as well  
14 as, the TCUs. So, that office will be more  
15 along those lines. That's the reason  
16 why we separate out, Haskell and Sidney,  
17 because it clouded and we actually supervised  
18 those two. And when it was under the  
19 post-secondary, it was, okay, we're  
20 supervising these and we just fund these over  
21 here, and even the Tribal colleges are saying  
22 those aren't real Tribal colleges. Those are  
23 actually federal operated schools, and so, for  
24 the purposes of even accreditation make that  
25 change. But that way now, the post-secondary

1 can primarily, just be an advocate, help build  
2 programs, find funding -- different funding,  
3 but not -- it won't have any impact on the  
4 self-governance of those that are in the  
5 compact support -- higher ED.

6 MR. JOHN: Okay. So, same question  
7 would apply to JOM in Early Education under  
8 the Office of Sovereignty?

9 (Inaudible response)

10 MR. JOHN: Okay. And then how  
11 about the Facility money as well? Will that  
12 go under school Office of Professional  
13 Standards?

14 DR. ROESSEL: Well, facilities for  
15 the schools, that's what we would take care  
16 of. The facilities that is done through --  
17 and I don't know and I don't believe our  
18 schools are funded -- you know, the schools  
19 that we own and that we have that is funded  
20 for schools goes under the compact; right?

21 MR. JOHN: And it currently comes  
22 from BIA. So you guys are taking all that  
23 stuff over from them.

24 DR. ROESSEL: Right. Yeah. Yeah.

25 MS. FORREST: But that piece will

1 stay the same for the compact.

2 MR. JOHN: Okay.

3 DR. ROESSEL: Yeah.

4 M: (Inaudible).

5 MS. FOREST: Just that -- no, I  
6 just think -- I was at the self-governance  
7 conference earlier this week, and so I know  
8 they're, I think, four Tribes that had  
9 facilities in their compacts, and that's going  
10 to stay the same. So, any of the money that  
11 flows through, excuse me, the compacts, but we  
12 wouldn't touch that at all. The process would  
13 stay the same.

14 MR. JOHN: All right. And then the  
15 last one I had was really just a comment,  
16 because you also asked what we would want out  
17 of a program office here in Oklahoma City.  
18 Being that you're relocating those programs  
19 from the BIA into the BIE, actually Dr.  
20 Johnson alluded to it a little bit this  
21 morning from the standpoint that what we would  
22 want from such an office is representation,  
23 advocacy on our behalf of those programs that  
24 you're proposing to take from the BIA.

25 Because ultimately, and it kind of

1 gets into Danny's comments as well about the  
2 99 percent of the students that go to public  
3 schools. You know, under the BIE, it's very  
4 clear, there's a trust responsibility for the  
5 agency to serve as our advocates and our  
6 trustee. That doesn't go away just because  
7 the program goes to BIE.

8 In our view, you still have that trust  
9 responsibility to look out for all students,  
10 and if you're going to take these programs  
11 from the BIA, then that responsibility  
12 remains.

13 M: Good point.

14 MS. FOREST: You know, trust  
15 responsibility is exactly the same. So, for  
16 the administrative programs that are coming  
17 over that would be at a central -- when I  
18 talked about a centralized level. And so we  
19 want to try to work with Tribal schools if  
20 they're interested, but for BIE schools right  
21 now, every school has their own contract for  
22 food, own contract for textbooks, own contract  
23 for whatever it is that they need.

24 One of the things we're going to do  
25 with them is consolidate those to try to get a

1 better price and then easier to manage. But  
2 our -- the trust responsibility absolutely  
3 remains the same even if those programs are in  
4 BIE, we still have that responsibility.

5 DR. ROESSEL: And I understand what  
6 you're saying, and I'm not going to push back  
7 but I'm just going to say for clarification,  
8 we operate the schools to fulfill our trust  
9 and treaty responsibilities. If a student  
10 chooses to go elsewhere to a public school,  
11 then we have JOM that, albeit very small and  
12 not much of an impact, is an extension of that  
13 trust and treaty responsibility, if you will.

14 We have no mechanism to ask BIE,  
15 Department of ED a little different, to ask  
16 BIE to have any direct influence at a public  
17 school. So, that's the state entity, and  
18 through the Enabling Acts of states,  
19 education, CAVE, you know, zero to sixteen or  
20 eighteen, whatever that might be, I just think  
21 that it's -- I understand the sentiment, but I  
22 don't know beyond what we have in terms of our  
23 K-12 institutions.

24 Getting in details, I mean, what more  
25 can we do as a trust and treaty responsibility

1 where we have no influence with the State, we  
2 have no ability to even -- and we have no  
3 entryway to any public school system outside  
4 of JOM, and as we found out in this last  
5 counting of JOM, a lot of school districts and  
6 a lot of Tribes have said, you know what, too  
7 much work for too little money. We're not  
8 going to continue that process, so -- I mean,  
9 that's kind of the reality of the situation,  
10 and so, I mean, if there are other ways and  
11 ideas that you have to help us, you know,  
12 advocacy is one thing, but it's really  
13 advocacy within ours and also the Department  
14 of ED, so, you know, I'd be interested to hear  
15 some ideas.

16 MR. JOHN: Okay, well, I can  
17 provide you one specific example that I hope  
18 you can take back and consider other reason  
19 doing likewise, because as Danny alluded to as  
20 well, it's not always about direct control.  
21 You don't necessarily have to have direct  
22 control over a function or a resource or an  
23 impact.

24 The specific example I can site is in  
25 the area of high school equivalency. Now, you

1 don't even necessarily have to work directly  
2 with the State even, but we're facing  
3 situations, at least here in Oklahoma  
4 recently, with regard to GED versus high  
5 school equivalency and the federal vendors  
6 that provide those services.

7           At least at Chickasaw Nation, we're  
8 looking at trying to establish federal  
9 recognition of a high school equivalency  
10 diploma that the (inaudible) one function and  
11 opportunity that I see BIA can certainly help  
12 us with. That will impact those students that  
13 may have gone and dropped off from public  
14 school.

15           MR. DON YU: I think your point  
16 about not having a direct mechanism into the  
17 -- so, that's a really good point, you know.  
18 We can have indirect impacts, you know.

19           I do think one goal of the ultimate  
20 goal of this whole transformation effort, and  
21 it's going to take a long time, because BIE  
22 has not been a well-functioning school system  
23 forever, and it's going to take some time for  
24 us to get to the end point. But I do think  
25 one point of one area of success would be and,

1 again, indirectly impact all of the public --  
2 state run public schools looking at Tribally  
3 Controlled lands is -- our Grant schools are  
4 the only place where Tribal Nations have an  
5 opportunity to truly run their own schools,  
6 you know. And if we can create some great  
7 examples of here's how Indian education should  
8 be done, look at these schools in Mississippi,  
9 or look at this school in Oklahoma, and then  
10 states are -- will be hungry to see what is a  
11 best practice for Indian education in this  
12 particular state, you know? And I think we  
13 have an opportunity to do that.

14           Lead the way, you know. I definitely  
15 do think that is a goal of this transformation  
16 effort, show some great, truly, truly Tribally  
17 run, not run by the state, not run by the  
18 Federal Government, run by a Tribe, and then,  
19 if you can get some that do an incredible job,  
20 everybody else is going to look to us, how did  
21 you do it, you know? And I think that's one  
22 of the ways show the way, have a Tribal Nation  
23 lead the way. That will be a huge impact down  
24 the road. But that would definitely be one  
25 way of influencing the state run public

1 schools.

2 DR. ROESSEL: And one other -- I'm  
3 familiar with the request with GED, and I  
4 don't know why you don't have that already.  
5 You have Tribal schools that issue diplomas  
6 based on whatever the school boards has said,  
7 these are the requirements -- has nothing to  
8 do with the State of Oklahoma.

9 When we look at a school, a Tribal  
10 school, we have our, you know, 25 CFR -- very  
11 vague in form -- they just kind of meet that.  
12 Most of our schools will use the state from  
13 which they reside as a guideline, but a lot of  
14 them didn't. When I was in Arizona, they  
15 required 18 credits, we did 24, you know, so,  
16 I mean, you can take whatever you want. And  
17 I'll be very blunt, I don't know why you can't  
18 issue a GED now.

19 The issue is not whether or not you  
20 can. It's whether or not you issue it, and  
21 it's going to be really blunt, with an  
22 apology, or you issue it as we have the  
23 authority. When I was at Rough Rock, we  
24 issued an alternative diploma, and it was  
25 honored by the universities, because it came

1 from our school and through the Navajo Nation.  
2 So, I don't think -- you know, the GED issue,  
3 I think, is something which -- when it came  
4 across my desk, I said why is this even on my  
5 desk.

6 Thy already have, schools, Tribes,  
7 already have that authority under 297 to do  
8 that, and a concern I have sometimes is when  
9 we act as though we need to get authority. To  
10 me, that diminishes the authority we actually  
11 have. If you look at 297 -- 100-297, it is a  
12 very powerful document that gives an awful lot  
13 of authority to Tribes and schools, and  
14 there's a lot that can be done within that  
15 law. And so, when it came across my desk I  
16 said, I don't think we should be make any kind  
17 of comment other to say they can do it  
18 already.

19 Because if we start chiseling and  
20 start making, you know, as if we're making a  
21 little, a place holder for this and this and  
22 that, to me, that diminishes the authority for  
23 all 297s. So in terms of that, I would say  
24 you have that authority now. You can hack  
25 them.

1           Now, whether or not OU or OSU, our  
2 schools here, recognize that, I don't know if  
3 they will or not. So, I just want to say  
4 that. I think that's something that I think  
5 Tribes and schools have that authority  
6 already.

7           MR. JOHNS: And that, I guess, is  
8 even more to the point. It's not necessarily  
9 the authority to do so, but getting that  
10 national recognition and acceptance of what  
11 the Tribe issues, in particular with schools.

12           Now, we work with many local colleges,  
13 and some are willing, some are not, and we're  
14 still fighting those battles at our level, but  
15 it would help to have a federal ally on our  
16 side in that fight. And in particular, too,  
17 at the federal level is getting FAVSOM  
18 (phonetic) for recognition of Tribal diplomas.

19           MR. WELLS: That was our biggest  
20 road block, was FAVSOM. Because if they only  
21 identify state SEAs in order for a student to  
22 qualify for a FAVSOM. That's what it says in  
23 the rules. That's what they told us.

24           DR. ROESSEL: Students graduated  
25 from a high school here, then how do they get

1 scholarships?

2 MR. WELLS: Because they graduate  
3 with SEA.

4 MR. JOHN: Yeah. It's a state  
5 issued diploma through the LEA --

6 MR. WELLS: Right.

7 MR. JOHN: -- that FAVSOM  
8 recognizes. But when the Tribes do the same,  
9 exact thing, FAVSOM won't recognize it.

10 MR. WELLS: So, that's where we  
11 need your help.

12 DR. ROESSEL: Okay. But in  
13 Arizona, like when I was at Rough Rock, Rough  
14 Rock Community school diploma has nothing to  
15 do with the State of Arizona. I signed it.  
16 You know, it doesn't go to the state. I mean,  
17 so -- I mean, and my son graduated. He got  
18 FAVSOM, so I don't know -- that's interesting.  
19 I think we need to clarify that in that  
20 respect because I don't think --

21 MR. JOHN: Well, you're not going  
22 to be here every day, and that's why we need  
23 someone in Oklahoma City.

24 (Laughter)

25 UNIDENTIFIED FEMALE: Good point.

1           MR. DON YU: That's actually a  
2 question for the Office of Federal Student Aid  
3 and the US Department of Education. So, I can  
4 connect you to those folks. If you just email  
5 I will connect you to them.

6           MR. WELLS: When we contacted  
7 FAVSOM, we were told that they wouldn't  
8 recognize SEAs. In other words, LEAs that  
9 were approved through SEAs.

10          MR. DON YU: I see.

11          MR. WELLS: And so, that's our  
12 roadblock. Everything else is in place. We  
13 have an agreement with a testing entity. We  
14 have a diploma entity with MOU. We've got  
15 everything in place until we ran into that  
16 FAVSOM.

17          MR. DON YU: I see. Then, now, it  
18 sounds like it's a congressional issue. Now,  
19 if the regulation or a statute is in the way  
20 --

21          MR. WELLS: Right.

22          MR. DON YU: -- we can only execute  
23 what Congress tells us to execute, you know.  
24 Now it sounds like a congressional issue.

25          MR. WELLS: Could be. Or else you

1 guys can kind of put a --

2 DR. ROESSEL: I still thinks it's  
3 -- I mean, we do it out there differently. It  
4 doesn't go through any SEA/LEA. I mean --

5 MR. WELLS: And they received  
6 FAVSOM?

7 DR. ROESSEL: (Inaudible).

8 MR. JOHN: Can you work for FASFA  
9 (phonetic) on behalf of Oklahoma --

10 MR. WELLS: Since you have them --  
11 (Multiple conversations)

12 DR. ROESSEL: If you can give me  
13 the information, also, that they told you that  
14 you can't do this --

15 MR. WELLS: Sure.

16 DR. ROESSEL: -- because, up in the  
17 Plains, they're doing it. They're issuing  
18 their own diplomas for that, for that purpose.  
19 In terms of what they're telling you for GED  
20 is, you know, again, we're doing it here, and  
21 then, by extension they're telling you, you  
22 can't do it for GED. But this concerns me,  
23 you know, because that treading on sovereignty  
24 of a Tribe in issuing what, the diploma that  
25 they want to, which by extension then goes to

1 that GED.

2 MR. WELLS: We did that, too. We  
3 can show you what they provided.

4 DR. ROESSEL: Okay. All right.

5 (Pause)

6 MR. REDBIRD: Good afternoon. My  
7 name is Ernest Redbird. I'm a Kiowa  
8 representative at Riverside Indian school  
9 board, and I have a letter here that our  
10 president Quinton Roman Nose wanted me to read  
11 to you and the audience here. But I just  
12 wanted to say, myself, before I read this,  
13 that I appreciate you all coming down, being  
14 here.

15 These consultations, you know, they're  
16 good. I worked for the BIA for 36 years. I  
17 was an administrative officer, and I've been  
18 to many consultation meetings, and I hate to  
19 say a majority of them -- I hope this isn't  
20 like that is what I'm getting at. A lot of  
21 them have already, you might say, the decision  
22 has already made, and they were just bringing  
23 the information to the Tribal people after the  
24 decision. And to me, they considered that  
25 consultation, so they can go back and tell

1 their boss, yeah, I did meet with the Tribal  
2 people (inaudible). But I hope this isn't one  
3 that everything's already cut and dry, you  
4 know, because these people have a lot of  
5 concerns, especially about our office here in  
6 Oklahoma.

7           Also -- but I do agree that if there  
8 is an office that's here that, that  
9 individual, or individuals -- whoever they  
10 are, that it's just not office with a body in  
11 there, that they will provide services that we  
12 all need here, not only the Riverside, but all  
13 the other schools here. So, that was my  
14 concern that this will be a productive  
15 meeting, you all will listen to what the  
16 people want, that you'll go back and you will  
17 consider what we want here in Oklahoma, and --  
18 but again, I want to thank you all for coming  
19 down to listen to us.

20           But let me read this letter that was  
21 written by Quinton Roman Nose. So, he wanted  
22 me to read it to you all since I'm on the  
23 school board. It says:

24           "To Whom it May Concern, generally I  
25 am in support of the BIA Re-Organization plan

1 with the exception of several items. One, I  
2 am against reduction of staff at the functions  
3 of the BIE Office in Oklahoma City. I am in  
4 favor of Oklahoma City being designated as one  
5 of the Education Resource Centers mentioned in  
6 the Re-Organization plan. In the proposed  
7 plan, most of the schools to be served by the  
8 (inaudible) ERC are currently being served by  
9 Oklahoma City BIE office.

10 Two, historically, Oklahoma had two BIA  
11 Education area offices, which were eventually  
12 combined into one BIE office in Oklahoma City.  
13 It appears that the BIE is gradually  
14 disappearing from Oklahoma. The state that  
15 has the largest Native American student  
16 population in the U.S., the state with the  
17 third largest number of federally recognized  
18 Tribes, the state with the third largest  
19 number of JOM programs, the state with one of  
20 the highest, largest Native American student  
21 population who go to college using higher  
22 education funds.

23 Three, if Oklahoma were to have an ERC  
24 placed in Oklahoma City, I'm in favor of  
25 Riverside Indian School being assigned to the



1                   THE COURT REPORTER:   Okay.   Thank  
2   you.

3                   MS. HARJO:   Hello.   My name is  
4   LucyAnn Harjo, and I'm the coordinator of  
5   Indian education for Norman Public Schools.  
6   I'm also a member of the Oklahoma Council for  
7   Indian Education Board of Directors.

8                   Oklahoma is a unique state, and I  
9   don't know why we don't have as many BIE  
10  schools -- funded schools, but we are a very  
11  progressive state of Native people.  And it  
12  almost appears that because of that we are  
13  being penalized for this "not needing"  
14  services.  That's what it appears to be  
15  anyway.

16                  Our Native students in Oklahoma excel  
17  above and beyond most of their peers  
18  nationwide.  But that's because of the amount  
19  of support they received from the Johnson  
20  O'Malley programs, Title VII programs, the  
21  Tribes.  And we coordinate effort to make sure  
22  that our Indian students, we hope, receive  
23  what they need in order to excel.

24                  When you minimize the Office of the  
25  Oklahoma City line office to just one person

1 and an administrative assistant, how is that  
2 supposed to continue to support the needs of  
3 our Native students in Oklahoma?

4           When you look at the number of Johnson  
5 O'Malley programs, the number of Native  
6 students in our state, the number of American  
7 Indian people represented by the Tribes of  
8 Oklahoma nationwide, that's got to be about a  
9 fourth. We represent a fourth of the  
10 population in the United States, and yet, you  
11 don't see Oklahoma as an Education Resource  
12 Center.

13           We're asking you to look outside the  
14 box. We have a unique situation, and what we  
15 are asking is that Oklahoma, somewhere in our  
16 state, because of the representation of the  
17 number of kids here in Oklahoma, that you  
18 think outside the box and meet the needs of  
19 our Indian children. They are not on  
20 reservations. They are not in boarding  
21 schools. They are non-schools funded by the  
22 Bureau of Indian Education. Five of them are  
23 in Oklahoma, but the majority of them are in  
24 public schools. We are asking you to  
25 creatively think outside the box as you meet

1 the needs of our Indian children.

2 It doesn't have to be an Education  
3 Resource Center, does it? Can it be an office  
4 where it's more than just one person and an  
5 administrative assistant. It can be a  
6 technical assistance area. But it should,  
7 obviously -- I don't know -- I guess I keep  
8 going back to this plan just does not make  
9 sense when you have the dynamics that Oklahoma  
10 does, and yet everything's being shifted to  
11 the North or to the Southwest.

12 You have five ERCs in three states up  
13 North. Why? And you have the most populated  
14 state is just being minimized by as a business  
15 office, yet there are many needs that are not  
16 being met, and they're being overlooked simply  
17 because -- well, I'd like for you to answer  
18 that.

19 The other part is, with two people in  
20 that office as you are proposing, and the  
21 needs of our schools -- if you don't know,  
22 Oklahoma's teachers are -- we're ranked 49th  
23 in the nation as far as teacher pay. So,  
24 every year I learn about another Indian  
25 education program that's being -- their funds

1 are -- funds targeted for Indian children are  
2 being targeted to help the school survive,  
3 help pay bills at each school. Yet, we don't  
4 have that support, that technical assistance  
5 in place to where we can actually address and  
6 make sure that only our Indian kids are  
7 utilizing Bureau of Indian Education funds or  
8 Office of Indian Education funds.

9           And, why going to the North? If you  
10 have an exemplary program, like Oklahoma,  
11 where our kids are excelling, and want to send  
12 representatives from our five BIE schools to  
13 Flandreau. Why not bring them to Oklahoma  
14 when you have exemplary schools in our state,  
15 where our students are excelling? And what  
16 are they going to learn from Flandreau? You  
17 mention that a lot of the schools there are  
18 struggling.

19           Well, highlight our state in the  
20 successes of what we are doing. Think about  
21 how you could possibly -- and I like Mr. Johns  
22 comment, what can you do for our children in  
23 the unique situation that we're in? Help  
24 support our kids. Not everything has to go to  
25 the north it seems.

1           I kept wondering this morning, why  
2 Minneapolis? Why Minneapolis? Why the  
3 Dakotas? And I see the numbers, but do you  
4 not see the numbers represented in our state?  
5 You have 12,000. Where, in our state, we have  
6 130,000. The needs are addressed, but they  
7 have to be addressed uniquely, and how can you  
8 help us address the needs of 130,000 American  
9 Indian kids?

10           And, I think, as far as all the  
11 Education Resource Centers that you have  
12 proposed, our needs here are for technical  
13 assistance. I haven't heard fully what these  
14 Educational Resource Centers responsibilities  
15 are. How many staff that they will maintain.  
16 What will come out of these Education Resource  
17 Centers?

18           You asked this morning what are we  
19 asking for? We are asking for an Education  
20 Resource Center. Everything that comes with  
21 that for our kids. Nothing short of that.  
22 That's what we want. But explain to me what  
23 an Education Resource Center will entail?  
24 What does that bring for all these other  
25 places that will have an Education Resource

1 Center?

2           How many staff? It looks like it's  
3 about an average of five to seven. Wow. Boy,  
4 wouldn't we really love that when we only have  
5 three, and one at State Park, to meet the  
6 needs of our Indian children. We would love  
7 to have seven staff members managing that  
8 office to help our children in our state.

9           DR. ROESSEL: You know, I  
10 understand that we're kind of caught up in  
11 this, we're throwing or we're hearing the  
12 numbers of the entire number of students  
13 within Oklahoma. If we were to put that up on  
14 the chart for the Plains, for the Southwest,  
15 then we will be opening up a whole new issue  
16 and problem that we are not -- we don't have  
17 the authority to do anything.

18           What we have the authority in statute  
19 is the oversight of our BIE funded schools.  
20 That's it. We have the extension of  
21 overseeing JOM. That's it. We don't have the  
22 staff to work the public schools, nor is that  
23 our charge. That's not our charge. That's  
24 not what Congress has, you know, created in  
25 terms of when they created, you know, the

1 Office of Indian Education, first, and now the  
2 Bureau of Indian Education. You know, I won't  
3 even go so far as I wished that was our  
4 charge, because I really truly believe that  
5 it's Tribal ED departments that, you know --  
6 what we're trying to do actually is to address  
7 what you're talking about, but in a different  
8 way.

9           The whole focus that we have in our  
10 vision of BIE is to be able to say let's give  
11 the support to Tribes. And it may be  
12 convoluted here, but I'm going to try to  
13 answer everything you asked, so everyone bear  
14 with me.

15           The ERCs are to give support to  
16 schools, period, our schools, not public  
17 schools -- just our schools. That's one  
18 thing. At the ADD Tribally Controlled level,  
19 they're to give support to Tribes, two  
20 different animals. We're not trying to muddy  
21 the waters like before.

22           In trying to give that support to  
23 Tribes, what we're looking is that Tribes get  
24 involved, and they start being able to operate  
25 their own Tribal ED department, like we talked

1 about earlier. They then can become the SEAs.  
2 They can become those entities that handle  
3 everything, public, BIE's, private, all of  
4 those schools, universities, under their  
5 authority, when it's on Reservation lands or  
6 non-Reservation lands. However that works  
7 out, those schools.

8           So, what we're looking at is how do we  
9 build that capacity? That helps us solve the  
10 question you're asking, which we don't have  
11 any way to do it directly. What we're trying  
12 to say is if we build this capacity at the  
13 Tribal level, they then can begin to exert  
14 where they do have control, part of the step  
15 ground, where they start in overseeing the  
16 Federal Title I monies, the Title 2A monies,  
17 those different federal funds that are there.  
18 So, what we're trying to do is come at it from  
19 a different way, but we have to do it through  
20 the way of BIE funded schools. That's first  
21 and foremost.

22           When we look at -- when you ask about  
23 how we come up with all of this -- (inaudible)  
24 -- these numbers -- the number of schools, the  
25 number of ERCs, we looked at South Dakota and

1 North Dakota. They have 34 schools in North  
2 Dakota/South Dakota. If you add, then,  
3 Montana, you're looking now, you're at 35.  
4 We're looking at those numbers, the number of  
5 schools, when we started to decide where they  
6 put an ERC at. When you look at Oklahoma,  
7 five.

8           So, you know, you're asking where we  
9 came up with this. That's part of it. And  
10 these are just our BIE funded schools. We  
11 can't take into account the public schools.  
12 That's not our charge, and if you would, I'd  
13 be hauled in front of Congress and say send me  
14 some funds. So, the only (inaudible) in these  
15 areas, when you talk about the number of ERCs  
16 up in the Plains or up North, you're talking  
17 about if you add up those, look at the numbers  
18 of the enrollment South Dakota, North Dakota,  
19 and if you add Minnesota and those, you're  
20 talking about 12,000 students, or so. That's  
21 why we have ERCs in those sites.

22           If you look at Navajo -- Navajo, New  
23 Mexico, Navajo has an enrollment of, I  
24 believe, 15,000 within their school system,  
25 and 65 schools. That's why we have some of

1     them there. So, we try to base it on, you  
2     know, where we actually could have those  
3     facilities, and to be honest, to have a --  
4     when you look at this and you're planning to  
5     have a full functioning ERC with all this  
6     staffing, and nothing less, for five schools,  
7     how then do we justify the other places that's  
8     taking from somewhere else?

9             We have the very real, you know,  
10    problem of -- I mean, you pick up the  
11    newspaper every day. Sequestration may be  
12    back on the table. We went from, you know,  
13    \$19 million down to \$14 million. We had  
14    sequestration two years ago. That really hurt  
15    our schools, as we all know, hurt public  
16    schools also. That's the reality and dynamic.  
17    Would we like to be able to have ERCs  
18    everywhere; yes. We have to make some hard  
19    decisions.

20            We based it on enrollment pictures.  
21    We based it on the number of schools. We did  
22    base it on the type of technical assistance  
23    that we are being asked of. When you ask what  
24    do these ERCs do?

25            You know, I tried to talk a little bit

1 about this, but I'll bring up this, so at an  
2 ERC, you'll have -- let's -- this is BIE  
3 operated so it's within Tribal control -- so  
4 at an ERC you have an education program  
5 specialist for school improvement purposes.  
6 What this person -- this is what I mentioned  
7 earlier, this person within the Tribally  
8 Controlled schools is looking at, say these  
9 schools previously -- it's easier for me to  
10 use like the Navajo schools, because I know  
11 the names, but they will received most of  
12 these ERCs. Look at the numbers we have.  
13 I'll go back so you can actually see that.

14 Here's a Navajo schools. So, you're  
15 talking about 13, I think that's what it says,  
16 13, 13, 11, 13, 15. These are the number of  
17 schools at each ERC site. So, they're not  
18 handling, you know, just four schools, just  
19 five schools, or three dorms and two schools.  
20 They're handling a lot of different schools.  
21 So, that was the other thing that we look at.  
22 What is the numbers? How does it play out  
23 across the board?

24 So, at the ERC site, then you have --  
25 and they're all staffed the same like you said

1 -- you have a school improvement specialist.  
2 That person is handling it across the schools,  
3 you know, within their ERCs. They're meeting  
4 with principals. They'll probably have  
5 conference calls the way we envision it, you  
6 know, once a week, find out what's going on,  
7 looking at data together, and then they're  
8 able then to find and work with those  
9 principals in professional development,  
10 targeted to the needs of those schools at the  
11 ERC.

12 In addition, the principals will still  
13 be handling their own professional  
14 development. So, BIE will be paying for that,  
15 so it could be hosted at eight different  
16 schools all the time.

17 I think one of the points I really  
18 want to make that seems to be confusing is,  
19 the purpose of the ERC is not to have schools  
20 come to them but for the ERCs to go to the  
21 schools. So, we're not asking the ERCs -- or  
22 schools to be coming to the ERCs all the time.  
23 These people will be out in the field. They  
24 will be visiting schools, coordinating and  
25 working with them. That's the difference.

1 Otherwise, we're asking people to come, what  
2 may just be an office. So that doesn't serve  
3 our purpose.

4 The idea is the ERC will be going out  
5 to them, the staffing. So, in the blue, you  
6 have people that are the green, you have  
7 people that are from DPA, which is Department  
8 of ED. Our Division of Performance and  
9 Accountability. One position is Special ED.  
10 They have to go out and ensure that the funds  
11 that are being utilized for IDEA are in  
12 compliance with the law. So, they'll be out  
13 and doing those visits.

14 What we do now is a consolidated,  
15 coordinated visit where we have school  
16 improvement and Special ED go out together,  
17 and they look at Title programs, not just  
18 IDEA, but also Title I, and look at the  
19 program, look at ensuring that funds are being  
20 utilized correctly, and they go out together  
21 as a team. So they'll be working no longer  
22 from Albuquerque going out, but from the field  
23 and going out. So, that's, you know, the two  
24 staffing that we have there.

25 In addition to that, we'll have Grant

1 Management Specialists. But again, one of the  
2 problems and challenges that we had when we  
3 looked at all the different schools is we had  
4 a real problem with audits, disallowed costs,  
5 you know, millions and millions of dollars in  
6 disallowed costs at our schools. So, this  
7 person will be going out and working with  
8 schools, providing training, to ensure that we  
9 get that off our back, because that's one of  
10 the things that Congress looks at when it  
11 (inaudible) is how much money do you have in  
12 disallowed costs? What are you doing about  
13 it? Are you providing any training? So, once  
14 again, these people are out in the field.

15 So you have Special ED and Title I  
16 compliance with the Department of ED at an  
17 ERC, Grant Management, which is audit at an  
18 ERC, and then you have the School Improvement  
19 Specialist coordinated across all functions.  
20 That is what is happening at the ERCs. It's  
21 not about the schools coming to the ERCs. But  
22 these people can do this by phone in terms of  
23 the school improving, but they going out and  
24 coordinating that Professional Development at  
25 the school level. So, that's what these

1 people will be doing at the ERCs, providing  
2 that assistance, but it's also very targeted  
3 because there will be a group of schools that  
4 they're responsible for.

5           Each school will have a different need  
6 before we can find common need, then we can  
7 coordinate professional development and  
8 utilize our resources better in that way.  
9 That's what we're trying to do at the ERC  
10 level. That's what their focus is, is  
11 providing that type of service. And again,  
12 it's only for our BIE funded schools. It's  
13 not for public schools.

14           And then, again, we talked about the  
15 North -- it's based on the staffing and  
16 enrollment numbers.

17           I think I answered your questions.

18           MR. DON YU: And just so, you know  
19 -- obviously, one huge thing today we've heard  
20 very clearly is the need for support for  
21 American Indian students at public schools.  
22 Again, you know, the Education line office  
23 here, and it's not something I have control  
24 over at all, you know, only supposed to be  
25 serving the three BIE funded schools and two

1 dormitories here in Oklahoma, not for the  
2 public schools.

3           However, you know, that said, we brief  
4 the Hill regularly, you know. After these  
5 consultations, we will go up to the Hill  
6 again, and I'd be happy to tell them -- but, I  
7 mean, they're going to ask us what we heard  
8 anyway. Be happy to deliver that message to  
9 them about, you know, in Oklahoma we heard  
10 that they need, you know, 99 percent of their  
11 students are in public schools, happy to  
12 deliver that message to them and so they're  
13 aware of what everyone heard. You know,  
14 they're the latitude of -- that could change  
15 the how those funding might be received for  
16 the, again, the three BIE funded schools and  
17 two dorms here, about how that money is used.  
18 But I'm happy to bring that message to the  
19 Hill for you.

20           MR. SEAGROVES: Michael Seagroves.  
21 I'm an architect with the Eastern Oklahoma  
22 Tribal Schools. I just kind of want to build  
23 on LucyAnn and Danny's comments that Oklahoma  
24 is a completely unique situation compared to,  
25 essentially, every other region.

1           Oklahoma has the high percentage of  
2 students in public schools, because -- not  
3 necessarily because of Bureau of Indian  
4 Education's decisions or function, but  
5 decisions that were made when there was no  
6 Bureau of Indian Education. Many, many, many  
7 schools here in Oklahoma were closed over the  
8 objection of every Tribe that was associated  
9 with it, all those students were forced into  
10 the public school system, and ever since then  
11 the school system's been dealing with them one  
12 way or another.

13           And one of the things that this office  
14 provides and that needs to be communicated  
15 directly to the Hill is that this is a unique  
16 situation and it needs a unique office to  
17 address those situations. It may not be  
18 currently either a charge to deal with those,  
19 but it needs to be -- or it needs to be a  
20 function of this office to be something  
21 unique, a hybrid.

22           You know, we're always looking for  
23 good practices that are good situations in  
24 government work so we can all stand up and  
25 have our pictures taken and get patted on the

1 back. I think this is an opportunity for  
2 that. It may not make a lot of people happy  
3 to see an office stay here at that size, but  
4 there needs to be something here that  
5 addresses all those needs.

6 We all appreciate the work that you've  
7 done so far, going to the Hill, getting your  
8 budgets increased because we know that's going  
9 to affect everybody in a positive manner.

10 What we don't understand is, if many  
11 of the ELO functions are already being  
12 provided out of the Oklahoma City office for  
13 schools in Kansas and North Dakota, South  
14 Dakota, out of this office, what's served by  
15 basically reversing that barbell and putting  
16 the onus for all the travel to come out of an  
17 office that hasn't been created yet? An  
18 office that hasn't been staffed yet.

19 There's going to be time where things  
20 are in so much flux that there is going to be  
21 a lot of problems we see caused by that, and  
22 we're hopeful they don't happen, but we  
23 already have a functioning office here. It  
24 may be doing up and above of what it's  
25 actually tasked with doing. That's generally

1 a good thing as long as money isn't being  
2 misappropriated.

3 If we're doing more than we should and  
4 correcting problems and making situations,  
5 especially for American Indian students,  
6 better in public schools, than I think we  
7 should be doing that by looking at some sort  
8 of hybrid technical assistance center, you  
9 know, a special office.

10 It already seems to be a special  
11 office. We have an acting ELO, and we have  
12 people doing good jobs and good work, and I  
13 think the reason why you don't hear complaints  
14 about the Oklahoma office is no one's  
15 complained about it. They all enjoy what this  
16 office is doing for their Tribally Operated  
17 school, for Riverside, for the Tribal  
18 Education programs, for the JOM programs.

19 The letters that I got back from the  
20 education directors from these (inaudible) we  
21 need these people on a daily, weekly basis for  
22 training, for explaining to the new person  
23 that comes in what their new responsibilities  
24 are, and they are terrified that they're going  
25 to be having to call to South Dakota to,

1 maybe, get that person in the office that day  
2 may be not, and wait several days to a week  
3 for a response to do what they need to do to  
4 stay in compliance. That's their concern. I  
5 understand that it's not necessarily your  
6 purview to be concerned under, but for the  
7 students that they serve and the Tribes that  
8 they coordinate with, and for the schools here  
9 in Oklahoma, that is their huge concern.

10 M: Can I -- can I just --

11 DR. ROESSEL: I understand what  
12 you're saying and I appreciate that, but I  
13 would like to throw one other thought out, and  
14 it's not -- I mean, apparently we're doing  
15 this job now, okay. But whose job is it  
16 supposed to be? And who is being left off the  
17 hook? And who is not being held accountable  
18 for a job that's supposed to be done with poor  
19 public school students? To me it would be the  
20 State of Oklahoma. Why are you not holding  
21 them accountable for what they're supposed to  
22 be doing for their students? Why are we  
23 saying this should be BIE holding them  
24 accountable? That's what I would look at.

25 Again, this idea of looking from where

1 I'm at, I mean, ask to hold the State of  
2 Oklahoma accountable to Indian students. Why  
3 aren't you asking the State of Oklahoma to be  
4 accountable to their own students? To me,  
5 that would be a challenge.

6           There is something that I think the  
7 Department of ED and we can get into, that we,  
8 then, have to be that entity is an issue with  
9 funding. It is an issue of misappropriation  
10 of funding. So, we could easily, and I think  
11 that's what Don was referring to, relay this  
12 information to Congress. But it would be very  
13 helpful if we could identify who was that  
14 entity that's supposed to be doing this? Is  
15 it the State of Oklahoma?

16           This isn't rhetorical, I'm really  
17 asking this question because I think we're --  
18 you know, we're -- they're not here, and I  
19 once was in this very room here when NIA was  
20 here, and the head of Oklahoma Education stood  
21 right about there and said I don't care about  
22 those students.

23           I don't know if those of you were in  
24 that same session. I don't care about that  
25 then. It was about part of the STEP Grant,

1 those of you who may have been there that day.

2 But why are we not holding the State  
3 of Oklahoma accountable for what they are  
4 supposed to be doing? We'll share that  
5 accountability, because apparently we're doing  
6 it. You're all telling us that we're doing  
7 it. But then that means somebody is being  
8 left off the hook. They're not doing what  
9 they're supposed to do, that they have a  
10 charge to do, that they're being paid to do,  
11 that the Enabling Act of Oklahoma tells them  
12 they have to do. Where's the outrage there?

13 They're doing this. So you can't get  
14 mad at us at this point. But I would be  
15 madder than hell that the State of Oklahoma is  
16 being left off the hook for what they're  
17 supposed to be providing.

18 MS. TEEHEE: Hi, I guess I just  
19 wanted to respond --

20 THE COURT REPORTER: Could I have  
21 your name again? I'm sorry.

22 MS. TEEHEE: Sorry?

23 THE COURT REPORTER: Your name,  
24 again?

25 MS. TEEHEE: Kim Teehee, Cherokee

1 Nation. I just want to respond a little bit  
2 to what was just asked. I understand the  
3 dialog. Obviously, multiple parties have  
4 responsibilities for providing for the  
5 education of our Indian students. And  
6 Cherokee Nation, for example, obviously, from  
7 our point of view, often goes above and beyond  
8 supplementing both federal shortfall as well  
9 as the State shortfall.

10 Chief Baker just hosted 107 public  
11 school districts and gave \$4 million to each  
12 of those school districts because they educate  
13 our Cherokee Citizens, and  
14 Indian children that are -- not just the  
15 Cherokee Citizens as well. So, we're doing  
16 our share.

17 And I do believe that, you know, the  
18 purpose of this particular consultation is  
19 with respect to Interior's responsibility to  
20 us. I mean, we understand the environment in  
21 which we live. The State is not living up to  
22 its end of the deal, but we're doing what we  
23 can to supplement, and also trying to hold the  
24 State accountable.

25 But I don't want us to forget why we're

1 here today, and I keep hearing that BIE does  
2 not have responsibility for the State, you  
3 know, and I raised the issue earlier about  
4 Johnson O'Malley. I wasn't saying you should  
5 tell the State what to do. But there is some  
6 leverage there because the State is taking JOM  
7 dollars, and JOM dollars is allocated federal  
8 -- allocated federal appropriations through  
9 BIE. So you have some responsibilities there.

10 In fact, with the new student counts,  
11 we hope that will be in that federal increases  
12 beyond what was requested in the 2016 budget,  
13 and, you know, definitely we appreciate the  
14 request that was made despite the fact that  
15 the student count has not yet been submitted  
16 to Congress. But we're hoping there will be  
17 more.

18 My point simply is that there is some  
19 leverage there, even if you don't have the  
20 ability to tell the States what to do. I can  
21 understand that, and that requires a lot more  
22 congressional engagement to get that, but I do  
23 believe that BIA/BIE -- I see the one in the  
24 same, has leverage with the States.

25 And the Tribes in which have this

1 relationship with the public school district,  
2 like Cherokee Nation, for example, have some  
3 leverage with those school districts to work  
4 out some greater -- a way of addressing the  
5 needs of our Indian students.

6 I think what you've heard today is  
7 that there is a unique situation where you're  
8 not finding on the Great Plains on the Pine  
9 Ridge Reservation or -- and probably a great  
10 deal of students who are attending public  
11 schools. You see 90 percent of our students  
12 attending public schools, you know, and we  
13 have a great responsibility and we do believe  
14 that BIE has a trust responsibility.

15 We don't have that legal relationship  
16 with the State, but we feel the responsibility  
17 for our students, and we are continuously --  
18 all the Tribes are burdened with the  
19 responsibility for providing for the  
20 shortfalls, whether it's education, health  
21 care, justice systems, you name it, housing,  
22 you know.

23 So, I don't think that we're  
24 necessarily here to try to address -- and to  
25 try to -- address the question on your

1 challenge on what we're doing to hold the  
2 State accountable. You know, we're here to  
3 discuss what's going on with BIE restructuring  
4 plan. That's what the appropriate topic of  
5 discussion is, I mean, and to dismiss, you  
6 know, the points about leveraging the  
7 relationship in JOM, that's the leverage.

8           You know, there are federal  
9 responsibilities, federal requirements that  
10 are associated and that flow through JOM  
11 dollars, and that allows the State to be held  
12 accountable somewhat. And that allowed you to  
13 have an office here to work with, you know,  
14 the Tribes in the school districts.

15           I mean, I don't know where it says in  
16 the Johnson O'Malley Act or the BIE mission  
17 that you can't work with the public school  
18 district. We're not saying tell them not to  
19 do something. In fact, the Johnson O'Malley  
20 Act provides a mechanism for you to allow JOM  
21 dollars to flow through the States school  
22 system and (inaudible) public school  
23 districts. So, I mean, there is some leverage  
24 there. I just don't know how you go about  
25 doing it or how you frame it in a way that

1 just applies to Oklahoma.

2 I would argue that, you know, if  
3 you're concerned that opening up the public  
4 school districts, those school districts that  
5 carry Johnson O'Malley is going to create this  
6 flood gate issue; it might. You know, or you  
7 create some kind of pilot program where you  
8 look at only situations like in Oklahoma where  
9 you primarily are dealing with public schools  
10 that have a great number of students that  
11 attend them.

12 I mean, we may only have 380 students  
13 that attend Sequoia High School boarding  
14 school, but we have 27,000 Cherokee citizens  
15 that attend public schools within our 14  
16 county area; that's massive. And we owe a  
17 responsibility to them in making sure they get  
18 an education and we believe that is not  
19 (inaudible) federal dollars (inaudible) along  
20 with our Tribal dollars. That you, as  
21 trustee, should also be able to buy this  
22 mechanism such as an office in Oklahoma City  
23 and give them enhanced services so that they  
24 can continue to work with us.

25 We're not saying that that is somehow

1 making us beholding to the Federal Government  
2 for that. But any time you apply federal  
3 dollars to a Tribe and to the school districts  
4 and the obligations that accompany that, then  
5 you're necessarily involved in what happens  
6 there. And, you know, reduced services is not  
7 helpful.

8 DR. ROESSEL: I appreciate that and  
9 I understand that. I think that there's one  
10 caveat with that though is that most of our  
11 contracts are with Tribes, who then have the  
12 relationship with the public school. So, very  
13 few of our relationships are with public  
14 school districts. We don't have that  
15 relationship. The money goes to the Tribe,  
16 and they have the relationship with the public  
17 school districts.

18 So I think, you know, that's just  
19 something -- so we really don't have that  
20 connection with the public schools; the Tribes  
21 do. And about 95 percent of our funding is  
22 directed to the Tribes, and very few of them  
23 are directed to schools.

24 MS. SYDNA YELLOWFISH: May I go?

25 My name is Sydna Yellowfish, Edmond

1 Public Schools, Indian Education Director.

2 I'd like to just share a few things  
3 and I'm speaking on behalf of the 7,822 Indian  
4 students in the metro school system here in  
5 Oklahoma City. We are not contracts through  
6 the Tribes. We are under a public school  
7 contract through the Oklahoma area office here  
8 that does exist now.

9 And I know we can't compare apples and  
10 oranges, things like that, but if we would to  
11 be put up on your graph -- if we were to be  
12 included -- and every time I kept seeing, our  
13 little hope was JOM. That's our only hope,  
14 JOM.

15 If we were to be included on your  
16 graph, we're going to fall in that third  
17 population up there, if we were to be included  
18 with our 7,822 Indian students. That really,  
19 we have no representation.

20 Within the metro school districts, I  
21 have data here from 12 school districts,  
22 Oklahoma City, Norman, Mid-Del, Edmond, et  
23 cetera. We probably represent 150 schools  
24 just here in our metro area. So, for us, our  
25 -- the way we are set up is totally unique,

1 because we do not have the Tribal  
2 representation.

3 Our contract does go through the  
4 Oklahoma office, and so that connection that  
5 we have now and that we need is just paramount  
6 for us to still exist here with our Johnson  
7 O'Malley program, and that's key for us,  
8 Johnson O'Malley.

9 We're not a Bureau school, but you  
10 know what? Several of our students go to the  
11 Riverside Indian School. Some of our students  
12 transfer out. So, indirectly, yes, we are  
13 connected to the Bureau schools and Tribal  
14 Operated schools as well.

15 You probably know our students cannot  
16 succeed in some of the public schools.  
17 Sometimes they're back and forth within the  
18 schools that you have to cover here with BIE.

19 Our past consultations, I've been to  
20 many of these consultations as well and I  
21 understand that, really, our metro Indian kids  
22 do not have a voice and were not represented,  
23 but that is one of the reasons why LucyAnn and  
24 myself, and several others continue to come to  
25 these consultations to make sure that our

1 Indian children are not left out. And I'm  
2 speaking, also, on behalf of the 90 percent of  
3 Indian children that do attend public schools.

4 I would like to see that our office  
5 here in Oklahoma is not minimized, because we  
6 do have that direct service here. We  
7 communicate -- I communicate, constantly, with  
8 the area office here for technical assistance.  
9 Maybe there's questions that we have from the  
10 public schools, and we have to clarify with  
11 our area office, is this accurate? Is this  
12 the way we should be going? Just that, I  
13 guess you would say, just that connection to  
14 help us with our Johnson O'Malley programs  
15 that do exist here within the metro areas.

16 I also know that monitoring inside  
17 visits to show we're -- we are being  
18 accountable for our Johnson O'Malley federal  
19 funds that we have. There's an area that I  
20 see that this area office could also help with  
21 that. Because once again, we're talking about  
22 the 7,822 students that we are accountable for  
23 with our Johnson O'Malley programs here.

24 Any time we have federal policy  
25 updates, to me, this area office should be our

1 connection. But you know, for the past  
2 consultations going clear back to the Tribal  
3 Priority Allocation System, we were not  
4 included. It was only the Tribes that were  
5 included. But again, we were told that we  
6 should come and listen and voice on behalf of  
7 our metro Indian children that otherwise would  
8 not be heard here with these Tribal  
9 consultation meetings.

10 We have effective JOM programs that  
11 are being recognized here in the State of  
12 Oklahoma, and, once again, the area office  
13 also recognizes those effective programs of  
14 JOM that are trying to be in compliance and  
15 trying to pattern and do best practices for  
16 the JOM people.

17 And you know, you said that even  
18 though JOM is not in the public schools; we  
19 are in the public schools. Our situation in  
20 Oklahoma is so unique and divers that without  
21 our little, tiny JOM programs, what little  
22 funding we receive, we do make the best out of  
23 it. And so, that is how I -- I listened all  
24 day and I saw. I understand it's all BIE  
25 schools, Tribal Operated schools, but our key,

1 that little hope, was JOM. Because you said  
2 in an indirect way you are responsible for JOM  
3 as well.

4 So, I ask on behalf of our 7,822  
5 students that this Oklahoma area office  
6 maintain status quo, not add personnel to it,  
7 because they do deal with our 12 school  
8 districts right here. You know, I can't even  
9 speak on behalf of Tulsa, Lawton -- we're  
10 talking some of the large, major urban areas,  
11 clear across the United States that we  
12 collaborate with.

13 When things like this come up, we have  
14 Seattle calling, Denver calling us, L.A.  
15 calling us, saying we need to go voice on  
16 behalf of our large urban Indian student  
17 population that exists.

18 In conclusion, I really appreciate you  
19 coming back to Oklahoma. You were here a  
20 couple of weeks ago, and we had heard that you  
21 were coming back to have another consultation  
22 because of the different things that were  
23 provided for us and being able to see this.  
24 On behalf of, like I said, our school  
25 districts, I would like to encourage you to

1 think about the Education offices maintained  
2 here and being part of that direct connection  
3 for us -- just us, you know, here in the urban  
4 school district. That's all I can speak on  
5 behalf of. Thank you.

6 MS. FOREST: I have a question. I  
7 think this is a really interesting  
8 conversation about that. I went to a public  
9 school in Tahlequah. So, today we've heard  
10 from Norman Public Schools, Tulsa Public  
11 Schools, and Oklahoma City Public Schools.  
12 And so, in consultation, our relation --  
13 government-to-government dialogue is with the  
14 Tribe. So, I appreciate what you're -- what  
15 you're saying.

16 I guess I'm wondering and would ask,  
17 let's say other Tribes that don't have BIE  
18 schools, (inaudible) that are not considered  
19 up here at all, because, again, that's not our  
20 charge or authority. Other urban areas that  
21 don't have Native -- that don't have BIE  
22 schools but have JOM programs, now -- and that  
23 would expand this greatly. So I know that --  
24 now, I know because I'm from Oklahoma,  
25 Oklahoma is unique.

1           I'm just thinking of  
2 cross-organization, if we did that -- and it  
3 sounds like we're already doing it with JOM  
4 here, in terms of working with public schools,  
5 training -- it sounds like compliance, and so,  
6 if we -- because I think you advocated we're  
7 not increasing the staff, but that keeping the  
8 staff; right?

9           To do that (inaudible) which we don't  
10 have across any other BIE school that we're  
11 aware of, what would that look like for the  
12 entire organization? Because I was trying to  
13 think about when we think about this kind of  
14 technical assistance; poor students in public  
15 schools, Indian students in public schools,  
16 within BIE's limited structure, BIE's limited  
17 budget; how would you do that?

18           MS. SYDNA YELLOWFISH: Well, I  
19 think one thing, you know, supposedly, we're  
20 supposed to be monitored and, you know, they  
21 can't even come out for four years. So, with  
22 the increased staff to help with that part, we  
23 need to know -- and I'm just speaking on my  
24 behalf --

25           M: Okay.

1 MS. SYDNA YELLOWFISH: -- if  
2 there's a policy change, if there is a  
3 procedure that's going to change, we have a  
4 new application coming down. We should know  
5 that right offhand, because of our existence  
6 within the public schools. We are kind of the  
7 go-to -- and for some of us, we do partner --  
8 I don't want to say partner -- we coordinate  
9 with our Title VII Indian Education programs.  
10 That's how we make the best of both programs,  
11 by partnering with both. What one can do the  
12 other one cannot do. So, we have to work like  
13 that.

14 You know, we have created some  
15 wonderful partnerships, Choctaw Nation, the  
16 Choctaw Star Program, you know, they reach out  
17 to all of their citizens. The Chickasaws,  
18 Osage Nation, we partner with the language  
19 program. So those type of partnerships are --  
20 have been developed and are being developed,  
21 but once again, just having that connection  
22 with a local area office to be able to  
23 connect.

24 We're basically -- we're here by  
25 ourselves. We're, you know -- I guess if

1 you've heard of "No man's land," you know,  
2 that's us, because we have no one to directly  
3 go to, but this area office.

4 MS. FOREST: Okay. (Inaudible).

5 MS. HARJO: I would also like to  
6 add that based on the U.S. Census that was  
7 taken recently, Oklahoma has, based by  
8 percentage, has three cities that ranked in  
9 the top five by Native population; and that's  
10 Tulsa, Norman, and Oklahoma City.

11 I also will tell you that in our  
12 Norman Indian Education programs there are 79  
13 Tribes represented, and that's probably the  
14 same in all the metro areas.

15 I will also share that most of the  
16 kids that we serve through our Johnson  
17 O'Malley funds are not eligible for Tribal  
18 services from their Tribe. Even though  
19 Cherokee Nation is in our state, our Cherokee  
20 kids in our program can't access services from  
21 Cherokee Nation because they're not in any  
22 Tribal boundaries of the Cherokee Nation. You  
23 have kids from all 79 Nations that rely on our  
24 program to assist when needed.

25 And so, it's just, like you said, just

1 unique circumstances.

2 MS. FOREST: It certainly sounds  
3 like there's all kinds of really interesting  
4 partnerships here, whether it's the State, the  
5 Tribe, or a school with a Tribe, or those  
6 kinds of things, so -- it sounds like you got  
7 some really good programs already in the  
8 works, so -- I guess, to answer your -- Ms.  
9 Yellowfish?

10 MS. SYDNA YELLOWFISH: Yes.

11 MS. FOREST: All right. To talk --  
12 get back to your question, I just want to be  
13 clear, it's the presence then of that office;  
14 right? That's important?

15 MS. SYDNA YELLOWFISH: Their  
16 representation (inaudible).

17 MS. FOREST: So representation in  
18 what way? I'm sorry. I must not just be  
19 getting it.

20 MS. SYDNA YELLOWFISH: Your  
21 question is what do we expect from the office?

22 MS. FOREST: Well, the  
23 representation piece, in what manner -- or  
24 what does that look like?

25 MS. SYDNA YELLOWFISH: For us, it's

1 kind of -- I'll just throw this out for  
2 example. You know, my superintendent come in  
3 and ask, okay, what's going on with Johnson  
4 O'Malley?

5 We're the go-to people, basically, in  
6 these large school districts. My school  
7 district is 26 schools, and so I cover all 26  
8 schools with our Indian students. And so, for  
9 me, it's easy to call the area office and ask,  
10 okay, you know, this is a question that was  
11 developed here with our school district, now  
12 I'm just verifying, or has it changed, or, you  
13 know, what do you think in the future, do we  
14 see this is going to happen with our  
15 particular Indian kids in our school district,  
16 so --

17 MS. FOREST: I was going to tell  
18 you before Jennifer Davis, and I think Dr.  
19 Roessel may have addressed that, but we just  
20 hired a JOM coordinator, and she's Jennifer  
21 Davis (inaudible) in DC and she just held a  
22 round of consultations about the count and  
23 about distribution after the count, so,  
24 Jennifer will be, hopefully, getting out to  
25 the field a lot more, but I don't think we've

1 had that position in BIE for quite a while, so  
2 --

3 Jennifer got hired, and they got busy  
4 on consultation in trying to get the count  
5 finished. So, she's the one in DC who can  
6 come up with those kind of things.

7 MS. SYDNA YELLOWFISH: Thank you.

8 MS. FOREST: Thank you.

9 DR. ROESSEL: I just want to also  
10 just state the obvious here as we're talking  
11 about this issue, we're talking a lot about  
12 JOM.

13 I think that right now, the funding  
14 that we have for that coordinator position  
15 comes out of JOM, and it's designated as such  
16 from Congress. They say the salary of this  
17 person that will come out of JOM funds in  
18 addition, so, that's that.

19 If we go beyond that, there's no other  
20 funding for JOM other than within that line  
21 item. So the question would be coming up to  
22 other schools is, do you want money taken away  
23 from Jones Academy for JOM and how much?  
24 Because that costs money, and the way the  
25 statute is written, is JOM is self-contained.

1           So, you know, those are the things  
2 when we did the Plan, when were looking at it,  
3 we're looking at those things, too. The why  
4 you don't have more staffing with JOM, is  
5 because Congress said you get one person,  
6 that's it, okay. So, as we move forward,  
7 those are kind of the constraints that we had  
8 as we move forward with this plan.

9           The primary focus was on the BIE side,  
10 in terms of that the schools that we operated  
11 -- that's where we were -- our charge is the  
12 BIA reform. The American Indian Education  
13 Study Group was to focus on BIE Funded  
14 schools. It's not that we don't, you know,  
15 think JOM is important, but when we got  
16 together, this is what the two Secretaries  
17 said, this is what I need and answer to.

18           So, we do have a lot of conversation,  
19 and as I mentioned earlier, about JOM, by  
20 elevating and having that position, one of the  
21 first things that we need to come to some  
22 common idea as to what are our goals for JOM.  
23 So that we then are able to report back to  
24 Congress is it successful or not. That was  
25 part of the consultation process we just

1 ended.

2           And I'll say this, we didn't get very  
3 much back at the JOM conference. The whole  
4 conversation was just about census, using the  
5 Census for a count, instead of the other  
6 count, so we didn't get some of the stuff.

7           And we're still trying to figure out,  
8 okay, what are we going to do? You know, how  
9 can we come up with some common goals that we  
10 can develop into metrics so we can show  
11 whether or not it's effective or not.

12           So, those are some of the things that  
13 we've -- this new person coming in will be  
14 reaching out again, trying to find ways to  
15 have phone calls, you know, with groups,  
16 regions, and everybody to try to develop  
17 something with -- the recommendation that we  
18 had is let's develop some and send it out for  
19 comment. Because if you just start with  
20 nothing, then people need something to either  
21 attack or not attack. So (inaudible) we put  
22 something out there, we can have a starting  
23 point. So that's kind of where we're going to  
24 go next, after we get through with -- the  
25 comments are due in another week or so, then

1 we can move forward and try to push that  
2 conversation forward.

3 So, JOM is important to us, I mean,  
4 it's not just Oklahoma, but, you know, the  
5 other Tribes, too, utilize it. So it is  
6 important to us. But our focus right here was  
7 to do something else, but again, I think we're  
8 able to increase JOM funding, I think, by two  
9 to three million next -- \$3 million next year.  
10 So, we are looking at hopefully, with the new  
11 count we have 12 count, 14 count, that's been  
12 presented to Congress now.

13 So, we have issues though, I mean, I  
14 think it was brought up. I will say this  
15 since we're talking about JOM, the issue of  
16 the count, what about those Tribes whose  
17 numbers have gone down and they're TPA? And  
18 -- or they didn't submit any, and they have  
19 this much funding, and yet they don't have any  
20 JOM? So they're getting the funding at the  
21 expense of other Tribes. What if other Tribes  
22 -- their numbers have gone up, and they're  
23 down here and they don't get that increase in  
24 funding?

25 So, there are a lot of issues that we

1 have with this that we went out -- when we  
2 went out to consultation, and most of it was  
3 not even discussed. It was focused on using  
4 the Census, but there's some real structural  
5 issues that we have to address that no matter  
6 which way we go, it's going to have a real  
7 negative impact at the Tribal level, those  
8 TPAs. And so, you know, those Compact Tribes,  
9 that are already getting funding; they didn't  
10 submit any numbers, yet they still get JOM  
11 funding at the expense of other Tribes.

12 So, those kinds of things need to be  
13 worked out and we tried to get some answers  
14 back in consultation, and most of it was not  
15 even discussed. It was all about primarily  
16 using the Census, that -- and of course,  
17 Census, from our perspective, is  
18 self-identification.

19 We're still charged with having to go  
20 out and verify eligibility. So you can use  
21 Census to get a number, but we as BIE,  
22 Congress tells us we have to identify and see  
23 if they're eligible. So even if you have  
24 Census, we still need to go back to  
25 eligibility, and eligibility is based on core

1 blood enrolled, and you know that with other  
2 things that you all know. So, again -- so  
3 it's not that we're shying away from JOM.  
4 We're taking that on, but, you know, there's  
5 only so many things we can do at once. This  
6 is a big issue and we have, you know, again,  
7 consultation, the count, we want to make sure  
8 that we address that.

9 MR. HARTMAN: My name is Tracy  
10 Hartman. I'm Director of Eastern Oklahoma  
11 Tribal Schools, Facilities Management Program.

12  
13 For those of you who aren't familiar  
14 with what our office does, we are the -- we  
15 act as a regional facilities manager on behalf  
16 of the schools. The project -- or the program  
17 was initiated by the schools in 1997 to  
18 improve delivery of services for construction  
19 and design. First off, I'll make a statement  
20 and then I have some questions.

21 First of all, I have to share a lot of  
22 the same feelings that everybody else has here  
23 about moving staff out of Oklahoma. I feel  
24 that it's a mistake. I think that it will  
25 diminish services in Oklahoma to students and

1 to the schools. I understand the logic, but I  
2 still don't agree with it.

3           The -- however, listening to a lot of  
4 people, and I went back and looked at the some  
5 of the other previous streamlining documents,  
6 consultations, and I was kind of hit last  
7 night by one of them that was in -- the one  
8 that was in Durant in 2012, in May. In that  
9 PowerPoint that was presented, some of the  
10 points that were presented were the goal was  
11 to streamline BIE to meet budgetary  
12 constraints while maintaining the  
13 responsiveness to the needs of American Indian  
14 students. And on that point, I realized it  
15 was three years ago, but I still see that as a  
16 common goal that I think everybody in here can  
17 agree upon.

18           I'm really missing the logic on how  
19 moving that Education Resource function to  
20 three states away, which is 650 miles for the  
21 closest school in Oklahoma and 800 miles away  
22 from the farthest school, really improves, or  
23 even maintains responsiveness.

24           The students are currently being  
25 adequately served by the Oklahoma area

1 Education Office, and I can't help but think  
2 that any plan to move functions out of  
3 Oklahoma, they will only result in diminished  
4 services to the schools.

5 Another point states that any potential  
6 consolidation, which will affect services to  
7 the elementary/secondary peripheral boarding  
8 and cooperative schools will require the full  
9 support and participation of the Tribes. Now,  
10 as was submitted this morning, the Five  
11 Civilized Tribes are already on record as  
12 opposing this plan. They asked for a Tribal  
13 resolution and, you know, those five Chiefs  
14 took that charge seriously, and that's why you  
15 have in here, Tribal Resolution against moving  
16 or locating an ERC function outside of  
17 Oklahoma City.

18 And what I'm hearing is that -- the  
19 primary justification being used to move the  
20 ERC function out of Oklahoma seems very  
21 onerous to me. The reason being, and I know  
22 we don't want to look backwards, we only want  
23 to look forwards, but there's history here in  
24 Oklahoma. And we can all go through the  
25 forced removal issues, and that is no fault of

1 anyone here in this room. But, the Bureau of  
2 Indian Affairs had several schools in Oklahoma  
3 that they chose to eliminate, over time,  
4 between the 1920s up until the 1980s. The  
5 only result of that was -- is forcing more  
6 students into public school systems. That's  
7 why there's a lot of JOM students in Oklahoma.

8  
9           Would the -- if the other schools had  
10 been in existence, would there be adequate  
11 numbers to justify an ERC office in Oklahoma;  
12 probably so. And I'm talking about schools  
13 like Fort Sill Indian School, Concho,  
14 Wee-Lock, Chilocco, the Seneca Indian School.  
15 However, JOM students are not a consideration.  
16 And you have explained why that is. Again, I  
17 can understand it. I don't necessarily have  
18 to agree with it.

19           39 Tribes were moved here by the  
20 Federal Government. Now, the Federal  
21 Government is asking the Tribes here in  
22 Oklahoma to deal with a South Dakota office  
23 for educational specialist services. The  
24 irony on this is not lost on me. It seems  
25 like throughout history, we've got of gotten

1 short-shift.

2           What I'm hearing is that Flandreau  
3 people will come out to the schools, and  
4 schools will not be asked to go to Flandreau  
5 for meetings; is that correct?

6           How will moving the ERC to Flandreau  
7 strengthen partnerships with the BIE Funded  
8 Schools in Oklahoma? That's the first  
9 question.

10           The schools of Oklahoma are between  
11 650 and 800 miles from the proposed Flandreau  
12 ERC. Again, this kind of comes back to the  
13 first question, how will the distance be  
14 overcome? I'm hearing a lot about  
15 teleconferencing and that's great. Sometimes  
16 there's no substitute for sitting face-to-face  
17 with somebody. And, if you're talking about  
18 traveling as you have been, we all know that  
19 there have been travel restrictions very  
20 recently on BIA/BIE staff.

21           So, if that were to occur in the  
22 future again, and we're talking about  
23 sequestration again, how is an office 650, 800  
24 miles going to adequately serve the schools?  
25 At least here, the way that it's set up, the

1 schools can afford to travel to the Oklahoma  
2 City office when they have curtailed travel  
3 restrictions. Having the schools travel to  
4 Flandreau doesn't even seem like a possibility  
5 due to budget restrictions on (inaudible) the  
6 schools. We've looked at, you know, the  
7 travel time, both via car and via plane, and  
8 it's pricey either where you slice it.

9           Lastly, well, I may not say it just  
10 quite lastly. I have two more questions. So,  
11 my understanding is, is that the services  
12 provided by the proposed Business Support  
13 Center in Oklahoma City will be mainly that of  
14 grants processing. We are spending all day in  
15 a room here talking about what essentially  
16 amounts to one position -- one full-time  
17 position in Oklahoma City.

18           I think pretty much everybody in this  
19 room would support, and I don't want to speak  
20 for everybody, but just me, I would support  
21 three-org plan. If we had that person, that  
22 one person, that one full-time employee,  
23 that's all we're talking about here, in  
24 Oklahoma City. You could put the Oklahoma  
25 schools -- if Riverside can put underneath it,

1 and if Riverside was accepting of that, then  
2 you would have five schools. If you would put  
3 Kickapoo in that, you would have six. At that  
4 point, you could make a decision on whether  
5 you want to put -- is it Marty (inaudible) --  
6 Sock Creek, that's in Iowa, in that group.

7 So, I guess what my question is, is  
8 this going to bust the budget if we approach  
9 it from that direction of one more full-time  
10 staff?

11 You've already made modifications for  
12 Pine Ridge, and you can have the justification  
13 of having the unique condition that Oklahoma  
14 exists of having multiple schools shut down  
15 over years and increase the JOM students. We  
16 have JOM students that are in Oklahoma City  
17 Metro area, and let's be clear why they're  
18 there and why they don't have Tribal  
19 representation. Because Oklahoma County is  
20 outside lands -- this org flow. They're not  
21 Oklahoma City -- Oklahoma County is not a part  
22 of any Tribal historic land that was set up  
23 when the Indian Territory/Oklahoma Territory  
24 were combined, and that land was set aside for  
25 a capitol.

1           Lastly, this is my selfish question,  
2 now that BIE is taking over the facilities  
3 side, it's my understanding from listening to  
4 you today that those are mainly going to be  
5 BIA employees that are coming over under the  
6 authority of BIE? Our office, Eastern  
7 Oklahoma Tribal Schools, was originally funded  
8 under 36-27 Funding. The agreement that was  
9 made at the time that our office was created  
10 was that we would have a yearly funding  
11 allowance.

12           The BIA has gone back on their word.  
13 We are getting nothing on a yearly basis for  
14 funding. We are having to scrape funding out  
15 of projects and identifying project  
16 administration funding off of those projects.  
17 Now, they don't take away from the cost of the  
18 projects, themselves, but as I'm sure you  
19 could understand, due to the variation in  
20 budgets from year to year with regard to  
21 project funding, how that can make it  
22 difficult for an office to be functional and  
23 productive.

24           Our office has had a staff of up to  
25 six people, we're now three. We are putting

1 out more projects now than we have before. It  
2 would be nice for us to increase our staff by  
3 at least one person, but it's difficult to  
4 make that justification when we're unsure of  
5 what next year's funding brings. And so, I  
6 would ask that if there are any facilities  
7 funding available that Eastern Oklahoma Tribal  
8 Schools be slated to receive some of that. It  
9 is -- it meets your requirements of being an  
10 innovative Tribally run organization, and it  
11 is shown to be a success, and that's just not  
12 me. There's two other directors before me  
13 that made it a success. And then, we have a  
14 staff that works very hard on difficult  
15 projects, and we've shown it to be a  
16 successful program.

17 And I thank you for your time and for  
18 your coming to Oklahoma today to listen to us.

19 MR. DON YU: I just want to make  
20 one -- and thank you for your comments and  
21 concerns and questions.

22 For the record, I just want to make  
23 out one point that the complete planning for  
24 the School Operations Division is not  
25 complete. Some of the positions are, in the

1 School Operations Division across the -- all  
2 the function areas, Facilities, Procurement  
3 and Acquisition, Information Technology,  
4 Communications, Finance; some of those  
5 positions are -- are not. It's kind of a  
6 shifting of some BIE folks into those key  
7 positions, but the exact parameters of how  
8 BIE, BIA, and the Deputy Assistant Secretary  
9 for Management's office, some -- that exact,  
10 precise arrangement has not been completed  
11 yet, so I don't want to make it sound like the  
12 planning for that is done and it hasn't been  
13 yet.

14           The only thing I know for sure is that  
15 BIE will be taking more of those operations  
16 over. How many from BIA, how many from  
17 (inaudible), all that stuff. (Inaudible) so I  
18 just want to make sure that it's clear.

19           DR. ROESSEL: Okay. A couple of  
20 things, one of the hardest challenges in  
21 proposing any kind of Re-Organization with BIE  
22 is that -- even though I had nothing, I was in  
23 -- a freshman in college in 1980 --

24           (Multiple conversations)

25           DR. ROESSEL: -- is that we, you

1 know, the government, we bear the Sins of our  
2 Fathers, and we have to, you know, present  
3 this, knowing full well that, you know, that  
4 history is something that is very -- still  
5 fresh in everybody's mind and understand as we  
6 move forward.

7 I think one of the things, will it  
8 bust the budget by one person? When we moved  
9 that position from the position that's in Pine  
10 Ridge that serves those three BIE schools, we  
11 moved that position from Minneapolis. So, it  
12 wasn't a plus-up at all. We are -- so if we  
13 -- if we look at anything, it would be not  
14 adding to, but say, where do we take from  
15 within our system, if we were to do something  
16 like that. Because we don't -- we just don't  
17 have the money to plus-up and we've already  
18 told Congress this is going to be budget  
19 neutral, and so, we have to pull it from other  
20 places.

21 M: Albuquerque has a lot of  
22 people.

23 DR. ROESSEL: But they also are  
24 serving more than just four schools. They're  
25 serving all of New Mexico, also into Arizona,

1 and, you know, they're serving a large area of  
2 Oklahoma. So they're serving a lot of  
3 different schools -- two different types, BIE  
4 as well as Tribally-Controlled, and there's  
5 two different functions.

6 So when you talk about Riverside being  
7 a part of the ERC, the issue that -- the  
8 challenge we have there is ensuring that, that  
9 school we actually oversee and operate. And  
10 that if we start branching it out to a  
11 Tribally-Controlled area, then we lose that  
12 scaling of that we, you know, are able to get  
13 when we put all of our BIE schools under one  
14 roof. So, that's just that challenge.

15 But that doesn't mean -- and I think  
16 one of the things that is a reflection of --  
17 or a comment that comes up a lot is that just  
18 because they're Tribally-Operated or BIA  
19 controlled, it doesn't mean they're not going  
20 to work together. So, like in an area like  
21 the Plains, you do have some schools that are  
22 close by. So I would still say that they can  
23 work together and consolidate it, and I think  
24 one of the things that -- that we're focused  
25 on is, again, the idea of the ERC is not

1 bringing people up, but it's coordinating so  
2 you have the training at, you know, Sequoia  
3 High School. You're able -- then people could  
4 come to that training there, whether they're  
5 in the Oklahoma City Office, whether they're  
6 in Winter Rock, Arizona, or whether they're in  
7 NikiSuki (phonetic). I think the idea is  
8 that, that type of service doesn't matter in  
9 terms of where that's coming from. It's that  
10 it's happening at the school level, so that  
11 the schools here are having their professional  
12 development, where all of them could come to  
13 if they want.

14 I guess the question I'd be asking,  
15 also, back to the schools that are  
16 represented, how many times have schools  
17 gotten together and had joint professional  
18 development in the last year, or the last two  
19 years?

20 (Pause)

21 DR. ROESSEL: I don't think it  
22 happens. So I mean -- so I mean, part of  
23 this is trying to say, okay, how can we try to  
24 move forward together and work together?  
25 Everyone comes here and they tell us we want

1 this, we want that. But we're not doing that  
2 now, we're just staying in our own little  
3 place and we're not collaborating. But yet,  
4 you know -- so, you know, part of what we're  
5 trying to do is build a system that actually  
6 is a collaboration and work together. So this  
7 person -- the ERC, whether it's Flandreau or  
8 whether it's still going to be here in  
9 Oklahoma City, it's about trying -- how do we  
10 build those connections? The roles and  
11 responsibilities have changed.

12 We're not going to go back, because  
13 going back was failure, and so we need to do  
14 something different. We need to look at how  
15 do we collaborate? How do we try to work  
16 together across schools? That's not happening  
17 right now.

18 M: Well, it is (inaudible)  
19 facilities-wise.

20 DR. ROESSEL: Well, Facilities, but  
21 it's not happening in the area that we're  
22 talking about here with the ERC, and I think  
23 that's something that, okay, do we want that?  
24 I think if the Tribes (inaudible) you know, we  
25 don't want that. We want to keep -- take care

1 of our schools and we don't want to  
2 collaborate and that would be fine. But what  
3 we heard in our listening sessions and  
4 consultations of the past, across the entire  
5 system --remember the entire system was we  
6 wanted increased collaboration. So, we're  
7 trying to create a model that fosters that.

8 Now, if Oklahoma doesn't want that --  
9 if everybody wants to just keep their school  
10 and not have to worry about any of this, then  
11 that's fine. Then we need to hear that too,  
12 because then this model (inaudible), does not  
13 address that. This model addresses the  
14 collaboration at a different level. So that's  
15 part of what I first started saying, I want to  
16 get in the weeds, what is it that we really  
17 want. Only from that perspective then can we  
18 see, does this work? If we don't get in the  
19 weeds then we never get to see whether or not  
20 this works.

21 You know, your question of exactly  
22 what are they going to do was a great  
23 question, because if you don't know what  
24 they're going to do you don't know what to ask  
25 for. And then when you tell them what they're

1 going to do, you say I don't need that. It's  
2 like when you go to a mechanic, they tell you  
3 everything your car -- they sell you. You  
4 say, no, I just want the tires rotated, I can  
5 do everything else; whatever the case is.  
6 That's, you know -- that's what we're trying  
7 to get at here.

8 I think there was another hand that  
9 was raised somewhere.

10 MS. REYNA: Okay, I have a couple  
11 more questions. You talked about audits and  
12 improving compliance with those. So are you  
13 telling me that the Planter Indian Schools are  
14 superior in complying with the audits and not  
15 having disallowed costs over Oklahoma, and  
16 that's why you're moving the functions to the  
17 ER Center there, in Planter?

18 And are they more successful in  
19 collaborating training between the Tribes  
20 there, that's why you're moving to -- moving  
21 our office to Planter?

22 THE COURT REPORTER: That's  
23 Yolanda, right?

24 MS. REYNA: Oh, yes.

25 THE COURT REPORTER: Thank you.

1 MS. REYNA: I apologize.

2 THE COURT REPORTER: It's okay.

3 MS. REYNA: You know, I just --  
4 questions like that I had more for --

5 DR. ROESSEL: Planter is there.  
6 That's a BIE-Operated School.

7 MS. REYNA: How do you (inaudible)?

8 DR. ROESSEL: So, they don't have  
9 audits. It's the staff that are going to be  
10 there. That staff, Grant Management  
11 Specialists, that's where they will be located  
12 to then be able to go out and train.

13 Now, the area that we're looking at  
14 with Tribally-Operated Schools is one that  
15 they do work and work together, the Grant  
16 Management Specialists, across the system, as  
17 well as when you look at the board chart for  
18 Administration or School Operations. It's not  
19 just about Flandreau, it's the support that we  
20 have for the entire system of Grant  
21 Management, and I don't know if Vicki wants to  
22 respond to that in greater detail.

23 That is just not that department.  
24 That person there can go out and work and  
25 train, but it's not because they have the

1 audits. That's (inaudible) the school people  
2 are not going to be the ones going out.  
3 They'll be the actual BIE staff that will just  
4 happen to be housed at Flandreau that  
5 (inaudible) --

6 MS. REYNA: But wouldn't it serve  
7 Oklahoma better to have a person that is  
8 specialized in the audits and these other  
9 areas, since you're concerned. To help our  
10 people here in Oklahoma with the large number  
11 of Tribes, than students, over all?

12 DR. ROESSEL: Well, again, what I  
13 would say to that is that we have -- really,  
14 you're talking about --

15 MS. FORESTER: Just -- we talked  
16 this about -- just a little bit, but for this  
17 effort, the purpose of today and the  
18 re-alignment is for the five -- it might be  
19 six if you add Kickapoo -- schools that are  
20 BIE funded. So, if you took the ERCs, it's  
21 not designed for one size fits all, because  
22 that does not work at all.

23 MS. REYNA: Then how do you explain  
24 that?

25 MS. FORESTER: So they're not

1 designed that way, but they, typically, are  
2 going to have the same kinds of staffing. So  
3 there will be a Grant Management Specialist  
4 that actually works for my office in DC, that  
5 would go out. For a (inaudible), it's BIE  
6 Operated schools don't have -- and I'm talking  
7 about the A133 audit, not your full-blown  
8 financial audits. But if a school in -- like  
9 I said, we had two that have requested that  
10 help now. We're going to go out there, help  
11 them, work with their auditors, see what kind  
12 of financial assistance -- financial technical  
13 assistance we can provide.

14           There's lots of turnover at both the  
15 schools. They have had bad sequel audits for  
16 the last two or three years, so we want to go  
17 in, get the old audits cleaned up as much as  
18 we can, and then try to set some prevailing  
19 controls in place. Not sure what we're going  
20 to do about turnover in staff. My office  
21 needs to give a really robust training --  
22 servers that serve Tribally-Operated schools  
23 plus BIE-Operated that are short financial  
24 staff. So, that's one of the things that I  
25 want to do.

1                   MR. DON YU: And just -- somebody  
2 is on their microphone -- but specifically  
3 about the audit issue, BIE doesn't really do  
4 any, though. I mean, currently, we're trying  
5 to improve ourself in that area, in terms of  
6 the audit -- the A133 audit work, but most of  
7 that auditing function is actually handled by  
8 the Deputy Assistant Secretary for Management,  
9 which is a different entity within Indian  
10 Affairs.

11                   MS. REYNA: Well, you know, the  
12 reason I brought that up is because you  
13 brought it up, you know, and I want to make  
14 sure. You know, I'm trying to make --

15                   MR. DON YU: Sure.

16                   MS. REYNA: Connect it in my mind,  
17 how it is, overall beneficial.

18                   MR. DON YU: Right.

19                   MS. REYNA: -- for Oklahoma Office  
20 functions that you need moved.

21                   MR. DON YU: Uh-huh. Right.

22                   MS. REYNA: To me, instead of  
23 having a GS-15 Supervisor Acquisition person,  
24 and a GS-14, to me it would serve us better if  
25 we had a Contact Specialist here in Oklahoma.

1 You could add a 9 level that would work  
2 locally, because my understanding at the last  
3 meeting, the BIA school, Riverside, had  
4 problems with things being purchased with it  
5 -- HR. You know, and I don't see how moving  
6 it away (inaudible) would be better  
7 (inaudible) here, especially because of the  
8 cost of living.

9 MR. DON YU: And those are great  
10 points. And I (inaudible) the audit issue,  
11 along with HR, Procurement and Acquisitions,  
12 and stuff before. Because, again, trying to  
13 move a lot of those functions out of the --  
14 not out of the -- again, the BIA (inaudible)  
15 different offices, and bring them into BIE.

16 DR. ROESSEL: And I think, you  
17 know, that's what they're talking about. So  
18 some of those functions -- HR will come over  
19 into BIE.

20 I just want to bring something -- you  
21 know, we had talked a lot about this  
22 collaboration, we talked a lot about, you  
23 know, the office. You know, I asked how many  
24 times have you all gotten together with the  
25 line office here, and I was told zero times in

1 the last couple of years.

2 MR. HARTMAN: I've been to two  
3 meetings, at least, at the line office --

4 DR. ROESSEL: Okay. I mean  
5 everybody. The entire, like, you know, we  
6 talk about everyone getting together.

7 MS. REYNA: He's talking about the  
8 Facilities getting together.

9 MR. HARTMAN: No. I'm not talking  
10 about some Facility's staff. I'm talking  
11 about --

12 MS. REYNA: All schools?

13 MR. HARTMAN: Yeah.

14 DR. ROESSEL: All the schools? I'm  
15 -- this is coming --

16 FEMALE: This is coming from our  
17 line office staff.

18 MR. HARTMAN: We've been to a  
19 couple of meetings where we actually presented  
20 status, and things like that.

21 (Multiple conversations)

22 FEMALE: Our schools are so  
23 (inaudible) a BIE-run school. I've got one  
24 high school, 1-6, 1-12, and two (inaudible).  
25 So, we typically do not have meetings where we

1 all get together. We want you together to  
2 talk about facilities. And I (inaudible) I  
3 thought you were talking about the academic  
4 and we've talk about curriculum and that sort  
5 of thing. And I don't have meetings like that  
6 because it's a waste of (inaudible) people's  
7 time to come and talk about academics, because  
8 they don't do academics. It's a waste to talk  
9 about the K-6 (inaudible) because they don't  
10 have K-6 (inaudible), so we don't have that.  
11 We talk to the individual administrators  
12 along, do we -- have we gotten together to  
13 talk about facilities (inaudible) but not  
14 academics (inaudible)

15 DR. ROESSEL: But I think that,  
16 again, comes back to what is it that you want  
17 from the office? I mean, I'm going to use  
18 that as an example of saying, as a group, as  
19 an ERC, you don't get together now for those  
20 reasons. I'll be honest, I think there are a  
21 lot of reasons to get together, school  
22 discipline, improving teaching, classroom  
23 management. There's a lot of things that can  
24 be done, you know, within our system,  
25 coordinating, if that was the charge.

1           That hasn't been the charge lately.  
2           It's been primarily working on other issues.  
3           I think what we're trying to do is to get away  
4           from that and move on academics, and get away  
5           from that focus. So, I think there's an  
6           example of if we focus on what we're doing  
7           this -- that's how we got where we are. Move  
8           that away. How do we focus on academics?

9           The idea then is an ERC that reflects  
10          academics and brings people together. That's  
11          what we're trying to get to. Now, it doesn't  
12          have to be together at the ERC. It's together  
13          at the schools -- at the individual schools,  
14          that's where you have professional  
15          development. You don't have professional  
16          development at a line office. You don't have  
17          professional development at an ERC. You have  
18          professional development in the classroom, and  
19          we know that in education. And that's what  
20          we're trying to accomplish. Though, when we  
21          talk about going to the ERC, it's not going to  
22          the ERC. It's going to the first-grade  
23          classroom at a school -- at Jones Academy or  
24          somebody, like a really good teacher here. We  
25          want to go over here as a group, let's see

1 what's happening here. And that travel money  
2 is coming from BIE, not at the local school  
3 level.

4 That's the whole shift from what we've  
5 done in the past. Every school is on their  
6 own. It was just reflected in what we just  
7 said, what we just heard. We don't  
8 collaborate. We don't work across schools.  
9 We're trying to get to that point. Those are  
10 some of the items, and we say what is it that  
11 this Re-Org is trying to do? Those are some  
12 of the founding principals, collaboration.

13 Look at school improvement strategies  
14 that are happening right now. One of the  
15 primary focuses is on collaboration,  
16 horizontal collaboration, not just vertical  
17 collaboration. That's what we're trying to  
18 implement here. We're looking at it from an  
19 academic perspective. It's boxes on the org  
20 chart right now, but it's functions. And  
21 that's what we're trying to focus on with  
22 this. I think it sometimes gets lost in the  
23 translation. We see so many boxes, and it  
24 looks like it's really heavy, but those boxes  
25 have functions and those functions -- and the

1 primary function of ERC is to build  
2 collaboration across schools and amongst the  
3 teachers.

4 MS. REYNA: That's exactly what we  
5 want in Oklahoma, that ERC to be compatible  
6 here in Oklahoma, not in other states.

7 DR. ROESSEL: But then, again, the  
8 point is, is that the collaborations at the  
9 school level, not the ERC level.

10 MS. REYNA: That's right.

11 DR. ROESSEL: We're not focusing on  
12 the ERC providing that service at the site.  
13 We're focusing on that person, this is the  
14 person doing it. They're coordinating with  
15 you, you, you, and you at your different  
16 schools, and you're providing them -- okay,  
17 you know, we're going to have -- at Jones  
18 Academy, we're going to have training on this,  
19 and it's coordinated. So it doesn't need to  
20 be the person at the ERC in Oklahoma City. It  
21 could be anywhere for that matter, and that's  
22 the ideas of it. Training will happen at your  
23 schools. The coordination of that and the  
24 conversations, those will happen amongst the  
25 principals and the school improvement

1 specialists.

2           Teleconferences, I agree are -- we're  
3 not trying to conduct business other than  
4 conversations, how to move forward, what's  
5 going on, what's working, what's not working  
6 -- those types of conversations and moving  
7 forward with professional development. We  
8 tried this last week with our professional  
9 development, it really went well. I think it  
10 was something that we may want to try to share  
11 with others. Those are the types of  
12 collaborations that we'll have. We've had a  
13 couple here, but zero in the last couple  
14 years, for whatever reason.

15           So what we're saying is that we want  
16 to try to build on that and say -- of course,  
17 it's very easy to build on zero. So, let's  
18 start having some of these, and that's the new  
19 role and responsibility.

20           And Catherine is focusing on other  
21 things, not on the academic side, because  
22 she's busy with other things. I mean, I think  
23 this is a perfect example of what we're  
24 talking about. She's doing the -- at the line  
25 office a lot of the administrative stuff that

1 has to be done and taken care of. The focus  
2 on the academic side, where's that happening?  
3 That's what the ERC is focusing on.

4 The other academic stuff, or the other  
5 administrative stuff, that's being handled  
6 outside of that because most of that does not  
7 have to have the person locally to handle  
8 that. That's what we've seen and we've done  
9 our analysis of our system. So that's what is  
10 reflected here. And this is talking about  
11 schools that are Tribally-Operated.

12 BIE-Operated, we have a different need  
13 there, because we -- we have our own  
14 acquisitions through BIA. But for  
15 Tribally-Operated, that's all handled by the  
16 school, by the Tribe. So we have nothing to  
17 do with the HR functions, nothing to do with  
18 the acquisition functions. So that's -- we're  
19 trying to really define that so we're not  
20 piling up people and doing other activities  
21 when they could be focused on the academic  
22 side.

23 MS. REYNA: Isn't that, though, a  
24 reflection of shortage of staff at all the  
25 line offices right now? If you say that's

1 being reported, I'm sure it is. Because I  
2 know in our area many of the line offices have  
3 one person. We're lucky if we have two right  
4 now --

5 DR. ROESSEL: Yeah.

6 MS. REYNA: But you --

7 DR. ROESSEL: Well, part of it is  
8 that reflection now, but also, if you look  
9 historically, look at our AYPE. When we were  
10 fully staffed back in 2008, we were in worse  
11 shape than ever -- something like 18 percent  
12 of our schools. So, historically, we have  
13 had, you know, not the greatest track record  
14 when it comes to academics, and that's what  
15 we're trying to address. Whether we're fully  
16 staffed or right now, barely staffed.

17 I will say this, this model, this --  
18 that model, is something that I implemented  
19 when I was at Navajo Region office that  
20 consolidated as a district, and 50 percent of  
21 our BIE-Operated schools -- more than 52  
22 percent are making AYPE. So the consolidation  
23 does help, you're able to have, you know, a  
24 professional developer across many schools, as  
25 opposed to just one. You can really target

1 the kind of professional development that's  
2 you're looking at and in addition to what is  
3 happening at a local school level.

4           So, we're trying to take some things  
5 that happened -- well here, you know, with the  
6 model you're using with the facilities is  
7 something that we've looked at. How do we try  
8 to incorporate that? We're looking then at  
9 the Plains, we're looking at different areas.  
10 How do we try to model that and scale it up  
11 and have it at different areas where we have a  
12 much tougher oversight of facilities. Like,  
13 I'm sure you already, you know, know some of  
14 these -- the problems and challenges. So we  
15 are trying to take these best practices as we  
16 move forward, we were able to handle  
17 facilities within our own BIE. Then we can  
18 try to set -- we can set it up from scratch  
19 helping them to build from that point going  
20 forward.

21           So I think it -- you know, this phase  
22 right now is primarily on the academic side.  
23 Those yellow boxes are on the top part as a  
24 school operations side, which is much more the  
25 Secretarial Order.

1           Do we want to take a break real quick?

2 Does anybody --

3                           (Multiple responses)

4           DR. ROESSEL: I -- usually if I ask  
5 the court reporter (inaudible) --

6           THE COURT REPORTER: Oh, I'm sorry.

7           DR. ROESSEL: -- they're --  
8 sometimes get tired and (inaudible) --

9           THE COURT REPORTER: My pleasure is  
10 yours, I was -- my pleasure is yours, just  
11 keep going if you want.

12           DR. ROESSEL: Want to just keep  
13 going?

14           THE COURT REPORTER: Yeah. That's  
15 fine.

16           MS. OVERALL: Good afternoon, my  
17 name is Lydia Overall and I represent the  
18 Seminole Nation. I'm the Johnson O'Malley  
19 coordinator for the Nation. And I just had a  
20 few quick points that I would like to add.

21           At our Tribe, at Seminole Nation, we  
22 actually were -- we were actually invited by  
23 the Creek Nation to attend what they had with  
24 their school districts. It is independent  
25 from the BIE, but if we have additional staff,

1 instead of taking our staff, we could have our  
2 BIE staff there. That -- they have an  
3 in-service three times a year, and it's with  
4 all of their school districts. They invite  
5 all of them.

6 And so they taught me how to do -- oh,  
7 first of all, let me back up -- the Seminole  
8 Nation did not have the Johnson O'Malley  
9 program for many, many years, and so, it was  
10 just newly returned to Seminole Nation in 2013  
11 -- January 2013. And so, for 16 years we  
12 didn't have the Program at all. And so, now,  
13 to have it again, a lot of our staff, our  
14 procurement office, accounting office -- it's  
15 all a brand new thing to them, because they  
16 haven't worked with it before.

17 And so, the BIE office here in  
18 Oklahoma City has been just phenomenal in the  
19 help that they provided; the assistance, the  
20 questions. They know the area so well. I can  
21 call and just ask about one particular  
22 district and they'll -- right away they know  
23 the situation. So they've just been great in  
24 helping us with the return of the Program.

25 But also, back to the in-service, what

1 we do is we invite all of our districts, the  
2 superintendent, school counselors, teachers  
3 that are available, the JOM staff, the parent  
4 committee, our general council members, which  
5 is our legislative branch, to help, you know,  
6 get new changes for the Johnson O'Malley  
7 Program funded by our Tribe.

8           And so, it's just been one of those  
9 things, how you were saying most of us don't  
10 do that here in Oklahoma -- a lot of us do  
11 because when I check with other Tribes, a lot  
12 of them, you know, do the same thing, having  
13 all their school districts together under the  
14 Johnson O'Malley Program.

15           But it would be wonderful if we could  
16 actually have the BIE, so -- back to  
17 in-service -- (inaudible) must have shut off.  
18 Someone may not want me to say anything else.

19                           (Multiple comments)

20           MS. LYDIA OVERALL: Anyway, another  
21 point I wanted to make was that whenever  
22 you're talking about changing the -- thank you  
23 so much, I appreciate that.

24           Whenever you're discussing changing the  
25 structure of BIE and moving it out of state

1 and the staff that you're talking about will  
2 be traveling directly to the schools  
3 --Seminoole Nation is a small Tribe, and part  
4 of my job position is every hat with the  
5 Johnson O'Malley Program, all of them.

6 And just the sheer number -- and like  
7 I said, we're a small tribe -- just the sheer  
8 number of phone calls, emails, (inaudible)  
9 because I think it's so much faster, than I  
10 have -- just the volume of that. I can't  
11 imagine this BIE staff being more effective  
12 than what's happening now.

13 It sounds great on paper. I mean, it  
14 sounds like you all are going to go to these  
15 states and you're going to go travel directly  
16 to the school. In reality, where I travel so  
17 much with this position, school to school --  
18 all the problems that come up -- it is  
19 honestly a --- to be effective, you're going  
20 to need way more staff. Because what happens  
21 when you're out there and in the field and you  
22 are in person, many, as you know, many things  
23 come to light that's not the real reason they  
24 called and asked or requested for you to come  
25 out. There's usually a lot more and more

1 serious underlying issues that bring you to  
2 that district.

3           And so, just in thinking about --  
4 whenever you're talking about it's going to be  
5 so much more effective, just thinking about  
6 the reality of being on the road, going to  
7 those districts and helping, you know, you  
8 might as well write off that afternoon or that  
9 whole morning. And then you've got to  
10 document, document, document, and then handle  
11 all of your calls, all of your (inaudible) --  
12 to me, the thought that we're going to call  
13 these individuals from Oklahoma, then with our  
14 questions, our concerns, our needs for our  
15 programs -- I'm just like, wow, I just see us  
16 going boom, boom, boom, to the bottom of that  
17 never-ending list.

18           So, that's what really worries me as  
19 someone from Oklahoma with our program for our  
20 Tribe. I just think that will not be  
21 effective. I'm not trying to be negative, but  
22 in reality I just don't see that working. I  
23 see the needs of Oklahoma, the other Tribes,  
24 and the other states that would have to call  
25 these individuals; I don't see our needs being

1 met at all. Because -- not from intent to  
2 neglect, but just the fact there's going to be  
3 so much to do, we're just not -- the needs of  
4 -- for us would not be met, and so, that was  
5 one.

6 Another point I wanted to make about  
7 the time management, the effectiveness of the  
8 restructuring -- and then, also, I wanted to  
9 agree with several individuals that have  
10 spoken today about thinking outside the box  
11 for Oklahoma, because our needs are so unique.  
12 There are so many things, so many powerful  
13 ways that BIE does help, and maybe it's not  
14 documented on the information -- the data that  
15 you gathered.

16 But honestly, here in Oklahoma where  
17 we have so many Natives, you just don't know  
18 the power, the absolute power that our BIE  
19 office has. They help us in so many ways.  
20 It's peace of mind to know. It may not be  
21 the CFR, but they know exactly how it does  
22 when we don't see it as anything to do with  
23 the CFR, and they're like, well, guess what,  
24 Lydia, this is how you handle it.

25 We appreciate them so much what they

1 do, Ms. Dupree, Ms. Fartherree, and Mr. Nuttle.  
2 I mean, it's just something that, you know,  
3 can't be touched upon when you say, well,  
4 Oklahoma, you're going to have to go to this  
5 state to receive help, to receive assistance  
6 you're going to have to call them.

7           When I hear all the duties and the,  
8 almost, you know, new, improved BIE that we're  
9 going to have out of state, I'm just thinking,  
10 oh, those poor individuals that are going to  
11 have those positions. I just don't see how  
12 that can be done and meet the needs of all of  
13 us back here. I just don't.

14           And I -- you know, as I said, I don't  
15 mean to be negative and I appreciate that you  
16 all came down to even hear us, listen to us a  
17 second time, and I think that, you know, it is  
18 wonderful that we're having some voice, you  
19 know, some type of consideration. But in  
20 reality, I just -- I really don't see -- I  
21 don't even understand how it could be -- our  
22 needs would be met here, you know, and all the  
23 other states that have to contact those  
24 individuals, because just listening to what  
25 they're going to be doing, like I said, I just

1 -- I don't understand that.

2 But I do appreciate your time and I  
3 wanted to be quick because I know it's getting  
4 late. Thank you so much.

5 (Pause)

6 MR. ULREY: Excuse me if my voice  
7 isn't exactly right. I'm a little stopped up  
8 today. My name is Charles Ulrey. I work with  
9 the Ottawa Tribe of Oklahoma.

10 And I would just like to say that we  
11 have discussed what we have seen about the  
12 Re-Organization Plan, and for the most part,  
13 we had like it and we would like to see it  
14 attempted. But we also would like to agree  
15 with just about everybody else that has talked  
16 today -- that we would love to have seen, you  
17 know, that ERC function in Oklahoma, rather  
18 than being shipped off elsewhere. Just for  
19 the simple fact, being ten miles or a hundred  
20 miles away from that office is just superior  
21 to being a thousand miles away. Unless, you  
22 know, they build an elaborate series of  
23 underground tunnels, you know, where they go  
24 to work and go home that way, that they'll see  
25 these people, but they'll have more of a

1 connection than we will here. That's  
2 unfortunately just the way it is and maybe  
3 it's just selfish, but I think that we would  
4 rather have that done then. Well, that's just  
5 the way it is.

6           The good news is we do not -- I mean,  
7 we're not here saying we would like less BIE;  
8 we would like to see, you know, less of you.  
9 We're -- we would be glad to see the other  
10 side of you, and that's precisely why.

11           I'm from a small Tribe. We do not  
12 have schools. So, we partake in only a few of  
13 the programs, but the Tribal Council, after  
14 looking things over, we're really concerned  
15 that this could end up with there being  
16 actually no BIE presence directly in Oklahoma.  
17 Because, I mean, you still have to present  
18 this. You have to present it, my  
19 understanding is, to Congress, and they are  
20 going to question it. I mean, they're going  
21 to salvage it more than we could possibly  
22 every do here.

23           And one of the concerns my Tribal  
24 Council had is that Oklahoma City does look  
25 unique in this way. It's the only business

1 support center and so, my question is how are  
2 you going to be able to present that in such a  
3 way that it doesn't come off as just saying,  
4 well, Oklahoma City office does something that  
5 just about every place else does, but less.  
6 But we're still going to have, you know, a  
7 couple of staff and we're still going to have  
8 all the overhead and we're going to rent  
9 offices and pay utilities, and not have them  
10 look at it in a setting. I think I see a  
11 great way for us to save some more money.

12 (Pause)

13 DR. ROESSEL: When we looked at --  
14 and again, without rehashing everything that  
15 I've said prior, but part of the issue is  
16 looking at -- and the first thing we see is  
17 the number of schools. I mean, that's -- and  
18 you look at the number enrollment and we've  
19 already kind of gone over that in terms of  
20 what have we come up with this determination  
21 now.

22 We went into it knowing full well you  
23 have a very strong congressional delegation  
24 here. We know that, so it's not like we were  
25 not aware of that and we did not take that

1 into account. Even with that, though, I  
2 think, you know, from my perspective and what  
3 we've had, the small briefings so far, you  
4 know, we've taken that head on by saying, even  
5 with all that, this is something that we feel  
6 is in the best interest of the entire BIE.

7           And I think -- and this will probably  
8 come from me more than anything, since --  
9 well, from one of the director, but also, you  
10 know, as we move forward -- when I was on the  
11 other side, working at a Tribal school and I  
12 was superintendent, in the 11 years, I went  
13 down to the line office, no more than three  
14 times in 11 years. They had nothing to do  
15 with me. I was a Tribal school, and that is  
16 one of the things that we've heard lot in  
17 consultation and listening, is that idea of  
18 hands off.

19           Now, at the same time, you want them  
20 get out of our way, but can you still be close  
21 by? You know, and I understand that, there is  
22 a comfort of having that office close by just  
23 in case, and so don't get me wrong. That's  
24 something that, you know, I do understand and  
25 I've heard before, but as we move forward, one

1 of the things I keep coming back to, what is  
2 the service that you're going to be asking  
3 for? And when we say this is what this office  
4 is going to transform in to, then what is the  
5 service that's needed? And that's what we've  
6 tried to do when we make our cases, is really  
7 focus on the functions and what are we looking  
8 at now.

9           Some of the schools, you're right,  
10 they are going to be hundreds of miles away.  
11 No matter where you put an ERC, you're going  
12 to have that, because you can't -- we can't  
13 afford to keep 22 line offices open right now.  
14 That's just -- there's no way we can do that,  
15 unless we put two people in every office, and  
16 they can't provide any support, and they can  
17 answer phones. So we have to bring those  
18 numbers down. So, no matter where you put an  
19 ERC, we're going to have that kind of a  
20 challenge.

21           I think the other things to talk  
22 about, okay, exactly what is it that we're  
23 talking about when we say business activity  
24 center? The services that everyone has been  
25 seeing that they -- you get right now, which

1 deals with JOM, that's not moving away.

2           You know, everything that you've told  
3 me about JOM and this is what they do and this  
4 -- that's staying here. Now, we may -- we  
5 could call it the JOM Center if we want it to  
6 be much more direct, and that is going to be  
7 there -- those other functions. Which, again,  
8 I come back to zero in-person meetings in the  
9 last couple of years because we're focused on  
10 administration. So what is being missed?  
11 That's what I would do when I -- when I go --  
12 when we present next time to Congress, I'll  
13 say, well, one of the reasons is in the last  
14 couple years they've had no meeting like this.

15  
16           Okay. So we're not trying to force  
17 something on to a Tribe. It's something that  
18 they decided not to do anyway. And the focus  
19 has been on the administration, but one of the  
20 problems with administration, if you look at  
21 our GAO report, we're trying to address that  
22 GAO report. And this structure helps us  
23 address that. We've been talking to people,  
24 it's, like you said, the (inaudible) you know,  
25 when we first went out, back in Durant.

1           You know, we've been addressing these  
2 issues as they come up. So now, we're in a  
3 position now, where I think we can say  
4 administratively by consolidating functions,  
5 by defining roles and responsibilities, by not  
6 having joint accountability issues; we now  
7 think that we can address a lot in those GAO  
8 questions and the problems that we had in the  
9 report that was in November. So, when we look  
10 at it from that perspective, we have an  
11 answer. When we're looking at the academic  
12 perspective, collaboration, schools working  
13 together, we feel we have a new answer.

14           So, when you say how do I present it?  
15 I present it like that, as a -- one, addresses  
16 the GAO issues; two, addresses our lack of  
17 making AYPE, and then defining those roles.  
18 What does that mean? That's separating  
19 Tribally-Operated and BIA-Operated and then  
20 breaking down those functions going -- whether  
21 you want to start in the classroom and work  
22 your way up, or whether you want to work from  
23 the top and work it to the classroom. Either  
24 way, those -- defining those roles and  
25 responsibilities is something that I think is

1 very -- not just important, but imperative  
2 because we have those problems and the  
3 confusion at the line office a lot of times.

4 Here, you only have, you know,  
5 Catherine, so you don't have the line officer  
6 with ED Spec, and different things, but in  
7 other areas where we have that, we were -- it  
8 was confusing. It never was fully staffed.  
9 It never worked the way it was supposed to  
10 work. That re-org was suppose to identify as  
11 an instructional leader. It never got to that  
12 point, because they kept all these other  
13 functions with the education line officer.  
14 We've taken those functions out.

15 Now, we have to go back and get the  
16 DPMS, the manuals to align with that, so now  
17 the line officer does not have the grant  
18 management authority, like you do now. It's  
19 going to have to move out there -- things that  
20 we have to clean up like that.

21 So now, these people -- and they're  
22 not -- they're no longer line officers.  
23 They're, you know, associate superintendents  
24 or program administrators. Their focuses can  
25 be on academics only, unless identify and

1 they're in a different structure, which is  
2 administration or school operations. So,  
3 that's how, you know, we present it. We  
4 present it, not just saying that, okay, this  
5 -- you know, the Oklahoma office is saving us  
6 a lot of money, but, really, the way I just  
7 said it.

8           The biggest concern from consultation  
9 today was JOM. Those services and those  
10 functions are not changing. The other concern  
11 is local, but in the last two years they  
12 haven't gotten together once. So that's not  
13 being impacted.

14           So, part of this will just come down.  
15 The idea of going to the ERCs, that's not  
16 their role. In fact, we don't even need to  
17 have the ERCs come out to the schools. The  
18 idea is coordinating the professional  
19 development, coordinating those services, and  
20 having it being done. So we looked at -- when  
21 we did this research we went and looked at  
22 different models. The Hawaii model, the way  
23 they're situated and their schools where they  
24 had an SEA function as well as an LEA function  
25 within their school systems. We looked at

1 large school districts that have, you know,  
2 many schools from a large geography. How do  
3 they manage? And so we look at these  
4 different items. We looked at states -- the  
5 ERC idea, a lot of states have moved to that;  
6 Arizona, Idaho, Minnesota. You know, I'm not  
7 sure what they have here, but a lot of states  
8 have that where they call them ERC, REC, you  
9 know, Regional Office -- whatever it might be,  
10 are going to that type of model.

11 So we looked at these best practices  
12 from that perspective, too. What are they  
13 doing in those? How do they operate? A lot  
14 of them are not going out to the schools.  
15 They're coordinating with principals that are  
16 in charge of 10, 15 schools, and they're  
17 working with those principals. So, that's  
18 what we're looking at when we -- you know, we  
19 started this process. We did a lot of  
20 research, but we also listened, and so when we  
21 present this -- and I'm not committed to say  
22 that. You know, we've had lunch and we have  
23 some ideas that, you know, at the end of this,  
24 too, what we'll be doing is, these are the  
25 comments that we heard and this is what we

1 said about them. We agree here, we don't  
2 agree here, and why.

3 So, we're not going to do something  
4 behind closed doors where -- and hide. We're  
5 going to put it out there. You know, the last  
6 Brahner consultation, nothing was done after  
7 that, from our perspective. That's one of the  
8 problems we've had with BIE, that lack of  
9 transparency. So, we've gone out. Every  
10 consultation we've had -- this one, of course,  
11 the four before, but our individual ones that  
12 I had with the different twenty separate  
13 Tribal leaders, that's all going to be posted  
14 under Consultation, so people know exactly  
15 where and what was brought up, what was  
16 discussed, and then we're going to have a  
17 Post-Consultation. But what's going to  
18 outline exactly -- this is what we heard in  
19 Oklahoma, these are the concerns they have and  
20 this is what we -- we agree here, we don't  
21 agree here, and why.

22 We want people, you know, again, to  
23 come back here -- the courage of our  
24 convictions. If we're going to make a  
25 decision, we stand by it, and you know why.

1 We don't just say yes and then hide, you know.

2 I believe in this. I believe this can  
3 help us get out of where we are right now and  
4 -- but I also believe that we don't have all  
5 the answers, so we're listening very intently,  
6 and we have some nice ideas that we'll be  
7 formulating on plane rides home, and things  
8 like that. When we have our meeting next week  
9 and I'm briefing with the Assistant Secretary,  
10 here are some thoughts that came up in  
11 Consultation. This is where I think it may  
12 be, you know, useful. What about something  
13 like this?

14 I mean, we're -- this is a process.  
15 Nothing here is set in stone. In fact, I  
16 guarantee you, that's changed. That's already  
17 changed right now. So, I want to really make  
18 that clear. I'm -- I've come down hard  
19 because I have to defend it, and so I need to  
20 know exactly what you think. I don't -- it  
21 doesn't help me to be up here in rhetorical  
22 dialogue, that does nobody any good. I need  
23 to know the details, exactly why and what and  
24 then we can say, okay, this is what and it can  
25 look.

1           So, I appreciate you, that we got down  
2 to that level and I really appreciate that.  
3 It wasn't -- a couple of rhetorical portions,  
4 but primarily from us on this side. So, I  
5 think that's something that I think that we  
6 can away from here knowing that we got some  
7 really good feedback and some ideas that we  
8 can move forward on.

9           MR. HARTMAN: And maybe you did  
10 cover this when I asked about -- and I know  
11 we're here mainly for educational purposes,  
12 but --

13           THE COURT REPORTER: I'm sorry.  
14 Could -- I can't hear you. Thank you.

15           And Dr. Roessel, I'm going to be out  
16 of paper in about five minutes, but I'll just  
17 have to turn it.

18           DR. ROESSEL: Do you want to take a  
19 five minute break? Let's do that?

20           THE COURT REPORTER: No. I mean,  
21 it's okay. And if you'll just bear with me,  
22 I'll flip it while you're still talking. I  
23 just want to make you aware of what I'm doing,  
24 so that's okay.

25           DR. ROESSEL: I'll be brute.

1                   MR. HARTMAN: The question of  
2 facilities funding for Tribally-Run Facilities  
3 Programs, I heard Don say that, that's not  
4 finalized yet. I would request that some  
5 funding be made available for programs such as  
6 EOTS. Not only the EOTS, itself, but money  
7 that can be set aside for the Facilities  
8 Management Programs to establish those  
9 programs, if BIE is now going to be the  
10 master, as it were, of the Education Facility  
11 Operations and Repairs.

12                   Then, I believe that you need to start  
13 working at some innovative approaches that do  
14 work. I'm available to talk to you any time  
15 regarding how we operate.

16                   MR. DON YU: Uh-huh.

17                   MR. HARTMAN: Why we came to be, and  
18 the challenges in having variable funding to  
19 get the job done.

20                   MR. DON YU: And I do remember that we  
21 had lunch a year ago, or something, and you  
22 had some great ideas. It's just, there's so  
23 many -- it's on the to-do list.

24                   MR. HARTMAN: Okay.

25                   MR. DON YU: There's so much to do,

1 but we will get there. But I still remember  
2 all of your ideas that when we had lunch that  
3 we had -- I don't know, about a year ago.

4 MR. HARTMAN: About a year or so.

5 MR. DON YU: Yeah. I do remember  
6 those ideas.

7 Just to clarify. The relationship  
8 between BIA/BIE (inaudible) office as it  
9 relates to Facilities, that has not been  
10 finalized. Funding, though, if you want to go  
11 to the green book in that overview I gave  
12 before, but that's where you '16 budget  
13 (inaudible) it's in there, (inaudible)  
14 replacement construction. All of those  
15 numbers are put in administration's department  
16 (inaudible) Fiscal Year '16.

17 MR. HARTMAN: Okay.

18 (Multiple conversations)

19 MR. NUTTLE: I'll be brief.

20 THE COURT REPORTER: Okay.

21 MR. NUTTLE: We -- (inaudible) and  
22 I do work at the Bureau of Indian Education  
23 line office, and I've heard a lot of good  
24 comments about the work that is performed  
25 there. And then I've heard comments like, we

1 haven't been to the schools in two years. And  
2 I've been on the conference calls when the  
3 associate deputy director tells the staff that  
4 we're not to go to the schools in the last  
5 couple of years. There's travel restrictions,  
6 and I think it's just a little unfair to state  
7 that based on a question that -- and here's  
8 the answer -- or here's how we responded to  
9 it, when the -- when we've been told not to go  
10 to the schools.

11 Travel restrictions -- I think, in the  
12 last three years, I've made one trip. I know  
13 that Catherine has been on the conference  
14 calls and has been told you're not to go to  
15 schools, you're not to share this information,  
16 this is embargoed. It's been a long time  
17 since we've been able to get together to  
18 really air some concerns.

19 Now, we take a lot of pride in the  
20 services that we provide for the Johnson  
21 O'Malley Program. And not only that, but the  
22 higher education and the adult education, in  
23 any aspect.

24 I'm in agreement with Mr. Wells here  
25 about the overall aspect of Indian education

1 when it comes down to -- and that's the way we  
2 perform in the Education Line Office there, is  
3 that it's total education. And I'm still  
4 being -- my performance evaluations continue  
5 to be based on how many time have you been  
6 with the Tribe on the programs -- on the  
7 educational programs that they are operating?  
8 And I need to be 100 percent sufficient -- or  
9 in that, and I need to work with them.

10           You know, maybe in this new scheme of  
11 things, you know, it's coming out. Apparently  
12 -- and Catherine's under some of the same  
13 employee performance evaluation measures, with  
14 that criteria. So, but you know, it's not  
15 like we're not doing what we're not supposed  
16 to do. We're doing what we're supposed to do,  
17 but when there's data calls that come down,  
18 whether it be curricular, whether it be for  
19 instructional leadership, whether it be for  
20 professional, or focus professional  
21 development, you know, we address those data  
22 calls with the schools. I mean the schools in  
23 the past have requested information on  
24 instructional leadership, focused professional  
25 development, and things of that nature, but

1 we're told you can't them. There's no funds,  
2 you're not to go to a school. If you do,  
3 we'll write you up or you're going to be  
4 penalized. So, you know, how can you -- I  
5 mean, you're kind of set up for failure. When  
6 you say that the line offices are ineffective.  
7 Well, there's a reason for it. And we make  
8 the best of what we do there at the line  
9 office.

10 But I wanted to clarify that. it's not  
11 that we don't do what we're supposed to do.  
12 We do what we're told to do. We've got a lot  
13 of information that's funneled down, and a lot  
14 of data calls to the schools, and we get right  
15 on it. We get with all the schools, and we  
16 make sure that they get their data calls in,  
17 you know, and -- but to come up and say that  
18 -- well, you haven't been at the schools for  
19 two years. Well, that's the reason. We've  
20 been told not to go to schools.

21 So, I couldn't let that go without  
22 just briefly bringing that to light. So I  
23 want to shed that light on it.

24 DR. ROESSEL: I appreciate that. I  
25 will still stand by what I said. We have a

1 situation of a system that is failing and we  
2 need to do something different about it, and  
3 the way we are doing things now is not  
4 working. And if we are happy with the results  
5 that we have right now, then let's continue  
6 the way things are. But none of us are happy  
7 with that and we need to make some changes,  
8 and they deal with people. I know this better  
9 than, you know, anybody. I have to go and I  
10 get emails every day from people, from  
11 employees that are upset, and I understand  
12 that change is hard.

13 I'm not saying people are not working,  
14 but I also say that I don't think people are  
15 working in the areas that we need them to work  
16 in. And I think part of this Reform, part of  
17 this effort is to try to align our resource to  
18 where they need to go to an action -- to  
19 actually have outcomes that we can be more  
20 satisfied with. That's what we're trying to  
21 do.

22 Yes, it does impact people. Every one  
23 of those boxes up there is a person, I know  
24 that. That's the reason why we're here. I've  
25 said this three or four times, courage of your

1 convictions. The reason why I went to Pine  
2 Ridge is because we're closing that office.  
3 The reason I went to Rosebud, we're closing  
4 that office. The reason I went to Sissasan  
5 (phonetic) closing -- I go to the places. If  
6 I'm making a decision that's impacting  
7 employees, I want them to hear it from me, not  
8 in an email, and that's why I'm here now.

9 This is a huge undertaking, we  
10 understand that. I think that -- we're hoping  
11 we can get beyond this. We can start moving  
12 to a place where I think we can have to  
13 outcomes that we want, but we need to staff up  
14 again, and then we need the right staff in  
15 those positions, and that's what we're trying  
16 to do, is get to that spot.

17 MS. HARJO: You mentioned that the  
18 -- one of the main points that has come out of  
19 this meeting is the Johnson -- JOM Programs,  
20 and you asked about the collaboration between  
21 schools and programs. Well, we do that. It  
22 just takes a different look here in Oklahoma.

23 You would not have the Oklahoma Indian  
24 Education Resource website for teachers if we  
25 didn't have the collaboration between Tribes,

1 schools, programs, the Oklahoma City Indian  
2 Education Office, the Oklahoma State  
3 Department of Education.

4 You wouldn't have an Oklahoma Advisory  
5 Council on Indian education if you didn't have  
6 the support of the government in our state, as  
7 well as all the Tribes, and every one invested  
8 in it -- in the education of our children in  
9 our state. You wouldn't have all the Oklahoma  
10 Johnson O'Malley programs, the conference, the  
11 Indian Education Summit, the collaboration,  
12 the meetings that take place at all these  
13 different areas. They have a different look.

14 We are meeting. We are talking. We  
15 are visiting schools. We are getting best  
16 practices. We are sharing and we are  
17 collaborating to meet the needs of our kids.  
18 It just looks a little bit different than what  
19 you're presenting. We are doing all of this.

20 But the main thing is the advocacy on  
21 -- from Oklahoma, that it's just there. It's  
22 not subsiding. It's not eliminated. It's  
23 there. It's -- we have to have one of these  
24 Centers. That's just how strongly we feel  
25 about it. The advocacy of the needs of our

1 Indian children is at the heart of why we are  
2 here.

3 DR. ROESSEL: Any other comments?

4 MR. NUTTLE: I just want to be  
5 clear that I'm not against the  
6 Re-Organization. I don't think we've heard  
7 anybody here say that they're against the  
8 Re-Organization.

9 I think the bottom line is that if  
10 Oklahoma schools aren't going to suffer  
11 because the ERC isn't going out to the  
12 schools, by that same justification, the other  
13 schools will be suffering if it was here and  
14 we were going out to those schools, so --

15 MS. REYNA: I have a question. Are  
16 you going to have another consultation with  
17 us, or no? Or another meeting to talk about  
18 the changes you are going to make from today?

19 DR. ROESSEL: No, like I mentioned  
20 earlier, we will present an after-consultation  
21 document, which will outline those changes and  
22 what we have included in the final  
23 recommendations.

24 MS. REYNA: And we have, the Apache  
25 Tribe -- sorry sir -- have also sent a letter

1 in opposition with this.

2 MR. HARTMAN: One more question.  
3 Bill brought up a good point, that I was going  
4 to make regarding the ERC location.

5 I kind of heard a little bit of a  
6 bifurcated message with regard to, we did  
7 consider geographic location, geographic  
8 location doesn't matter, and that in the end  
9 it won't matter because the ERCs will be  
10 traveling anyway.

11 So, the question is, why? Why are you  
12 moving and establishing an office in  
13 Flandreau? Is it just down to student count?  
14 And eliminating it in Oklahoma, I mean, is  
15 that at the base of it? Is that really the  
16 decision?

17 DR. ROESSEL: No.

18 MR. HARTMAN: Can you elaborate?

19 DR. ROESSEL: Again, I'll go  
20 through this one more time. I mean  
21 (inaudible) -- all of these issues are  
22 reasons. Not one is more, or not one is this  
23 is the only reason, geography. But we have to  
24 take into account geography. We do take into  
25 account, but when we do we also look, okay,

1 what are those services that are being  
2 provided? What are those services that are  
3 being needed? Those services that have been  
4 requested over the last years or two. So,  
5 we've taken all that into account.

6 You know, and go to some of the  
7 questions or comments that were made, was it  
8 because we're doing well here, we don't need  
9 an office here. There's some legitimacy to  
10 that, and I mentioned that early on is that we  
11 need to be in the place where we're having  
12 more issues. Because that's what our job is  
13 to do, is to help provide that services to  
14 bring your school up.

15 It's not just to be able to answer a  
16 phone for the sake of answering a phone. So,  
17 it's the service we provide and where we feel  
18 we can make the biggest impact in trying to  
19 improve educational outcomes.

20 So the idea that some of them -- okay,  
21 geography, that does matter. One of the areas  
22 -- and let's look at Navajo. Gallup, New  
23 Mexico, is about thirty miles away from Winter  
24 Rock. Why do you need two so close? So, we  
25 closed Gallup. So, in some areas it was

1 purely geography, and it had nothing to do  
2 with student count.

3 Other areas, okay, how do we address  
4 the numbers of schools? We tried to really  
5 focus on the number of schools. If you look  
6 it up on top, we looked at every ERC and how  
7 many schools. There's some general number  
8 there -- kind of some of them drop a little  
9 lower, the Tribally-Controlled schools.  
10 Navajo is averaging around 12, in that range.  
11 Our BIE is 10, 8, and 12, and a lot of that  
12 had to deal with geography, but also looking  
13 at where we are in Albuquerque and just making  
14 that an additional center, because we have  
15 quite a few Pueblo Schools that are still  
16 BIE-Operated.

17 So again, it comes back, it wasn't one  
18 thing that we said, okay, here's the blanket  
19 coverage. It was really saying, over here,  
20 this is an issue that we have in terms of  
21 certain problems at a school, so we need to  
22 have this type of staffing and this is where  
23 the best place for that is.

24 Another area that we've had that isn't  
25 about this area, but was up in the Plains --

1 closing some of those office in the Plains,  
2 like Pine Ridge. We've had offices in these  
3 places, but it's hard to recruit people there.  
4 So, moving it to Rapid City was easier in that  
5 respect.

6           And so, some of it dealt with a lot of  
7 different reasons, a lot of different criteria  
8 as we went through, and I kind of showed that  
9 one slide that talked about the data, the  
10 AYPE, looking at how many schools here are  
11 making AYPE, how many aren't making AYPE, what  
12 are their biggest problems in making AYPE?  
13 All those different concerns were put into the  
14 mix when we tried to identify where to put  
15 these, so it wasn't just one data point,  
16 numbers. It wasn't just one data point,  
17 geography and distance to the ERCs. It was a  
18 lot of different data points, going so far as  
19 saying, okay, the number of SPED complaints  
20 that we have in certain schools, and that  
21 identified an additional, first, like I said,  
22 in New Mexico, Navajo Office, Central New  
23 Mexico Navajo.

24           So, that's kind of what we did. It  
25 wasn't -- not one reason here, but

1 case-by-case, region, look at what we're  
2 seeing. What do we have here? Biggest  
3 concern here, JOM. Not -- and you're only  
4 talking two schools, you know, really. You  
5 know, residential programs, different, to they  
6 need that full support of ERC. Those are the  
7 things that we looked at as opposed to other  
8 areas that had 13 schools and, you know, big  
9 problems, needed a bigger presence there, so  
10 we tried to look at everything.

11 We also looked at -- and one of the  
12 biggest things was the budget number. Okay.  
13 What is our budget? What is it that we're  
14 getting? Fourteen million, when the Brahma  
15 Report came out and that was right about the  
16 time sequestration was starting, so they gave  
17 us a budget number of 11.8 at that time, so  
18 that (inaudible). I'm glad nothing was ever  
19 really published there, because that would  
20 have really gotten -- we probably would have  
21 went down to, maybe, 12, you know line offices  
22 or ERCs at that level.

23 The other thing is then trying to  
24 combine their funding, you know, with  
25 Enhancement Funding, so we could actually

1 provide more services out in the school -- to  
2 the schools from the ERC level.

3           So, at the same time we're doing that,  
4 the money that also was aligned -- and so even  
5 though this is the org chart, the other part  
6 is then what are we focusing on so we move  
7 forward? If we freed up some money with  
8 enhancements to utilize it for our ED Specs,  
9 we then also leave money for some Tribes and  
10 schools to actually have their own  
11 initiatives, so that we can have, you know,  
12 incentives and incentivize different things as  
13 a National Board Certification.

14           So it's -- you know, from our  
15 perspective -- my perspective, it's a real  
16 global reform effort that is including Tribal  
17 ED departments, including Tribal schools,  
18 including BIE, including the restructuring,  
19 programs with TCUs. It's very comprehensive  
20 in its total approach. Bringing in a new way  
21 of dealing with facilities, having them come  
22 under BIE, giving us that option to start and  
23 develop new models as we move forward because  
24 we're not stuck in the past. So, a lot of  
25 this, I think, is new.

1           Here, in this, it would have been very  
2 easy, I'll be honest, but I will tell you,  
3 when I looked at this and I look forward, I  
4 thought, you know what, this area -- I, not  
5 any of the staff, but I came to the conclusion  
6 that an ERC was not needed here. I made that  
7 determination when I looked at the total  
8 picture. It would have been very easy for me  
9 to say let's just put it out there. Fine, no  
10 problem, then we'll move on and -- but when I  
11 look at the total picture -- and I have  
12 (inaudible) like you said, I have to then  
13 justify this. It was very hard. How do you  
14 justify and ERC for two schools and three  
15 dorms? You know, that is hard for me to  
16 justify to Congress, as opposed to other  
17 places.

18           Now, then you can start adding this  
19 school into it and then keep adding your  
20 geography, but then you're trying to justify a  
21 decision as, you know, on the back end. So we  
22 tried to do it on the front end and I put it  
23 out there, and I knew it was (inaudible)  
24 difficult and I knew that (inaudible) came out  
25 earlier, we came out again. I'm not saying

1 any of that is (inaudible). We still are very  
2 interested in trying to come to a decision  
3 that I think all of you would be in agreement  
4 to. And I sat enough times on that side of  
5 the table to be yelling at whoever sat in this  
6 chair with a microphone to know that nobody  
7 wants to have someone just come and tell them  
8 we've already done this, it's a done deal.

9 It is totally not a done deal.

10 (Pause)

11 DR. ROESSEL: Any more comments?  
12 Don has a plane to catch.

13 (Laughter)

14 MS. TEEHEE: Can you tell us about  
15 the timing?

16 DR. ROESSEL: Okay. The --

17 MS. TEEHEE: To the possible  
18 Albuquerque consultations.

19 DR. ROESSEL: Yeah.

20 MS. TEEHEE: (Inaudible) deadline.  
21 Are you considering extending that date at  
22 all?

23 DR. ROESSEL: We're looking at  
24 possibly extending the comment period. We are  
25 trying to finalize a consultations still. I

1 mean, we've been looking at emails and trying  
2 to find out. We have a date set, but it's  
3 --because it's not within the 30 day period of  
4 normal consultation -- that, you know, you  
5 also have the provision -- you know, in  
6 certain circumstances you can forego 30-day  
7 notification. So (inaudible) try and get that  
8 line in from the Pueblos. It's primarily for  
9 them. So, we're in that process right now.  
10 But we're looking at possibly having another  
11 consultation on the 15th, on a Friday. That's  
12 when our comments are due, so we may push the  
13 comment period back, but we're taking a look  
14 at that right now.

15           If it's not pushed back, comments are  
16 due on the 15th. We then will come up with  
17 our recommendations based on the consultation  
18 within the two-week period. We will issue  
19 post-consultation booklet, and then, at that  
20 point, we will present to you the appropriate  
21 (inaudible) Congress, this is what we heard  
22 from consultation, and make that presentation.  
23 If it's approved, hopefully, it will be  
24 approved.

25           We want to try to get these positions

1 filled as soon as possible and try to have  
2 people in these positions by the start of  
3 school. That's what we're really -- you know,  
4 best-case scenario is being able to try to  
5 have positions filled, assisting schools by  
6 the time school starts, so --

7 MS. TEEHEE: This is for the  
8 record. I know Cherokee Nation would  
9 appreciate an extension of time. And I  
10 understand, based upon Don's earlier comment,  
11 when we first started is that the expedited  
12 track from which this process (inaudible) this  
13 year because of (inaudible) and we understand  
14 that there's a need for reform, but also, you  
15 know, given the conference here and the  
16 interest that you're facing with other Tribes  
17 in the Southwest (inaudible) consultations  
18 opening up earlier would be helpful.

19 DR. ROESSEL: We will take that  
20 under advisement.

21 So, that's kind of the timeline that  
22 we're looking at. IF we can, there are some  
23 things we'll look and see, you know, that are  
24 not conducive to or not a part of directly.

25 This Re-Organization that we're

1 starting will require notices. We have three  
2 positions that are being -- well, one is in  
3 its final stage, the ADDs. One for Navajo  
4 that's -- actually a selection has been made;  
5 it's going through the process. But we also  
6 have advertising right now two positions that  
7 we have to start on, for the ADD for  
8 Tribally-Controlled and ADD for BIA-Operated.  
9 Those positions that we hope to get on board,  
10 again, as soon as possible, so we can have  
11 them in place for the start of the school year  
12 also.

13 So, any position that we can try to  
14 fill along those lines, that does not impact  
15 the Re-Organization directly. We're going to  
16 try to move ahead just so we can start trying  
17 to get some personnel. I mean, I'll be  
18 honest, we're doing all this with a handful of  
19 people out of our Washington office.

20 (Inaudible) the big BIE is not -- the big BIE  
21 (inaudible) there's five people in a hallway  
22 that are working on this.

23 Anything else from anybody?

24 (Pause)

25 DR. ROESSEL: If not, I mean, we'll

1 be here for a little bit, but I think Don  
2 actually should get going. I hate to have him  
3 miss his plane.

4 But if you want to ask any questions  
5 specifically about some things that are  
6 dealing with your school, I'll be happy to be  
7 around, or Vicki deals with finances, right  
8 here.

9 Thank you for coming here today and we  
10 really appreciate it. I really -- you know, I  
11 think it's important. You know, we heard you.  
12 We heard you. And we are a new BIE. We  
13 listened. And I think that, you know, we will  
14 make every effort to try to make sure we come  
15 to a common ground that we all can work from  
16 and work together, if not, peacefully, at  
17 least in concert to improve educational  
18 outcomes.

19 So, with that, this consultation is  
20 over. Thank you.

21 (Consultation Meeting concluded)

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## C E R T I F I C A T E

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2  
3 STATE OF OKLAHOMA )  
4 ) ss:  
5 COUNTY OF OKLAHOMA )  
6

7 I, CHRISTY A. MYERS, Certified  
8 Shorthand Reporter in and for the State of  
9 Oklahoma, do hereby certify that the above  
10 recorded proceeding was taken in steno  
11 machine, and thereafter transcribed by me; and  
12 that I am neither attorney for, nor relative  
13 of any of said parties, nor otherwise  
14 interested in said action.

15 IN WITNESS WHEREOF, I have hereunto  
16 set my hand and official seal on this, the  
17 28th day of May, 2015.  
18

19  
20 *Christy A. Myers*

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21 Christy A. Myers, C.S.R.

22 Certificate No. 00310  
23  
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