

**The No Child Left Behind School Facilities and Construction Negotiated Rulemaking
Tribal Consultation Meeting – Miami, Florida
Tuesday, July 19, 2011**

Five members from the public attended. Nine Committee members were present including Arthur Taylor, Shirley Gross, Dr. Kenneth York, Greg Anderson, Monty Roessel, Catherine Wright, Jackie Cheek, and Jack Rever. Also present were Glenn Allison, Regina Gilbert, Annette Romero, and Seyi Olubadewo.

Dr. Kenneth York served as the MC of the consultation. Dr. York conducted the opening prayer, and then Committee members and consultation participants introduced themselves. Below is the summary of audience suggestions regarding the catalog and formula recommendations in the draft report:

Catalog of Facilities (presented by Shirley Gross & Arthur Taylor):

- One participant requested that school boards be granted access to the FMIS system so they can review what their schools have put into the system and make sure they are up to date, rather than waiting for the yearly reports that are sent out.
- One participant requested that the committee produce some guidance about how much of a time commitment is needed to enter data into FMIS, so that managers will realize the time commitment that is needed to maintain FMIS data. Another participant suggested that there should be a list of items that schools are expected to enter or update into FMIS each month, such as entering utility costs, reviewing their backlog list, etc. *Jack Rever responded that many factors determine the amount of time necessary to input information into the system, so it is not possible to provide time estimates.*

Minor Improvement & Repair (MI&R) Formula (presented by Catherine Wright):

- Greg Anderson read a statement from the Eastern Oklahoma Tribal Schools Facilities Management Program into the record. The statement contained several objections to the MI&R formula including:
 - The recommended MI&R formula does not take existing building age and condition into consideration. The repair needs and costs for older buildings are significantly greater than newer buildings.
 - The recommended MI&R formula does not distinguish between building types or uses. Additionally, it does not allow different funding levels based on building type or use.
 - The recommended MI&R formula does not make any allowance for location conditions, climate, and weather, which can influence the rate of wear on a building.
 - If the recommended MI&R formula bases funding on area, schools will be motivated to keep old, unused buildings that would otherwise be demolished in order to maintain maximum area.
 - The current MI&R system serves the schools and students well, while the new formula is a rigid, fixed-funding system.

- Overall, the Eastern Oklahoma tribes were under-represented on the NCLB committee, while other tribes had multiple representatives and voted in blocs. There was not fair and equitable representation on the committee.

Major Facilities Improvement & Repair (FI&R) and New School Replacement Formulas (presented by Monty Roessel & Greg Anderson):

- Participants did not provide any recommendations for the makeup of the New School Review Committee.
- One participant asked whether old schools that were renovated and added on to in the early 80s are likely to be placed on the priority list? *Monty responded that old buildings that are well maintained are ranked in good condition are not likely to get on the priority list. However, entering information into FMIS will reflect the true condition of the school, and consideration of additional characteristics in the new school formula may make the school eligible for replacement.*
- One participant shared his concerns about environmental and infrastructure factors that affect schools, and gave the example of his school's lagoon and water supply, which was contaminated with uranium. He wanted to know whether this problem would be factored into the new school construction formula. *Jack Rever offered to speak further with this participant about the issue at his school after the meeting.*