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

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

(See sign-in sheet attached)
CONSULTATION MEETING

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

Before we get started, a couple of things, as I'm sure most of you are familiar with consultation, but before you have a comment, please state your name, who you are representing, and if it's a tricky name, spell it. We have these forms that we would like, if you could, fill them out so that we then have a way to ensure that we have your name, your title, your organization, spell it correctly. A couple of things just -- it's a very simple agenda. It's in your packet. There are two different -- there are two different documents here. We have a presentation that is based on re-organization, but in greater detail. In your packet, is the consultation packet which identifies the agenda, which is the introductions. The
review of this PowerPoint and then we'll open it up for consultation and discussion. We are here as long as there are questions and just for some backdrop at Pine Ridge we were there 11 hours. At Navajo, we were there for 10 hours. So we're -- when I say we are here until the final comment, we are until the final comment from everybody.

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

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

MS. CATHERINE FARTHEREE: Dr.

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

DR. ROESSEL: Okay.

MS. CATHERINE FARTHEREE: Okay.

Thank you.

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

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

I think one of the things that I want to bring up just for backdrop is this process, consultation process -- it's actually been three years in the process. We started with consultation three years ago about reorganizing the Bureau; and then last year we
had the blueprint for Reform and Initiative and we went out to consultation. In addition to that, also, BIA has had individual consultations with affected areas. I've met with nearly twenty Tribal Leaders directly and individually in those areas where they're being impacted, and then, like -- and again, like in this case, we come back here for a formal consultation to discuss your specific needs.

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

I think it's important to start with exactly what we are consulting on; and number
one, and number two, the strength in BIE's capability to address school operating needs. And, two, provide greater oversight and improve service delivery to BIE-operated and Tribal-controlled schools.

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

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

So the big part of what we're looking
at with BIE in this reform effort is not just moving boxes for the sake of moving boxes, but each of those boxes reflects a function and reflects people and how do those people and those functions help improve outcomes within Indian education.

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

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

So with that, this is, again, the Reorganization for BIE based on the
Secretarial Order 3334, as well as the Blueprint for Reform, as well as the Brauner Report, as well as we can go back to the myriad of reports, if you will, in terms of what we're trying to accomplish, and that's improving the outcomes.

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

In many ways, we look at these 64 different Tribal Communities as a spectrum. You have some areas that have very high-functioning Tribal Ed Departments. They
operate just like a state. They have the same functions and they do the same sorts of things.

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

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

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

I think the other -- and this is just to kind of give you a snapshot of what we're trying to accomplish as we move forward, is 23
separate states. Some of the questions that come up is, okay, how does this plan reflect state standards and what areas that we're going to be looking at in terms of assessments. And so, it has to be flexible in all these different types of demographics, if you will, from our school system.

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

MR. DON YU: Thanks, Monty. So I'm just going to do a very high-level overview of the general mission for the BIE under the Obama Administration here. So, I think I mentioned briefly earlier -- and I think I had spoke to you -- most of you, about a month ago or so, so I'll try to go through this quickly, but immediately after Secretary Jewell was confirmed by the United States Senate, spring of 2013, she and Arne Duncan met to talk about BIE. Both of them said that, at the time, there was three-and-a-half years to go, and they both felt that with time running out, the Obama Administration had to do something dramatic and could not -- it had
to leave our -- one of these Federal school
systems in better shape than when they had got
here.

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

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

    Our charge and directions was that --
our understanding was that the biggest partner
that has not been involved in Indian education
has been Tribal Nations, had to get their
input and this reform plan was going to
reflect concerns from Tribal Leaders and other
BIE stakeholders. Our recommendations would be focused on the issues that they felt the school system fixed.

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

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

So, we took the Plan out for consultation, had numerous changes to it based on consultation, revised the Plan based upon...
those changes.

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

So, but in general, it sort of turned to BIE move us away from direct operation of schools, day-to-day management and trying to stay a school improvement organization, and sort of, over time, where the Tribal Nations, once you do this with us diminish the Federal footprint building capacity of Tribes. So, I'll just run through some of these areas of reform here.
The first most important one is promote self determination for Tribal Nations, which is what I talked about, and that has been focused on, again, building a -- generally, our initiatives to build a capacity of Tribal Education Departments. Some of those things are focused on the STEP Program, which is partnering Tribal Education Departments with State Educational Agencies, the BIE's sovereignty in Indian education and enhancements and, also, these sections, 2020, for instance, which are also focused on building a capacity of Tribal Education Departments as well.

Monty will talk a little bit more about, especially for the Section 2020 Grants, a little bit later, but this is -- before the Administration started, there was no funding at all for building a capacity of -- specifically designated to build the capacity of Tribal Education Departments. This upcoming -- this fiscal year, it's probably a combined at least six or seven million designated for Tribal Education Departments. Again, that is not nearly enough to get the
job done, but taking steps in the right
direction.

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

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

We had stories that a new teacher
would come to the school on the Reservation,
and the teacher housing would be so bad and in
such poor condition that the teacher would come up and look at this housing and then just up immediately drive away. So, recruitment has been such a huge issue.

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

So, the BIE has been partnering -- has an official partnership with the National Board for Professional Teaching Standards. And of course, most of you know, and Secretary Arne Duncan has said that this -- teachers with National Board Certification are generally considered the cream of the crop of the teaching -- of teaching workforce around the country. So, BIE has been paying -- for those of you that know this -- it's quite
expensive and it takes a lot work for a
teacher to complete the National Board
Certification process. It can take one to
three years, depending on the initial
assessment but -- and it costs, generally, on
average almost three thousand dollars per
teacher, but BIE has been -- will pay for all
those costs for any teacher in a Grant or
Federal school interested.

Registration for our first cohort just
ended late February. We registered 252
teachers in the entire system for Component I
(One) of National Board Certification, which
is pretty good actually. Generally, a school
district of our size, a really, really good
turn out in the first year of a partnership
with a national board is usually about three
hundred (300) teachers, so we were right up
there with them, and we have a very
complicated system to communicate with our
teachers. So, 252 was, at least in my
opinion, pretty good. And we have a few other
things in the way, but that's generally where
we are with effective teachers and leaders.
We did have some money in the budget, and
we'll get to that in one second once we get to the budget piece, but we did have a bit of money for the teacher housing issue.

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

    But this is in response to the many, many complaints that the BIE was really failing to deliver good instructional services to our schools. A lot of complaints about how the Division of Performance and Accountability was delivering service -- technical assistance to our schools and also the many, many complaints about operational services at our
schools, taking way too long to procure textbooks, hire teachers, responses on major facility repairs taking too long, that sort of stuff. So the rest of this deck is really focused on a lot of those pieces.

The Secretarial Order 3334, the one that Secretary Jewell signed on the same day the President went on his trip really is focused mostly on this area as well. Not only does it direct the BIE to take some steps to change us to a school improvement organization but, also, establishes the very first school Operations Division within the BIE and that's designed to address lots of criticisms that we heard from everybody in the field that the BIA, which delivers procurement acquisitions - - facility services was not optimal and, also, some of the services delivered by the Deputy Assistant Secretary for Management to our schools as well. A lot of those functions under Secretarial Order 3334 will then be moved to the BIE to consolidate everything. That will eliminate, at least, one hoop that everyone has to jump through. And it also put school operations under BIE where we make it
our priority; it sort of gets lost in the weeds over at BIA. That's with school operations over there too. So that's kind of a super-high level of what we're trying to do with this one, essentially reduce -- the big part here is reduce the bureaucracy.

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

Some examples are, I think there was just an article in the "New York Times" yesterday, actually, about the suicide crisis at our schools and many of our BIE funded schools. One thing that we're trying to do here is partner with all of the other resources that are available within the Federal Government at other agencies that the
BIE has traditionally not tapped into. Many, many other resources, again, that we just haven't taken advantage of at other Federal agencies.

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

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

We're really trying to turn BIE into a -- what kind of problems do you have? What kind of barriers are you facing? How can we help you address that? Have you had a traumatic event at your school? We'll go and find out resources for you. So, we've had a
rash of suicides at our school, BIE funded schools, and Pine Ridge, we are now going through the application process with ED for funding.

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

Some other things that we had, we have partnerships with ED also in the Earlier Learning Program, and Monty will probably talk about this more later, earlier learning for BIE has mostly been the FACE Program before, but for the first time ever, now BIE will be eligible after a conversation between the two Secretaries, but BIE will also access the Department of Education's Early Learning Program. So, BIE will be eligible for the first time for Department of Education's Early Learning Challenge Grants -- Preschool Challenge Grants for the first time. Before,
as previously, only states were eligible.

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

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

Also, we have one with Verizon for all of our stand-alone dorms. We learned during consultations that one of the issues was that our stand-alone dorms. Our students living at a BIE funded dormitory but attending a public school, they were not eligible for the E-rate Program, which is a federal program that provides funding for educational technology to our schools, but our stand-alone dorms are not
eligible. So, actually, the White House helped us get -- secure a partnership with Verizon. Estimated cost of that partnership is almost seven million dollars to build cell phone towers, other infrastructure for the BIE dorms.

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

Anyway, these are just examples of some partnerships that we're really trying to bring to the table.
Last piece there is the Budget. So, the budget, again, align sort of -- for all of the questions, concerns, and areas that we've had, heard issues about, making sure the budget requests are now aligned to support the things that you have asked for, you know. So, that might be, for example, teacher housing has been so bad. So, the BIE's budget, again, we had the ten million dollar increase in HUD's budget for us. BIE's budget was only increased two million for that. Again, that's not enough, but it's a step in the right direction for teacher housing.

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

So, the Fiscal Year 2015 Budget, and this is just kind of like inside base full
about the federal budget process, but this team started September 2013. If you're familiar with how the federal budget is developed, the Interior Department actually already makes its submission to the White House Office of Management and Budget about what it requested. Our team actually started after the Department Budget for Fiscal Year 2015 had been completed.

But anyway, as we started going through this process, it picked up a lot of momentum, a lot of support for both Secretaries. We went up to the Hill Appropriations staff, quite a few times, House and Senate sides, and briefed them on all of any needs that everyone here had asked about and then presented to them about the Blueprint and, also, what we heard, and with a lot of work with the Hill and support from the Administration, and great people on the congressional side there had the Fiscal Year '15 Budget for BIE, which was already completed, President signed that into law in December of 2014. That Cromnibus Bill, which some of you may have heard about, 40 million
new dollars in there for BIE. For those of you that follow the Federal D.C. stuff, you know, getting an increase in a federal budget for an agency is a huge, huge win, especially now (inaudible) control Congress.

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

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

We also had funding -- this goes back to the Agile Organizational Environment piece, but every -- almost every seminal principal that we spoke to, one of the biggest issues, and maybe the biggest, I'm not sure, was that
our principals -- dozens of principals have told us that it's so hard for them to focus on their partnering mission of instructional leadership. That's what they're trained to do, hired to do, help build instructional teams, drive student achievement.

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

They told us that the reason that most of this happens, especially for the Grant schools, is that tribal -- the grant support costs for the Tribal schools is only funded at some six to seven percent, or something like that, of the statutory formula. So, took that message also up to the Hill, and based upon
that in the Fiscal Year '15 Budget, there is a 14 million dollar increase for our 120 Tribally controlled grant schools, and because that funding is forwarded funded, you will get that money July 1st. But that is guaranteed it's going to happen. That's not something that is up to the Hill at this point. It's been appropriated. So, that's Fiscal Year '15.

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

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

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

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

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

So, again, this 180 million over '15 -- Fiscal Year '15 requested, so much -- 60 million of that is for new school construction. We'll complete construction of those two schools in Arizona, also additional funding (inaudible) to replace individual buildings, so we can replace school facilities in a much more surgical way than we have in the past.
There's also 34 million in the BIE's budget for educational technology. The Fiscal Year '15 request was only six million. So this is a 28 million dollar increase for educational technology, because too many of our school principals said they were -- only had T-1 kind of access to the internet. Many of them were really worried about assessments that they had to do, actually doing right now, for Smarter Balance, in part, which are those two 21st Century online assessments. We realize we really needed to bring high-speed internet to our schools. So 34 million dollars there.

Also, under the (inaudible) other really critical things, the other big thing was 100 percent funding for Tribal Grant school support costs. That was a 33 million dollar increase. We actually asked for more than 100 percent, actually, because we are working with several schools that will convert from Federal status to Tribal status in Fiscal Year '16. So we were trying to calculate, estimate how many would convert. We actually asked for more than 100 percent to make sure
that Fiscals did convert, it wouldn't take money from our other grant schools for their grant support costs. We actually asked for more. So, 33 million, if I'm right, for Tribal grant support costs.

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

Based upon what everyone told us, I really do think if we correct all of those issues, infrastructure issues, and things like that, you know, principals then will really be able to focused on construction. Also, I think I said it was only increased by five million, but our understanding was that everybody, the principals and school boards, had to take money out of their constructional budget, out of ISEP, to pay for all of the basic day-to-day operational needs. So,
actually, by plugging up all of the
operational gaps in the budget, you'll watch
in a way -- a -- actually in a way getting a
lot of seedings for the instructional budget
issues, which can be then used for obviously
school improvement needs.

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

Okay. This one's for Secretarial
Order 3334, really this one is mostly focused
on the actual Organizational Environment
bucket there. The other four, it really
doesn't affect those. We probably could have
long discussions about all five of those, but
we're trying to do this piece by piece here.
So, really, today, this deck is about
implementation of Secretarial Order 3334,
which is, you know, to create the School
Operations Division; also, restructuring of
the Education Line Offices into essentially
these education resource centers, which are
technical assistance centers, again, trying to
make the change to here's what you're going --
I'm going to tell you what to do, because we
know best from D.C., which is crazy. I mean,
how would we know in D.C. what schools in Arizona, South Dakota, Oklahoma, Washington, what their unique needs are? I mean, it's impossible. It's just impossible for us to know that.

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

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

This whole thing has to, you know, we've been briefed into hell about how our
restructuring process, et cetera -- you know, this goes through an official reprogramming process with the Appropriations staff on the Hill that has our team. That is, if I had to say one thing that we didn't anticipate very well, I would definitely say the reprogramming process, working with the Hill, working with the Republican staff, you know, there's just kind of natural tensions there sometimes. So, that has slowed down our process quite a bit with a lot of vacancies, existing vacancies, people, staff that have left. It has been challenging to refill some of those positions.

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

Some of our staff are kind of -- and BIE's really trying to become more of a diagnostic technical assistance, what do you
need, we'll try to get it for you kind of
organization, rather than actually running
schools in a day-to-day basis, and we would
love to fill those existing vacancies with
more school improvement specialists types,
because that is what people ask for, better
technical assistance, better resources, and
support, et cetera. So, that's kind of the
basic plan there, what Sally's Order directs
us to do. You're going to hear about parts
of that implementation today.

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

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

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

Again, when we start talking about the
reorganization, what we're really talking
about is changing -- trying to change the
equation, trying to change the dynamics that
is happening in the classroom. That is the
primary focus of this reorganization.
Everything, as I mentioned earlier, about having great accountability and oversight, is to improve the outcomes. And so our primary goal, if you will, is to focus on that classroom first and then build up. How do we try to improve educational outcomes? You know, that's the first circle that we had, teachers and principals. They need to have the training, we need to get teachers in there, HR support, professional development support, all those things, and then we slowly build up from the classroom to the principal, to the school board to the community to the Tribe, and then BIE. That's how we focus on this reform effort.

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

A line office had a lot of different functions. One of the things that we saw coming in to BIE is that one of the problems that hurt educational outcomes in the classroom was this clouded functions and roles and responsibilities. People were not clear
on what their roles and responsibilities -- they did a lot of things, but they didn't do a whole lot well. And so, how do we try to clarify that so that -- we said, okay, well, you know what, you're just focusing on grants, you're just focusing on education, professional development in the classroom.

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

So, when we looked at all the different functions that we're creating, we did a functional analysis of every position of the BIE. We looked at the Grant Management Office. We looked at the education specs. We looked at the ABDs. We looked at all these different positions, and then we realigned those roles and responsibilities. We realigned them to functions.
One of the reasons why when we get into the next one here in terms of the Secretarial Order Phase I, was we had ADD responsibilities based on geography. We've changed that to say it should be based on the functions, so ADD for BIE operated schools only. ADD for Tribal controlled schools only. We tried to change that so that we were aligned to what we were talking about, so that we could then have people that knew how to operate Tribal controlled schools, given the support but not directly operating.

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

Now, one of the things that is beneficial when you're doing that, is that when you have a current staffing level that is so much lower, because we have so many
vacancies, it's a lot easier to not put people in those positions because you can really identify just as the function what we want, how do we want to move forward. So, that's one of the things.

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

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

We all know ESEA, and what's going to happen with the reauthorization. We don't think there's going to be AYP Department. It will be some sort of growth model. Nonetheless, this shows you the challenge that we have that many of our schools are not meeting and not performing at the level we need them to be and that we want them to be.

As Director of BIE, as everyone here as an
educator, a Tribal Leader, we -- no one would be happy with that in No Child Left Behind status there. Nobody.

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

In other words, from a school perspective, what can you expect of us and from BIE? What is our expectation of the school? We don't clarify that with schools right now as we move forward, but we need to do something different, and that's the premise here, from the President to the Secretaries on down to the Assistant Secretary. The current system has got us in this position where more than two-thirds of our schools are not performing the way they should be. We need to do something different. That's what we're trying to accomplish here as we move forward.
Then that gets us to the -- we start getting into the structure. Now, at first glance, this looks pretty confusing, but if we work with it and take it down, and if you -- the really basic premise of what we're trying to do, and that is where we have central functions we're trying to move them down closer to schools, and we did that in two different ways.

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

We're not trying to be a cookie-cutter reorganization. It really is focused on what
kind of challenges we've had, what issues that we've had to deal with from different regions and areas as we move forward. So, this reorganization is also reflective of that.

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

But what I want to show right now, is this is kind of -- everything that Don talked about earlier is reflected in this, and I just want to quickly go over the reorganization. The current system is on the left. The Associate Director for Administration, that's in Albuquerque. We all know that as "Admin". That's the idea that we had in Albuquerque. Those of you that have been in the system for a while, you know that that's David Talley Shaw (phonetic). He worked here. So -- and the people there. That's what the admin --
we're changing that. As we move forward we will get into that a little more when Vicki speaks. But if you follow those lines, those lines go out from Albuquerque out to the ADD level and out to the ERCs. They're not in Albuquerque anymore.

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

For example, in central New Mexico, Navajo, we have -- our data showed that we had a lot of complaints, a lot of challenges, a lot of lawsuits with Special Ed. So we staffers accordingly to give more support there. We have one other site that we've done the same thing to. So we look at things like that to say how we and where we put these people, but the underlying principals, again, that used to be in Albuquerque. Now, it's out
in the field. So they're closer to the
schools and able to go and provide that
support that they need in oversight.

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

One of the things within that office
in current -- it used to be Haskell and
Sidney. Well, one of the challenges that
we've had is we've gone through, first,
Sidney, a year ago, with their accreditation,
and just a couple weeks ago, Haskell
accreditation, is giving them more on timing
so they're not just encompassed with all the
other post-secondary, but also providing them
that resource. So, now they are separate and
report directly to the Director, instead of
being underneath the post-secondary.
Post-secondary now is focused just on the
other TCUs. So, we tried to clarify.
One of the things that we've talked --
we've talked about the BIE Restructure, but we
have to remember this is the entire
organization, so we're also trying to reflect
those challenges that we have in other areas,
JOM, Haskell and Sidney, post-secondary.

Research. One of the areas that we're
creating is, again, the Research Office,
trying to build that up. We had some funding
that came through with scholarships targeted
towards research and trying to align,
primarily, those with STEM, but aligning
research work for the TCUs, our universities,
and how can we get more information. We don't
have enough research on Indian Education that
helps us move forward. How do we try to move
forward in a way that could help us, and we
can then align the research. So, we're trying
to also create that capacity and re-invigorate
the office that we once had, but using other
fundings so we're not having to take money
away from anybody, but use it so we can
coordinate these different kinds of research
that help reflect and create a research agenda
that is helping Indian education.
This is the proposed reorganization as it is now. The yellow, or the dark yellow, are the new areas. So I'll start from the bottom there, Associate Deputy Director Tribally Controlled, as well as Associate Deputy Director for Bureau Operated.

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

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

In addition, the Deputy Bureau Director for School Operations, that is taking two things into account. One, it's consolidating the resource that we have right now in Albuquerque, putting it under a central function, but, also, it allows for that Phase
II part of the Secretarial Order that we'll get into in a little bit, which is also aligning the Acquisitions and Contracts Office, the HR Office, the IT Office, and communications at the facilities; which right now, we don't have any control over. The only one we do have is with communications. We hired that person, and they report under School Op, but those other four functions, we have to go outside of BIE.

If we want a teacher, we have to go through BIA. If we want textbooks, we have to go to BIA. If we want IT, we have to go to Deputy Assistant Secretary for Management. We don't control any of that within BIE. So one of the major things that is changing here is that now we're going to start bringing those functions that are in the other areas will come under BIE, and that's a big, big change as we move forward, because now we'll have that line of authority. And this really primarily impacts BIE's schools, except for facilities and IT, which is a shared resource amongst both Tribally Controlled schools as well as our BIE Operated schools.
Finally, the Division Chief of the Office of Sovereignty in Indian Education, like I said earlier, that's what we're looking at, our early childhood, our JOM, as well as our Native language, history, and culture.

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

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

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

So part of this funding that we have is to help Tribes develop those standards in a way to then implement a language program, however they may see fit. And I think that's reflective of this new goal of working with Tribes to improve and become a school improvement agency as opposed to saying this
is what kind of program you will use, and
what-not. So, I think that's reflected there.

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

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

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

UNIDENTIFIED SPEAKER: Explain what
FACE is, please.
DR. ROESSEL: FACE is our Family and Child Education Program. It's a very scripted model of early childhood where you have five staff, each school -- very, very scripted. Each school gets 260,000, now I think it's 280,000 to operate their program. We tried to instill some Native language across the whole board, but really right now it's just based on the capacity and the desire at each individual school. So, I think, what we're looking at trying to do as we move forward is trying to say how can we try to involve the Tribe in those decisions, and not just the schools. And I'll be honest with you, you know, we get a lot of pushback, you know. And so what we're trying to say and what I believe and what we've heard from our listening sessions, is that Tribes want a greater role in the education process in the education system that is operating within their boundaries. And so what we're trying to do, if nothing else, provide a chair and say come to the table and have that meeting. If you choose not to, you want the schools to run, that's fine.
The other part that's really important for us as we move forward is, you know, people say, well, you're trying to push these schools off, you know, and get rid of them and move them. Two things. One, we're not doing that, because it's up to the Tribes to decide. And, two, it's up to the Tribe to decide. In other words, it's not up to a school board to decide.

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

I know that kind of sounds a little crazy in a way, because they are saying we want to be more involved in our school and, yet, they operate the school. But I think that is a process that we're going to break
down. Okay, what does that look like? What does that mean? And we're trying to provide that opportunity for that moving forward. Again, looking at those 64 separate Tribes, what does each Tribe want? It's very different. What Navajo wants is very different from what (inaudible) may want.

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

When we talk about JOM. I think JOM is something that we hear a lot about. BIE. JOM is -- you know, goes in many different directions. We don't have any metrics to say this is what we've done in JOM. We need to get together, all of us, the schools, the Tribes, BIE, and we need to figure out what are those metrics that show we are being
successful; come to terms with that, and then we're able to move forward and then go back to Congress and say here's our program, this is what is does. But I think we need to have some joint metrics moving forward in terms of our success and how we look at our JOM program. That's one of the reasons why with the new coordinator that we have with BIE, that's part of the process, and we've asked her to do this, go out there and listen to people and try to come up with something that we all can agree on as we move forward.

We start the consultation process earlier. I think the comment period ended today, I believe, but that's one of the things. And then, again, that's part of the Sovereignty Office, because one of the things is here's a way that we actually can work with public school systems. So, through this process we've built a much stronger relationship with Department of Ed, but at the same time we're talking about, you know, I say 10 percent of the students. There's still 90 percent that are in public schools. But how do you try to -- one of the things we always
hear is how do we try -- from the public school side, how do we influence what's happening with our kids? Well, I think if we had a more coordinated JOM effort, I think we could do a lot better than we are. So, that's one of the areas that BIE can help in that, in addition to the STEP Program that Don talked about earlier. So a big part of this is, again, looking at how do we move forward bringing Tribes into the intimate conversation where they want to be.

(Inaudible comments)

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

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

That is the proposed School Operations Division, and while it looks very large, most of that staff is already in place and already
in the field. And, so, when Dr. Roessel talked about realigning the ADDs into function rather than geography, the School Operations staff is aligned in the same way.

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

And so when we have staff that it's very well-meaning, I think, in contracting with our friends at BIA, we really need somebody that is educationally focused; and so when we're buying textbooks, when we're buying software that we need for IT, when we're trying to buy assessments, when we're trying
to do any of the things that schools need, we really need somebody with an educational focus, and that's what that top group is intended to do. They will work with the field staff.

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

For me, since I've worked at my Tribe, I worked at BIA, I've been a CFO for Indian Affairs, so I've been honored to work in Indian Country all my life, but also always on the business side. We do need to do a lot more work in the grants area. And so for Tribally Controlled, for the schools that are doing well and don't need any help, that's great. For schools that are not, and we have some of those that we're actually working with have asked us to work with them on their audits, try to get them -- their staff
trained. And so we're going to work with the Native American Finance Officers Association, and work on some training for school staff for the two schools that have talked to us about their A133 audits.

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

Arizona State University has a Tribal Financial Management training course. I'd like to partner with them, with Native American Finance Officers Association so that we can build something that BIE sponsors for schools that want that. And again, for this first problem, for schools that don't want that Tribally Controlled, it's totally up to you.
But so far we've had a couple of schools ask about specifically for the A133 audits. It can be a complex process. Each CPA firm, the rules are the same, but each CPA firm interprets them differently. So, all of the reports look different, the findings look different, and so it can be difficult for staff that are not financially trained. So that's why you see a lot more staff in that Tribally Controlled group at the bottom, because those will be the folks that help us maintain the requirements we have on the United States side, but most importantly, I want to provide technical assistance to Tribal staff that want that.

So in the next box for ADD BIE Operated, again, these are just the operated schools, you see a lot less staff there. They're still required to meet all of the internal functions that we have, whether it be the financial audit for the Department or internal controls, all of those kind of things. The still order books. You'll see some contract specialists there. They're still going to order school supplies, all
those things that are needed, coordinate with my office, and Dr. Roessel's office on Professional Development. That's been a really big issue for us. Nobody in Interior has the same kind of mission that we did, and so while it's a great place to work, we're not focused on the yellow (inaudible) or other things like that. We actually are focused on people in BIE. So that's one of the reasons that it's really been an honor for me to stay in D.C., and even though I want to move back to Tahlequah, I think this is a really exciting time to be in BIE, work with Dr. Roessel and Don and the study group, and Rosie, to get this in place.

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

That right box, that's the staff that used to be Admin, which is what David Calliantiwhah (phonetic) had back when he was
there. That staff's going to be dispersed out into the field at the ADDs. So some of them will continue to work with me on getting out to the field for grants, for training, and I want to really stand up a much more robust training effort.

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

We've done a new school construction list webinar recently. Gone and talked about the project SERV Grant that he's working on. We've had just a lot of tragedies in that area. We had hosted a suicide prevention webinar. Dr. Roessel's actually also worked with the NIEA and hosted a series of webinars about the reorganization, and then also the
Native language framework that he was talking about earlier.

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

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

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

Kim's sending out a Newsletter every week or every other week. She's also fired up
our Twitter and Facebook accounts. So, we're really trying to find as many places as we can to communicate with all our stakeholders, whether they be Tribes, BIE schools, interested parties. We've had congressional staff that want to be a part of that.

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

The HR staff, we're looking forward to having HR staff that is knowledgeable about education, whether it's hiring, recruiting, retaining. I think Don and Monty talked about the National Board for Professional Standards -- Teaching Standards Initiative. We'll have another cohort with that next year that's open to Tribal and BIE Operated school teachers. So we will get some more information out about
The Acquisition and Grants piece is we actually have a couple of folks there that were transferred from the (inaudible) into office. So, we do have planning capability there now and are able to work closer with BIA on trying to get everything we need for the classroom. I've been very adamant that it seems -- and I'm not blaming anyone. It seems when I first came that schools were waiting for their materials to get ready for school the day of school. And so we really worked diligently with BIA and (inaudible) to ensure that we get a big start-to-school effort going as quickly as we can; that we ensure that the needs of the principals and teachers are met.

I think my role in School OPs as the Deputy Bureau Director is to make sure that the principals and school leaders have everything they need. Don talked about the burdens that are non-educational on our principals right now. I really want to alleviate as much as I can for any of those business lines. Certainly, they're going to -- it's their schools, I want them to -- this
is for BIE Operated schools, I want them to
tell me what they need, but we're really
placing a high focus on trying to work with a
lot of partners in Indian Affairs right now.

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

Again, my biggest initiative is
technical assistance for Tribes wanting -- for
the two that we're working with now, they've
asked us to come to their school and help them
take a look at their finances. So we're happy
to do that. I've not worked in the CPA
profession as an auditor, so I'm not one of
those "gotcha" kind of folks. I really want
to get in there and help Tribes set up a
internal control system, set up accounting
systems, if they want that, help them to work
with their local CPA firms, or whomever
they're working with. So, that's really a
passion of mine. I'm very excited about that
part. Also, to address the -- again, the multiple GAO issues about oversight and school spending.

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

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

DR. ROESSEL: Okay. This is the DPA Performance and Accountability. I think I'll just go over the idea here again. All of these positions right now are in Albuquerque, and there will be two changes.
One, is the managers of each area, Special Ed, School Improvement, which is Title I, as well as NASIS, our data unit, and School Improvement, they will be moving back to Washington. Primarily because of two things. One, that the primary role of this Division is to actually oversee the Department of Ed. Funds. So they'll be there, because they primarily work with the Department of Ed; in addition, having the data unit, because so much of what we have to do and report through EdFax and different things is having that (inaudible) data capability there, so they can be able to report there in addition to helping and supporting my office as well as School Ops office in terms of getting Data to work with OMB, Congress, and those areas.

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

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

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

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

We still maintain our NASIS specialists at each ADDs, so this person will
be training schools on NASIS, because every year they have new teachers, and things like that. So we still keep that function at the ADD level, but then we create a more robust Data Unit in D.C. with education research analysts as well as NASIS specialists that can help us run this data and keep that information flowing.

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

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

For example, the administrative support in Pine Ridge. When I went out and met with the Chairman of those Tribes in that
area, in the Plains, one of the challenges they said they were faced with is they were having to have those big schools, and they have Flandreau, Pine Ridge, and Eagle View. They're all 600, 700, 800 enrolled students, and they have some real challenges based on that.

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

Another example is, you know, Don mentioned earlier about Project SERV and the rash of suicides. We all know, you know, all too well, it happens in all of our communities. It's not just a Pine Ridge issue. When I was at Navajo, we had to deal with that. There's nothing worse. I hate it. I mean, it's going to -- you know, when a child -- when a student commits suicide, going to the family, being there for the students,
being there for the classrooms, it's the 
worst. Those of you that have been in 
schools, you know it's the worst feeling in 
the world having to meet with the parents and 
meet with the students and the classmates.

So in the past, what we've done is 
really allowed that support just to be at the 
school level, but we don't have any position 
that actually is looking at it from more of a 
global BIE level. Each school is on their 
own. So one of the things that we realized 
is that we need somebody above it all that can 
help coordinate and find money and find 
resources, at a global level for our BIE 
operated schools and BIE funded schools, 
tribally controlled, and so we've created 
another position that's part of that 
Sovereignty Office, which is a behavioral 
health, supervise that. I don't know what 
exactly the title is called, but it's at a 
position that can help coordinate programs 
with all the schools, look for funding, help 
them, in addition to what the school and an 
ADD might be doing, or a Tribe might be doing. 
So we're trying to provide that support at a
higher level in terms of -- again, getting back to this idea of not direct operations, but support in school improvement.

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

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

In terms of the BIE Operated Schools, we can consolidate and awful lot. We can consolidate, as Vicki mentioned earlier, the
Acquisitions and Contracts. We can consolidate Professional Development in this ground, so that we can actually cut costs down.

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

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

But again, at this global level, if start looking at schools and school improvement, you can say, okay, with these schools that we have in the Albuquerque Region, what are those common concerns they
What are the problems that they're facing? We can run that data, then we can utilize the (inaudible) resources to actually address that and provide professional development that is specific to those needs.

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

So, one of the things that we're trying to do here in this process is actually, with these ERCs, they would coordinate, and it becomes a little more, I think, effective in the Tribally Controlled schools, but, also, here, where could have that one school training for third-graders that could come together; another school coming hosting, say, fifth graders or elementary or high school.
teachers, whatever -- whatever that decision might be. We're trying to do things and it's reflected here as well as Tribally Controlled. The local professional development that schools get for this, they continue. We're not trying to control that.

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

We can maintain what a principal wants, what a school board wants, at that local level, but at the same time looking at
it from one step up and say, okay, what are
those challenges that we have at the ERC level
and what can we do to bring teachers in
together, principals together? In the case of
these schools we can do that much easier than
the case of the Tribally Controlled schools,
which Rosie will go into.

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

We've gone away from what we used to
have, and that was the BIE reading and math
count, which was very direct instruction, we were told, you must do this. If you don't do this, you don't get the money.

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

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

So, with that, I'll let Rosie talk.
MS. ROSIE: A plus-up to the last presentation is that everything has been said pretty much. All I can do is say ditto to all that Monty said and all that Vicki said.

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

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

Our current structure is limited. It's a limited base. They only serve "X-amount" of schools, or such-and-such schools, and we are looking to expand that.
We looked at student enrollment, specific needs of the particular schools. And Monty mentioned, and it's on the slide next where you'll see a residential staff by specialists at the ADD level, and we do not have that right now, and you can see that we have five residential areas. So, this will allow us to really focus on that.

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

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

As you look at our existing focus with the line office structure, we do a lot of everything, and we do not have that intense focus that we need. So in the school improvement specialists in the ERCs would be able to actually do school improvement.
activities, because school operations would have taken from them the responsibilities, sole responsibility for facilities, for anyone to be pre-audits, all that administrative work that we do now.

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

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

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

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

Thank you.

DR. ROESSEL: The next area, and I don't know if we need to go over Navajo, but same concept here where you have the distribution of their 65 schools. They actually have 66 schools, but one of the schools is a satellite to the Navajo Nation, prefers to be with the Tribally Controlled schools instead. So, 66 schools, they're lumped together by their ERCs. The staffing, same sort of staffing.
Vicki had mentioned earlier, Navajo has already consolidated their administrative functions into one office, and they have identified that office just for administration with the Ship Rock office. And then, you have the other, in addition to the school off to the left side, you have the Ship Rock office that also has an ERC.

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

Within our Proposal, we are recommending four education line offices to be closed, and this is the entire office to be closed. One is New Mexico North, ELO, which is in Espanola, New Mexico; the California/Nevada ELO Office, which is in Sacramento; the Montana/Idaho/Wyoming ELO, which is in Billings; and then New Mexico, Navajo South, which is in Gallup. Those four are being recommended for closure. A couple
of them are already closed. We have not had staff there a long time.

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

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

And I'll jump right in. One of them is we are recommending the education line office functions of the Oklahoma City/Kansas
office to be closed but remain in place a
Business Service Center, because primarily the
focus of this office has been on process in
JOM contracts. So, I want to say that right
upfront. You know, that's one of the reasons
why we're having this meeting here today.

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

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

A new dynamic that has happened over
the last five years is that in some cases
tribes have taken over that educational line office function. In that case, what we call them is "technical assistance centers". And we have three Tribes that have done that; Rosebud, which their office is in Mission, South Dakota; Crow Creek, lower Bruel, which is in Lower Bruel; and Standing Rock, which is in Fort Gates. Those areas, those tribes has (inaudible) the educational/technical assistance. So, it's not that we're closing it down, but they've taken over that function, and we still then just operate the government parent functions, but we can do that within this Re-Org. We don't have to be right on site for that. So, those are the different levels that we're looking at.

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

Now, we have 14 million dollars --
14.2. So, that's a 5 million dollar cut. One of the things that we tried to do in terms of trying to move forward is just like at the school level, and those of you that are representing schools, we keep talking about this consolidated school budget where you can use the different funds that's helping the entire system. We're taking that same approach. That's why we're looking at the enhancement funds as helping.

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

Our staffing currently, as you know, in the office even here, is very low. And so a lot of these positions, the process that Don mentioned earlier, is we have you go through consultation. At the end of consultation we'll go back to Congress and say this is what we heard, and then they'll go through and give
us their approval, non-approval, whatever that process, and then we move forward.

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

One of those, for instance, is the Bridge Program with TCUs, trying to get more of our kids to start thinking about college, working with TCUs in a partnerships, giving monies to these Tribes, Tribal colleges, to develop programs and start getting -- not at the high school level but at the elementary school level, thinking about college. So, some of these things are aligned with this, but they're not specific to the Re-Org. This is primarily about the line offices of Org charts and moving forward in terms of this Re-Organization.

So, with that, I don't know if you want to take a short break and we can come back and we can start with comments from all of you.
Yes? Okay. Let's take a ten --
fifteen-minute break, and we'll be back and
start with comments.

(Break)

DR. ROESSEL: Just one
clarification. I had mentioned the comments
for JOM was May 1st; it's actually May 11th.

Okay. We'll start with the comments.

As I mentioned earlier we allow for Tribal
Leaders to start first so I'll call Edwina
Balter-Wolfe.

MS. BUTLER-WOLFE: My name is
Edwina Butler-Wolfe and I am the Governor of
the Absentee Shawnee Tribe. I been in the
office for two years and this is my election
season, so -- in June. So hopefully, I'll
gain that title back again for two more years,
so -- I wanted to kind of talk a little bit
about my opinion and my version of Indian
education.

I was in Indian education program for
a public school northeast of Shawnee, Oklahoma
and I stayed in there for 15 years. And
during those 15 years, I coached the girls'
basketball and all the girls' sports. It was
a K-through eighth grade public school. And we had pretty close to about 45 percent funding less of -- between 35, 40 percent Native American students in that school system. And some of us are still here see some of the educators still here in Indian education -- you know, some of the people in there and they do a wonderful job in the state of Oklahoma to make sure Native American kids are taken care of. So I'm glad to see those faces still in that area because I got out in 2006 and decided to go work for my tribe, which is the Absentee Shawnee Tribe. And so I was assistant to the Lieutenant Governor and then he moved up to the Governor spot and then I stayed with that individual until his election came and he was defeated. So then I left for a couple of years and I was glad to draw unemployment because I never got to draw unemployment but those nine months, ten months was really a blessing to me, to be able to stay home because I was always on the go. So (in) for my tribe and I implemented an after school program for our Native American kids out in northeast of Shawnee, which is the
school area where I grew up and worked at the school for 15 years. So all the students that I had ties with in the public schools, their kids were coming in and so it was like really a good community-atmosphere because I had generation -- generations of different families with their kids. So, I just -- you know, I just tried to be a tribal leader and then I went back and then I decided to run for Governor and then I got the position. That was -- I'm the second female to get the title of Governor. The first female lasted six months and she resigned. So I had a lot of bets -- people was betting to see if I was going to make it through the whole term and so, whoever betted that I wouldn't, they surely lost. Because I'm still here and I plan on being that tribal leader to guide our people in the right direction. So, education is a very, very big -- has a very big place in my heart, because it's kids that -- they depend on you in the public schools and I can just imagine what's going on in these days because 2006 isn't anything compared to what our kids are facing today. And even in the
national programs I see a lot of kids -- I try
to get out there as much as I can before and
after school and just -- when I do and see
these kids out there, they face a lot of
problems -- you know, the bullying, it's the
one thing, and just their home life. So, I
can only -- really in the state of Oklahoma
our Indian educators are really, you know, I
know what they're going through.

But as a tribal leader, just to see
something happen as you don't, like, closing
an office down, that's something that we
really don't want to do. And a resource
center, you know, the ERC -- our educators
here really depend upon that office -- and to
be restructed. And I know a lot of the
resources office and working in the school, I
depended upon a lot of those resources in --
within the state of Oklahoma. And to have to
go out to another state to even ask a
question, that's not very -- that's kind of
ridiculous, sort of. But then again, as
tribal leaders, you know, I went out to Reno,
Nevada and I got out there Sunday afternoon
and I think they had the education program
going on while I was on the way out. But in
the afternoon they did let me talk -- because
the leaders were in the morning then it goes
into afternoon. But I spoke on several issues
of being -- the parents -- people being --
participating in the education. But it's sad
to see that as leaders, we have 39 federally
recognized tribes in the state of Oklahoma and
every education meeting that they have I try
to attend. So I appreciate those emails that
I get from everyone because I'm able to put
that on my schedule to come and talk. But to
emphasize the education and what our people do
here in public schools is, you know -- we talk
things a lot -- a lot of resources --
resources, funds, to help these kids. I know
in listening to the presentation earlier about
the BIE schools, I can imagine those are
probably in pretty bad shape too. The
structure of the buildings and stuff. But
don't forget that we have problems here too in
Oklahoma, with our public school systems,
because, you know, we face that -- I see that.
As a tribal leader, you know, we have people
coming in, as their children not getting
treated right in the public schools and I try
to make the school board meetings in our local
area there. And so, we kind of placed a
little different situation. For the first
time, we have a Native American individual
that is sitting on that school system board
member at the Shawnee Public School. So, I
think that that's one way of getting our foot
in the door and that has given us a little bit
of a listening -- an ear, so they would
listen. So, I'm excited about that. Because
I've been in office -- took that position for
about three -- three months ago. So I'm kind
of traveling to see how that works with, you
know, the school board members. And then as
our tribe, we have a sitting issue in our area
with the sales tax. So we -- tribes got
together in a area and we decided that we
needed to put some people on that city
commission position, so one of my staffers won
her position. So she's on the city commission
and then another tribe came in and their
person is on that too. So, a lot of that is
just gaining positions like that and I think
that's how -- as tribal leaders, that's how
we're going to have to fight these situations that come up, you know, with the State -- state level, because -- and then for us to have to do this for our own children in the school system -- you know, fighting for this office and resource office and then -- I'm not really sure how -- coming from the Education Recourse Center and then having a business office so I don't know if the ties are going to be the same or what. So that's one, I guess, question I need to ask, if they're going to still be doing that role of resources and we're still seeing that Oklahoma could call and ask for guidance on whatever situation that a child needs in the school system. So, I'm not going to take up too much time because I have a cold and I'll start coughing here in a minute, so -- and I appreciate the time too, that you have given me to speak and I hope that you take into consideration what's the needs and the -- throughout the afternoon or their comments and really listen to it, because I seen it here, you know, in Oklahoma. Thank you.

DR. ROESSEL: Do we have any other
tribal leaders -- elected tribal leaders?

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

One of my questions, you know -- I'd like to see some dollar figures presented to us on the current field offices with the cost of operations are in like in the Oklahoma City area, versus how's it cost effective to go to Minnesota or (inaudible) South Dakota for our people. And one of your bullets here was that -- it was to develop the tribes and self-determination. I -- as a tribal leader, you can't see how moving the resources from Oklahoma out. We have 39 tribes in Oklahoma. We have to have the opportunity and the resources for our people -- our children to get mentored and to be encouraged to move into
those areas, like contract specialists. That's what I was for 32 years, a contract specialist. And, you know, the need to have those specialists in the education, specialized in finding educational needs. I just can't see how it's going to accomplish that, moving them to D.C. I feel like there should be some type of field mentoring positions -- trainees in those areas. When you limit and you're taking away from us out here, to develop our people in those areas, I don't see how it's going to accomplish that tribal self-determination, because I'm speaking from the problems of our tribe. We're rebuilding and our people don't understand the areas -- core business areas of a functioning business that's required under Public Law 93-638; in the field of business law, business management, finances and accountability, contracting, property -- all these are core requirements of being a functioning tribal government. And I'm glad that a lot of these larger tribes are connected. We aren't. And so I'm here to speak for our people that are in -- that have
that need in our children. It's discouraging to see that a lot of our children aren't encouraged. They don't want to go to school. They aren't -- they don't have that self-esteem to want to go to school and aren't even exposed to these types of needs that will affect them in the future. You know, if we don't take care and we don't start educating ourselves, no one else is going to. So, you know, I would like to see the Oklahoma area to stay -- the Resource Center stay here and also start developing a mentoring program in these and start exposing it to our high schoolers. Have a scholarship for them. As someone mentioned earlier about encouraging them to go on to college. Well, let's start now saying if you are going to be interested in a business field. These are what a tribal government should be specialized in and start presenting it to our high schoolers. But make way -- and I don't see how moving this office to South Dakota and Minnesota is going to help us here in Oklahoma. And, you know, if you can -- one more thing, you spoke about the successes. The reason you're moving those
offices are because of successes in other area. Can you present that and give us examples of how South Dakota was more successful than the Resource Center here in Oklahoma? Those are the types of things that I want to see happen and, you know, we have to be sold on that. We don't feel like Oklahoma is being represented or even listened to. You know, we have 39 tribes here and we should be part of this restructure and have the office. And I appreciate your -- the opportunity.

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

MS. REYNA: Uh --

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

(Comments)

MS. FRANCIS-FOURKILLER: Sorry. I'm sure a lot of you recognize me, walking in a little late. I am Tamara Francis-Fourkiller. I'm the Chairman of the Caddo Nation. Unfortunately, while we have meetings like this, I still have business to carry on at Tribal Headquarters and that's what I was doing this morning before I got
Now, the question about keeping what we've got here and allowing our children and our schools and things, to have what we need locally. It's not a question of whether we deserve it, whether we should have it; it's the question of why we shouldn't. I mean, we've got so many educators here today. We've got so many Tribal Leaders here today. And I think this representation right here speaks for itself about how adamant we are about having our education stuff here in Oklahoma.

Now, I know there's a lot of folks here that have grandchildren, nieces, nephews, that go to these different schools. Well, right now, I have three children that are in college. I have -- well, one that's in college; one that's getting ready to go to college; and one that's seeking to go to college. And when it comes to their education and anything that they need, I don't want any of the questions that I'm asking for them to have to go states away to get answers. I want to be able to go -- come here, face-to-face with somebody and say, okay, look, this is
what's going on. This is how we need to take care of it. And you also have to realize that here in Oklahoma, we're a completely different group of Native entities. We're not a reservation; we're not tribes that are in their aberrational areas, with the exception of the Wichitas. We were grouped and put here. So why, once you've already grouped us -- put us together here, would you take away something that's necessary for us to continue helping our students.

Right now, I've got about 200 students that are looking forward to going to college this next fiscal year -- school year. And I'm just now getting my 638 Programs back from BIA. I try to make sure that my kids are taken care of. It doesn't matter if they're in Texas, Arkansas, Louisiana, Washington D.C., our kids still get help from us. But if you take that organization, that group, away from these tribes that are all here -- they can speak with them locally -- you're doing us a disservice and you're doing something that's -- well, basically, that we haven't asked for -- that we're not requesting. You know, why
fix something that is not broken. Why not follow along the lines of each one of these tribes and these individuals that are saying this is what we need, this is how you can help us. Because after all, isn't that what consultation is between the federal government and the tribes, trying to find a mid-ground and stuff. Well, for us, the mid-ground is not states away. The mid-ground is here amongst us, here where we have our best concerns taken care of for ourselves. How many of the tribes that are up over in the North understand the cultural aspects of all these different people down here? They don't. They don't understand why we have different feasts. They don't understand why we have different pow-wows and dances and things and traditions. So why would you put our group with somebody else that doesn't understand us, that doesn't have this vast array of knowledge for all of these 39 tribes in Oklahoma? And that's 39 different groups versus how many that you got up there. You know, if something like were to actually be a real consideration, which I do not consider it, you would have to
have somebody that's culturally versed upon each and every one of those tribes, so that they understand what is most important to those people.

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

DR. ROESSEL: Are there any other Tribal Leaders?

(No response)

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

You know, one of the concerns that we had as we looked at this is to say, okay, what services are being provided now that is going to be taken away? And I think if you ask that question, the answer is none of them. And so, when I come back to you, I ask you
again, what are we taking away? We're taking an office? But we're not really taking an office because those functions that are primarily being done now are going to stay there. Primarily, this office here is handling contracting issues, whether it's Adult Ed, whether it's JOM. And the reason is most of your schools, they're operating on their own. They're tribally controlled schools. So your Tribal Ed Departments are handling those issues. So it's not about the taking that away and moving it. Those functions -- a majority of those functions are being handled by you -- by the Tribal Ed Departments around this table. And so when we looked at this, we said, okay, because we don't have that need to be there -- because you're all operating your schools and doing a good job of it. What is then the role of BIE? If you want a federal government presence on your reservation, that's what we're talking about. We're talking about Oklahoma City here. So the issue that we looked at is what services -- specifically, what services are we providing and what
services are you asking for? We have not received that in response. And maybe we get that when it comes down to more of the school functions and the school representation. What are those things that you want from us? Primarily, it's been we're operating our schools; go ahead and leave us alone.

Yes?

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

DR. ROESSEL: Okay. The purpose of this consultation is just for the BIE-funded schools. So, we're not talking about the public schools. This is the -- those schools
-- and I believe the number is -- what, 10 or 11 that are operated here, that's the purpose. We're not talking about -- the Bureau of Indian Education overseas, you know, either directing -- Riverside being one that we directly oversee and operate and then --

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

DR. ROESSEL: I understand that, but I think again what we're talking about are just schools that we have control over, either indirectly, which are the tribally controlled schools -- and that's how they're defined under 100-297, is the Tribally Controlled School Act. So any school that's operated under that is approved by the tribe to operate
as a 297, which use to be a 638 grant, so --

MS. FRANCIS-FOURKILLER: Yes.

DR. ROESSEL: -- so that -- so

those are the only schools that we're talking
about here and all those schools have been
authorized by a tribe -- those schools.
Because that's the way the law is written for
the Tribally Controlled School Act. So, I
understand there's no reservations --

MS. FRANCIS-FOURKILLER: And even

with that justification, how many schools here
in Oklahoma versus how many schools are up
north? What is the student population ratio?

DR. ROESSEL: There's 1,116

students in Oklahoma that are in our system.
If you look at North Dakota you're looking at
6,600 -- probably about 10,000 in North and
South Dakota alone. And then it tells you
there are also the number of schools that are
(inaudible) schools that we're talking about
for this consultation. So this reorganization
and those workshops that we see are only to
reflect. And when it gets down to the ADD in
Oklahoma, the operation of these schools --
the federal side of it, like the JOM, that's
all handled out of Washington -- our office too. So this structure is just for our BIE funded schools. Now, we do have impact with JOM, you know, indirectly, but we do not have any other type of connection with public schools. So when we talk about the services, that's what I'm getting -- and I understand your point and I appreciate it and I agree with you, but I have no control over those individuals. The people that we have for Oklahoma are these five schools. One of them is a BIE operated, which is Riverside and the others are tribally operated, which are grant schools. And those, I don't have any control over in terms of directly; the tribe has control over those four schools. Riverside is operated by the BIE, so the purpose of that -- that's when we -- when I say what services do we need. The one school we have, which is Riverside, that is a direct oversight. That would be moving to Albuquerque with oversight, but that's the only school that we have that is directly operated by BIE. The other four schools are all tribally operated and so the Tribal Ed Departments who authorize the
operation of those schools, they have more
oversight and control than I do as the
Director of BIE. That's the reason why -- if
you want to know, that's the reason why, with
only four schools and one with direct
oversight for schools -- do you keep the BRC
for just that number? So part of it was
looking at those numbers, especially when you
come back to, you know, the fact that the type
of resource, specific technical assistance
that you're asking for, you know, I guess
that's what I'm hoping to hear from you for
the Tribal Ed Departments and the schools we
hear more of what is it that you want us to
do? Because what we heard earlier was, you
know, when they call us -- well, you know, we
still are keeping the business center open, as
processing the 638 grants, those 297 -- or,
you know, grant -- oversight Adult Ed Grants.
That is still staying here. The scholarship
grants that are also being processed, those
are all staying here. We're not moving that
somewhere else. That's the connection we have
with the tribes that are in the area that have
their JOM contracts, that have their Adult Ed,
that have their scholarships --

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

    DR. ROESSEL: -- that is staying
here.

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

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

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

    DR. ROESSEL: The office currently
is not here in Oklahoma and that's the other
point. And for years --

MS. FRANCIS-FOURKILLER: Yes.

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

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

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

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

DR. ROESSEL: Well, the purpose has changed. I think that's something that, as we went through the slide deck early on, that we're no longer -- again, only with the tribally -- only with the BIE operated, do we
have the ability and authority to tell them what to do. With the tribally controlled schools, it's flip-flopped. We don't have that authority. We can't come in and tell the school you must do this or any of that. The tribe has that authority. So, you know, again, what we have and in the process for it is we're moving away -- our current structure looks the way it did 40 years ago when we had all BIE operated schools and no tribal schools. We need to change and reflect those times that have changed now. Tribes are taking a greater responsibility of operating and overseeing their schools, so we don't need to have this command and control structure. So what we need is just the assistance to help tribes do what they want to do. They make the decisions at the local level, like this -- at the ERC for tribal is helping to coordinate professional development. But that is really being handled now, especially here in Oklahoma and I think we'll hear that, that's being handled by the Tribal Ed Departments; greater responsibility, greater control, and how to move forward. So, what this structure
reflects is that transition from going from this command and control to this new era where it's tribes that are (inaudible) so that issues that are coming up, that we deal with now at the ERC level are specific to schools and help to coordinate -- okay, we need -- we're having problems with classroom management, so can we have some training that can be along those lines. That's what we're focused on now. The office is about educational needs. Anything that deals with the grant management, those office of business will still be here; but all of that were streamlined so they have direct control, direct contact with the people that can make decisions. What we heard from tribal leaders when we went out for our listening sessions is that they go to an ELO and then they'd have to wait because we had no staff there. And then it'd go up and then it'd sit there, so what we're doing is we're cutting that middle person out. And so this person can go directly to the ADD -- the tribes can go directly to ADD and get their questions answered. So what we're doing is actually
cutting that part out and also really defining the role of it -- before -- now, you'll know it's at ADD. If you have a problem with contract, it's going right to the person at ADD. If you have a problem with professional development or something to do with tribal -- or Department of Ed Funds, it goes directly to this person. So we're clarifying those roles, so we don't have this murkiness that we have currently and what I believe, at the line office level. Where you get the run around down here and then you get bumped up here. You get the run around down here and then you get up to Washington. I spent my -- you know, 11 years outside of the Bureau, I'm relatively new to the Bureau. So I've been on the other side where I'm sitting on hold for a long time and I'm trying to get the answers that is moving around, trying to define those roles and responsibilities. That's what we tried to do with this, so that we would have that direct conversation -- direct communication with tribes, so -- and here, you're talking about four schools -- five. Okay, five schools. So that's what we're trying to focus
on, is how we're trying to provide the services
that we're talking about and, also the
services that are being requested. We do not
have a lot of services. I think we have one
dorm here, then we -- was it two dorms?

(Inaudible comment)

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

MS. FOREST: And at the business
center -- or the ELO currently, is doing other
kind of work and that's what we want -- would
like to hear in detail today. Because for the
two dorms and the three schools, we're hearing
a lot of -- from staff, 638 contracts, JOM
contracts, Adult Ed contracts -- and that's
all going to stay here. So if there's other
things that they're doing -- I know they begun working on the Adult Ed, but if there's other things that they're doing for BIE funded schools -- and I think that's where we'd like to know -- to know about that. Because, again, for the five schools that are BIE funded here because this is the kind of services that we're talking about -- those will stay here.

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

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

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

MS. REYNA: Okay. And I appreciate you saying that your office is trying to look out for the needs and to meet the needs of Oklahoma. The purpose of a consultation is to hear us, so -- but we're saying here as a representative, we do not want the Oklahoma office to be moved at all. We want it improved -- the resources center and I think
that in utilizing the GS-15s relocation to Minnesota in these five areas, that money can be channeled to Oklahoma to help meet our needs, whether it's tribally owned or only the one BIE operated school here. Bottom line, Oklahoma wants Oklahoma to stay here. I appreciate it.

DR. ROESSEL: And I understand that, but as a person that is going to be operating these offices, I need more than that. What are they going to do there? Now, hear me out, what are they going to do there? Because currently, we don't have that position and we -- up until the time we presented this, we didn't hear any complaints. So what do we have? Do we just have an office of people that are not providing services but at least there's an office there? So I need to know what services you want at that office. Because, currently, when -- up until this time, we have not heard any complaint. In fact, a lot of our staff -- they're working on non-BIE stuff, with the processing of BIE contracts, and whatnot. So I what I need to hear is, okay, what does the person do,
because that's what I -- that's the purpose. Again, the purpose of consultation, like you said, to hear you. We have an office and, okay, what do you want these people to do there?

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

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

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

REPORTER: Thank you very much.

MS. REYNA: I think that's the only comment on that. The school that we usually deal with is Riverside Indian School. And from my understanding of the past couple of years, a lot of the involvement from the tribes depends on the students or whatever are actually enrolled in the school. Now, previously, we had a chairman that was actually kicked off of the board. And since
then, we have tried to have a Caddo Nation Chairman replaced on that board. But that hasn't happened. We've had BIE projects going through off our ceremonial grounds and stuff and we've opposed that. But that -- those letters and things like that have fallen on deaf ears. Myself, I've spent about two years trying to get a project stopped, only to discover that it had gone through over the weekend, while I was not at work. So as far as my having a complete understanding and trust in BIA -- BIE, I do not. Until they actually rectify the situations that they've placed on the Caddo Nation, the only thing I can say is that -- what she said, we need something here, and we need somebody here that we can speak with. Because having to be transferred from one person to the next just to find out what's going on through your kids -- what kind of things are being paid for, for them; why certain questions aren't being answered. Why there hasn't been a representative come down and actually walked through and visited the facility. We need somebody that can actually be here -- come
down, see the situation and recognize that it needs to be fixed, and that's not what's happening right now.

DR. ROESSEL: I think one of the things -- and I'd just like to bring up again, is that the reorganization is changing where we no longer have a educational line officer in ELO -- that type of position in any of the ERCs. That the focus has changed there, so we will not have that type of position in there anymore. For one, they were ineffective -- that they did, you know, a little bit of grant and a little bit of school programs, a little bit of administrative functions. Never able to actually focus on what they're supposed to do, which is act as a superintendent of schools, so they could focus on a structural leadership. What we've tried to do is to clarify those roles and responsibilities -- those areas that dealt with grant management, that is separated out from that position. Those areas that are dealing with school improvement and instructional leadership, those have been separated out. So the model that was in the past, which was somebody doing
a lot of things, we scraped that because that got us in this current situation, where our schools are not performing well. And we heard that from line officers and we heard that from principals, here's the problem I have, I go upstairs, too much of my time is spent doing administrative stuff. I don't get to focus on educational items. Too much of my time is spent on environmental protection things, it's not spent -- all these different things that we deal with, so what we try to do is to clarify that. That was the -- an initial idea in the older re-org, but it never happened because these are just piled on. They never checked at the next step of saying an instructional leadership should focus on instruction.

MS. REYNA: Okay.

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

MS. REYNA: I understand everything that you're saying, but the difference is between what you were actually saying -- what I just said to you about different people coming down and actually visiting the
facilities. While you've got numbers and
you've got statistics and stuff all over these
papers, the overhead, you're not dealing with
statistics. You're not dealing with all of
these just nameless tribes, kids, and stuff
like that. You're dealing with individuals,
and these kids are coming from different
places where they have next to nothing. They
show up at a place where they're supposed to
stay there all year long, like Riverside. A
lot of them come in and they don't have
anything. They're supported by whichever
local group wants to go ahead and donate prom
dresses -- getting them facials and stuff so
they're nicely dressed up for prom. You've
got to look at them as they're individuals and
as these are kids that we're trying to take
care of, not statistics. And that's what I'm
saying, I've been to these different places,
I've been to Riverside. I've donated dresses
and stuff, I've donated makeup and stuff, so
that these girls -- these kids -- all of the
-- they can have these things. It's not just
a number, it's not a statistic; it's you're
having to deal with the faces, with real
people. It doesn't matter who's up in the office and stuff -- whatever they're doing, as long as they are dedicated to making sure that these children are taken care of. And that's the whole thing, you get tired of these -- the folks coming into the office, oh, I've got a job to do; today, I'm going to do my job.

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

Thank you.

DR. ROESSEL: And I agree with everything you said, I too have been to
Riverside. And I spent my -- you know, my career in education and working with kids. I agree, I think we're coming at it, I believe, in two different -- we want the same outcome but coming at it in two different ways of -- I believe that if I can free up an educator so they're not dealing with facility issues and administrative issues and all these things and they can focus their time on kids, that is to me exactly what you're talking about in terms of you helping these kids. That's what we're trying to do with this structure in the federal government -- is trying to realign those roles or responsibilities, so the people that are in charge of these things, they actually can work with these students and not deal with all this other administrative stuff. That's kind of the basis of this reform. It's what we heard when we went out in our listening sessions with parents, students, principals, teachers, tribal leaders, tribal organizations -- all of these different peoples. So we're trying to reflect that in a document that can meet the needs of 64 separate tribes and that if they -- you know,
we understand, you know, and one of the things that we've done and the reason why we're back here today is because we knew that, you know, you're upset about the proposal. And rather than just make it and change, we came back. (Inaudible) just a few weeks ago, if we came back -- we had our first initial consultation here that, you know, was held early on a year ago -- a listening session, a consultation. You know, so, you know, we've come back. We still haven't heard the details of what do you want to solve this and the services to be -- what service is provided and so, you know, I understand some of the other stuff. I think it's important that we just -- I'm going to keep asking specifically, you know, what we -- what kind of services do you want in those offices.

Okay, we'll go ahead and --

MR. JOHNSON: Hello. Is it on?

Hello? Hello?

Can you hear me? Well, first of all, I'm Wayne Johnson. I'm Secretary of Education and Training for the Muscogee Creek Nation. And first of all, Dr. Roessel, I appreciate
you guys coming and being here and going out in Indian country and talking about these kind of issues. You ever feel like you won the battle.

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

Muscogee Creek Nation, home is Georgia and Alabama -- this is where we are. This is the Cherokee, this is the Chickasaw, the Seminole -- they're all of the five tribes.
Nationwide, those five tribes represent almost 700,000 American Indian people. So when those five chiefs voted to support keeping the Oklahoma City office here, those are all the people that they speak for. And I think if all the 39 sovereign tribes were represented there today, I think they would say the same thing. But as we know, that's not what this issue is about. You know, it's about Native children. It's about Indian education, but yet most of us want this office here, because we feel we had some representation from the -- you know, as you heard, we're talking about BIE funded schools. We're not talking about children in public schools. But in fact, there's tribes here in Oklahoma, that is who we stand for, but all of a sudden, here we are put in a position by the federal government to have to draw a line between that. And while that's difficult, it's certainly frustrating, because the majority of Indian children are in public schools, that is who we represent. I have over 16,000 Native American children in my Johnson O'Malley Program within the Creek jurisdiction. And we are the sub-contractor.
of Oklahoma City, you know, to receive that funding and that is important to us as a tribe. Like Dr. Roessel said, you know, that's an area where that will remain here. It's not just about that option. It's about all of the other possible functions. You know, one of the other organizations that I represent is that I'm President of Tribal Education Department Specialists. I work with people like Quinton Roman Nose. We think about the number of students, tribal organizations that we're trying to represent. And within that organization, and why are we -- why is it important for us to have the National Tribal Education Departments and National Assembly? Why is it important? Why is it important to have that organization? Because we won't have representation in the BIE. Somebody has to represent us. Why are the states treating us like local education agencies? Why aren't we working together, more interactive? Somebody has to stand for that, and that's us. And I do think that when the Oklahoma City office was here, they were a part of that. You know, they were always a
part of the connection that we had working
together here in Oklahoma to address many of
the concerns that I think we have in Indian
education. Fortunate to have the Johnson
O'Malley award as well. (Inaudible) serve on
the Oklahoma Council for Indian Education. So
we -- we're always seeking that representation
to be a part of what Indian education is. And
we can't allow ourselves to continue to be
separated and be treated in (inaudible) manner
to say well, we serve these people and you
serve these people over here. That's always
troubled me -- still troubles me. So I think
just based on the fact that, you know, there's
a lot of Indian people here in Oklahoma that
want to feel, you know, some representation of
what, you know, Indian education is about. Do
we talk about -- not too long ago I went up
to Rose Bud. You're in the middle of a
suicide epidemic. Not too long ago when BIE
was in Rapid City, I went down to Pine Ridge
to see some of my friends. They were in the
middle of a suicide epidemic, but I was
invited to their Indian school. We dealt with
the suicide epidemic from the students from
Lone River. It's amazing throughout my career of 40 years that I've been in situations where we were dealing with these kinds of issues and yet, we still deal with them today. So it is important for us to believe that as we work together to try and address not only just education, you know, with this -- with the social nature of who we are as a people. You know, whether we have enough of a voice to keep, you know, the Oklahoma City office functional -- you know, I know we're -- I know the difficulty of Dr. Roessel's office and trying to, you know, create an organization that is efficient and effective. You know, the 16 years that I spent in the Bureau, you know, we had issues then. You know, we had kids coming from Arizona going to the Flandreau Indian School, kids from Oklahoma going to (inaudible) Indian School. And they wanted borders, you know, to where, okay, within this area, you go here. I don't think it's that way any more. For a time there was need for reorganization, a need for structure. So, I guess my point is that, you know, while we have this opportunity, you -- are we going
to agree? No. We probably won't. But in the end, let's hope that by the mere voice that you bring here today, that you will share your comments, that the end result will serve our Indian students. We can't just think about the students that are in the Bureau, and we can't just think about the students that are in the public sector. Because as tribal people, we have to think about all of our children. So let's just continue to work together. You know, let's try to establish some sort of agreement, some sort of consensus, because I do believe that maybe we could keep the Oklahoma City office here, if in fact, we could work together and find out what kinds of services the Oklahoma City office provides for us. I think we know what those services can be. So whether you make known those comments today, at least submit what those things might be before the deadline, so that they can be considered. Thank you.

DR. ROESSEL: I just want to say real quickly that I'm not saying no, to anything, but what I'm trying to get at is the
why. I have to justify this to the Assistant Secretary, to the Secretary of Interior, and to Congress as we move forward. So I need to know why it's -- it can't just be because we -- I said so. That's not going to go very far with me. So, that's what I'm doing, I'm trying to get down to that level, so please don't mistake my comments as being I'm opposed to it. I'm telling you why we decided to make this proposal. I think you want to hear that also, that this wasn't just something we threw a dart at. There was some thought behind it and we really put it out there. The reason we're here today is because I believe you have to have the courage of your convictions. And if we're saying this is what we want, then we need to come here to Oklahoma and say this is what we're proposing and why. And not just do it from behind -- you know, an (inaudible). So -- and I agree, Mr. Johnson, I think one of the things that we're trying to do is -- and I think the same thing that you're talking about and I think you see it here in the Oklahoma tribes -- is redefining Indian education. It's a new era. It's an era where you have
Tribal Ed Departments who are actually starting to control education. And so I -- my belief is we look forward, we don't look backwards. What does that look like moving forward? We don't want the same organization that kept us in the past. We need to look forward, we need to look at something that's new going forward. So I think that's something that I personally -- I personally believe it. I mean, that the tribal control of Indian education is something that, even when I was a kid, I grew up around. I say this all the time, but my father was that person that started tribal controlling. He started it first in Indian community control school -- (inaudible) school. Two years later, he went down the road and started Navajo Community College, the first tribal community college. I grew up with this, I operated (inaudible) Community School for 11 years as the superintendent. So this is something that I'm intimately involved with, not from the federal level but from the tribal level. And so, when I talk about these things, I'm talking about how we can move
forward. And I think earlier, we talked about
the 20/20 grant, which is the Tribal Ed
Department -- $2,000,000 which I think Don
mentioned also (inaudible) Indian education
initiative, which was $1.2 and that was
refunded again, so within a two year span,
$5,000,000 for Tribal Ed Departments. I think
that shows the commitment that we have when
you see budgets being flat lined everywhere.
But we're able to get $5,000,000 -- actually a
quarter -- $4.9 is -- I'm sure somebody will
do the math and come back and say I did it
wrong. So $4.9 million for Tribal Ed
Departments, in building their capacity and so
I think that's what we're trying to go
towards. We're not trying to drive a wedge
between tribal schools and tribal departments
of education. But we're trying to build that
capacity across the entire system. And, you
know, one of the things when I looked at this,
I looked at what the Oklahoma tribes that are
reflected in our schools here -- what they are
doing in education. And part of my decision
of saying we don't need that office was
because of what's being accomplished here by
the tribes. You know, so -- so, you know, I know it's one of the things that in all of Indian country and also in education, when you do well and pull resources, seems like -- right, you know, it's only when you do that. Our schools -- when they're (inaudible) bottom, you know, five percent get all this same money -- hundreds of thousands of dollars in schools that are actually performing well, they get money taken away. And so it is here, but at the same time -- that idea then is to come back around and to fill capacity and then add the $4.9 million that's helping there and then the capacity, in terms of our schools solution teams that are working with tribes to build that capacity level that we're coming from at a different angle, so we're trying to get there together, but I do appreciate the comments that have been so far. So -- well --


Kimberly Teehee, Cherokee Nation and I wanted to sort of speak broadly and then pass the mic on to our Deputy Director of Education who is going to have to leave shortly. So I make sure that he has an opportunity to make a
comment as well. As was already said, Oklahoma is home to 39 federally recognized tribes -- the Cherokees, Muscogee Creek, Choctaws, Seminoles, and Chickasaws represent more than 500,000 tribal citizens. The Cherokee Nation is the largest tribes in the United States. We have more than 350,000 tribal members and we span more than 7,000 square miles in all or a part of 14 counties in Northeast Oklahoma. We provide educational services to Indians living within our boundaries. We have, approximately, more than 27,000 Cherokee students attending public schools and we have over 24,000 who participate in JOM programs. In addition, we have 380 students who attend Sequoyah High School, which is supposed to be part of the Flandreau, South Dakota proposal. We don't leave our students behind. You know, I know that there's this dialogue taking place with BIE operated, tribally controlled, and public schools. We feel an equal obligation to all of our students who attend public schools within our boundaries, period. And each of those public schools, given the volume that
Cherokee Nation alone has, relies completely on (inaudible) assistance and other resources that we provide. And there is no way that only one or two people in a proposed business support center could possibly provide for the needs -- even technical assistance needs that is required for the volume of students that (inaudible) schools require. You know, you asked earlier what is it that we need. I mean, presently, it's my understanding that we rely on the Oklahoma office for training, technical assistance, program development, ensuring compliance with the federal programs, such as JOM. So to, you know, tell us that, you know, we don't want to go backwards because tribes run these programs. Well, we can't (inaudible) either. the fact is is that (inaudible) programs -- even when we contract them, require federal requirements and require federal compliance with those requirements and to have a body of people -- we have really awesome relationships with our public school districts. And we hope to grow our JOM Program. We -- as you all know, Congress has asked for JOM numbers, so obviously, as the
student count increases, hopefully federal resources increase. But once that occurs, there's going to be even more reliance upon having an office that has adequate staffing and resources to be able to respond to the types of questions that we will have. And so we're hoping that, that office stays open. And in reading in the booklet, what the ERCs would do is precisely what I think we're asking for our Oklahoma office to do, whether we call it ERC or something else. Those resources are necessary for local school improvement, for accessing strength and needs, for building tribal capacity, for developing leadership assessments, special education needs. I mean, those are the things that we're asking for in our own office. I think that's not inconsistent with what we're saying here. And with what we're saying, the Oklahoma office presently provides this, whether it's tribally controlled schools or public schools that serve our JOM students. By designating the Oklahoma office, we believe, as a business support center, drastically reduces the services that I just
mentioned are presently being offered. And we
don't believe that staff being at the level
that we suspect will be staffed at one or two
staffers is going to possibly meet the needs
of our people in -- as I mentioned, Cherokee
Nation alone has 27,000 students that are
attending schools in our district.

One of the other things, interestingly,
in your booklet is that the ERSs will be
geographically positioned close to schools.
Well, guess what, you know, from Tahlequah,
Oklahoma where Sequoyah High School is -- you
get to Flandreau is over 670 miles. That's
not exactly geographically positioned close to
where we're located at and I suspect that's
the same with most of our schools here.
That's a great inconvenience and it's -- for
us and -- so we just believe that the impact
of the reorganization plan is completely
inconsistent with the Department of Interior,
President Obama's message to strengthen the
government-to-government relationship. We
don't believe that it honors that. We
understand that the reorganization plan is
intended to strengthen the school systems. We
believe that it will actually weaken it. You
know, Don talked earlier about the New York
Times article and read that article and it's
-- you all are aware of the suicide rates that
are occurring in the Great Plains and the
ninth suicide that had taken place in that
community since December and the -- I think
150 attempts of suicide that occurred too.
But the answer is -- you know, does include
increasing resources, but it shouldn't be at
the expense of diminishing resources from
Oklahoma to deploy them out to the Great
Plains. We need those resources too and so
our hope is that you'll consider making
Oklahoma City an ERC center. Our hope is
that, you know, as you look at it as a
business support center that you recognize the
obligations that we feel towards our students
and the fact that regardless of the tribal --
you know, self-determination policies that
exist in the amount of contracting that takes
place, that you see that. We still have to
comply with federal rules and regulations and
we still have to make sure that our public
school districts work with our Indian
students and are also in compliance, in that there's a resource available to them to continue to operate those programs effectively as well. So with that said, I also want to submit the resolution by the Inter-tribal Council of the Five Civilized Tribes for the record. And I know that was referenced earlier, but I don't know if you actually have a copy of it, where it poses the restructuring plan. And I want to pass the mic to Bruce Davis, if he has any further comments. Thank you.

MR. DAVIS: Well said, Kimberly. I -- we're blessed at the Cherokee Nation to have Kimberly with us. She was in D.C. for a number of years and she has those personal contents that we're blessed with -- that she can get on the phone and make those personal contacts when we have questions. But a lot of people and a lot of tribes do not have those personal contacts that the Cherokee Nation has without having Kimberly onboard. Also, a former student of mine, Ms. Vicki, is working in D.C. and we're -- got to see her this morning. So, we have some contacts that other
people do not have. Being a former superintendent at public ed schools, I'm familiar with those differences that we have with the BIE schools and I was impressed with the comments about the internet services, the speeding up the services on the construction. That's one of our biggest -- I'll say problems that we have with Sequoyah at this time, because our buildings are old and we got a good construction crew that's working with us and we're proud to work with those people. And if we can speed those processes up that would be great, but our facilities are old and need work all the time. And so those are some of the things that we're trying to upgrade as we go along. We have 400 students and we have a residential; that's what -- three of us in Oklahoma that's -- that only -- that has our students. So, with that being said, if we lose an office, whether it be Tahlequah or Oklahoma City, we all know that we're not going to go backwards and get that office back. If we ever lose something, we will not get it back and that's our -- I guess, question today, is that with Kimberly's
remarks, the things that we would like to see happen with the Cherokee Nation and the BIE, we want it to get better. And so, if there's anything that we can do within the Cherokee Nation, we'd be glad to try to do that and don't hesitate to contact us. Thank you. I want to pass the mic to our Johnson O'Malley Director, Mark Vance.

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

FEMALE: Jennifer.

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

MR. JOHN: My name is Thomas John and I'm the Under Secretary for the Department of Community Services for the Chickasaw Nation and that includes our divisions of education, divisions of youth. I've actually got more questions than comments at this point, but I may come back after lunch with commentary. First off, with regard to your proposed restructuring plan, you've identified a couple
of new offices, I presume, that are going to be in Washington D.C., that you've presented no information on. Could we get an organizational chart similar to what you've presented in your packet for the Office of Indian -- or Offices of Sovereignty and Indian Education, as well as the Office of Research, Policy and Post-Secondary and the description of what those offices will do.

The other question I wanted to pose at this time is you've mentioned about requesting the -- from the tribes what they want from a program office here in Oklahoma City. But I guess my question back to you all is, is this actually the same thing? What can you do for us in that office in Oklahoma City? Because we've seen the statistics that you've presented here and roughly there's approximately 1,000 kids are involved here in BIE funded schools. Well, that represents less than one percent of what are youths are here in the schools in Oklahoma. What can you do for the other 99 percent of our Indian youth that are primarily in the public school systems?
And will this proposed organizational structure, whether it's in Washington D.C. or whether it's in the field, can you do anything for them?

(End of Part One of Meeting)

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

In terms of what we can do -- that's a really good question. In terms of the 99 percent, I'll be honest, we don't have any direct control over that other than indirectly through JOM. And then that really is just as
a funding source. It has nothing to do with the terms of what we can do to try to push towards certain areas. I think one of the things that we're looking at doing is trying to build partnerships with tribes so we can work in concert with them as they work with the public school system, so that we ensure that some of the things that we have heard about and now that we have a person onboard, is that, you know, some of the JOM money is diverted to you to be used with other non-Native students. So being able to try to be an advocate and assist from where we are in Washington in terms of being able to go to public schools and try to help clarify some of that -- and also I think that we had some common goals that we could look at across our entire system with JOM, I think would actually help us as we move forward, and it would even help in terms of the public schools that receive these funds for their students. And it's a sad thing. We talk about Bureau of Indian Education, everyone thinks it's just, you know, this (inaudible) structure. We don't have any control over those schools and

Christy A. Myers
Certified Shorthand Reporter
those students that are in the public school system. So here, you know, 99 percent -- there's -- to be honest, there's not much that we can do. Public schools are not going to listen to us. We're a federal system; they're a state as you know that. And so we don't have that oversight of those schools. No, I think one of the things that we are doing that's coming out of this is that we are having a stronger relationship with the Department of Ed. And the Department of Ed, I think is seeing -- you have seen recently they have their own grant that was just released a couple of days ago, you have the STEP Grant. I think they're seeing under Secretary Duncan a real push in trying (inaudible). It's not enough just to say it's a state responsibility that there are things that can be done at the federal level for public schools and I think you would really see an emphasis from Secretary Duncan along those lines. I'm going to let Don respond to that and Vicki, because I think, you know, he's reflective of that priority. I know a few weeks ago I was in a meeting with the state school officers and
Secretary Duncan, and it was a luncheon, and I was amazed at how often he was talking to the State Officers, you need to do something about the Indian Education. You need to hold a more (inaudible). He was (inaudible) as much as he was a part about anything else, (inaudible) he would continue to do that practice that's going to be taking place in a few weeks.

Again, trying to get states to get more involved. So I think we're invited to that. We're trying to work with that but the sad fact is that we don't have any direct impact, but I think Don can probably speak to that better.

MR. DON YU: Sure. I can answer that question and I know it's frustrating when federal officials come for these tribal consultations and then you have to deal with other parts of bureaucracy. But -- so, you know, our mission here -- you know, this team right here, you know, we are definitely asked to do a much more of a search cooperation. We're 100 percent aware BIE educates 8 or 9 percent of all the American Indian students in the country. Our students have to do much
worse than American Indian students in public schools. There's a significant achievement gap just between the school students and the BIE funded schools and American Indian students in public schools. Sally already asked us to do much more (inaudible) cooperation and get this thing corrected since these are our federally funded schools and we have a responsibility there. So this is like a team working (inaudible) operation on that. As Monty said, lots of great work going on at my former Department -- Education Department. There was the STEP Grant, which was issued several years ago. Money has come back for that program. He also mentioned that the Native Youth Community Partnerships Program just announced two days ago, that is also to address -- allows. There's many eligible entities. One of them are public school LEAs that surveyed larger percentage of American Indian students, they can partner with other community groups. That notice is in the Federal Register. So if you need some help getting some technical assistance in that, please just ask me. I'd be happy to give you
all the information on that grant. It is only $3 million for this year -- fiscal year '15. Those grant applications are due June 29th back to the education -- NICs Department of Education. The request though for fiscal '16 in the President's budget is $60 million, I'm pretty sure. I can double-check those numbers but I think this fiscal year '16 of the President's is $60 million. And there's also the Title VII Program at the Education Department that's about $20 million. But most of the work for the American Indian students at the federal level for American Indian students in public schools, it's not the Education Department. But, again, you know, I'm here because (inaudible) into Native Youth. He asked me to come on -- I've been doing a lot of different things for him over the years. He dedicated me to come over here and create much more of a partnership between Interior and the Education Department and Monty is right that Sally (inaudible), the Executive Director for the (inaudible) school officers will be meeting next week. And Monty and I will be attending that as well, just to
make sure that we do bring in these State 
Educational Agencies into play here. But the 
(inaudible) and the federal government has 
almost -- we have provided money to state 
educational agencies but we have (inaudible). 
And they can't force them to do anything. If 
they accept our money we can ask them to do 
certain things but we can't directly tell them 
what to do. But if you did look at the 
reorganization for the Elementary Secondary 
Education Act that the Health and Education 
and Labor Pensions Committee on the 
(inaudible) side, released -- that was 12-0 
unanimous vote. There's actually much, much 
more in that bill for improvements in American 
Indian Education for students attending public 
schools rather than BIE -- there's much more 
in there. STEP Grant was now a committed part 
of the ESEA in that bill. Also, I'm pretty 
sure -- I can double-check this, but also if I 
recall right there is now also a consultation 
requirement that states have received Title I 
funds from ESEA which is the biggest bucket of 
money in the ESEA, now have to -- if they 
receive that federal money, they also have to
have some plans working Tribal Education Departments about how that money is used for public schools located on tribally controlled lands. (Inaudible). But that is also the Senate. There's a few other things in that bill too. If your -- most of your concerns are about public -- your students in public schools. And I'm happy to send you that information as well.

DR. ROESSEL: Okay.

MR. BRAD SPEARS: Good afternoon.

My name is Brad Spears. I'm the Superintendent at Jones Academy located (inaudible), Oklahoma. First of all, I would just like to say I understand and appreciate the organizational reorganization and the things you guys are going through. I know you have some difficult decisions to make. And I know that the reorganization has been going on for two or three years. And we've been a part of that process for several consultation hearings. I've heard some things today that I think there's going to be some good things come out of this. We've talked about best practices, and developing partnerships with
BIE schools and the technical -- developing technical assistance with school improvement. But I was a little concerned on this round

But I was a little concerned on this round of consultation hearings. I could not believe that Oklahoma -- when (inaudible) these proposed re-organization came out Oklahoma was not even on the (inaudible) consultation here. I felt that was a -- that was a slap in the face to the Oklahoma schools. Then we had a mini consultation with Don, we visited with him. And I know, Don, at that time, we would have (inaudible) from the Five Civilized Tribes. We would have that turned in, which we did. And long and behold, about the time we turned that in, this meeting stepped in. The leadership of the Five Civilized Tribes -- all five of them, unanimously voted for that resolution. They understand the decisions that we're making today affect generations of our children here in Oklahoma for years and years to come. Now last month, when we was with Don, he passed out a -- the re-organization and it showed that under Flandreau, South Dakota, there were
7 schools listed, 3 residential schools listed, for a total of 10 in schools. And when you did the travel distance, going to Flandreau, South Dakota from those ten schools, it was 425 miles to Flandreau, South Dakota. It was 421 miles to the Oklahoma City office, if we had an Oklahoma City office. Now today -- today, we did the re-organization and now it shows that there's the total of 10 schools listed for Flandreau and 3 residential schools listed, for a total of 13. However, there was only 12 listed on the sheet, not 13. And now, the distance has changed. I was given this chart, I don't think you guys have that. And it shows now that the distance has been skewed by adding these other schools, to 373 miles to Flandreau, South Dakota. First, it's 481 miles to Oklahoma City, so that's kind of skewed the geographical location.

Today, I'm hearing things that -- you know, we're making this -- we're realigning by function, not by people. There's been a lot of complaints, lawsuits; we're having to staff accordingly, the Oklahoma office -- and they had deals with JOM. We're looking at student
populations. I would say that every school that's represented here today and the tribes represented today would disagree wholeheartedly that the Oklahoma City office does more than just process FDDs and work with JOM for public schools.

As I said, I am in -- at Jones Academy for almost 20 years, as the superintendent. Jones Academy is a little different than most schools, in that we are a tribally-controlled peripheral grant school. Our first through sixth graders attend Jones Academy. We're now considered a BIE elementary school. Our seventh through twelfth grades attend the Hartshorne Public School System. I know first hand what the Oklahoma City office does for us in Jones. They're helping us with all the BIE reports that's required. They're helping us with all the Native Star requirements that's required, all the annual reports that we get. I look back two years ago when we were designated as a BIE -- re-instated as a BIE elementary school. If it wasn't for the Oklahoma City Area Education Office, there wouldn't have been a smooth transition. There
was a lot of work that, that office worked
with Jones Academy and with the Choctaw Nation
to make sure we had a smooth transition. And
that, we could fit into that system and we
could function, and function well. And I
appreciate all the work that they did for us.
I do know that if that office hadn't been in
Oklahoma City and it had been in South Dakota,
we wouldn't have got those services; I know
that. If we move the office, again, to South
Dakota, it's going to be our students that's
going to suffer, and I -- we all know that.

You know, it looks like to me, since
we're tribally-controlled and that we're doing
a good job, it looks like that's a big part of
the reason why they're moving this office.
And we're not saying we don't want assistance;
what these ERCs are do -- that's what we want.
We want, as the Cherokee delegations -- that
we want to know what these best practices are.
Yes, I think we do a good job at Jones
Academy. Could we do better? You bet we can
and I'm sure there's a lot of schools out
there we could learn a lot from. That's what
part of these ERCs are for (inaudible). We're
suppose to learn these best practices. We want the technical assistance for school improvement; we want that. We're not trying to shove anybody out (inaudible) it's only Choctaw Nation -- it's only the tribe and we don't want your help. We do want the help. We want to strengthen the partnerships with other BIE funded schools. We can all learn from one another. Again, we can all improve, we can all do better. If the offices moved, our students are going to suffer. Everyone's students in this room is going to suffer. My Chief -- Chief Batton of the Choctaw Nation, he is very concerned about this. That's why he signed on to this resolution. That's why I'm going to report back to him, after I find out how this is going to move forward. Because then that's going to decide what next step the Tribe takes. So, thank you.

DR. ROESSEL: It's 12:35 now. As we had mentioned earlier, we're here for the duration, somebody could (inaudible) time, its up to all of you of you want to break for lunch and come back. Or if you just want to continue, so we -- we leave it up to all of
you with this process. So, do you want to break for lunch? Or do you want to just continue?

(Multiple responses to break for lunch)

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

(Lunch break)

(After lunch break)

AFTERNOON SESSION BIE CONSULTATION

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

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

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

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

MR. JORGENSON: The school, yeah, school construction.

(Multiple conversations)

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

MR. JORGENSON: Okay. So, is that even plausible for funding?

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

MR. JORGENSON: Okay. All right. So, I mean, besides that you guys had mentioned that you went from $19 million to $14 million on your administrative cost; correct --

(Multiple conversations)
MR. JORGENSEN: -- on downsizing.
MR. DON YU: For the Tribal grants and court costs?

MS. FOREST: No, no --
MR. JORGENSEN: No, for your --
MR. DON YU: Oh, EPM, yes.
MR. JORGENSEN: Yes.
MR. DON YU: Okay. All right.
MR. JORGENSEN: And so, you know, you're looking at a $1.3 billion shortfall, again, unless it's funded this year for fixing up the structures.

MR. DON YU: Yes. That's correct.
MR. JORGENSEN: Okay. Next thing --

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

MR. JORGENSEN: Okay. Okay. All right. And another thing, Navajos identify themselves as a state under -- when they submitted their Alternative Accountability
Workbook, and I asked if the courtesy of recognizing them as a SEA has been extended yet? Have they accomplished that?

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

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

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

MR. JORGENSEN: Correct.

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

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

MR. DON YU: They are --

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

DR. ROESSEL: They won't get the
termination of being an SEA (inaudible) requested that. That has to be done by (inaudible)

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

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

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

M: Oklahoma just backed out of it.

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

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

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

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

MR. DON YU: The BIE's total budget every years is $750 million from the Interior
Department, $200 million from the Education Department, so that brings us up just under a billion every year. So, that would be a more than 130 percent increase in our budget. It was a huge fight just to get $180 million increase over the Fiscal Year '15 enacted and requested. So -- but we do have money for construction, and we'll take care of three schools -- if we had the '15 and if we get what we requested in '16, we'll take care of three schools. That is not enough. We need a long-term plan, though. Probably be something like a 68 -- six- to eight-year plan to bring all those school conditions into good condition.

The other thing, though, is even if we -- hypothetically, even if we got $1.3 billion, there's no way the Department of Interior could spend that much money that fast. It couldn't be done. We don't have the staffing. The Office of Facility Construction Management is not built in a way that they got that certain funds and we could spend it in time. So, that has to be factored in. So, we need a long-term plan for all the schools.
MR. JORGENSON: Okay. Thank you.

Was I suppose to state my name?

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

MR. JORGENSON: Okay. I just want to make sure.

THE COURT REPORTER: Thank you.

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

We had spent $22 million a year over the last ten, twenty years, and we can't point to one fluent speaker that we've developed with those funds. So, I think part of the thing that we're looking at, also, are the issue and challenge we have, is how do we start changing that conversation from just
Native language, just start talking fluency, and we have to have a goal that it's something that's common and I know that you can have different levels of fluency, but I think we need to start talking about that as being the goal of Native Language programs and not just, you know, fifteen minutes here, because people could say, well, I have fifteen minutes here at this. But what is the real goal? I think we all would agree that from a Tribal perspective, the goal should be fluency, if that's possible, and how do we move forward? So $23 million a year, if you look at it from the perspective of a Tribe that oversees more than one school, that funding could be consolidated and then utilized in a better manner to try to have Native Language taught, learned, and, also, with a goal and an outcome that is beyond just a practice of language but, actually, a target fluency.

So, just to kind of talk a little bit about that. That's part of this re-organization also looking at when we talk about bringing Tribes to the table, it's letting them be a part of that conversation of
what do they want their schools to actually do accomplish in the same manner as we talk about in the other school system?

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

THE COURT REPORTER: Okay.

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

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

So, I think, a suggestion is, maybe
you ought to change your name to BIE's, for
being for Bureau of Indian Education Schools,
because I mean that in seriousness, because it
bothers me that we've got a large number of
students that you say you can't help, and I
agree. You said you can't tell them what to
do, and I agree with that. You don't need to
be public schools, but that doesn't mean you
can't help.

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

   So, you know, from my perspective,
when you talk about BIE, it ought to be about
all students -- and I know school teachers, so
that's how I see it. To me, it's all about
all students. So, that really concerns me is
that we -- Don, you're wanting to say
something, so go ahead and say it, then I'll
pick up (inaudible).

MR. DON YU: (Inaudible).

MR. WELLS: Go ahead.

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

This team here, though, and maybe next time we could have a consultation with ED TIER II, so that we would have a full representation of the federal officials that cover all education for BIE students and,
also, students attending public schools as well. But this here, though, is we don't have any statutory authority to engage state educational agencies.

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

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

MR. DON YU: Right.

MR. DANNY WELLS: -- and kind of
help our students overall.

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

MR. WELLS: Well, and again, the reason, of course, the reason we think like that is because we've had a staff here that we could ask questions that we know -- I've seen Catherine at lots of functions that I go to where it involves students, and opportunities and activities for students. I've seen Catherine at lots of those functions.
MR. DON YU: Uh-huh.

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

MR. DON YU: Right.

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

MR. DON YU: Right.

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

MR. DON YU: Right.

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

MR. DON YU: Right. And I guess, just to be clear, like in terms of statutory functions and what that money can be used for, that probably shouldn't be happening, so that
funding has strict parameters about how that funding can be used, if it's EPM money, may not -- I'm not sure. We'd have to go look at it, but that's probably not how that funding is to be used.

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

MR. WELLS: Jacobs, yeah, Jacobs.

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

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

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

MR. WELLS: Okay. All right. My next one is a question. As we look at this,
what I see is I see a lot of administrative positions being added instead of direct service. And, I mean, there's some direct service being added, but there's a lot of administrative being added, and that concerns me. Any time you're adding administrative cost, that to me, is taking away from direct services. So, how do you justify that?

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

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

MR. DON YU: Right. Okay. Sure. I'm happy to talk about that, too. So, from a budget perspective, you know, the BIE's budget for educational management is about $14 million to oversee 186 schools in 23 different states. You're basically asking us to run a $1 billion operation on about -- what is that -- less than 1 percent of our own budget.
The Tribal grants and Court costs that we provide to our own grant schools, which is the equivalent of the Education Program Management, that's much higher percentage of the school operating budget than we have to run our own schools.

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

I'll be happy to provide you information about all of the education line offices right now. They're almost all empty. There's no staff providing any kind of service, and that's why we constantly have Congress telling us -- and we have investigations that show that we failed to do safety inspections at our schools, as we
probably only have a couple of safety inspectors for the entire system, so --

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

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

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

MR. WELLS: So, providing those, those administrative spots are going to solve the problem?
MR. DON YU: Not by itself. You have to get the right people in those jobs, for sure, you know. I mean, just filling it in with a bunch of people that can't do the job well, that's not going to solve the problem. But there's nobody in those offices right now.

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

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

DR. ROESSEL: Here's the School Office of Professional Standards. Can you identify -- I don't know what positions you're
talking about. If you're talking about the functions that we have up here within the School Office of Professional Standards that are, you know, communications, human resources. Are you talking about --

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

DR. ROESSEL: Okay.

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

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

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

An example of where we -- where this really hurts our schools is in the area that we're in right now, the Assessment area, time and period. So, a year ago when schools
transitioned -- and states were deciding, okay, we're going Park and Smart Balance, or do their own thing. It really changed the equation in terms of what BIE could do.

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

So, we issued a contract through our contracting office, which is in BIA. We did it about -- in April of last year. It's sat on their desk for four months. We finally moved that contract from -- and I can't remember. Was it Albuquerque -- it was in Albuquerque. We finally got that out and we moved it to the Washington, DC office. It sat there for four months; why? Because the
contracting office -- it was just another contract. They didn't understand that this is mandatory. They wanted us -- you know, there's only Park and Smart Balance. It's sole source. They told us, no, you have to got out to bid, you have to go out to request the proposals. They didn't understand the educational aspect. We barely, just up until, like, a couple weeks ago, we're still working with individual states to try to address that in having MOUs, where you get things worked out with each state.

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

MR. WELLS: (Inaudible).

DR. ROESSEL: Yeah, and content
specific to education, same way with Facilities. Those of you that deal with Facilities, and we have a different network here that tries to combine and can consolidate facility uses, same thing. They don't care necessarily about the educational functions of a building. They just care about the facility. So, now, we have people that will be content specific, again, people that were being paid over here, they're moving under our shop, and then we are able then, at that point, to be able to hire people who have a background in educational facilities.

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

In terms of the areas that are occurring at the ADD level -- well, the DPA level, that stays the same. There's no change here other than getting the positions out to the field.
So, that one, there were 36 positions. There are 36 positions that will continue, no structural change.

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

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

Yeah, it's Office --

MR. DON YU: This one?

MR. WELLS: This right here is one
of them.

    MR. DON YU: Division of Department (inaudible) --
    MR. WELLS: It's the proposal of
    Re-Organization, the very first one you
    started off.
    MR. DON YU: Okay. All right. Let me find (inaudible) here.
    MR. WELLS: And (inaudible) one more back.
    MR. DON YU: Okay.
    MR. WELLS: Okay. I don't really necessarily want to expect -- here's the thing, I guess. You're communicating to us, now, why you did it, and it's a reasonable reason that you did it, but not knowing that, it appears as if you guys are just mounting more bureaucracy. It looks like you're just adding more people in administrative, but with an explanation that's why we have consultations, is that we can convey information back and forth and have a communication.

    You just communicated to us based when we ask why that was done. That wasn't
explained -- I don't remember you explaining that to us as we went through it.

MR. DON YU: Okay.

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

MR. DON YU: Sure.

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

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

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

MR. DON YU: Yeah. Yeah. So,
we've tried, and I think, sometimes, it does change, and sometimes as we're hearing back from you, you know, it does shift, and maybe we don't -- you know, it's hard to try to address -- I mean, we're coming in and looking at this, what we're going to focus on. But again, your perspective is going to be different, what you're focusing on, and sometimes it may just pass right by each other.

MR. WELLS: Okay.

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

MR. WELLS: Okay.

MR. DON YU: We really did two things also is try to maintain budget neutral, so we're not fussing up anything, and that the number of employees that used to be in 2008 turned to batter re-org. What we have now is much less. I think it's something like thirty-four positions, fewer than they had.
been, because we don't need to have that
direct command and control.

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

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

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

    My proposal is this, Minneapolis is
only has four, and they're Tribally run
programs. Oklahoma has four, with one BIE.
We chop them by one, but why not move
Minneapolis over to Grand View, leave Oklahoma
City alone? That way you're kind of
dispersing a little bit more. Now, you got
four out of seven up in the north. You've got
Tennessee, us, and Albuquerque down here in
the lower part. Again, you know, we're discussing, we're proposing. To me, that is reasonable. Thank you.

MR. DON YU: I appreciate that.

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

Tom John, Chickasaw.

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

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

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

MR. JOHN: Okay. And my next question then is relative to those Tribes that currently have self-governance compacts through the BIA for those programs. If they're going to be restructured and into your two new offices under the BIE, how is that
going to impact the flow of the funding and
the compact functions associate with those
programs for self-governance compacts and
funding agreements?

DR. ROESSEL: There will be no
impact at all with those. Primarily the focus
of the post-secondary is working with Tribal
colleges and looking at how we can try to
advocate for their work, but then how do we
work with Congress? How do we work within our
own area in terms of moving forward? Trying
to find programs that we can work with, with
our K-12 -- it's, you know, process as well
as, the TCUs. So, that office will be more
along those lines. That's the reason
why we separate out, Haskell and Sidney,
because it clouded and we actually supervised
those two. And when it was under the
post-secondary, it was, okay, we're
supervising these and we just fund these over
here, and even the Tribal colleges are saying
those aren't real Tribal colleges. Those are
actually federal operated schools, and so, for
the purposes of even accreditation make that
change. But that way now, the post-secondary
can primarily, just be an advocate, help build programs, find funding -- different funding, but not -- it won't have any impact on the self-governance of those that are in the compact support -- higher ED.

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

(Inaudible response)

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

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

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


MS. FORREST: But that piece will
stay the same for the compact.

    MR. JOHN: Okay.

    DR. ROESSEL: Yeah.

    M: (Inaudible).

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

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

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

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

M: Good point.

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

One of the things we're going to do with them is consolidate those to try to get a
better price and then easier to manage. But our -- the trust responsibility absolutely remains the same even if those programs are in BIE, we still have that responsibility.

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

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

Getting in details, I mean, what more can we do as a trust and treaty responsibility
where we have no influence with the State, we have no ability to even -- and we have no entryway to any public school system outside of JOM, and as we found out in this last counting of JOM, a lot of school districts and a lot of Tribes have said, you know what, too much work for too little money. We're not going to continue that process, so -- I mean, that's kind of the reality of the situation, and so, I mean, if there are other ways and ideas that you have to help us, you know, advocacy is one thing, but it's really advocacy within ours and also the Department of ED, so, you know, I'd be interested to hear some ideas.

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

The specific example I can site is in the area of high school equivalency. Now, you
don't even necessarily have to work directly
with the State even, but we're facing
situations, at least here in Oklahoma
recently, with regard to GED versus high
school equivalency and the federal vendors
that provide those services.

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

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

I do think one goal of the ultimate
goal of this whole transformation effort, and
it's going to take a long time, because BIE
has not been a well-functioning school system
forever, and it's going to take some time for
us to get to the end point. But I do think
one point of one area of success would be and,
again, indirectly impact all of the public -- state run public schools looking at Tribally Controlled lands is -- our Grant schools are the only place where Tribal Nations have an opportunity to truly run their own schools, you know. And if we can create some great examples of here's how Indian education should be done, look at these schools in Mississippi, or look at this school in Oklahoma, and then states are -- will be hungry to see what is a best practice for Indian education in this particular state, you know? And I think we have an opportunity to do that.

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

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

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

The issue is not whether or not you can. It's whether or not you issue it, and it's going to be really blunt, with an apology, or you issue it as we have the authority. When I was at Rough Rock, we issued an alternative diploma, and it was honored by the universities, because it came
from our school and through the Navajo Nation. So, I don't think -- you know, the GED issue, I think, is something which -- when it came across my desk, I said why is this even on my desk.

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

Because if we start chiseling and start making, you know, as if we're making a little, a place holder for this and this and that, to me, that diminishes the authority for all 297s. So in terms of that, I would say you have that authority now. You can hack them.
Now, whether or not OU or OSU, our schools here, recognize that, I don't know if they will or not. So, I just want to say that. I think that's something that I think Tribes and schools have that authority already.

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

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

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

DR. ROESSEL: Students graduated from a high school here, then how do they get
MR. WELLS: Because they graduate with SEA.

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

MR. WELLS: Right.

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

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

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

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

(Laughter)

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

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

MR. DON YU: I see.

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

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

MR. WELLS: Right.

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

MR. WELLS: Could be. Or else you
guys can kind of put a --

   DR. ROESSEL: I still thinks it's
   -- I mean, we do it out there differently. It
doesn't go through any SEA/LEA. I mean --
   MR. WELLS: And they received
   FAVSOM?
   DR. ROESSEL: (Inaudible).
   MR. JOHN: Can you work for FASFA
   (phonetic) on behalf of Oklahoma --
   MR. WELLS: Since you have them --
   (Multiple conversations)
   DR. ROESSEL: If you can give me
the information, also, that they told you that
you can't do this --
   MR. WELLS: Sure.
   DR. ROESSEL: -- because, up in the
Plains, they're doing it. They're issuing
their own diplomas for that, for that purpose.
In terms of what they're telling you for GED
is, you know, again, we're doing it here, and
then, by extension they're telling you, you
can't do it for GED. But this concerns me,
you know, because that treading on sovereignty
of a Tribe in issuing what, the diploma that
they want to, which by extension then goes to
that GED.

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

DR. ROESSEL: Okay. All right.

(Pause)

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

These consultations, you know, they're good. I worked for the BIA for 36 years. I was an administrative officer, and I've been to many consultation meetings, and I hate to say a majority of them -- I hope this isn't like that is what I'm getting at. A lot of them have already, you might say, the decision has already made, and they were just bringing the information to the Tribal people after the decision. And to me, they considered that consultation, so they can go back and tell...
their boss, yeah, I did meet with the Tribal
people (inaudible). But I hope this isn't one
that everything's already cut and dry, you
know, because these people have a lot of
concerns, especially about our office here in
Oklahoma.

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

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

"To Whom it May Concern, generally I
am in support of the BIA Re-Organization plan
with the exception of several items. One, I am against reduction of staff at the functions of the BIE Office in Oklahoma City. I am in favor of Oklahoma City being designated as one of the Education Resource Centers mentioned in the Re-Organization plan. In the proposed plan, most of the schools to be served by the (inaudible) ERC are currently being served by Oklahoma City BIE office.

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

Three, if Oklahoma were to have an ERC placed in Oklahoma City, I'm in favor of Riverside Indian School being assigned to the
ERC. In the Re-Organization Plan, that ADD Navajo schools lists as both Tribal Grant College and BIA Operated schools, and are under the same ERC.

I would further suggest that all of the BIE-Op Reservation boarding schools for ORBs be placed into one ERC. The orbs school share a common mission which is unique in the BIA school system.

I would like to remind all part on both sides of this issue that education and the federal trust responsibility at the Bureau of Indian Affairs with the Bureau of Indian Education being created in 2006 to serve education programs. The BIE is responsible for all education functions, not just the operation of BIE schools.

Why would the BIE leave a state which has many positive Indian education attributes?

Signed, Quinton Roman Nose"

(Pause)

THE COURT REPORTER: Ernest, do you want to give me a copy of that before we go and I'll make it a part of the record.

MR. REDBIRD: Okay.
THE COURT REPORTER: Okay. Thank you.

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

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

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

When you minimize the Office of the Oklahoma City line office to just one person
and an administrative assistant, how is that supposed to continue to support the needs of our Native students in Oklahoma?

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

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

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

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

The other part is, with two people in that office as you are proposing, and the needs of our schools -- if you don't know, Oklahoma's teachers are -- we're ranked 49th in the nation as far as teacher pay. So, every year I learn about another Indian education program that's being -- their funds
are -- funds targeted for Indian children are being targeted to help the school survive, help pay bills at each school. Yet, we don't have that support, that technical assistance in place to where we can actually address and make sure that only our Indian kids are utilizing Bureau of Indian Education funds or Office of Indian Education funds.

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

Well, highlight our state in the successes of what we are doing. Think about how you could possibly -- and I like Mr. Johns comment, what can you do for our children in the unique situation that we're in? Help support our kids. Not everything has to go to the north it seems.
I kept wondering this morning, why Minneapolis? Why Minneapolis? Why the Dakotas? And I see the numbers, but do you not see the numbers represented in our state? You have 12,000. Where, in our state, we have 130,000. The needs are addressed, but they have to be addressed uniquely, and how can you help us address the needs of 130,000 American Indian kids?

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

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

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

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

What we have the authority in statute is the oversight of our BIE funded schools. That's it. We have the extension of overseeing JOM. That's it. We don't have the staff to work the public schools, nor is that our charge. That's not our charge. That's not what Congress has, you know, created in terms of when they created, you know, the
Office of Indian Education, first, and now the Bureau of Indian Education. You know, I won't even go so far as I wished that was our charge, because I really truly believe that it's Tribal ED departments that, you know -- what we're trying to do actually is to address what you're talking about, but in a different way.

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

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

In trying to give that support to Tribes, what we're looking is that Tribes get involved, and they start being able to operate their own Tribal ED department, like we talked
about earlier. They then can become the SEAs. They can become those entities that handle everything, public, BIE's, private, all of those schools, universities, under their authority, when it's on Reservation lands or non-Reservation lands. However that works out, those schools.

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

When we look at -- when you ask about how we come up with all of this -- (inaudible) -- these numbers -- the number of schools, the number of ERCs, we looked at South Dakota and
North Dakota. They have 34 schools in North Dakota/South Dakota. If you add, then, Montana, you're looking now, you're at 35. We're looking at those numbers, the number of schools, when we started to decide where they put an ERC at. When you look at Oklahoma, five.

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

If you look at Navajo -- Navajo, New Mexico, Navajo has an enrollment of, I believe, 15,000 within their school system, and 65 schools. That's why we have some of
them there. So, we try to base it on, you
know, where we actually could have those
facilities, and to be honest, to have a --
when you look at this and you're planning to
have a full functioning ERC with all this
staffing, and nothing less, for five schools,
how then do we justify the other places that's
taking from somewhere else?

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

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

You know, I tried to talk a little bit
about this, but I'll bring up this, so at an
ERC, you'll have -- let's -- this is BIE
operated so it's within Tribal control -- so
at an ERC you have an education program
specialist for school improvement purposes.
What this person -- this is what I mentioned
earlier, this person within the Tribally
Controlled schools is looking at, say these
schools previously -- it's easier for me to
use like the Navajo schools, because I know
the names, but they will received most of
these ERCs. Look at the numbers we have.
I'll go back so you can actually see that.

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

So, at the ERC site, then you have --
and they're all staffed the same like you said
-- you have a school improvement specialist.
That person is handling it across the schools,
you know, within their ERCs. They're meeting
with principals. They'll probably have
conference calls the way we envision it, you
know, once a week, find out what's going on,
looking at data together, and then they're
able then to find and work with those
principals in professional development,
targeted to the needs of those schools at the
ERC.

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

I think one of the points I really
want to make that seems to be confusing is,
the purpose of the ERC is not to have schools
come to them but for the ERCs to go to the
schools. So, we're not asking the ERCs -- or
schools to be coming to the ERCs all the time.
These people will be out in the field. They
will be visiting schools, coordinating and
working with them. That's the difference.
Otherwise, we're asking people to come, what may just be an office. So that doesn't serve our purpose.

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

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

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

So you have Special ED and Title I compliance with the Department of ED at an ERC, Grant Management, which is audit at an ERC, and then you have the School Improvement Specialist coordinated across all functions. That is what is happening at the ERCs. It's not about the schools coming to the ERCs. But these people can do this by phone in terms of the school improving, but they going out and coordinating that Professional Development at the school level. So, that's what these
people will be doing at the ERCs, providing that assistance, but it's also very targeted because there will be a group of schools that they're responsible for.

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

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

I think I answered your questions.

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

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

MR. SEAGROVES: Michael Seagroves. I'm an architect with the Eastern Oklahoma Tribal Schools. I just kind of want to build on LucyAnn and Danny's comments that Oklahoma is a completely unique situation compared to, essentially, every other region.
Oklahoma has the high percentage of students in public schools, because -- not necessarily because of Bureau of Indian Education's decisions or function, but decisions that were made when there was no Bureau of Indian Education. Many, many, many schools here in Oklahoma were closed over the objection of every Tribe that was associated with it, all those students were forced into the public school system, and ever since then the school system's been dealing with them one way or another.

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

You know, we're always looking for good practices that are good situations in government work so we can all stand up and have our pictures taken and get patted on the
back. I think this is an opportunity for that. It may not make a lot of people happy to see an office stay here at that size, but there needs to be something here that addresses all those needs.

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

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

There's going to be time where things are in so much flux that there is going to be a lot of problems we see caused by that, and we're hopeful they don't happen, but we already have a functioning office here. It may be doing up and above of what it's actually tasked with doing. That's generally
a good thing as long as money isn't being
misappropriated.

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

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

The letters that I got back from the
education directors from these (inaudible) we
need these people on a daily, weekly basis for
training, for explaining to the new person
that comes in what their new responsibilities
are, and they are terrified that they're going
to be having to call to South Dakota to,
maybe, get that person in the office that day
may be not, and wait several days to a week
for a response to do what they need to do to
stay in compliance. That's their concern. I
understand that it's not necessarily your
purview to be concerned under, but for the
students that they serve and the Tribes that
they coordinate with, and for the schools here
in Oklahoma, that is their huge concern.

M: Can I -- can I just --

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

Again, this idea of looking from where
I'm at, I mean, ask to hold the State of Oklahoma accountable to Indian students. Why aren't you asking the State of Oklahoma to be accountable to their own students? To me, that would be a challenge.

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

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

I don't know if those of you were in that same session. I don't care about that then. It was about part of the STEP Grant,
those of you who may have been there that day.

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

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

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

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

MS. TEEHEE: Sorry?

THE COURT REPORTER: Your name, again?

MS. TEEHEE: Kim Teehee, Cherokee
Nation. I just want to respond a little bit to what was just asked. I understand the dialog. Obviously, multiple parties have responsibilities for providing for the education of our Indian students. And Cherokee Nation, for example, obviously, from our point of view, often goes above and beyond supplementing both federal shortfall as well as the State shortfall.

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

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

But I don't was us to forget why we're
here today, and I keep hearing that BIE does not have responsibility for the State, you know, and I raised the issue earlier about Johnson O'Malley. I wasn't saying you should tell the State what to do. But there is some leverage there because the State is taking JOM dollars, and JOM dollars is allocated federal -- allocated federal appropriations through BIE. So you have some responsibilities there.

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

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

And the Tribes in which have this

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Certified Shorthand Reporter
relationship with the public school district, like Cherokee Nation, for example, have some leverage with those school districts to work out some greater -- a way of addressing the needs of our Indian students.

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

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

So, I don't think that we're necessarily here to try to address -- and to try to -- address the question on your
challenge on what we're doing to hold the State accountable. You know, we're here to discuss what's going on with BIE restructuring plan. That's what the appropriate topic of discussion is, I mean, and to dismiss, you know, the points about leveraging the relationship in JOM, that's the leverage.

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

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

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

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

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

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

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

MS. SYDNA YELLOWFISH: May I go?
My name is Sydna Yellowfish, Edmond
I'd like to just share a few things and I'm speaking on behalf of the 7,822 Indian students in the metro school system here in Oklahoma City. We are not contracts through the Tribes. We are under a public school contract through the Oklahoma area office here that does exist now.

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

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

Within the metro school districts, I have data here from 12 school districts, Oklahoma City, Norman, Mid-Del, Edmond, et cetera. We probably represent 150 schools just here in our metro area. So, for us, our -- the way we are set up is totally unique,
because we do not have the Tribal representation.

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

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

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

Our past consultations, I've been to many of these consultations as well and I understand that, really, our metro Indian kids do not have a voice and were not represented, but that is one of the reasons why LucyAnn and myself, and several others continue to come to these consultations to make sure that our
Indian children are not left out. And I'm speaking, also, on behalf of the 90 percent of Indian children that do attend public schools.

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

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

Any time we have federal policy updates, to me, this area office should be our
connection. But you know, for the past consultations going clear back to the Tribal Priority Allocation System, we were not included. It was only the Tribes that were included. But again, we were told that we should come and listen and voice on behalf of our metro Indian children that otherwise would not be heard here with these Tribal consultation meetings.

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

And you know, you said that even though JOM is not in the public schools; we are in the public schools. Our situation in Oklahoma is so unique and divers that without our little, tiny JOM programs, what little funding we receive, we do make the best out of it. And so, that is how I -- I listened all day and I saw. I understand it's all BIE schools, Tribal Operated schools, but our key,
that little hope, was JOM. Because you said
in an indirect way you are responsible for JOM
as well.

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

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

In conclusion, I really appreciate you
coming back to Oklahoma. You were here a
couple of weeks ago, and we had heard that you
were coming back to have another consultation
because of the different things that were
provided for us and being able to see this.
On behalf of, like I said, our school
districts, I would like to encourage you to
think about the Education offices maintained here and being part of that direct connection for us -- just us, you know, here in the urban school district. That's all I can speak on behalf of. Thank you.

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

I guess I'm wondering and would ask, let's say other Tribes that don't have BIE schools, (inaudible) that are not considered up here at all, because, again, that's not our charge or authority. Other urban areas that don't have Native -- that don't have BIE schools but have JOM programs, now -- and that would expand this greatly. So I know that -- now, I know because I'm from Oklahoma, Oklahoma is unique.
I'm just thinking of cross-organization, if we did that -- and it sounds like we're already doing it with JOM here, in terms of working with public schools, training -- it sounds like compliance, and so, if we -- because I think you advocated we're not increasing the staff, but that keeping the staff; right?

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

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

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

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

We're basically -- we're here by ourselves. We're, you know -- I guess if
you've heard of "No man's land," you know, that's us, because we have no one to directly go to, but this area office.

MS. FOREST: Okay. (Inaudible).

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

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

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

And so, it's just, like you said, just
unique circumstances.

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

    MS. SYDNA YELLOWFISH: Yes.

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

    MS. SYDNA YELLOWFISH: Their representation (inaudible).

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

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

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

    MS. SYDNA YELLOWFISH: For us, it's
kind of -- I'll just throw this out for example. You know, my superintendent come in and ask, okay, what's going on with Johnson O'Malley?

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

MS. FOREST: I was going to tell you before Jennifer Davis, and I think Dr. Roessel may have addressed that, but we just hired a JOM coordinator, and she's Jennifer Davis (inaudible) in DC and she just held a round of consultations about the count and about distribution after the count, so, Jennifer will be, hopefully, getting out to the field a lot more, but I don't think we've
had that position in BIE for quite a while, so
--

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

MS. SYDNA YELLOWFISH: Thank you.
MS. FOREST: Thank you.
DR. ROESSEL: I just want to also
just state the obvious here as we're talking
about this issue, we're talking a lot about
JOM.

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

If we go beyond that, there's no other
funding for JOM other than within that line
item. So the question would be coming up to
other schools is, do you want money taken away
from Jones Academy for JOM and how much?
Because that costs money, and the way the
statute is written, is JOM is self-contained.
So, you know, those are the things when we did the Plan, when were looking at it, we're looking at those things, too. The why you don't have more staffing with JOM, is because Congress said you get one person, that's it, okay. So, as we move forward, those are kind of the constraints that we had as we move forward with this plan.

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

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

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

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

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

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

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

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

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

We're still charged with having to go
out and verify eligibility. So you can use
Census to get a number, but we as BIE,
Congress tells us we have to identify and see
if they're eligible. So even if you have
Census, we still need to go back to
eligibility, and eligibility is based on core
blood enrolled, and you know that with other things that you all know. So, again -- so it's not that we're shying away from JOM. We're taking that on, but, you know, there's only so many things we can do at once. This is a big issue and we have, you know, again, consultation, the count, we want to make sure that we address that.

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

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

First of all, I have to share a lot of the same feelings that everybody else has here about moving staff out of Oklahoma. I feel that it's a mistake. I think that it will diminish services in Oklahoma to students and
to the schools. I understand the logic, but I still don't agree with it.

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

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

The students are currently being adequately served by the Oklahoma area
Education Office, and I can't help but think that any plan to move functions out of Oklahoma, they will only result in diminished services to the schools.

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

And what I'm hearing is that -- the primary justification being used to move the ERC function out of Oklahoma seems very onerous to me. The reason being, and I know we don't want to look backwards, we only want to look forwards, but there's history here in Oklahoma. And we can all go through the forced removal issues, and that is no fault of
anyone here in this room. But, the Bureau of Indian Affairs had several schools in Oklahoma that they chose to eliminate, over time, between the 1920s up until the 1980s. The only result of that was -- is forcing more students into public school systems. That's why there's a lot of JOM students in Oklahoma.

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

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

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

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

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

So, if that were to occur in the future again, and we're talking about sequestration again, how is an office 650, 800 miles going to adequately serve the schools? At least here, the way that it's set up, the...
schools can afford to travel to the Oklahoma City office when they have curtailed travel restrictions. Having the schools travel to Flandreau doesn't even seem like a possibility due to budget restrictions on (inaudible) the schools. We've looked at, you know, the travel time, both via car and via plane, and it's pricey either where you slice it.

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

I think pretty much everybody in this room would support, and I don't want to speak for everybody, but just me, I would support three-org plan. If we had that person, that one person, that one full-time employee, that's all we're talking about here, in Oklahoma City. You could put the Oklahoma schools -- if Riverside can put underneath it,
and if Riverside was accepting of that, then
you would have five schools. If you would put
Kickapoo in that, you would have six. At that
point, you could make a decision on whether
you want to put -- is it Marty (inaudible) --
Sock Creek, that's in Iowa, in that group.

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

You've already made modifications for
Pine Ridge, and you can have the justification
of having the unique condition that Oklahoma
exists of having multiple schools shut down
over years and increase the JOM students. We
have JOM students that are in Oklahoma City
Metro area, and let's be clear why they're
there and why they don't have Tribal
representation. Because Oklahoma County is
outside lands -- this org flow. They're not
Oklahoma City -- Oklahoma County is not a part
of any Tribal historic land that was set up
when the Indian Territory/Oklahoma Territory
were combined, and that land was set aside for
a capitol.
Lastly, this is my selfish question, now that BIE is taking over the facilities side, it's my understanding from listening to you today that those are mainly going to be BIA employees that are coming over under the authority of BIE? Our office, Eastern Oklahoma Tribal Schools, was originally funded under 36-27 Funding. The agreement that was made at the time that our office was created was that we would have a yearly funding allowance.

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

Our office has had a staff of up to six people, we're now three. We are putting
out more projects now than we have before. It would be nice for us to increase our staff by at least one person, but it's difficult to make that justification when we're unsure of what next year's funding brings. And so, I would ask that if there are any facilities funding available that Eastern Oklahoma Tribal Schools be slated to receive some of that. It is -- it meets your requirements of being an innovative Tribally run organization, and it is shown to be a success, and that's just not me. There's two other directors before me that made it a success. And then, we have a staff that works very hard on difficult projects, and we've shown it to be a successful program.

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

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

For the record, I just want to make out one point that the complete planning for the School Operations Division is not complete. Some of the positions are, in the
School Operations Division across the -- all the function areas, Facilities, Procurement and Acquisition, Information Technology, Communications, Finance; some of those positions are -- are not. It's kind of a shifting of some BIE folks into those key positions, but the exact parameters of how BIE, BIA, and the Deputy Assistant Secretary for Management's office, some -- that exact, precise arrangement has not been completed yet, so I don't want to make it sound like the planning for that is done and it hasn't been yet.

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

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

(Multiple conversations)

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

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

M: Albuquerque has a lot of people.

DR. ROESSEL: But they also are serving more than just four schools. They're serving all of New Mexico, also into Arizona,
and, you know, they're serving a large area of Oklahoma. So they're serving a lot of different schools -- two different types, BIE as well as Tribally-Controlled, and there's two different functions.

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

But that doesn't mean -- and I think one of the things that is a reflection of -- or a comment that comes up a lot is that just because they're Tribally-Operated or BIA controlled, it doesn't mean they're not going to work together. So, like in an area like the Plains, you do have some schools that are close by. So I would still say that they can work together and consolidate it, and I think one of the things that -- that we're focused on is, again, the idea of the ERC is not
bringing people up, but it's coordinating so you have the training at, you know, Sequoia High School. You're able -- then people could come to that training there, whether they're in the Oklahoma City Office, whether they're in Winter Rock, Arizona, or whether they're in NikiSuki (phonetic). I think the idea is that, that type of service doesn't matter in terms of where that's coming from. It's that it's happening at the school level, so that the schools here are having their professional development, where all of them could come to if they want.

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

(Pause)

DR. ROESSEL: I don't think it happens. So I mean -- so I mean, part of this is trying to say, okay, how can we try to move forward together and work together? Everyone comes here and they tell us we want
this, we want that. But we're not doing that
now, we're just staying in our own little
place and we're not collaborating. But yet,
you know -- so, you know, part of what we're
trying to do is build a system that actually
is a collaboration and work together. So this
person -- the ERC, whether it's Flandreau or
whether it's still going to be here in
Oklahoma City, it's about trying -- how do we
build those connections? The roles and
responsibilities have changed.

We're not going to go back, because
going back was failure, and so we need to do
something different. We need to look at how
do we collaborate? How do we try to work
together across schools? That's not happening
right now.

M: Well, it is (inaudible)
facilities-wise.

DR. ROESSEL: Well, Facilities, but
it's not happening in the area that we're
talking about here with the ERC, and I think
that's something that, okay, do we want that?
I think if the Tribes (inaudible) you know, we
don't want that. We want to keep -- take care
of our schools and we don't want to collaborate and that would be fine. But what we heard in our listening sessions and consultations of the past, across the entire system -- remember the entire system was we wanted increased collaboration. So, we're trying to create a model that fosters that.

Now, if Oklahoma doesn't want that -- if everybody wants to just keep their school and not have to worry about any of this, then that's fine. Then we need to hear that too, because then this model (inaudible), does not address that. This model addresses the collaboration at a different level. So that's part of what I first started saying, I want to get in the weeds, what is it that we really want. Only from that perspective then can we see, does this work? If we don't get in the weeds then we never get to see whether or not this works.

You know, your question of exactly what are they going to do was a great question, because if you don't know what they're going to do you don't know what to ask for. And then when you tell them what they're
going to do, you say I don't need that. It's like when you go to a mechanic, they tell you everything your car -- they sell you. You say, no, I just want the tires rotated, I can do everything else; whatever the case is.
That's, you know -- that's what we're trying to get at here.

I think there was another hand that was raised somewhere.

MS. REYNA: Okay, I have a couple more questions. You talked about audits and improving compliance with those. So are you telling me that the Planter Indian Schools are superior in complying with the audits and not having disallowed costs over Oklahoma, and that's why you're moving the functions to the ER Center there, in Planter?

And are they more successful in collaborating training between the Tribes there, that's why you're moving to -- moving our office to Planter?

THE COURT REPORTER: That's Yolanda, right?

MS. REYNA: Oh, yes.

THE COURT REPORTER: Thank you.
MS. REYNA: I apologize.

THE COURT REPORTER: It's okay.

MS. REYNA: You know, I just --

questions like that I had more for --

DR. ROESSEL: Planter is there.

That's a BIE-Operated School.

MS. REYNA: How do you (inaudible)?

DR. ROESSEL: So, they don't have audits. It's the staff that are going to be there. That staff, Grant Management Specialists, that's where they will be located to then be able to go out and train.

Now, the area that we're looking at with Tribally-Operated Schools is one that they do work and work together, the Grant Management Specialists, across the system, as well as when you look at the board chart for Administration or School Operations. It's not just about Flandreau, it's the support that we have for the entire system of Grant Management, and I don't know if Vicki wants to respond to that in greater detail.

That is just not that department.

That person there can go out and work and train, but it's not because they have the
audits. That's (inaudible) the school people are not going to be the ones going out. They'll be the actual BIE staff that will just happen to be housed at Flandreau that (inaudible) --

MS. REYNA: But wouldn't it serve Oklahoma better to have a person that is specialized in the audits and these other areas, since you're concerned. To help our people here in Oklahoma with the large number of Tribes, than students, over all?

DR. ROESSEL: Well, again, what I would say to that is that we have -- really, you're talking about --

MS. FORESTER: Just -- we talked this about -- just a little bit, but for this effort, the purpose of today and the re-alignment is for the five -- it might be six if you add Kickapoo -- schools that are BIE funded. So, if you took the ERCs, it's not designed for one size fits all, because that does not work at all.

MS. REYNA: Then how do you explain that?

MS. FORESTER: So they're not
designed that way, but they, typically, are
going to have the same kinds of staffing. So
there will be a Grant Management Specialist
that actually works for my office in DC, that
would go out. For a (inaudible), it's BIE
Operated schools don't have -- and I'm talking
about the A133 audit, not your full-blown
financial audits. But if a school in -- like
I said, we had two that have requested that
help now. We're going to go out there, help
them, work with their auditors, see what kind
of financial assistance -- financial technical
assistance we can provide.

There's lots of turnover at both the
schools. They have had bad sequel audits for
the last two or three years, so we want to go
in, get the old audits cleaned up as much as
we can, and then try to set some prevailing
controls in place. Not sure what we're going
to do about turnover in staff. My office
needs to give a really robust training --
servers that serve Tribally-Operated schools
plus BIE-Operated that are short financial
staff. So, that's one of the things that I
want to do.
MR. DON YU: And just -- somebody is on their microphone -- but specifically about the audit issue, BIE doesn't really do any, though. I mean, currently, we're trying to improve ourself in that area, in terms of the audit -- the A133 audit work, but most of that auditing function is actually handled by the Deputy Assistant Secretary for Management, which is a different entity within Indian Affairs.

MS. REYNA: Well, you know, the reason I brought that up is because you brought it up, you know, and I want to make sure. You know, I'm trying to make --

MR. DON YU: Sure.

MS. REYNA: Connect it in my mind, how it is, overall beneficial.

MR. DON YU: Right.

MS. REYNA: -- for Oklahoma Office functions that you need moved.

MR. DON YU: Uh-huh. Right.

MS. REYNA: To me, instead of having a GS-15 Supervisor Acquisition person, and a GS-14, to me it would serve us better if we had a Contact Specialist here in Oklahoma.
You could add a 9 level that would work locally, because my understanding at the last meeting, the BIA school, Riverside, had problems with things being purchased with it -- HR. You know, and I don't see how moving it away (inaudible) would be better (inaudible) here, especially because of the cost of living.

MR. DON YU: And those are great points. And I (inaudible) the audit issue, along with HR, Procurement and Acquisitions, and stuff before. Because, again, trying to move a lot of those functions out of the -- not out of the -- again, the BIA (inaudible) different offices, and bring them into BIE.

DR. ROESSEL: And I think, you know, that's what they're talking about. So some of those functions -- HR will come over into BIE.

I just want to bring something -- you know, we had talked a lot about this collaboration, we talked a lot about, you know, the office. You know, I asked how many times have you all gotten together with the line office here, and I was told zero times in
the last couple of years.

MR. HARTMAN: I've been to two meetings, at least, at the line office --

DR. ROESSEL: Okay. I mean everybody. The entire, like, you know, we talk about everyone getting together.

MS. REYNA: He's talking about the Facilities getting together.

MR. HARTMAN: No. I'm not talking about some Facility's staff. I'm talking about --

MS. REYNA: All schools?

MR. HARTMAN: Yeah.

DR. ROESSEL: All the schools? I'm -- this is coming --

FEMALE: This is coming from our line office staff.

MR. HARTMAN: We've been to a couple of meetings where we actually presented status, and things like that.

(Multiple conversations)

FEMALE: Our schools are so (inaudible) a BIE-run school. I've got one high school, 1-6, 1-12, and two (inaudible).

So, we typically do not have meetings where we
all get together. We want you together to talk about facilities. And I (inaudible) I thought you were talking about the academic and we've talk about curriculum and that sort of thing. And I don't have meetings like that because it's a waste of (inaudible) people's time to come and talk about academics, because they don't do academics. It's a waste to talk about the K-6 (inaudible) because they don't have K-6 (inaudible), so we don't have that. We talk to the individual administrators along, do we -- have we gotten together to talk about facilities (inaudible) but not academics (inaudible)

DR. ROESSEL: But I think that, again, comes back to what is it that you want from the office? I mean, I'm going to use that as an example of saying, as a group, as an ERC, you don't get together now for those reasons. I'll be honest, I think there are a lot of reasons to get together, school discipline, improving teaching, classroom management. There's a lot of things that can be done, you know, within our system, coordinating, if that was the charge.
That hasn't been the charge lately.
It's been primarily working on other issues.
I think what we're trying to do is to get away
from that and move on academics, and get away
from that focus. So, I think there's an
example of if we focus on what we're doing
this -- that's how we got where we are. Move
that away. How do we focus on academics?

The idea then is an ERC that reflects
academics and brings people together. That's
what we're trying to get to. Now, it doesn't
have to be together at the ERC. It's together
at the schools -- at the individual schools,
that's where you have professional
development. You don't have professional
development at a line office. You don't have
professional development at an ERC. You have
professional development in the classroom, and
we know that in education. And that's what
we're trying to accomplish. Though, when we
talk about going to the ERC, it's not going to
the ERC. It's going to the first-grade
classroom at a school -- at Jones Academy or
somebody, like a really good teacher here. We
want to go over here as a group, let's see
what's happening here. And that travel money is coming from BIE, not at the local school level.

That's the whole shift from what we've done in the past. Every school is on their own. It was just reflected in what we just said, what we just heard. We don't collaborate. We don't work across schools. We're trying to get to that point. Those are some of the items, and we say what is it that this Re-Org is trying to do? Those are some of the founding principals, collaboration.

Look at school improvement strategies that are happening right now. One of the primary focuses is on collaboration, horizontal collaboration, not just vertical collaboration. That's what we're trying to implement here. We're looking at it from an academic perspective. It's boxes on the org chart right now, but it's functions. And that's what we're trying to focus on with this. I think it sometimes gets lost in the translation. We see so many boxes, and it looks like it's really heavy, but those boxes have functions and those functions -- and the
primary function of ERC is to build
collaboration across schools and amongst the
teachers.

MS. REYNA: That's exactly what we
want in Oklahoma, that ERC to be compatible
here in Oklahoma, not in other states.

DR. ROESSEL: But then, again, the
point is, is that the collaborations at the
school level, not the ERC level.

MS. REYNA: That's right.

DR. ROESSEL: We're not focusing on
the ERC providing that service at the site.
We're focusing on that person, this is the
person doing it. They're coordinating with
you, you, you, and you at your different
schools, and you're providing them -- okay,
you know, we're going to have -- at Jones
Academy, we're going to have training on this,
and it's coordinated. So it doesn't need to
be the person at the ERC in Oklahoma City. It
could be anywhere for that matter, and that's
the ideas of it. Training will happen at your
schools. The coordination of that and the
conversations, those will happen amongst the
principals and the school improvement
specialists.

Teleconferences, I agree are -- we're not trying to conduct business other than conversations, how to move forward, what's going on, what's working, what's not working -- those types of conversations and moving forward with professional development. We tried this last week with our professional development, it really went well. I think it was something that we may want to try to share with others. Those are the types of collaborations that we'll have. We've had a couple here, but zero in the last couple years, for whatever reason.

So what we're saying is that we want to try to build on that and say -- of course, it's very easy to build on zero. So, let's start having some of these, and that's the new role and responsibility.

And Catherine is focusing on other things, not on the academic side, because she's busy with other things. I mean, I think this is a perfect example of what we're talking about. She's doing the -- at the line office a lot of the administrative stuff that
has to be done and taken care of. The focus on the academic side, where's that happening? That's what the ERC is focusing on.

The other academic stuff, or the other administrative stuff, that's being handled outside of that because most of that does not have to have the person locally to handle that. That's what we've seen and we've done our analysis of our system. So that's what is reflected here. And this is talking about schools that are Tribally-Operated.

BIE-Operated, we have a different need there, because we -- we have our own acquisitions through BIA. But for Tribally-Operated, that's all handled by the school, by the Tribe. So we have nothing to do with the HR functions, nothing to do with the acquisition functions. So that's -- we're trying to really define that so we're not piling up people and doing other activities when they could be focused on the academic side.

MS. REYNA: Isn't that, though, a reflection of shortage of staff at all the line offices right now? If you say that's
being reported, I'm sure it is. Because I know in our area many of the line offices have one person. We're lucky if we have two right now --

DR. ROESSEL: Yeah.

MS. REYNA: But you --

DR. ROESSEL: Well, part of it is that reflection now, but also, if you look historically, look at our AYPE. When we were fully staffed back in 2008, we were in worse shape than ever -- something like 18 percent of our schools. So, historically, we have had, you know, not the greatest track record when it comes to academics, and that's what we're trying to address. Whether we're fully staffed or right now, barely staffed.

I will say this, this model, this -- that model, is something that I implemented when I was at Navajo Region office that consolidated as a district, and 50 percent of our BIE-Operated schools -- more than 52 percent are making AYPE. So the consolidation does help, you're able to have, you know, a professional developer across many schools, as opposed to just one. You can really target
the kind of professional development that's you're looking at and in addition to what is happening at a local school level.

So, we're trying to take some things that happened -- well here, you know, with the model you're using with the facilities is something that we've looked at. How do we try to incorporate that? We're looking then at the Plains, we're looking at different areas. How do we try to model that and scale it up and have it at different areas where we have a much tougher oversight of facilities. Like, I'm sure you already, you know, know some of these -- the problems and challenges. So we are trying to take these best practices as we move forward, we were able to handle facilities within our own BIE. Then we can try to set -- we can set it up from scratch helping them to build from that point going forward.

So I think it -- you know, this phase right now is primarily on the academic side. Those yellow boxes are on the top part as a school operations side, which is much more the Secretarial Order.
Do we want to take a break real quick?

Does anybody --

(Multiple responses)

DR. ROESSEL: I -- usually if I ask the court reporter (inaudible) --

THE COURT REPORTER: Oh, I'm sorry.

DR. ROESSEL: -- they're --

sometimes get tired and (inaudible) --

THE COURT REPORTER: My pleasure is yours, I was -- my pleasure is yours, just keep going if you want.

DR. ROESSEL: Want to just keep going?

THE COURT REPORTER: Yeah. That's fine.

MS. OVERALL: Good afternoon, my name is Lydia Overall and I represent the Seminole Nation. I'm the Johnson O'Malley coordinator for the Nation. And I just had a few quick points that I would like to add.

At our Tribe, at Seminole Nation, we actually were -- we were actually invited by the Creek Nation to attend what they had with their school districts. It is independent from the BIE, but if we have additional staff,
instead of taking our staff, we could have our BIE staff there. That -- they have an in-service three times a year, and it's with all of their school districts. They invite all of them.

And so they taught me how to do -- oh, first of all, let me back up -- the Seminole Nation did not have the Johnson O'Malley program for many, many years, and so, it was just newly returned to Seminole Nation in 2013 -- January 2013. And so, for 16 years we didn't have the Program at all. And so, now, to have it again, a lot of our staff, our procurement office, accounting office -- it's all a brand new thing to them, because they haven't worked with it before.

And so, the BIE office here in Oklahoma City has been just phenomenal in the help that they provided; the assistance, the questions. They know the area so well. I can call and just ask about one particular district and they'll -- right away they know the situation. So they've just been great in helping us with the return of the Program.

But also, back to the in-service, what
we do is we invite all of our districts, the superintendent, school counselors, teachers that are available, the JOM staff, the parent committee, our general council members, which is our legislative branch, to help, you know, get new changes for the Johnson O'Malley Program funded by our Tribe.

And so, it's just been one of those things, how you were saying most of us don't do that here in Oklahoma -- a lot of us do because when I check with other Tribes, a lot of them, you know, do the same thing, having all their school districts together under the Johnson O'Malley Program.

But it would be wonderful if we could actually have the BIE, so -- back to in-service -- (inaudible) must have shut off. Someone may not want me to say anything else.

(Multiple comments)

MS. LYDIA OVERALL: Anyway, another point I wanted to make was that whenever you're talking about changing the -- thank you so much, I appreciate that.

Whenever you're discussing changing the structure of BIE and moving it out of state
and the staff that you're talking about will be traveling directly to the schools --Seminole Nation is a small Tribe, and part of my job position is every hat with the Johnson O'Malley Program, all of them.

And just the sheer number -- and like I said, we're a small tribe -- just the sheer number of phone calls, emails, (inaudible) because I think it's so much faster, than I have -- just the volume of that. I can't imagine this BIE staff being more effective than what's happening now.

It sounds great on paper. I mean, it sounds like you all are going to go to these states and you're going to go travel directly to the school. In reality, where I travel so much with this position, school to school -- all the problems that come up -- it is honestly a --- to be effective, you're going to need way more staff. Because what happens when you're out there and in the field and you are in person, many, as you know, many things come to light that's not the real reason they called and asked or requested for you to come out. There's usually a lot more and more
serious underlying issues that bring you to that district.

And so, just in thinking about -- whenever you're talking about it's going to be so much more effective, just thinking about the reality of being on the road, going to those districts and helping, you know, you might as well write off that afternoon or that whole morning. And then you've got to document, document, document, and then handle all of your calls, all of your (inaudible) -- to me, the thought that we're going to call these individuals from Oklahoma, then with our questions, our concerns, our needs for our programs -- I'm just like, wow, I just see us going boom, boom, boom, to the bottom of that never-ending list.

So, that's what really worries me as someone from Oklahoma with our program for our Tribe. I just think that will not be effective. I'm not trying to be negative, but in reality I just don't see that working. I see the needs of Oklahoma, the other Tribes, and the other states that would have to call these individuals; I don't see our needs being
met at all. Because -- not from intent to
neglect, but just the fact there's going to be
so much to do, we're just not -- the needs of
-- for us would not be met, and so, that was
one.

Another point I wanted to make about
the time management, the effectiveness of the
restructuring -- and then, also, I wanted to
agree with several individuals that have
spoken today about thinking outside the box
for Oklahoma, because our needs are so unique.
There are so many things, so many powerful
ways that BIE does help, and maybe it's not
documented on the information -- the data that
you gathered.

But honestly, here in Oklahoma where
we have so many Natives, you just don't know
the power, the absolute power that our BIE
office has. They help us in so many ways.
It's peace of mind to know. It may not be
the CFR, but they know exactly how it does
when we don't see it as anything to do with
the CFR, and they're like, well, guess what,
Lydia, this is how you handle it.

We appreciate them so much what they
do, Ms. Dupree, Ms. Fartheree, and Mr. Nuttle.
I mean, it's just something that, you know,
can't be touched upon when you say, well,
Oklahoma, you're going to have to go to this
state to receive help, to receive assistance
you're going to have to call them.

When I hear all the duties and the,
almost, you know, new, improved BIE that we're
going to have out of state, I'm just thinking,
oh, those poor individuals that are going to
have those positions. I just don't see how
that can be done and meet the needs of all of
us back here. I just don't.

And I -- you know, as I said, I don't
mean to be negative and I appreciate that you
all came down to even hear us, listen to us a
second time, and I think that, you know, it is
wonderful that we're having some voice, you
know, some type of consideration. But in
reality, I just -- I really don't see -- I
don't even understand how it could be -- our
needs would be met here, you know, and all the
other states that have to contact those
individuals, because just listening to what
they're going to be doing, like I said, I just
-- I don't understand that.

But I do appreciate your time and I wanted to be quick because I know it's getting late. Thank you so much.

(Pause)

MR. ULREY: Excuse me if my voice isn't exactly right. I'm a little stopped up today. My name is Charles Ulrey. I work with the Ottawa Tribe of Oklahoma.

And I would just like to say that we have discussed what we have seen about the Re-Organization Plan, and for the most part, we had like it and we would like to see it attempted. But we also would like to agree with just about everybody else that has talked today -- that we would love to have seen, you know, that ERC function in Oklahoma, rather than being shipped off elsewhere. Just for the simple fact, being ten miles or a hundred miles away from that office is just superior to being a thousand miles away. Unless, you know, they build an elaborate series of underground tunnels, you know, where they go to work and go home that way, that they'll see these people, but they'll have more of a
connection than we will here. That's
unfortunately just the way it is and maybe
it's just selfish, but I think that we would
rather have that done then. Well, that's just
the way it is.

The good news is we do not -- I mean,
we're not here saying we would like less BIE;
we would like to see, you know, less of you.
We're -- we would be glad to see the other
side of you, and that's precisely why.

I'm from a small Tribe. We do not
have schools. So, we partake in only a few of
the programs, but the Tribal Council, after
looking things over, we're really concerned
that this could end up with there being
actually no BIE presence directly in Oklahoma.
Because, I mean, you still have to present
this. You have to present it, my
understanding is, to Congress, and they are
going to question it. I mean, they're going
to salvage it more than we could possibly
every do here.

And one of the concerns my Tribal
Council had is that Oklahoma City does look
unique in this way. It's the only business
support center and so, my question is how are you going to be able to present that in such a way that it doesn't come off as just saying, well, Oklahoma City office does something that just about every place else does, but less. But we're still going to have, you know, a couple of staff and we're still going to have all the overhead and we're going to rent offices and pay utilities, and not have them look at it in a setting. I think I see a great way for us to save some more money.

(Pause)

DR. ROESSEL: When we looked at -- and again, without rehashing everything that I've said prior, but part of the issue is looking at -- and the first thing we see is the number of schools. I mean, that's -- and you look at the number enrollment and we've already kind of gone over that in terms of what have we came up with this determination now.

We went into it knowing full well you have a very strong congressional delegation here. We know that, so it's not like we were not aware of that and we did not take that
into account. Even with that, though, I think, you know, from my perspective and what we've had, the small briefings so far, you know, we've taken that head on by saying, even with all that, this is something that we feel is in the best interest of the entire BIE.

And I think -- and this will probably come from me more than anything, since -- well, from one of the director, but also, you know, as we move forward -- when I was on the other side, working at a Tribal school and I was superintendent, in the 11 years, I went down to the line office, no more than three times in 11 years. They had nothing to do with me. I was a Tribal school, and that is one of the things that we've heard lot in consultation and listening, is that idea of hands off.

Now, at the same time, you want them get out of our way, but can you still be close by? You know, and I understand that, there is a comfort of having that office close by just in case, and so don't get me wrong. That's something that, you know, I do understand and I've heard before, but as we move forward, one
of the things I keep coming back to, what is
the service that you're going to be asking
for? And when we say this is what this office
is going to transform into, then what is the
service that's needed? And that's what we've
tried to do when we make our cases, is really
focus on the functions and what are we looking
at now.

Some of the schools, you're right,
they are going to be hundreds of miles away.
No matter where you put an ERC, you're going
to have that, because you can't -- we can't
afford to keep 22 line offices open right now.
That's just -- there's no way we can do that,
unless we put two people in every office, and
they can't provide any support, and they can
answer phones. So we have to bring those
numbers down. So, no matter where you put an
ERC, we're going to have that kind of a
challenge.

I think the other things to talk
about, okay, exactly what is it that we're
talking about when we say business activity
center? The services that everyone has been
seeing that they -- you get right now, which
deals with JOM, that's not moving away.

You know, everything that you've told me about JOM and this is what they do and this -- that's staying here. Now, we may -- we could call it the JOM Center if we want it to be much more direct, and that is going to be there -- those other functions. Which, again, I come back to zero in-person meetings in the last couple of years because we're focused on administration. So what is being missed? That's what I would do when I -- when I go -- when we present next time to Congress, I'll say, well, one of the reasons is in the last couple years they've had no meeting like this.

Okay. So we're not trying to force something on to a Tribe. It's something that they decided not to do anyway. And the focus has been on the administration, but one of the problems with administration, if you look at our GAO report, we're trying to address that GAO report. And this structure helps us address that. We've been talking to people, it's, like you said, the (inaudible) you know, when we first went out, back in Durant.
You know, we've been addressing these issues as they come up. So now, we're in a position now, where I think we can say administratively by consolidating functions, by defining roles and responsibilities, by not having joint accountability issues; we now think that we can address a lot in those GAO questions and the problems that we had in the report that was in November. So, when we look at it from that perspective, we have an answer. When we're looking at the academic perspective, collaboration, schools working together, we feel we have a new answer.

So, when you say how do I present it? I present it like that, as a -- one, addresses the GAO issues; two, addresses our lack of making AYPE, and then defining those roles. What does that mean? That's separating Tribally-Operated and BIA-Operated and then breaking down those functions going -- whether you want to start in the classroom and work your way up, or whether you want to work from the top and work it to the classroom. Either way, those -- defining those roles and responsibilities is something that I think is
very -- not just important, but imperative because we have those problems and the confusion at the line office a lot of times.

Here, you only have, you know, Catherine, so you don't have the line officer with ED Spec, and different things, but in other areas where we have that, we were -- it was confusing. It never was fully staffed. It never worked the way it was supposed to work. That re-org was suppose to identify as an instructional leader. It never got to that point, because they kept all these other functions with the education line officer. We've taken those functions out.

Now, we have to go back and get the DPMs, the manuals to align with that, so now the line officer does not have the grant management authority, like you do now. It's going to have to move out there -- things that we have to clean up like that.

So now, these people -- and they're not -- they're no longer line officers. They're, you know, associate superintendents or program administrators. Their focuses can be on academics only, unless identify and
they're in a different structure, which is administration or school operations. So, that's how, you know, we present it. We present it, not just saying that, okay, this -- you know, the Oklahoma office is saving us a lot of money, but, really, the way I just said it.

The biggest concern from consultation today was JOM. Those services and those functions are not changing. The other concern is local, but in the last two years they haven't gotten together once. So that's not being impacted.

So, part of this will just come down. The idea of going to the ERCs, that's not their role. In fact, we don't even need to have the ERCs come out to the schools. The idea is coordinating the professional development, coordinating those services, and having it being done. So we looked at -- when we did this research we went and looked at different models. The Hawaii model, the way they're situated and their schools where they had an SEA function as well as an LEA function within their school systems. We looked at
large school districts that have, you know, many schools from a large geography. How do they manage? And so we look at these different items. We looked at states -- the ERC idea, a lot of states have moved to that; Arizona, Idaho, Minnesota. You know, I'm not sure what they have here, but a lot of states have that where they call them ERC, REC, you know, Regional Office -- whatever it might be, are going to that type of model.

So we looked at these best practices from that perspective, too. What are they doing in those? How do they operate? A lot of them are not going out to the schools. They're coordinating with principals that are in charge of 10, 15 schools, and they're working with those principals. So, that's what we're looking at when we -- you know, we started this process. We did a lot of research, but we also listened, and so when we present this -- and I'm not committed to say that. You know, we've had lunch and we have some ideas that, you know, at the end of this, too, what we'll be doing is, these are the comments that we heard and this is what we
said about them. We agree here, we don't agree here, and why.

So, we're not going to do something behind closed doors where -- and hide. We're going to put it out there. You know, the last Brahner consultation, nothing was done after that, from our perspective. That's one of the problems we've had with BIE, that lack of transparency. So, we've gone out. Every consultation we've had -- this one, of course, the four before, but our individual ones that I had with the different twenty separate Tribal leaders, that's all going to be posted under Consultation, so people know exactly where and what was brought up, what was discussed, and then we're going to have a Post-Consultation. But what's going to outline exactly -- this is what we heard in Oklahoma, these are the concerns they have and this is what we -- we agree here, we don't agree here, and why.

We want people, you know, again, to come back here -- the courage of our convictions. If we're going to make a decision, we stand by it, and you know why.
We don't just say yes and then hide, you know.

I believe in this. I believe this can help us get out of where we are right now and -- but I also believe that we don't have all the answers, so we're listening very intently, and we have some nice ideas that we'll be formulating on plane rides home, and things like that. When we have our meeting next week and I'm briefing with the Assistant Secretary, here are some thoughts that came up in Consultation. This is where I think it may be, you know, useful. What about something like this?

I mean, we're -- this is a process. Nothing here is set in stone. In fact, I guarantee you, that's changed. That's already changed right now. So, I want to really make that clear. I'm -- I've come down hard because I have to defend it, and so I need to know exactly what you think. I don't -- it doesn't help me to be up here in rhetorical dialogue, that does nobody any good. I need to know the details, exactly why and what and then we can say, okay, this is what and it can look.
So, I appreciate you, that we got down to that level and I really appreciate that. It wasn't -- a couple of rhetorical portions, but primarily from us on this side. So, I think that's something that I think that we can away from here knowing that we got some really good feedback and some ideas that we can move forward on.

MR. HARTMAN: And maybe you did cover this when I asked about -- and I know we're here mainly for educational purposes, but --

THE COURT REPORTER: I'm sorry. Could -- I can't hear you. Thank you.

And Dr. Roessel, I'm going to be out of paper in about five minutes, but I'll just have to turn it.

DR. ROESSEL: Do you want to take a five minute break? Let's do that?

THE COURT REPORTER: No. I mean, it's okay. And if you'll just bear with me, I'll flip it while you're still talking. I just want to make you aware of what I'm doing, so that's okay.

DR. ROESSEL: I'll be brute.
MR. HARTMAN: The question of facilities funding for Tribally-Run Facilities Programs, I heard Don say that, that's not finalized yet. I would request that some funding be made available for programs such as EOTS. Not only the EOTS, itself, but money that can be set aside for the Facilities Management Programs to establish those programs, if BIE is now going to be the master, as it were, of the Education Facility Operations and Repairs.

Then, I believe that you need to start working at some innovative approaches that do work. I'm available to talk to you any time regarding how we operate.

MR. DON YU: Uh-huh.

MR. HARTMAN: Why we came to be, and the challenges in having variable funding to get the job done.

MR. DON YU: And I do remember that we had lunch a year ago, or something, and you had some great ideas. It's just, there's so many -- it's on the to-do list.

MR. HARTMAN: Okay.

MR. DON YU: There's so much to do,
but we will get there. But I still remember all of your ideas that when we had lunch that we had -- I don't know, about a year ago.

MR. HARTMAN: About a year or so.

MR. DON YU: Yeah. I do remember those ideas.

Just to clarify. The relationship between BIA/BIE (inaudible) office as it relates to Facilities, that has not been finalized. Funding, though, if you want to go to the green book in that overview I gave before, but that's where you '16 budget (inaudible) it's in there, (inaudible) replacement construction. All of those numbers are put in administration's department (inaudible) Fiscal Year '16.

MR. HARTMAN: Okay.

(Multiple conversations)

MR. NUTTLE: I'll be brief.

THE COURT REPORTER: Okay.

MR. NUTTLE: We -- (inaudible) and I do work at the Bureau of Indian Education line office, and I've heard a lot of good comments about the work that is performed there. And then I've heard comments like, we
haven't been to the schools in two years. And
I've been on the conference calls when the
associate deputy director tells the staff that
we're not to go to the schools in the last
couple of years. There's travel restrictions,
and I think it's just a little unfair to state
that based on a question that -- and here's
the answer -- or here's how we responded to
it, when the -- when we've been told not to go
to the schools.

Travel restrictions -- I think, in the
last three years, I've made one trip. I know
that Catherine has been on the conference
calls and has been told you're not to go to
schools, you're not to share this information,
this is embargoed. It's been a long time
since we've been able to get together to
really air some concerns.

Now, we take a lot of pride in the
services that we provide for the Johnson
O'Malley Program. And not only that, but the
higher education and the adult education, in
any aspect.

I'm in agreement with Mr. Wells here
about the overall aspect of Indian education

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when it comes down to -- and that's the way we perform in the Education Line Office there, is that it's total education. And I'm still being -- my performance evaluations continue to be based on how many time have you been with the Tribe on the programs -- on the educational programs that they are operating? And I need to be 100 percent sufficient -- or in that, and I need to work with them.

You know, maybe in this new scheme of things, you know, it's coming out. Apparently -- and Catherine's under some of the same employee performance evaluation measures, with that criteria. So, but you know, it's not like we're not doing what we're not supposed to do. We're doing what we're supposed to do, but when there's data calls that come down, whether it be curricular, whether it be for instructional leadership, whether it be for professional, or focus professional development, you know, we address those data calls with the schools. I mean the schools in the past have requested information on instructional leadership, focused professional development, and things of that nature, but
we're told you can't them. There's no funds, you're not to go to a school. If you do, we'll write you up or you're going to be penalized. So, you know, how can you -- I mean, you're kind of set up for failure. When you say that the line offices are ineffective. Well, there's a reason for it. And we make the best of what we do there at the line office.

But I wanted to clarify that. it's not that we don't do what we're supposed to do. We do what we're told to do. We've got a lot of information that's funneled down, and a lot of data calls to the schools, and we get right on it. We get with all the schools, and we make sure that they get their data calls in, you know, and -- but to come up and say that -- well, you haven't been at the schools for two years. Well, that's the reason. We've been told not to go to schools.

So, I couldn't let that go without just briefly bringing that to light. So I want to shed that light on it.

DR. ROESSEL: I appreciate that. I will still stand by what I said. We have a
situation of a system that is failing and we need to do something different about it, and the way we are doing things now is not working. And if we are happy with the results that we have right now, then let's continue the way things are. But none of us are happy with that and we need to make some changes, and they deal with people. I know this better than, you know, anybody. I have to go and I get emails every day from people, from employees that are upset, and I understand that change is hard.

I'm not saying people are not working, but I also say that I don't think people are working in the areas that we need them to work in. And I think part of this Reform, part of this effort is to try to align our resource to where they need to go to an action -- to actually have outcomes that we can be more satisfied with. That's what we're trying to do.

Yes, it does impact people. Every one of those boxes up there is a person, I know that. That's the reason why we're here. I've said this three or four times, courage of your
convictions. The reason why I went to Pine Ridge is because we're closing that office. The reason I went to Rosebud, we're closing that office. The reason I went to Sissasan (phonetic) closing -- I go to the places. If I'm making a decision that's impacting employees, I want them to hear it from me, not in an email, and that's why I'm here now.

This is a huge undertaking, we understand that. I think that -- we're hoping we can get beyond this. We can start moving to a place where I think we can have to outcomes that we want, but we need to staff up again, and then we need the right staff in those positions, and that's what we're trying to do, is get to that spot.

MS. HARJO: You mentioned that the -- one of the main points that has come out of this meeting is the Johnson -- JOM Programs, and you asked about the collaboration between schools and programs. Well, we do that. It just takes a different look here in Oklahoma.

You would not have the Oklahoma Indian Education Resource website for teachers if we didn't have the collaboration between Tribes,
schools, programs, the Oklahoma City Indian
Education Office, the Oklahoma State
Department of Education.

You wouldn't have an Oklahoma Advisory
Council on Indian education if you didn't have
the support of the government in our state, as
well as all the Tribes, and every one invested
in it -- in the education of our children in
our state. You wouldn't have all the Oklahoma
Johnson O'Malley programs, the conference, the
Indian Education Summit, the collaboration,
the meetings that take place at all these
different areas. They have a different look.

We are meeting. We are talking. We
are visiting schools. We are getting best
practices. We are sharing and we are
collaborating to meet the needs of our kids.
It just looks a little bit different than what
you're presenting. We are doing all of this.

But the main thing is the advocacy on
-- from Oklahoma, that it's just there. It's
not subsiding. It's not eliminated. It's
there. It's -- we have to have one of these
Centers. That's just how strongly we feel
about it. The advocacy of the needs of our

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Indian children is at the heart of why we are here.

DR. ROESSEL: Any other comments?

MR. NUTTLE: I just want to be clear that I'm not against the Re-Organization. I don't think we've heard anybody here say that they're against the Re-Organization.

I think the bottom line is that if Oklahoma schools aren't going to suffer because the ERC isn't going out to the schools, by that same justification, the other schools will be suffering if it was here and we were going out to those schools, so --

MS. REYNA: I have a question. Are you going to have another consultation with us, or no? Or another meeting to talk about the changes you are going to make from today?

DR. ROESSEL: No, like I mentioned earlier, we will present an after-consultation document, which will outline those changes and what we have included in the final recommendations.

MS. REYNA: And we have, the Apache Tribe -- sorry sir -- have also sent a letter
in opposition with this.

MR. HARTMAN: One more question.

Bill brought up a good point, that I was going
to make regarding the ERC location.

I kind of heard a little bit of a
bifurcated message with regard to, we did
consider geographic location, geographic
location doesn't matter, and that in the end
it won't matter because the ERCs will be
traveling anyway.

So, the question is, why? Why are you
moving and establishing an office in
Flandreau? Is it just down to student count?
And eliminating it in Oklahoma, I mean, is
that at the base of it? Is that really the
decision?

DR. ROESSEL: No.

MR. HARTMAN: Can you elaborate?

DR. ROESSEL: Again, I'll go
through this one more time. I mean
(inaudible) -- all of these issues are
reasons. Not one is more, or not one is this
is the only reason, geography. But we have to
take into account geography. We do take into
account, but when we do we also look, okay,
what are those services that are being provided? What are those services that are being needed? Those services that have been requested over the last years or two. So, we've taken all that into account.

You know, and go to some of the questions or comments that were made, was it because we're doing well here, we don't need an office here. There's some legitimacy to that, and I mentioned that early on is that we need to be in the place where we're having more issues. Because that's what our job is to do, is to help provide that services to bring your school up.

It's not just to be able to answer a phone for the sake of answering a phone. So, it's the service we provide and where we feel we can make the biggest impact in trying to improve educational outcomes.

So the idea that some of them -- okay, geography, that does matter. One of the areas -- and let's look at Navajo. Gallup, New Mexico, is about thirty miles away from Winter Rock. Why do you need two so close? So, we closed Gallup. So, in some areas it was
purely geography, and it had nothing to do with student count.

Other areas, okay, how do we address the numbers of schools? We tried to really focus on the number of schools. If you look it up on top, we looked at every ERC and how many schools. There's some general number there -- kind of some of them drop a little lower, the Tribally-Controlled schools. Navajo is averaging around 12, in that range. Our BIE is 10, 8, and 12, and a lot of that had to deal with geography, but also looking at where we are in Albuquerque and just making that an additional center, because we have quite a few Pueblo Schools that are still BIE-Operated.

So again, it comes back, it wasn't one thing that we said, okay, here's the blanket coverage. It was really saying, over here, this is an issue that we have in terms of certain problems at a school, so we need to have this type of staffing and this is where the best place for that is.

Another area that we've had that isn't about this area, but was up in the Plains --
closing some of those office in the Plains, like Pine Ridge. We've had offices in these places, but it's hard to recruit people there. So, moving it to Rapid City was easier in that respect.

And so, some of it dealt with a lot of different reasons, a lot of different criteria as we went through, and I kind of showed that one slide that talked about the data, the AYPE, looking at how many schools here are making AYPE, how many aren't making AYPE, what are their biggest problems in making AYPE? All those different concerns were put into the mix when we tried to identify where to put these, so it wasn't just one data point, numbers. It wasn't just one data point, geography and distance to the ERCs. It was a lot of different data points, going so far as saying, okay, the number of SPED complaints that we have in certain schools, and that identified an additional, first, like I said, in New Mexico, Navajo Office, Central New Mexico Navajo.

So, that's kind of what we did. It wasn't -- not one reason here, but
case-by-case, region, look at what we're seeing. What do we have here? Biggest concern here, JOM. Not -- and you're only talking two schools, you know, really. You know, residential programs, different, to they need that full support of ERC. Those are the things that we looked at as opposed to other areas that had 13 schools and, you know, big problems, needed a bigger presence there, so we tried to look at everything.

We also looked at -- and one of the biggest things was the budget number. Okay. What is our budget? What is it that we're getting? Fourteen million, when the Brahma Report came out and that was right about the time sequestration was starting, so they gave us a budget number of 11.8 at that time, so that (inaudible). I'm glad nothing was ever really published there, because that would have really gotten -- we probably would have went down to, maybe, 12, you know line offices or ERCs at that level.

The other thing is then trying to combine their funding, you know, with Enhancement Funding, so we could actually
provide more services out in the school -- to
the schools from the ERC level.

So, at the same time we're doing that,
the money that also was aligned -- and so even
though this is the org chart, the other part
is then what are we focusing on so we move
forward? If we freed up some money with
enhancements to utilize it for our ED Specs,
we then also leave money for some Tribes and
schools to actually have their own
initiatives, so that we can have, you know,
incentives and incentivize different things as
a National Board Certification.

So it's -- you know, from our
perspective -- my perspective, it's a real
global reform effort that is including Tribal
ED departments, including Tribal schools,
including BIE, including the restructuring,
programs with TCUs. It's very comprehensive
in its total approach. Bringing in a new way
of dealing with facilities, having them come
under BIE, giving us that option to start and
develop new models as we move forward because
we're not stuck in the past. So, a lot of
this, I think, is new.
Here, in this, it would have been very easy, I'll be honest, but I will tell you, when I looked at this and I look forward, I thought, you know what, this area -- I, not any of the staff, but I came to the conclusion that an ERC was not needed here. I made that determination when I looked at the total picture. It would have been very easy for me to say let's just put it out there. Fine, no problem, then we'll move on and -- but when I look at the total picture -- and I have (inaudible) like you said, I have to then justify this. It was very hard. How do you justify and ERC for two schools and three dorms? You know, that is hard for me to justify to Congress, as opposed to other places.

Now, then you can start adding this school into it and then keep adding your geography, but then you're trying to justify a decision as, you know, on the back end. So we tried to do it on the front end and I put it out there, and I knew it was (inaudible) difficult and I knew that (inaudible) came out earlier, we came out again. I'm not saying
any of that is (inaudible). We still are very interested in trying to come to a decision that I think all of you would be in agreement to. And I sat enough times on that side of the table to be yelling at whoever sat in this chair with a microphone to know that nobody wants to have someone just come and tell them we've already done this, it's a done deal.

It is totally not a done deal.

(Pause)

DR. ROESSEL: Any more comments?

Don has a plane to catch.

(Laughter)

MS. TEEHEE: Can you tell us about the timing?

DR. ROESSEL: Okay. The --

MS. TEEHEE: To the possible Albuquerque consultations.

DR. ROESSEL: Yeah.

MS. TEEHEE: (Inaudible) deadline.

Are you considering extending that date at all?

DR. ROESSEL: We're looking at possibly extending the comment period. We are trying to finalize a consultations still. I
mean, we've been looking at emails and trying to find out. We have a date set, but it's --because it's not within the 30 day period of normal consultation -- that, you know, you also have the provision -- you know, in certain circumstances you can forego 30-day notification. So (inaudible) try and get that line in from the Pueblos. It's primarily for them. So, we're in that process right now. But we're looking at possibly having another consultation on the 15th, on a Friday. That's when our comments are due, so we may push the comment period back, but we're taking a look at that right now.

If it's not pushed back, comments are due on the 15th. We then will come up with our recommendations based on the consultation within the two-week period. We will issue post-consultation booklet, and then, at that point, we will present to you the appropriate (inaudible) Congress, this is what we heard from consultation, and make that presentation. If it's approved, hopefully, it will be approved.

We want to try to get these positions
filled as soon as possible and try to have people in these positions by the start of school. That's what we're really -- you know, best-case scenario is being able to try to have positions filled, assisting schools by the time school starts, so --

MS. TEEHEE: This is for the record. I know Cherokee Nation would appreciate an extension of time. And I understand, based upon Don's earlier comment, when we first started is that the expedited track from which this process (inaudible) this year because of (inaudible) and we understand that there's a need for reform, but also, you know, given the conference here and the interest that you're facing with other Tribes in the Southwest (inaudible) consultations opening up earlier would be helpful.

DR. ROESSEL: We will take that under advisement.

So, that's kind of the timeline that we're looking at. IF we can, there are some things we'll look and see, you know, that are not conducive to or not a part of directly.

This Re-Organization that we're
starting will require notices. We have three positions that are being -- well, one is in its final stage, the ADDs. One for Navajo that's -- actually a selection has been made; it's going through the process. But we also have advertising right now two positions that we have to start on, for the ADD for Tribally-Controlled and ADD for BIA-Operated. Those positions that we hope to get on board, again, as soon as possible, so we can have them in place for the start of the school year also.

So, any position that we can try to fill along those lines, that does not impact the Re-Organization directly. We're going to try to move ahead just so we can start trying to get some personnel. I mean, I'll be honest, we're doing all this with a handful of people out of our Washington office. (Inaudible) the big BIE is not -- the big BIE (inaudible) there's five people in a hallway that are working on this.

Anything else from anybody?

(Pause)

DR. ROESSEL: If not, I mean, we'll
be here for a little bit, but I think Don actually should get going. I hate to have him miss his plane.

But if you want to ask any questions specifically about some things that are dealing with your school, I'll be happy to be around, or Vicki deals with finances, right here.

Thank you for coming here today and we really appreciate it. I really -- you know, I think it's important. You know, we heard you. We heard you. And we are a new BIE. We listened. And I think that, you know, we will make every effort to try to make sure we come to a common ground that we all can work from and work together, if not, peacefully, at least in concert to improve educational outcomes.

So, with that, this consultation is over. Thank you.

(Consultation Meeting concluded)
CERTIFICATE

STATE OF OKLAHOMA )
) ss:
COUNTY OF OKLAHOMA )

I, CHRISTY A. MYERS, Certified Shorthand Reporter in and for the State of Oklahoma, do hereby certify that the above recorded proceeding was taken in steno machine, and thereafter transcribed by me; and that I am neither attorney for, nor relative of any of said parties, nor otherwise interested in said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this, the 28th day of May, 2015.

__________________________
Christy A. Myers, C.S.R.
Certificate No. 00310

Christy A. Myers
Certified Shorthand Reporter