

**The No Child Left Behind School Facilities and Construction Negotiated Rulemaking
Committee Meeting 5 – Nashville, TN
February 1-4, 2011**

Final Meeting Summary

Consensus Agreements

The No Child Left Behind School Facilities and Construction Negotiated Rulemaking Committee reached consensus on the following matters during the meeting:

1. Committee members approved the Meeting 4 Summary;
2. Committee members agreed to include the catalog chapter in the report to Congress and the Secretary of the Interior;
3. Committee members agreed on a design template for the Committee report;
4. Committee members agreed on a set of recommendations in the Catalog chapter;
5. Committee members agreed to draft a letter to AS-IA from the tribal committee members recommending communication between BIA and BIE with respect to O&M and school facilities support;
6. Committee members agreed on a proposed process for school replacement, including:
 - The application cycle should be five-years, and the cycle could be shortened if funding were increased;
 - The full list, ranking all schools that applied, should be published along with a list of schools that are expected to be funded in the five year time frame;
 - The remaining schools on the 2004 list should be “grandfathered” into the process and funded before schools on the new school replacement list;
7. Committee members expressed preliminary support for specific components of a revised formula for school replacement, including retaining the use of:
 - The FMIS score;
 - Accreditation (but to reduce the points value from ten to five points);
 - School age (but to increase the points value from five to ten points). Committee members preferred the points distribution option that spanned from 20-60 years. Committee members agreed to define *age of school* as the average age of buildings being replaced;
 - Crowding;
 - Declining or constrained enrollment;
 - Inappropriate educational space;
Cultural space needs (but to reduce the points value from ten to five points);
8. Committee members rejected the use of isolation, cost share, and AYP in the formula;
9. Committee members agreed to request an additional Committee meeting before the Consultations process.

Invocation

Dr. Kenneth York, Committee Member, opened the meeting with an invocation.

Welcome and Introductions of Committee Members

Michele Singer, AS-IA, Office of Regulatory Affairs and Collaborative Action, and Designated Federal Officer (DFO), welcomed participants to the fifth meeting of the No Child Left Behind School Facilities and Construction Negotiated Rulemaking (NCLB). A list of meeting participants is found in Appendix A.

Goals and Objectives for the Meeting

Greg Anderson, Jerry Brown, and Merrie Miller White Bull, Committee Co-Chairs, reviewed the goals and objectives for the meeting, which included:

- Reaching consensus on key concepts and language across the topics of the reports;
- Completing drafts of the reports for public input;
- Agreeing on and planning for Consultation and outreach to receive public input on the draft reports.

The Committee agreed on the meeting goals and objectives.

Review of Documents from Committee Meeting Four

Committee meeting four summary: The Committee reviewed the draft summary from Committee meeting four, which was held in Minneapolis, MN. The Committee unanimously approved the summary. Committee members can find the final meeting summary at:

<http://www.bia.gov/WhoWeAre/AS-IA/ORM/Rulemaking/index.htm> (BIA webpage).

Committee meeting four action items: Stacie Smith, Facilitator, led a review of the action items from Committee meeting four. Action items and specific task updates are below:

Action Item	Who	Status
Pull together list of legal questions from previous meetings	CBI –Kate	Done – PPT
Finish FMIS & Education data entry and results summary	Kate	Completed – handed out to Committee
Identify options for immediate action for schools not using FMIS	Kate	In process. CBI now has all surveys.
School age/achievement correlation research	CBI with Catherine Wright	Waiting on school age data
Update text report - incorporate Committee comments - Add examples	CBI with others	Completed
MI&R expenditures data/summary	OFMC- Regina	Completed
Update on caucusing funds to each	CBI	None of it has been spent

Committee member		
Summary of budget and draft consultation plan	CBI with co-chairs	Drafted for discussion
Update OFMC consultant RFP language on education facilities	OFMC	OFMC will provide update
Develop format template options for report	CBI	Completed – for Committee discussion
Send photos and ideas for report, particularly children’s quotes/photos	ALL	For Committee discussion
Obtain Committee member bios	Regina	In process; to finish at Committee meeting
Identify location of next mtg	IECR, DFO, Co-Chairs	Completed
Formula Subcommittee meeting		Completed
Submit Dorm Standards Regulation	DFO, Office of Solicitor	Will share DOI comments with Committee at next meeting

Emerson Eskeets, Office of Facilities Management and Construction (OFMC), provided an update on the request for proposals (RFP) which included a provision to gather condition assessment data on educational facilities. He confirmed that the language recommended by the Committee is in the RFP. He added that the RFP had not yet been made public.

Jack Rever, Office of Facilities, Environmental, and Cultural Resources, provided an update on the memorandum of agreement (MOA) between OFMC and the Bureau of Indian Education (BIE) to shift FMIS technical support for schools from BIE to OFMC. He explained that the draft MOA had stalled. The Committee agreed to move discussion of the MOA issue to later in the meeting.

Merrie Miller White Bull, Committee member and Co-Chair, commented that the Formulas Subcommittee had met in Albuquerque, NM on January 24 and 25, 2011, to advance the Committee’s formulas recommendations. She added that the Committee has made great progress since Committee meeting one.

Michele Singer, DFO, provided an update on the Committee’s timeline. She explained that the Committee is chartered for two years, from January 4, 2010-January 4, 2012. She explained that she hoped to leave this meeting with approved drafts for Consultation and that the Committee would reconvene for a sixth, and final, meeting to finalize the reports. She noted that the goal is to end the negotiated rulemaking by fall 2011.

Review and Discussion of Report Requirements and Logistics

Report Requirements: Jim Porter, U.S. Department of the Interior, Office of the Solicitor, reminded Committee members that the No Child Left Behind (NCLB) statute requires the Committee to generate two reports and a catalog of school facility conditions. The catalog is required to go the Secretary of the Interior but not to Congress. The school replacement and

renovation and repairs reports go to the Secretary of the Interior and to Congress. He noted that there is nothing barring the Committee from sending the catalog to Congress.

Committee members suggested that the catalog chapter should be included in the full report to Congress because as drafted, the report, which includes the catalog chapter, is starting to read like a complete document. Committee members agreed to include the catalog chapter in the report to Congress and to the Secretary of the Interior.

Printing Options: Stacie Smith, facilitator, reviewed report printing options, including color copies with saddle stitch or wire-o binding. She explained that there is a page number limitation (approximately 60 pages) to saddle stitch binding. Committee members agreed that the saddle stitch option would be more attractive and versatile, however they questioned if the report would exceed the page maximum. Committee members suggested that the catalog could be printed in a three-ring binder, like the Green Book, however, federal Committee members confirmed that beginning this fiscal year, the Green Book will only be available electronically. Another Committee member suggested that the Committee look at a recent report by the White House Conference on Indian Education which divided the report into a part I and part II.

Images and Photos: Committee members discussed options for selecting images and photographs for the report. Committee members agreed that the report should clearly indicate that it is the NCLB Committee's report not a government report. They suggested that federal department and agency logos be removed from the front page of the report. They suggested including a photograph of the Committee in the report and a Native American symbol, such as a feather or a basket, on the cover of the report to indicate that it was prepared by the Committee. Committee members reviewed two design templates for the report, which were drafted by the Consensus Building Institute, and agreed on a design template for the Committee report (Design Option 2, Blue).

Committee members suggested that report should include photographs of facilities in poor condition, photos that reflect the isolation of some Bureau-funded schools, photos of school construction phases, and photos of new schools. They agreed that the photos should show a balance of tribes and geographies. The Committee agreed that a subset of Committee members would review and recommend photographs for the report and that the full Committee would make the final selection of photographs.

Review and Discussion of FMIS Survey Results

Kate Harvey, facilitator, reviewed updated results from a survey of schools on their use of FMIS. The survey was drafted by OFMC and administered by the Bureau of Indian Education (BIE). Her summary is found at <http://www.bia.gov/WhoWeAre/AS-IA/ORM/Rulemaking/index.htm> (BIA webpage). At the time of the Committee meeting, 121 schools had responded to the survey, which asked questions about FMIS use, connectivity, and administration. Committee members offered the following suggestions and comments:

- *How should the data be used in the reports when not all schools responded?* Michele Singer, DFO, reminded the Committee that schools received multiple reminders about the survey from BIE and that schools had over four months to complete the survey.

Committee members suggested using the data as qualitative examples throughout the report. A Committee member suggested taking additional measures to get responses from all schools.

Review and Discussion of Complementary Educational Facilities Survey

Kate Harvey, facilitator, reviewed updated results from a survey of schools on complementary educational facility needs. The survey was drafted by the Office of Regulatory Affairs and Collaborative Action, based on Committee input. The summary is found at <http://www.bia.gov/WhoWeAre/AS-IA/ORM/Rulemaking/index.htm> (BIA webpage). At the time of the Committee meeting, fifty-six schools had responded to the survey. Kate explained that schools' responses varied from a single sentence or brief email to a long report on complementary educational facility needs. Committee members offered the following suggestions and comments:

- *How should the data be used in the reports when not all schools responded?* Kate explained that the findings are qualitative and based on self-reporting by schools.

Committee members suggested using the data as qualitative examples throughout the report. A Committee member suggested taking additional measures to get responses from all schools.

Presentation on Rate of Deterioration

Doug Kincaid, OFMC contractor, presented on calculations of rate of deterioration. His presentation is found at: <http://www.bia.gov/WhoWeAre/AS-IA/ORM/Rulemaking/index.htm> He explained that in his work, he looks at the impacts to operations and maintenance, life cycle, educational space requirements. He explained that there are annual requirements for operations and maintenance. For normal facilities, funding for O&M usually comprises of 65% for operations and 35% for maintenance. However, for BIA schools, only 50% of the operations have been funded and in reality only 6% (rather than 35%) for maintenance. Life Cycle requirements, including systems and things like carpets and paints, are annualized over 50 years at 2%. This 2% is the rate of deterioration or annual investment needed.

A Committee member asked about the impact of low bids, remote construction, harsh conditions, old buildings with highly outdated equipment on the rate of deterioration of federal facilities. Since maintenance not being funded at significant levels, buildings are deteriorating earlier. He noted that it would be less costly to reinvest in buildings when they needed it, as opposed to much later because repairs increase exponentially.

A Committee member asked if more money in FI&R or more money for new schools would prevent costly, rapid deterioration? Another Committee member noted that other studies show that the rapid rate of deterioration problem is observed in private markets with condos that charge regular fees to cover this average deterioration rate.

A Committee member added that funding maintenance to keep up with the rate of deterioration does not address education program space requirements, so you may have a functional school that doesn't meet educational needs.

A Committee member asked what would the impact be on facilities if the drop-out rate decreased by 10%,? Doug confirmed that the impact would be enormous. A Committee member

commented that the focus on maintenance funding has been misplaced; the problem is that operations funding is insufficient. The member asserted that the buildings are falling apart because money allocated to maintenance is being redirected. A Committee member suggested that for new schools there should be consideration for more preventative maintenance funds.

A Committee member asked Doug if he considers mold and mildew abatement to be "prevention." Doug responded that his team checks for leaks and that design, construction, and maintenance all play a factor in mold and mildew.

Review and Discussion of Catalog Chapter

Stacie Smith, facilitator, led a review of key questions and issues in the catalog chapter.

Potential examples: The Committee discussed how illustrative examples might be incorporated into the chapter. Committee member suggested incorporating the following changes:

- A case where an untrained facilities manager shut off the HVAC system and gas leaked into the classroom and shut down the school;
- Some positive results;
- Additional language on FCI scores, especially schools in poor condition;
- Add emphasis to the need across Indian Country;
- A total of the number of backlogs organized by geographic region or total amount per school;
- An overview of the regulations that produced the last school replacement priority list and commentary on the rate of replacement of schools on that list (a quarter of a school a year);
- Additional language on the differences between funding for U.S. Department of Defense schools and BIA schools;
- Graphs showing declining funds for O&M;

General Recommendations: A Committee member suggested that the chapter should include a recommendation on FMIS training for school boards since school boards hire staff and should be aware of FMIS requirements. The Committee member suggested that this module could be included in BIE's training for new school board members.

A Committee member suggested that project managers should have project management certifications before being allowed to work on a school construction project. Other Committee members suggested that schools might not be able to afford certification for their project managers.

Jack Rever and David Talayumptewa discussed the status of the Memorandum of Understanding between BIE and the Office of Facilities, Environmental, and Cultural Resources around FMIS technical support. They explained that the discussion had stalled. They noted that there is a debate about lines of responsibility related to staff management and accountability. OFMC feels that it should not be held responsible for maintenance staff that do not report to OFMC, however, most agree that maintenance staff should report to the school principal (BIE staff) rather than to OFMC. David Talayumptewa added that currently BIE does not have funding or internal resources to support technical assistance for FMIS and facilities.

A Committee member suggested that BIE cannot delegate this NCLB requirement to OFMC. Another Committee member noted that the law does not prohibit OFMC from providing technical assistance. Other Committee members emphasized the need to have one person in the field with responsibility for providing facility-related technical support to schools. A Committee member suggested that O&M and FMIS should be the responsibility of a single agency. David Talayumtewa noted that BIE has not received the O&M funding formula from OFMC, and that BIE does not receive funding to monitor O&M. Jack Rever clarified that OFMC does not keep any O&M money, and he explained that OFMC makes O&M recommendations for schools based on data including school age, size, utilities, etc.

Several Committee members suggested that this is an issue that should be addressed in the reauthorization of NCLB and discussed with the Assistant Secretary-Indian Affairs (AS-IA). Committee members agreed to draft a letter to AS-IA from tribal committee members recommending realignment of BIA and BIE on O&M and school facilities support.

Update on NCLB Statute

Jim Porter, Division of Indian Affairs, Office of the Solicitor, provided an update on his consultation with the Office of the Solicitor on the statute that governs OFMC and BIE responsibilities for facilities technical assistance. He explained that to move facilities staff under OFMC would be difficult due to the funding structure outlined in Section B1. A Committee member asked if BIE and OFMC could enter into a MOA regarding technical assistance if it did not change current funding structures and allocations. Jim responded that it would seem possible. David Talayumtewa noted that BIE does not have the funds to support administration of the technical assistance and that the law does not allow BIE to withhold some of the funds to administer the program.

Committee member questioned if the problem stems from Public Law 9-66 and 9-61 and questioned if NCLB statutes supersede the public laws. Jim responded that he did not know. A Committee member noted that on Navajo, BIE performs these technical functions for BIA, which is an unusual situation. Another Committee member suggested that the Committee request that funds allocated to BIE and BIA for executive management be reallocated to technical assistance programs. David Talayumtewa offered two options to resolve the problem: 1) allocate the funds to BIE to allow them to fully implement O&M; or 2) allocate the funds to OFMC and allow them to fully implement O&M. A Committee member observed that if the system were changed, BIE facilities would no longer provide O&M to Navajo, which would be a big change for 66 Navajo schools. A Committee member suggested that Navajo schools should continue to be allowed to manage their own schools.

A Committee member suggested focusing on the underlying objective of the Committee's request: to improve communication between OFMC and BIE and not to attempt to manage statutes. David Talayumtewa suggested that this is more than a communication issue. If BIE is going to administer O&M, BIE needs the formula for O&M from OFMC. A Committee member noted that the bottom line is that schools are not receiving O&M at 100% and that this is a problem. The current 60% constraint on O&M funding harms schools and that there needs to be

a way to manage this problem.

A Committee member suggested that the BIE reorganization is not yet statutorily confirmed and that this is another issue that should be addressed.

Catalog Review Continued

Michele Singer, DFO and Catalog subcommittee member, lead a review and discussion of additional key questions and issues in the catalog chapter.

Accuracy of FMIS Data: The Committee supported the recommendations in this section and offered the following suggestions to the text:

- Need additional emphasis that FMIS data must reflect the needs of schools;
- Add language that contractors are needed. Contractors will ensure that there are systems in place in schools to maintain FMIS. Some Committee members felt that contractors should be hired directly by schools; however most supported the idea that contractors should be hired by OFMC and that schools with the least up-to-date FMIS entries should be a priority for contractors;
- Include data on online-connectivity challenges by some schools;
- Include language that recommends ensuring that all Bureau-funded schools have equitable means and capabilities to regularly use and update FMIS;
- The Committee discussed including a recommendation that all schools must use FMIS to be eligible for funding from BIA. Many Committee members supported the idea that schools should have some responsibility for maintaining FMIS and that incentives should be in place to encourage schools to do the required work.

Roles and Responsibilities: The Committee supported the recommendations in this section and offered the following suggestions to the text:

- Add language on the need for additional funding to agencies to be able to provide FMIS technical support;
- Create a matrix that clearly defines the roles and responsibilities of all parties; including schools, school boards, ELOs, etc;
- Suggest adding language that ensures regular check-ins with schools by agencies on FMIS use;
- Add language that clarifies the roles and responsibilities of school boards in this process; they should also be responsible for knowing about FMIS and ensuring its accuracy.

Training and Support: The Committee supported the recommendations in this section and offered the following suggestions to the text:

- Suggest that training should be offered regularly for beginner and advanced users;
- Technical assistance is a responsibility of BIA and BIE;
- The Committee discussed recommending a national FMIS users support group versus regional FMIS support groups. Margie Moran, OFMC, explained that OFMC is in the process of setting up a national FMIS users support group.

System Administration and Remote Access: The Committee supported the recommendations in this section and offered the following suggestions to the text:

- Should this section include discussion of how Maximo will interface with FMIS? Jack Rever explained that Maximo would likely supplement, not replace FMIS;
- Should web access be an issue that the Committee includes in its letter to the Secretary of the Interior?
- Add additional language on the challenges that some schools have getting a password and access to FMIS;
- The Committee discussed if and how to include data on grant school access to FMIS and technical support. Some Committee members observed that once a school becomes a grant school, it is less likely to receive technical support. The Committee suggested adding language that it is important for all Bureau funded schools to receive technical support and regular access to FMIS.

Transparency of FCI Contractors: The Committee supported most of the recommendations in this section and offered the following suggestions to the text:

- Clarify what “school” means in the recommendations. Does it mean the principal, the school board, the facilities manager, etc;
- Change language around “improving” the role to language that clarifies what we want contractors to do;
- Change language to state that “Upon request, schools will receive a copy of the contractors report from OFMC within 30 days of the request being made”;
- Committee members suggested removing the following recommendation: Anyone with access from that location should receive notification if backlog entries are changed by gatekeepers;
- Committee members recommended that any school staff with access to FMIS should be allowed to approve contractors’ reports on the school.

Tribal Committee Members Caucus

A Tribal Member requested a Tribal Committee members caucus and Tribal Committee representatives caucused without the facilitators, Federal Committee members, technical advisors, or members of the public. Greg Anderson, Committee Co-Chair, shared a summary of the agreements reached during the Tribal caucus:

- The Tribal caucus wants the statutes that manage authority and responsibilities for O&M and facilities technical assistance to remain unchanged;
- The Tribal caucus wants to draft language detailing the relationship, issues, problems that are being experienced and impacts on schools, and wants that language included in the Committee report;
- The Tribal caucus requests funding for tribal legal representation from the Udall Foundation;
- The Tribal caucus will draft a letter to AS-IA that addresses the relationship between BIE and OFMC regarding technical assistance and seeks intervention to resolve these issues which are harming students. Jerry Brown and Catherine Wright will draft the letter for Tribal Committee members to sign.

Sasha Stortz, Udall Foundation/U.S. Institute for Environmental Conflict Resolution explained that Udall Foundation is a government agency and does not provide grants. She noted that Udall could serve as the fiscal agent for funding received from another entity for a tribal attorney and that Udall has a 10% administration fee. Committee members suggested that they ask tribes to donate funds, for an estimated total of \$10,000- \$50,000.¹

A Co-Chair made a request on behalf of other Committee members for an additional Committee meeting before the Consultation process. Another Committee member asked that the last meeting be held in Washington, DC and that the Secretary and AS-IA be invited to the meeting. A Committee member requested that the Committee budget be shared with the Committee.

Discussion and Review of Full School Replacement Report Draft

Monty Roessel, Committee and Formula Subcommittee Co-Chair, explained that the Formula Subcommittee reviewed the 1999 full school replacement process and that the proposed processes and formula are based on the 1999 process with modifications for additional transparency and consistency. Monty then led a review of key report elements including:

Full School Replacement Principles: The principles that should guide full school replacement. These principles were agreed upon by the Committee at Committee meeting four:

- Funding should be needs based
- Formulas must foster compliance with health and safety standards
- Formulas must account for educational needs
- The Bureau-assembled database providing the variables used in the formulas must be improved to ensure valid results
- Formulas must be uniformly applied
- Formulas must not be susceptible to manipulation
- Formulas must be practicable
- Formulas should be defensible legally and technically
- Any decision-making process used in addition to the formulas must also be clear, consistent, and transparent and compliant with these principles.

General Approach: The proposed general approach would result in shorter decision-making and construction time frames and produce a shorter list of priority schools. The general approach would rely heavily on FMIS to take the subjectivity out of the ranking process. Key elements of the approach include:

¹ After the meeting, Betty Ojaye explained that she withdrew her suggestion to hire an attorney for the following reasons: 1.) there is no consensus by the group to hire an attorney, 2) funding is an issue and a few should not bear the entire cost, 3) the identification of which attorney to hire is unclear, 4) we are too far in the process to hire an attorney and it would have been preferable to do it earlier, 5) and she trusts the group to draft the report.

Lorena Bahe added that each tribal attorney should review the draft. She added that tribes need to be informed during the Consultation that the document has not had legal review.

- Every 5 years (or sooner if sufficient levels of funding are allocated) the Bureau will generate a new list of schools for replacement
- The list should be based on an application process, but the application process should be primarily based on readily available data and easily measurable criteria that would increase the ability of all schools, regardless of size, resources, or grant writing ability, to participate.
- Schools on the FY 2004 list that have not yet received funding should be funded for replacement school prior to the application of this new approach.

Eligibility for Application: The proposed approach to eligibility for application includes:

- FMIS should generate a list of schools whose overall FCI is rated in Poor condition. Stakeholders will need to feel confident that the quality of FMIS data has improved.
- Any of the schools rated by FMIS in poor condition would be eligible to apply for the program. Only applicants with “poor” FCIs would be reviewed. A school would not have to apply, but could if it wished.
- The announcement of the initiation of each 5-year process should be very well publicized & must include communication & outreach that extends far beyond the Federal Register notice process.
- During the 5 year process, schools should still be eligible for MI&R and FI&R monies.
- The application process should be clear, relatively simple, & based on as much quantitative, measurable data as possible. The application process should also allow for schools to describe their particular circumstances, needs, and uniqueness.

Committee members had the following questions and comments about the proposed approach:

A Committee member questioned how an emergency need in a school would impact the list. Margie Moran, OFMC, explained that existing funding is reprogrammed for emergencies. Monty Roessel added that the idea was that emergencies would be dealt with through existing processes and that they would not change the list.

Application Cycle: A Committee member questioned how to ensure that schools in the worst condition apply and that a school in fair condition is not prioritized over a school in worst condition. Monty Roessel explained that FCI is used because if a school is in poor condition, then it will be considered. If a school is not in poor condition, then it might not be considered. A Committee member suggested that OFMC test run the formula with several schools and see how it would work. Another Committee member questioned the cost involved in an application process and suggested that with an open and transparent list, schools can decide if they want to put money into the application process. A Committee member commented that if a school does not apply, then it is not eligible for funding, which should be clarified in the language. A Committee member questioned if the application period should be tied to the budget cycle. Another Committee member noted that the list should not be tied to the budget because schools should have an explanation of where they are on the list.

Jack Rever noted that a five year plan for construction is common, however, it depends on funding cycles, which are on two year cycles. He did not anticipate any construction funds for the next few years. In that case, he asked if the list could be published ever year? He

speculated that a criticism of the proposed process would be that the top school will keep changing and suggested perhaps the top 2-3 schools be frozen and the others recalculated every year. He noted that his office needs a list of schools in priority order, in the event that they do receive money.

Several Committee members commented that FMIS must be updated so that the Committee can be confident that the data is accurate or else this system will not work. Another Committee member noted that it would be important for schools to know very early that this process will happen so that they have a chance to update their backlogs. A five year schedule would also allow some predictability in the process. In the past schools submitted their application and then later there was no record of what happened to it, which was a major source of frustration.

The Committee agreed that the application cycle should be five-years, and the cycle could be shortened if funding were available.

New School vs. Repair: A Committee member emphasized that OFMC should not repair schools that need to be replaced. The process should include a site assessment to verify the condition of the school. Jack Rever noted that if OFMC did not make repairs all schools would eventually be forced to close because there is currently no money for new schools.

Publishing of List: Committee members discussed if all schools that applied should be ranked or only the top five schools. Some Committee members felt a full list would set expectations for schools that are unlikely to be met because in reality, most schools on the list will not be funded. Others noted that Tribal Councils are going to say that they want a fair process in which there is transparency. They commented that if you only publish the top five schools, it would make the process less transparent. Others noted that having a full list will help tribes to lobby Congress for funding to address the full need.

The Committee agreed that the full list, ranking all schools that applied, should be published, along with a list of schools that are expected to be funded in the five year time frame.

Status of 2004 List: Committee members discussed whether schools already on the 2004 school replacement list should be “grandfathered” into the process. This would mean that the new formula would be implemented once the remaining schools on the school replacement list are completed. A Committee member commented that to sustain the 2004 school replacement list seems inconsistent with the principle of worst first. Jack Rever explained that the earliest opportunity for funding for the schools on the 2004 list would be 2015. He noted that by 2015, more than ten years would have gone by since the 2004 list was published and there will be other schools in worse condition. He suggested letting those schools in worse condition compete with the schools on the 2004 list for the limited amount of funding.

Committee members asked if there was a legal obligation to replace the schools on the 2004 list. Jim Porter commented that he interprets the law to read that the federal government does not have a legal obligation to replace those schools first. Several Committee members noted that it would be unfair to schools on the 2004 list to make them wait longer for a new school.

The Committee agreed that the remaining schools on the 2004 list should be “grandfathered” into the process and funded before schools on the new school replacement list.

On-site Assessment: Several Committee members emphasized the need for an onsite assessment in the evaluation process, noting that it can be difficult to accurately describe the condition of schools. Some suggested conducting a site assessment for a set number of eligible schools prior to the ranking process. Other suggested conducting a site visit prior to deciding which schools are funded first.

Committee Review: A Committee member suggested that the review process be open to the public, such as a public meeting, so that schools can understand how decisions are made.

Formula Subcommittee’s Proposed Formula and Weight Criteria

Monty Roessel, Committee and Formula Subcommittee Co-Chair, discussed the Formula subcommittee’s proposed formula (version 2/3/11):

% of Score	Description	Method for Calculating
65%	FMIS ranking for Overall School Location Score fixed at date of application process	(Location Score from FMIS/1000) x .65 Date picked to “fix” data
5%	Crowding	Points based on the last 3 Years Avg. Enrollment per NASIS/total square feet that is core educational space
5%	Declining or Constrained Enrollment associated with Poor Facilities	Points based on narrative provided on this criterion.
5%	Inappropriate Educational Space	Points based on % students in inappropriate educational space in portables, dormitory space, leased space
10%	Accreditation Risk	Points based on the number and severity of citations in the accreditation
5%	School age	Points based on the average age of school’s educational and dormitory buildings
5%	Cultural space needs	Points based on: 1) is there a specific tribal requirement; 2) is there a program; 3) is there a lack of space for that program or requirement.

Accreditation Risk Proposed Approach:

Monty Roessel explained that accreditation refers to the idea that if a school is missing an educational facility and as a result can verify that its state accreditation is threatened, then it would be awarded points. For example, if a school does not have a library and receives a citation

from an accreditation agency, then it would receive points. A Committee member noted that accreditation is important because it is a standard that all tribes need to meet. Other Committee members commented that it has a potential to be uneven and suggested that this criteria is weighted too heavily. Another Committee member observed that in some states, schools are accredited by NCA while in others schools are accredited by state agencies. Would this cause a problem or unevenness in the application of the formula? Committee members questioned if this criteria could refer to the BIA Space Guidelines.

A Committee member questioned if a school were not accredited, would it be allowed, under NCLB, to receive a new school? OFMC responded that they believed this to be the case. If a school is not accredited, would they receive ISEP funds? BIE was not sure.

Citations in Accreditation named by the Accrediting body (documentation should be provided)	Points Awarded
Accreditation at highest risk (numerous, severe citations)	8 to 10
Accreditation at high risk (numerous citations, some severe)	5 to 7
Accreditation at risk (some citations, some severe)	3 to 5
Accreditation citations, not extensive nor severe	1 to 3
No citations	0
Citations in Accreditation named by the Accrediting body (documentation should be provided)	Points Awarded

Committee members agreed to keep accreditation in the proposed formula but to reduce the points value from ten to five points.

Age of School Proposed Options:

Some Committee members questioned if age of school was already adequately reflected in the FMIS formula. Others felt that school age should be an additional factor for points because an old school that has made an effort to maintain the facilities over time should not be punished for maintaining their school. Committee members agreed that school age is an important factor and should have additional weighting. Many Committee members also suggested that the points should be more evenly distributed across school ages.

Average Age of school building(s) or dormitory(ies) <u>TO BE REPLACED</u>	Points Awarded (10 total)
Over 60	10
50 to 59	8
40 to 49	6
30 to 39	4
20 to 29	2
1 to 19	0

Average age of schools (based on all buildings with educational or student housing purpose)	Points Awarded (10 total)
Over 50	10
40 to 49	8
35 to 39	6
30 to 34	4
20 to 29	2
1 to 19	0

Average age of school building or dormitory to be replaced	Points
Over 60	10
55 to 60	9
50 to 54	8
45 to 49	7
40 to 44	6
35 to 39	5
30 to 34	4
25 to 29	3
20 to 24	2
Below 20	0

Committee members agreed to keep school age in the proposed formula but to increase the points value from five to ten points. Committee members preferred the points distribution option that spanned from 20-60 years. Committee members agreed to define “age of school” as the average age of building(s) or dormitory(ies) being replaced.

Crowding Proposed Approach.

Monty Roessel explained that each school would first calculate student per square feet based on the last 3-years average enrollment (as determined by NASIS) divided by the total square feet that is core educational space. The crowding factor would then be determined by comparing the student per square feet ratio against the standard for that school, which may vary depending on grade levels served, by the Space Guidelines (times 100)

A Committee member questioned if crowding would also apply to the dormitories.

Crowding Factor	Points Awarded (5 Total)
140 and above	5
130 to 139	4
120 to 129	3
110 to 119	2
101 to 109	1
100 and below	0

Committee members agreed to keep crowding in the proposed formula.

Declining or Constrained Enrollment Associated with Poor Facilities Proposed Approach

Monty Roessel explained that schools may experience declining enrollment or constrained enrollment due to the poor state of facilities. In the proposed approach, schools should provide a narrative on how the condition of their facilities may be causing decreasing enrollments, inability to utilize existing space, and so forth. Schools are strongly encouraged to support arguments with data such as transfer data from NASIS (students requesting moves out of their geographic boundary) student/parent surveys, demographic information, waiting lists, or other data.

Committee members agreed to keep declining or constrained enrollment in the proposed formula.

Inappropriate Educational Space Proposed Approach

Monty Roessel explained that the inappropriate education space criteria would be based on the percentage of students (based on a last three year average) taught in portables, dormitories, and leased facilities.

Percentage of Students Taught (based on last three year average) in portables, dormitories, leased facilities	Points Awarded (5 Total)
95% to 100%	5
80% to 95%	4
60% to 79%	3
40% to 59%	2
20% to 39%	1
Below 20%	0

Committee members agreed to keep inappropriate education space in the proposed formula.

Cultural Space Needs Proposed Approach

Monty Roessel explained that the proposed approach would allow up to 5 points to be awarded for cultural space needs. In the application, the school should answer the following questions: 1) is there an educational program in place; 2) is there a tribal requirement for cultural education (please provide the Tribal Council law/ordinance); 3) is there a lack of space to support this program and/or requirement. Applicants should refer to BIE requirements and expectations regarding this need.

A Committee member commented that NCLB and BIE both encourage schools to teach native courses, and another Committee member noted that this is something that the local level schools and tribes can decide if it a priority. OFMC noted that cultural educational programs are given equal consideration in OFMC’s space determination processes. A Committee member questioned if culture should have additional weighting in the formula. Other Committee members suggested that giving culture more value in the formula highlights the importance of culture as a key component of education.

Committee members agreed to keep culture in the proposed formula but to reduce the points value from ten to five points.

Isolation: Monty Roessel explained that the Formula Subcommittee decided to exclude isolation from the formula because it is already factored into FMIS data. Some Committee members noted that if a school is the only “game in town”, either in an urban or rural setting, it should be considered in the formula in some way.

The Committee agreed not to include isolation in the proposed formula.

AYP: A Committee member suggested that AYP should be considered in the formula. Monty Roessel reminded the Committee that the Committee had already decided not to include AYP in the formula at Committee meetings three and four.

Cost Share: A Committee member asked if there is a way to give points to tribes that secure matches and cost shares. OFMC explained that currently OFMC requests a letter of commitment on cost shares, however schools with cost shares do not get priority in the ranking system. If a school wants to do a cost share, they use those funds to supplement what OFMC will build based on the Space Guidelines. Additionally, a school will only receive O&M funds for the value of what OFMC would have built in accordance with the Space Guidelines. Several Committee members noted that giving points to tribes that have money puts other tribes at disadvantage.

The Committee agreed not to include cost share in the proposed formula.

The Committee agreed on a revised proposed formula for school replacement, below:

<i>% of Score</i>	<i>Description</i>	<i>Method for Calculating</i>
65%	FMIS ranking for Overall School Location Score fixed at date of application process	(Location Score from FMIS/1000) x .65 Date picked to “fix” data
5%	Crowding	Points based on the last 3 Years Avg. Enrollment per NASIS/total square feet that is core educational space
5%	Declining or Constrained Enrollment associated with Poor Facilities	Points based on narrative provided on this criterion.
5%	Inappropriate Educational Space	Points based on % students in inappropriate educational space in portables, dormitory space, leased space
5%	Accreditation Risk	Points based on the number and severity of citations in the accreditation
10%	School age	Points based on the average age of school’s educational and dormitory buildings
5%	Cultural space needs	Points based on: 1) is there a specific tribal requirement; 2) is there a program; 3) is there a lack of space for that program or requirement.

Review and Discussion of MI&R Formula Options

Monty Roessel, Catalog Subcommittee Co-Chair, lead discussion of the Formulas subcommittee’s recommendations on MI&R. He explained that to improve communication

about the MI&R process and ensure that the responsibility to communicate MI&R-related information is shared between schools and OFMC, the Subcommittee recommends that OFMC should:

- Explain to the schools the need for accurate and timely entry of data into FMIS through various means;
- Annually publish a document on the criteria OFMC will use to make MI&R decisions: include all weightings and formulas that OFMC will use and the person in each regional office who will be the point of contact for schools in the region, and the person in each regional office who will make the prioritization decisions for the list sent from the regional office to headquarters;
- Provide an annual report to the schools and regional offices, providing an explanation for each decision to remove a school-proposed project from the prioritization list;
- In general, the information provided above should be posted on the Bureau's website, distributed to all school principals, facility managers, and ELOs, and distributed at Bureau key conferences and trainings.

He explained that, to improve engagement with schools around the MI&R process, the Formulas subcommittee recommends that OFMC should:

- Foster close communication between OFMC's regional office and the ELO in the region on the prioritization of MI&R projects.
- Have each ELO endorse the Regional office's prioritization list or else submit written objections to the list. The regional official will include all endorsements and written objections with the prioritization list submitted to OFMC headquarters.
- Alternatively, have OFMC regions host "priority-setting" workshops in order to obtain advice and comment regarding the prioritization of MI&R projects

He also explained the Subcommittee's proposed process for MI&R distribution:

- 80% of MI&R monies will be allocated to the lower half of schools receiving a fair rating and all schools receiving a poor rating based on the FCI and for S1, F2, or M1 project needs;
- 20% of MI&R monies will be available for all other schools with severe S1, F2, or M1 project needs;
- Each year, OFMC will generate a list of these schools with fair to poor condition noting all health and safety (S1), fire (F2), and structural deficiencies (M1).
- OFMC will distribute this list of deficiencies to each school on the list. OFMC will note that their priorities are, in order, S1, F2, and M1 Projects. OFMC will distribute this list by certified mail to all school principals, ELOs, and regional facility managers and post it on the OFMC website;
- Schools will have an opportunity to rank these projects in order of their preference, add S1, F2, or M1 projects not currently listed in FMIS and return these preferences to OFMC;
- OFMC will establish a Committee (20ish) with a rough balance of interest across geography to review these preferences and allocate MI&R monies for that year. The Committee shall be comprised of representatives from OFMC staff, ELOs, grant schools, contract schools, and Bureau-operated schools. The Committee representatives will be selected for knowledge of Bureau schools, and the FMIS system;

- The Committee will then aggregate the individual school preferences, review the various projects as described in FMIS, and allocate monies for the year based on available funding;
- Upon completion of the Committee's work, OFMC will notify each school of the list of priority projects and shall publish the list of all funded projects for the year on the Bureau website and explain their general rationale for selection.

Committee members had the following discussion and questions:

A Committee member noted that currently the MI&R process is perceived by schools to be very opaque and that the new system must help to clarify the process. A Formulas subcommittee member added that a notable change to the review process is that a Committee would review the requests for funding and allocate the majority of MI&R funds to schools in poor condition.

Many Committee members questioned the proposed allocation (80/20) of funding. One member questioned what would happen if most of the schools in poor condition, and by extension funding allocation, were focused in a geographic area (for example in Navajo region), what would schools across the country think? Other Committee members noted that all schools should receive MI&R funds, even new schools because it will be important to ensure that new schools do not deteriorate. Several Committee members suggested that the proposed approach would take away regional-level decision-making.

OFMC clarified that MI&R funding is available to help schools in poor condition to stay open and currently there is \$13 million nationwide for MI&R. It would take an estimated \$156 million, however, to address the S1, F2, and M1 backlogs for the schools in poor condition. A Committee member raised concerns about the quality of data and suggested that site assessments would be important to verify the real conditions of schools. Formulas subcommittee members clarified that the proposed changes to formulas would not be implemented until the data in FMIS was updated.

A Committee member suggested changes to the way money is allocated for FI&R, MI&R, and school replacement; suggesting that all funds be directed toward new school replacement. Federal Committee representatives clarified that the Office of Management and Budget and Congress would each have a role in approving budget changes. The Committee member also recalled a time when OFMC faced a budget shortfall and moved money from school projects. OFMC confirmed that this happened, with agreement and input from tribes, and noted that this was an unusual circumstance and not likely to happen again.

MI&R Allocations: Committee members proposed several alternatives to the proposed MI&R funds allocation ratio:

- 80% of funds distributed equally to each region, then be distributed by the regions with emphasis on S1, F2, M1 backlogs; 20% distributed across the nation by a Committee based on need;
- Give all schools equal funding. Schools determine what to do with the funds;
- 80% of funds distributed to schools in poor condition for repair of major S1, F2, M1 backlogs;
- 70% of funds distributed to schools in poor condition; 30% distributed across the nation

- by a Committee based on need;
- Only give funds for S1 backlogs.

Margie Moran, OFMC, clarified that there is an emergency program that funds emergency repairs, which is separate from MI&R.

A meeting observer (a BIE technical expert) commented that when ELOs send the call for MI&R requests to schools, some schools, often grant schools, do not respond, so the ELOs must make the decision on their own. The participant suggested designing incentives to get schools to respond in a timely manner. A Committee member noted that it is up to schools to submit their requests, however, schools are often on different funding cycles which may impact their response rates.

Review Committee: Committee members discussed if the review committee should be national or regional. Some felt that to promote transparency and accountability, the Committee should be national. Others felt that regional committees would be more in tune with local needs. Another Committee member noted that a reason to have a non-OFMC decision-maker is to isolate the decision from political influence. A Committee member questioned the financial administration needed to operate MI&R Committees. Another noted that it is important to have all of the regions involved so that in the future, there can be fewer complaints about regions being overlooked for funding. A Committee member added that they want to create a system that reduces the impression that schools located closer to Albuquerque have more lobbying impact and as a result, receive more funding.

Committee members took a straw vote in which 10 Committee members indicated initial preference for national distribution with some percentage allocation for mid fair to poor condition schools and remaining allocation to specific backlog needs of any school. Seven Committee members indicated initial preference for equal or proportional distribution distributed equally across regions by a regional decision-making body.

Committee members agreed that the Formula Subcommittee would work further on the MI&R process and formula.

Review and Discussion of Heating, Lighting, and Cooling Standards for Dormitories

Jim Porter explained that he hopes to publish the draft standards, which were approved by the Committee at the September 2010 Committee meeting, in the Federal Register. He added that first, the Department of the Interior needs to figure out where in the Federal Register to publish the standards. Specifically, they need to clarify that the standards are an amendment to the Home Living Standards Part 36, Subpart G. He added that Subpart G includes a waiver provision, and that the standards would need to include a line stating that the waiver does not apply to the new heating, lighting, and cooling standards for dormitories.

Review of Introduction Language

The Committee reviewed updated introduction language and discussed if a chart from a year 2000 GAO report depicting U.S. Department of Defense, Public, and BIA school funds and conditions should be included. The Catalog subcommittee had decided that the chart did not

provide an accurate picture of today's conditions. Other Committee members felt that the chart presented a good historical picture of the funding problem. Committee members agreed that the report should discuss the impacts of PL 8-15 and Impact Aid, which manages federal money for construction in public schools, and has a big impact on Bureau-funded schools. Others noted that it will be important to explain how these funding sources are hurting enrollment in Bureau-funded schools. Another Committee member suggested that text at the end of the introduction should be moved to the beginning of the document.

Consultation Planning

Stacie Smith explained that, in order to engage the substantial and diverse range of Tribal stakeholders of Bureau-funded schools around the issues of facilities and construction, the Committee must reach agreement on an outreach plan including formal regional consultations along with additional smaller outreach efforts. At the October meeting, Michele Singer, DFO, explained that the budget for this outreach allows for approximately five formal regional consultation sessions in regions around the country. A separate budget also exists for each committee member to outreach with constituents in their regions in other forums.

Once an approved draft report is completed, copies will be sent to 600 Tribal leaders, who will then need time to review the report. Therefore, outreach events will likely be scheduled for Spring/Summer 2011. The Committee as a whole would also develop and approve a standard presentation to be presented at each of these events and a process for receiving feedback.

The proposed approach includes:

- 1) The Committee would host approximately five consultations in five different regions of the country. The locations might include: 1) Rapid City; 2) Pacific Northwest; 3) Navajo Region, Gallup, NM; 4) Albuquerque; and, 5) Southeast (Nashville or elsewhere).
 - The IECR Outreach budget allows for five Committee members to attend each of these sessions.
 - Consultations will be publicized in the Federal Register and in local newspapers
 - Draft report will be distributed to tribes, schools, ELOs, and others 30 days in advance of consultation meetings and made available on the web page
 - When possible, these could be coordinated to occur around the time of scheduled regional Tribal meetings, to avoid the need for additional travel for Tribal participants
 - Each Committee member would be expected to attend one of these formal consultation sessions. Because geographic distribution of Committee members does not align exactly with the geographic distribution of the consultations, some committee members would attend sessions outside of their regions.
 - At least one Committee Co-Chair would attend each consultation session, and lead the session along with other Committee members and the DFO.
 - The facilitators will help BIA organize logistics, and one facilitator will be in attendance at each session to take notes and assist the co-chairs and DFO as needed.

2) Additional outreach sessions

- Each committee member (or a few organizing together) could, to the extent possible, also hold outreach and feedback sessions within their regions.
- These sessions would likely be held in conjunction with regular other meetings in the region.
- A slide presentation (and handouts) as developed for the committee-wide consultations would be available.
- The travel would be funded by each individual member's caucus/outreach funds, managed by CBI. Each member has up to \$1000 for travel for caucusing and outreach with constituents.
- BIA/BIE would, to the extent possible, work to have at least one Bureau representative (might include an ELO, for instance) at these sessions.
- CBI has a limited budget for facilitation staff to attend and document these session. If members are interested in facilitation support, please let the facilitators know as soon as possible. If demand exceeds available funding, co-chairs and the DFO may need to determine priority.

A Committee member observed that the Navajo region may need an additional meeting for outreach, perhaps in Gallup. Another Committee member suggested that a consultation could be held at the NCAI midyear conference on June 16 in Milwaukee. A Committee member suggested including one Catalog subcommittee member and one Formulas subcommittee member at each meeting so that they can explain how the ideas were developed. Committee members agreed that each Committee member should attend at least one consultation session to be able to hear the input.

Report Review

Committee members discussed options for a technical or legal review of the reports. Several Committee members expressed interest in hiring a technical expert to review the document for consistency, accuracy, and legal issues. Committee members asked the facilitators to work with the Co-Chairs to find a third-party reviewer. The reviewer would make their review of the document before the next Committee meeting.

Next Committee Meeting

Several Committee members commented that they would like another Committee meeting before Consultations to work on the formulas and prepare for outreach. Michele Singer, DFO, noted that she did not currently have funds for an additional meeting. She explained that the Committee is chartered through January 4, 2012 and that she had envisioned holding consultations in the Spring with a final Committee meeting in Fall 2011. A Committee member noted that they would not be able to attend another committee meeting due to cost constraints. Another Committee member commented that if the Committee is to hold another meeting, all Committee members must be well prepared, having reviewed a revised draft of the report and prepared their questions in advance of the meeting. Patrick Field, Facilitator, agreed to incorporate the work of the present Committee meeting into the draft report for circulation before the next meeting.

Michele agreed to seek additional funding if needed. Committee members voted on whether to

have another Committee meeting in March/April 2011. The Committee voted to hold an additional Committee meeting, if possible, before Consultations.

Dr. Jerry Brown, Committee member, closed the meeting with a convocation.

Public Comments

There were no public comments made at the meeting.

Appendices

A: Meeting participants

B. Action Items

C. List of Handouts Distributed at Meeting

Attachment A: List of Meeting 5 Attendees

<i>L_Name</i>	<i>F_Name</i>	<i>Representing</i>	<i>Alt/PriM</i>	<i>Attend ed</i>
Anderson	Gregory	Muscogee (Creek) Nation of Oklahoma	Primary	1,2,3,4
Azure	Janice	Turtle Mountain Band of Chippewa	Primary	1,2,3,4
Begay	Jimmy	Navajo Nation	Primary	1,2,3,4
Brown	Gerald	Confederated Salish and Kootenai Tribe	Primary	1,2,3,4
Cheek	Jacqueline	Bureau of Indian Education	Alternate	1,2,3,4
Colhoff	Fred	Oglala Sioux Tribe	Primary	1,2,3,4
Eskeets	Emerson	Office of Facilities Management and Construction	Alternate	1,2,3,4
Gross	Shirley	15 Tribes of ND, SD and NE	Primary	2,3,4
Hogan	James	Rosebud Sioux Tribe	Primary	Designat ed alternate
Hudson	Lester	Navajo Nation	Primary	1,2,3,4
Gilbert	Regina	AS-IA, Office of Regulatory Affairs and Collaborative Action	Alternate	1,2,3,4
In the Woods	Bryce	Cheyenne River Sioux Tribe	Alternate	1,2,3,4
Leader Charge	Fred	Rosebud Sioux Tribe	Alternate	1,2,3,4
Lujan	Frank	Pueblo of Isleta	Primary	1,2,3,4
Taylor	Arthur	Nez Perce Tribe	Primary	1,2,3,4
Miller White Bull	Merrie	Cheyenne River Sioux Tribe	Primary	1,2,3,4
Ojaye	Betty	Navajo Nation	Primary	1,2,3,4
Porter	Jim	Office of the Solicitor	Primary	1,2,3,4
Rever	Jack	AS-IA, Office of Facilities, Environmental and Cultural Resources	Primary	1,2,3
Roessel	Monty	Navajo Nation	Primary	3,4
Singer	Michele	DFO/ AS-IA, Office of Regulatory Affairs and Collaborative Action	Primary	1,2,3,4
Tah	Andrew	Navajo Nation	Primary	1,2,3,4
Talayumptewa	David	Bureau of Indian Education	Primary	1,2,3,4
Witt	Jerome Wayne	Oglala Sioux Tribe	Primary	1,2,3,4
Wright	Catherine	Hopi Tribe	Primary	1,2,3,4
Yazzie	Albert	Navajo Nation	Primary	1,2,3,4
York	Kennith	Mississippi Band of Choctaw Indians	Primary	1,2,3,4
Zah Bahe	Lorena	Navajo Nation	Primary	1,2,3,4

Other Participants

<i>L_Name</i>	<i>F_Name</i>	<i>Representing</i>		<i>Attended</i>
Field	Patrick	Consensus Building Institute	Facilitator	1,2,3,4

Hanson	Barbara	U.S. Bureau of Indian Education, NM Navajo Central Agency	Public	1,2,3,4
Harvey	Kate	Consensus Building Institute	Facilitator	1,2,3,4
Kincaid	Douglass	U.S. Bureau of Indian Affairs - OFMC	Technical Expert	1,2
Smith	Stacie	Consensus Building Institute	Facilitator	1,2,3,4
Stortz	Sasha	U.S. Institute for Environmental Conflict Resolution		1,2,3,4
Tubby	Julia	Mississippi Band of Choctaw Indians	Public	1,2,3,4

Attachment B: Action Items from Meeting 5
NCLB Meeting 5
Action Items
Last updated 2/18/11

Action Item	Who	Status
Confirm additional meeting funding, dates, and logistics	DFO with USIECR	
Update chapters	CBI	By March 11
Draft language summarizing Impact Aid for public and DOD schools impact for the Introduction	Jerry, Lester, Monty	
Get existing data on funding for DOD and public schools (from OIEP?)	David (he said that he had this data)	
Update FMIS roles and responsibilities chart	OFMC	By end of the week
Send Committee members a reminder to gather quotes and photos for the report	Regina	E-mail sent 2/16
Run sample schools through proposed new school replacement and FI&R formulas to test impact	OFMC	Will check in on two weeks.
Post photos for Committee Review	CBI	Posted. Awaiting final pictures
Send Committee copy of RFP with new language requiring educational needs	OFMC/Regina	Done
Update FCI list (check the updated list which had two new Navajo schools listed in poor condition)	OFMC	Completed at meeting (OFMC pull list).
List of how many schools were what ages, in ten year increments, with the names of schools	OFMC	Completed at meeting
Overview of overview of environmental issues (asbestos, etc) (requested 1/9)	OFMC	Send
Identify options for immediate action for schools not using FMIS	OFMC	Check
Develop strategies for addressing collaboration/communication between OFMC and BIE	Jack and David	
Distribute Committee budget	DFO	E-mailed 2/10
Send draft Dormitory Standards language to the Federal Register	DFO	
Identify and secure technical reviewer for the report (Ken Ross)	Frank.Catherine, Jimmy Begay, Shirley	Proposal drafted – see below
Draft meeting Summary	CBI	In progress

Attachment C: Handouts Distributed at Meeting

- Meeting Agenda
- Draft report chapters for Committee revision
- NCLB Committee Meeting 4 Summary
- Summary of Complementary Educational Facilities Survey results (updated)
- Summary of FMIS Survey results (updated)
- GAO 2001 report