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MINUTES OF THE
NO CHILD LEFT BEHIND
TRIBAL CONSULTATION SESSION

June 16, 2011

Muckleshoot Tribal School
15209 Southeast 376th Street
Auburn, Washington

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REPORTED BY: Robyn L. Fisher, CCR, RPR
CCR No. 2590

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PRESENT: Jerry Brown
Stacie Smith
Arthur Taylor
Wayne Witt
Emerson Eskeets
Michele Singer
Charlotte Williams
Jackie Cheek
C. Michael Aaron
Verla LaPlante
Mike LaPlante
Deborah Bordeaux
Chris Bordeaux
Patricia Lewis
Sasha Stortz

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THURSDAY
JUNE 16, 2011
9:19 A.M.
* * *

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7 JERRY BROWN: I guess we'll go ahead and
8 get started.

9 My name is Jerry Gerald Brown. I'm one of
10 the co-chairs, and I'm also the Chairman of the School
11 Board of the Two Eagle River School on the Flathead
12 Indian Reservation.

13 What we'll do to get started is I'll ask
14 each of the committee folks that are here to introduce
15 themselves, and for the sake of the court reporter, I
16 guess, if you would give your name and title and where
17 you're at and what your position is with the committee so
18 she can get it for the record.

19 So I'll start with Mr. Witt.

20 WAYNE WITT: My name is Jerome Witt, and
21 I'm with the Loneman School Corporation as a project
22 coordinator, and I'm from Pine Ridge Indian Reservation.

23 ARTHUR TAYLOR: Good morning. My name is
24 Arthur Taylor. I am a member of the Nez Percé tribe, and
25 I work at the University of Idaho, and that's it.

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1 JACKIE CHEEK: Good morning. I am Jackie
2 Cheek. I'm the Special Assistant to the Director for the
3 Bureau of Indian Education. I'm located in the
4 Washington, D.C., office. I'm an enrolled Seneca on the
5 Allegany Reservation in New York state.

6 EMERSON ESKEETS: Good morning. My name
7 is Emerson Eskeets. I'm the Deputy Director for the
8 Office of Facilities Management and Construction. We are
9 located in Albuquerque, New Mexico.

10 MICHELE SINGER: Good morning. My name is
11 Michele Singer. I'm the Director of Regulatory Affairs
12 and Collaborative Action in the Office of the Assistant
13 Secretary, Indian Affairs. I'm what they call the DFO,
14 the designated federal official for this committee.

15 So on behalf of the committee, I want to
16 say thank you for having us, for setting this up. We do
17 appreciate it.

18 It's always hard to tell what attendance
19 is going to be like, but it's important to us to be in
20 this facility at a school where possible. It's important
21 to do what we're doing.

22 And also to our federal team and our
23 tribal members including our co-chair. You know, the
24 committee is made up of 22 tribal representatives and
25 four federal representatives, and it really has been a

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1 good collaborative process, we think, and it's evidenced
2 by the leadership of Jerry as co-chair and our tribal
3 reps who are here as part of this process. So thank you
4 for having us and providing such a nice facility.

5 It is -- I think some of you probably
6 know -- our second visit to the school. We had one of
7 our committee meetings in Seattle last year and had a
8 fantastic tour of the school. We were given beautiful
9 gifts that the children made and just had a wonderful
10 experience, so we were excited to come back. I think we
11 all had such a great feeling of being here, so thank you.

12 STACIE SMITH: Hi there. I'm Stacie

13 Smith. I'm a member of a neutral facilitation team that
14 was hired to try and help the committee just get through
15 their work and work together well, so that's my M.O.

16 SASHA STORTZ: Hi. My name is Sasha
17 Stortz. I am with the U.S. Institute for Environmental
18 Conflict Resolution. We're helping to convene this
19 process. Thank you for having us today.

20 PAT LEWIS: I'm Pat Lewis, and I'm also
21 with the U.S. Institute, and I'm here just to support
22 Sasha and the group, and I'm very honored to be here.
23 Thank you.

24 JERRY BROWN: We've put together a Power
25 Point presentation, some of which we'll just go through,

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1 but this tells us what our overall agenda will be. We're
2 going to try to review the work of the committee and the
3 summary of the draft report and record comments and
4 questions on the recommendations in the draft report.

5 I'd ask Michele if she will give us the
6 committee's statutory mandate.

7 MICHELE SINGER: Thanks, Jerry.

8 I did want to say, did we have the
9 opportunity for these people to introduce themselves real
10 quick? Since we're small, let's get to know each other.

11 CHARLOTTE WILLIAMS: I'm Charlotte
12 Williams, and I serve on the Muckleshoot Tribal Council
13 as Vice Chair.

14 MICHAEL AARON: I'm Michael Aaron, and I'm
15 superintendent for the schools here in Muckleshoot, and
16 we're very happy to have all of you here.

17 MICHELE SINGER: Thanks very much, and
18 thanks for taking the time to do this and recognize the
19 importance of the work that the committee has done.

20 It's an interesting thing, so we just want
21 to take a brief minute to talk about what we were tasked
22 with doing in the statute because it is quite different
23 than say -- you know, you hear the term negotiated
24 rule-making committee, but we're not actually tasked with
25 developing rules for regulations.

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1 What the statute -- and this is the
2 Elementary and Secondary Education Act as updated by the
3 No Child Left Behind Act -- it mandated reports, and you
4 can see up there we're tasked with coming up with a
5 catalog of the conditions of Bureau-funded schools, a
6 school replacement and new construction report, and a
7 school facilities renovation and repairs report.

8 And what those reports are supposed to
9 contain are an identification of the needs of the schools
10 and a formula or formulas or formulae -- since I'm in a
11 school, I should say it properly -- for the equitable
12 distribution of funds to address these needs. That is
13 our statutory mandate.

14 One of the discussions that we had in the
15 committee was trying to make sure that the report we came
16 up with expressed those needs in a really full and robust
17 way because I think it's clear that the funding is not
18 adequate to bring all schools up to fair or good
19 condition or to replace the schools that need to be

20 replaced. So the committee members felt very strongly
21 that what this report would do is highlight the need and
22 the actual need.

23 Though we can't lobby because it is still
24 a federal government report, we can't lobby for the
25 funds, we can't specifically ask for them, our goal is to

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1 make clear the need. So there is the statutory mandate,
2 and there is the strong feeling of the committee of what
3 they wanted the reports to accomplish.

4 All of the committee documents from all of
5 our meetings, the draft report, the minutes from all of
6 the meetings, everything can be found on that website,
7 and if you want to go back through kind of what we've
8 done or anything that's happened or any specific meeting,
9 you can really see the development of the process by
10 doing that.

11 So I'm going to turn it back over to
12 Jerry, and the different committee members are going to
13 walk through their areas.

14 JERRY BROWN: As Michele said, we're not
15 able to lobby this process. Those of us that are tribal
16 representatives are hoping and intend to work with our
17 tribes to use the report to lobby for additional funds,
18 but those of us on the introduction committee work real
19 hard to present [inaudible] of Indian education as
20 mandated in treaties and agreements with the federal
21 government to try to show that they're horrendously
22 underfunded.

23 So in working through the introduction, we
24 did present the tasks and process and the federal
25 government's duty to educate the native children. We

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1 went through and presented more prevailing treaty
2 language from the various treaties and executive orders
3 to try to show that the federal government did have a
4 duty to educate Indian children on reservations within
5 tribes.

6 And we also presented the information that
7 the federal government is also primarily responsible for
8 the education of children in the Department of Defense
9 Education Agency. We tried to prepare -- we didn't have
10 a lot of real good data, but we tried to at least address
11 the notion that there had to be some parity between the
12 Department of Defense and the Department of Interior of
13 the Bureau of Indian Education, so we did present some
14 information on that with the introduction.

15 We also addressed the federal failure to
16 provide quality school facilities. We still have some
17 schools out there that are over 100 years old. Most of
18 them are 50 to 60 years old and need a lot of work.

19 Then we also pointed out the lack of
20 transparency in the allocation process of funding. Of
21 course, one of our mandates is to come up with a more
22 fair system of allocating funds.

23 So one of our first mandates was a
24 catalog, so Art Taylor is going to present on the
25 catalog.

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1 ARTHUR TAYLOR: Good morning again. My
2 name is Arthur Taylor. I've had the privilege to be a
3 part of the catalog subcommittee, and it's been a huge
4 learning experience for me as a former tribal council
5 person and as an individual who works in higher ed to
6 discuss the need for facilities and to actually look at
7 the condition of facilities and why some facilities are
8 in the condition that they're in.

9 Per the statute that Michele just went
10 over, we are to develop a catalog for the condition of
11 school facilities at all Bureau-funded schools, and we
12 can see on the slide here that incorporates a number of
13 things.

14 It looks at evaluating the parity in the
15 school systems from the Department of Defense and the
16 BIA.

17 It rates such facilities with respect to
18 the rate of deterioration and useful life of major
19 systems.

20 It develops a routine maintenance schedule
21 for each facility.

22 It identifies and looks at, and we've kind
23 of had to struggle with what are our complementary
24 educational facilities, do they exist, what are needed.

25 And then looking at funds, what are the

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1 funds needed to keep facilities in a condition that's
2 viable and looking at accreditation standards for No
3 Child Left Behind.

4 So in the catalog committee, we wanted to
5 look at the condition of the school facilities, and in
6 2011 we noticed that 34 percent of the schools are in
7 poor condition.

8 We estimated that it would cost \$1.3
9 billion to bring the 63 schools that were in poor
10 condition from poor condition up to fair, acceptable
11 condition which also would include the new construction.

12 In 2010 the OFMC requested \$112 million
13 for school facility construction.

14 In 2011 OFMC received \$46 million for
15 school facility construction, so you can see there's a
16 huge difference in what we requested and what is
17 allocated for OFMC.

18 In the next chart, trying to understand
19 how the information from a school facility through FMIS
20 and how it eventually gets approved. So you look at the
21 top line which is the local facility manager. That
22 facility manager enters those deficiencies into the FMIS
23 system. They're all entered except for the safety codes.

24 Then from the FMIS system it's picked up
25 by the regional facility manager. That's where it's

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1 either approved, disapproved, or changes, costs, things
2 of that nature are beginning to be added to this.

3 Then you can see the next line there are
4 three areas. There is a gate keeper for the contractor.
5 There is a safety inspector, and then there a contractor
6 that goes around to all the school facilities every three
7 years, if I'm correct. Then OFMC finally approves the

8 backlog, and that's all based upon the information as it
9 is input into the FMIS system.

10 Some of the areas of concern that we had
11 as a catalog committee -- and I'm going to go into
12 greater detail into each of these areas -- but the
13 accuracy of the FMIS data in the FMIS system, the roles
14 and responsibilities; who is responsible to do what in
15 the FMIS system, and who is responsible to do what at
16 each school.

17 FMIS training, the need for more FMIS
18 training and technical support, the system administration
19 and being able to access FMIS from a remote computer
20 terminal or from a remote system, and the transparency of
21 the condition of facilities.

22 So the first one, we looked at incomplete
23 and inaccurate data information. This is the information
24 that's input into the FMIS system, and how do we know
25 that each school -- this was a discussion with each of

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1 us -- that each school has a different way of writing and
2 inputting the data into the system, and so how do we
3 ensure that the verbiage and the words are correct and
4 somewhat standard across the country so that everyone has
5 the same information that they're inputting into the
6 system.

7 So we need to prioritize the assistance
8 for schools needing help with FMIS data entry because
9 some schools have more access to FMIS because of the
10 training they've received. Other schools have less
11 access based on the need for inputting the data into FMIS
12 and making sure that the schools have access to FMIS,
13 ensure that administrators understand FMIS, and we wanted
14 to make sure that people who were responsible for FMIS
15 within each school have at least 40 hours of training for
16 that.

17 JERRY BROWN: We have some new people
18 coming in.

19 ARTHUR TAYLOR: Can we get you to sign in
20 here, please?

21 VERLA LaPLANTE: Sure. Good morning.
22 Sorry about the entrance. I really am a shy person. I
23 hate that.

24 My name is Verla LaPlante, and I work for
25 the Seattle Education Line Office. I'm an educational

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1 specialist. So I guess basically my role here today is
2 just to listen and learn.

3 ARTHUR TAYLOR: Thank you.

4 MIKE LaPLANTE: My name is Mike LaPlante.
5 I'm the Regional Facility Manager in the Northwest
6 Region. I work for the Office of Facility Management and
7 Construction.

8 ARTHUR TAYLOR: Thank you.

9 JERRY BROWN: Can you give them a brief of
10 where we've been?

11 ARTHUR TAYLOR: Where have we been?

12 JERRY BROWN: Just to let them know that
13 their tardiness didn't cause them to lose anything.

14 ARTHUR TAYLOR: We're actually just

15 getting started with the presentation.

16 We've gone through the statute and what
17 the statute requires the committee to do. And then from
18 there we have started with the first section, which is
19 the catalog and creating a catalog of the condition of
20 school facilities. So we're going through some
21 recommendations right now on the recommendations from the
22 catalog subcommittee, and then we'll go on from there.

23 STACIE SMITH: Just in time to talk about
24 the government role.

25 ARTHUR TAYLOR: Yeah, the government role

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1 right here.

2 One of the other areas of the problems
3 that we identified in the catalog subcommittee was the
4 consistency of the local Bureau staff to provide FMIS
5 assistance to schools -- and we have more people coming
6 in -- and some of the recommendations that we made in the
7 catalog subcommittee was to develop a structure to
8 improve OFMC and BIE coordination, and I think that's
9 still ongoing, if I'm not correct, and making sure that
10 both of those -- I can't remember the names of both of
11 them, but they're all talking to each other, and they're
12 all on the same page.

13 Defining the roles and responsibilities
14 for all parties using FMIS from the school up to the
15 headquarters.

16 Ensuring assistance and monitoring by OFMC
17 and BIE of all schools using FMIS, which includes grant
18 and contract schools, so all schools, making sure that
19 all schools have equal access to equal information.

20 Emphasize responsibility on school
21 administrators to make sure that FMIS is updated on a
22 routine basis and require all schools to use FMIS.

23 The next area of problem identified was
24 the lack of training for a lot of staff who work with
25 FMIS or need to work with FMIS, so ensuring that training

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1 is offered for all users at a location that's easy for
2 those people to get to in case funds are limited for
3 travel, and then more needed support to ensure that
4 schools use FMIS effectively.

5 To develop a national FMIS users group, a
6 regional FMIS support group so that people in the Pacific
7 Northwest, if you didn't have an opportunity to travel to
8 Albuquerque for training, that someone up here in the
9 Pacific Northwest would assist you, provide technical
10 assistance to the schools whether it's on phone or on a
11 site visit or whatever to help you get through and make
12 sure that your data that you're inputting into the system
13 is correct.

14 Provide a 40-hour basic training,
15 refresher trainings on a regular basis in the different
16 regions.

17 Provide FMIS users advanced notice and any
18 necessary training before new FMIS requirements take
19 effect. I think that's just a little bit to make sure
20 that all people who have the information to input the
21 data into FMIS have the new information as it is coming

22 out, the new regulations or new information so that
23 everyone who that has that opportunity are on the same
24 page.

25 The next area is accessing FMIS, and fewer
0017 users know where to turn for assistance and long response
1 time.
2

3 To make sure that FMIS is easily available
4 on the web from a remote location. If you are at a
5 different location and not on the school facility
6 property to make sure that you have that access from a
7 computer off site.

8 Ensuring that OFMC and the CIO respond to
9 FMIS problems quickly and efficiently.

10 Notify all FMIS users when the system is
11 going to be down and how long it will be down.

12 To provide regional/agency support,
13 regional assistance teams to ensure that all the backlogs
14 that need to be input into the system have that
15 opportunity, that they have access to that, and that they
16 have technical assistance when needed.

17 And lastly, to ensure that the
18 transparency of the contractors, that the role is clear,
19 there's communication with the schools, and the
20 accountability to schools is limited.

21 So what the recommendation was is to
22 improve the communication between the contractors and the
23 schools, and a lot of this has to do with the safety
24 inspector that comes around to the school every three
25 years to make sure that there is a clear flow of

0018 information going back and forth between the school
1 administration and the school facility people from the
2 contractor when the inspection is completed.
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4 So requiring a formal entry and exit
5 interview between school and the contractor.

6 To provide a copy of the contractor's
7 facility assessment report to the school.

8 Ensuring that the contractor be
9 accompanied by school staff during the contractor's visit
10 in case the contractor is missing something, and that
11 school facility person understands that there is
12 something that that person needs to see.

13 Provide the administrator the contractor's
14 scope of work and a printout of the school's backlogs
15 from FMIS within 30 days or the school's list of backlogs
16 from FMIS 30 days prior to the contractor's visit.

17 And anyone with access from that location
18 should receive notification if backlog entries are
19 changed by the gate keepers.

20 JERRY BROWN: Safety inspector -- that's
21 the gate keeper?

22 EMERSON ESKEETS: No, that's not the gate
23 keeper. That's after the slide here. I believe this was
24 about the conditions assessment of contractor. Those
25 people that go out to the site every three years, they

0019 need to do all the bullets and provide the formal
1 notification that they're coming on site, do the
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3 inspection of the school facilities, look for
4 deficiencies, then have the out brief. We have a safety
5 inspector who does an annual inspection. They do their
6 own safety inspection, and they do their own FMIS end
7 code. Then once all this information comes back from the
8 contractor, that goes to the gate keeper who reviews it
9 for accuracy.

10 ARTHUR TAYLOR: Now that that section is
11 complete, I guess it's open for comments from our
12 visitors on the catalog section, so if you have any
13 comments.

14 JERRY BROWN: I didn't pause for comments
15 on the introduction, so if you have comments on that, you
16 can also do that. But you have the report, and you're
17 free to make comments at a later date when you go through
18 it and decide that you want to make comments.

19 And we appreciate any and all comments we
20 can get because as a committee we've taken 18 months now,
21 and we've gone through this over and over again, but
22 we're not the final word. If you see something that you
23 think needs to be inserted in there to give Congress and
24 the Secretary of Interior a little more insight on what
25 should be happening with facilities construction, please

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1 come forth with it, and we will try to -- we're meeting
2 again in September, and we will provide all the comments
3 and input and consider putting other information in the
4 report.

5 So are there any comments at this point?

6 ARTHUR TAYLOR: On the introduction
7 section or the catalog, condition of school facility
8 catalog subcommittee.

9 JERRY BROWN: Or any great ideas that you
10 have.

11 ARTHUR TAYLOR: If there are any other
12 additions made, you know, I think that would be great
13 too, of ways we can assess the condition of the school
14 facilities or how we can improve the FMIS system with
15 data.

16 I guess a lot of the concern with the
17 catalog subcommittee was making sure that every school
18 had a person that was responsible to input that data into
19 FMIS.

20 As we understood that not all schools have
21 that person, and people leave the school, you know, they
22 leave the school for other employment, and that leaves a
23 hole with that school because the new person coming in
24 doesn't have the training for FMIS input, so that school
25 is on hold for FMIS until that person receives the

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1 training. So it's really important, that making sure all
2 schools have equal access.

3 JERRY BROWN: Did you cover the rationale
4 behind using FMIS as the framework for the catalog, how
5 we came up with that determination to use FMIS? Because
6 our mandate was to come up with a catalog, and were we
7 going to invent one or FMIS was already there.

8 ARTHUR TAYLOR: Yeah, FMIS was already
9 there.

10 In light of not having another program or
11 another computer system or data system available to us,
12 we thought FMIS was a great way to look at assessing the
13 condition of school facilities because it covers
14 everything from safety and routine maintenance to
15 condition of school facilities. So creating the catalog
16 based upon the current FMIS system was our way of
17 creating that catalog, was the basis or I guess the start
18 for us to create that catalog or begin to create that
19 catalog.

20 Am I correct with that, Michele?

21 MICHELE SINGER: Yes.

22 ARTHUR TAYLOR: Because number one, we
23 didn't have the time or resources to create a brand new
24 system.

25 STACIE SMITH: I wonder if it would be

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1 useful because we have the regional facility manager and
2 someone from BIE, I don't know if you would have any
3 experiences from this region about how well you feel like
4 the FMIS system is being supported, how well the agencies
5 are working together to make sure that gets done. I
6 don't know if you want to share your thoughts or
7 experiences on that with the committee. That might be
8 helpful.

9 MIKE LaPLANTE: Well, basically what we've
10 seen in Albuquerque and other places also is that people
11 aren't keeping it up to date, your know. It makes your
12 request for services take longer because, you know, if
13 you say we go out and request money for a project and all
14 the sudden, you know, this backlog was from five years
15 ago, the cost difference now from then until now is quite
16 different. Now you've got to go back to the kitty again
17 and try to find some more money, you know, so it slows
18 down the process.

19 Where if they'll keep going back and
20 bringing these things up to date, everything will be
21 current, prices will be current, you know, and the whole
22 system will actually stay clean, you know, where even as
23 these smaller projects that are sitting there in the
24 backlog, for some reason there may be some money that
25 came available through the school, and they've actually

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1 taken care of that problem but it's never been addressed
2 in FMIS and is still sitting there, and if we request
3 money for that particular item that was completed, then
4 we've got to send that money back. We can't use it for
5 another item. It's designated for that one particular
6 cost, so you've got to send it back. Then it starts all
7 over again, you know.

8 So that's the purpose of keeping it all up
9 to date and keeping it clean and keeping it, you know --
10 and it's very important that all the locations do that
11 because...

12 CHARLOTTE WILLIAMS: Can that be
13 reimbursed?

14 MIKE LaPLANTE: There are certain things
15 that can be reimbursed. [Inaudible] classified as an
16 emergency, you know, something that had to be fixed that

17 is really crucial to your operation, you know, those can
18 be addressed with your own money, can be addressed back.
19 But again, it's still up to the discretion
20 of the gate keeper and everybody else as far as if we
21 feel it's more of a maintenance thing or was it an actual
22 failure.

23 JERRY BROWN: As you speak, if you'd
24 mention your name for Robyn's sake...

25 (Discussion off the record.)
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1 STACIE SMITH: Does it seem that the
2 recommendations that the committee has come up with for
3 improving that problem, do those seem to you like the
4 right ones?

5 MIKE LaPLANTE: Well, we are also seeing
6 too that numerous users have gone out and taken the
7 course, and then they come back and they don't use it,
8 you know. So again, if it's not used, why isn't somebody
9 out there to take it?

10 WAYNE WITT: This is Wayne Witt.
11 I think that was one of the struggles that
12 we as a committee fought with through this whole thing
13 was how to make it fair and make sure that all the
14 schools, their FMIS is kept up to date, whether it be by
15 the school itself or BIE or BIA providing that service.
16 That was one of our recommendations to get BIE/BIA
17 involved with all of these schools to make sure they were
18 all on a level playing field.

19 JERRY BROWN: Jerry Brown here.
20 Yeah, I did want to comment that
21 throughout this process both the BIE and OFMC have been
22 very willing to start doing things right now. They
23 weren't going to wait until we had our recommendations.
24 And we had some very interesting sessions and discussions
25 among BIE and OFMC right at the committee meetings, and

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1 we did see some result.

2 And I think part of what is going to have
3 to happen, and I think the ELOs and the regional people
4 have to kind of cajole a lot of these schools into making
5 sure -- I agree with what you said, you know. They go to
6 training, and they don't necessarily follow it.

7 Being from a school on a school board, we
8 also see, you know, and we decided this year to look for
9 another facilities maintenance person because he went to
10 all the trainings, but we don't see a whole lot of effort
11 beyond that.

12 VERLA LaPLANTE: Also from the BIE side
13 from the education side, this region was without an ELO
14 for numerous years. There was an acting with two people
15 in the office, so the training of FMIS, the push to have
16 FMIS updated, we didn't have the personnel at the line
17 office to take care of the academic side along with
18 ensuring that the maintenance side was also taken care
19 of.

20 We do have more staff; not a whole lot
21 more. There is four of us now, and definitely we are all
22 taking an interest in and understanding the necessity to
23 have reminders out there in regards to FMIS. So for our

24 area, I know that that has been a lack of push.

25 MIKE LaPLANTE: I'd just like to add, you

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1 know, I'm fairly new to this, but just from what I've
2 been seeing, you know, just a comment on your response.

3 It's just very important that each school
4 and each entity out here does their own input because
5 they know exactly what is happening at their facility,
6 you know.

7 We get calls, and we get an idea of some
8 problems that are existing here, but we don't really know
9 the full impact of what those problems are, you know. So
10 it really needs to come from each area, so really that's
11 where it needs to be addressed, unless there is need for
12 asking for more help or assistance.

13 ARTHUR TAYLOR: I have a question then for
14 you.

15 Schools in this region if they don't have
16 any person on site, on their school facility site to
17 input data into FMIS, do they contact you to say, "We
18 need some assistance with that data," or does it just sit
19 on someone's desk until they find someone and hire them
20 and then receive the training in order for that data to
21 go through?

22 MIKE LaPLANTE: I guess it would have to
23 be probably partially sitting on my desk until I get to
24 it or, you know, unless we can refer into Albuquerque to
25 Mark Patterson or, you know, or other entities.

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1 EMERSON ESKEETS: The point is that they
2 pick it up along the way.

3 ARTHUR TAYLOR: But the school has to
4 notify you first that they have no one on the site to do
5 that anymore. That person has left, or that person has
6 gone to another position, no longer here, she's no longer
7 responsible for that data, and that school notifies you?

8 VERLA LaPLANTE: I think in changes in our
9 organizations, and I know that Mike is new to the
10 facilities region, and I know that via his supervisor and
11 Mike working together, Mike is going out and trying
12 judiciously to get in contact with all of the schools
13 that they have to supervise facilities for letting him
14 know that he's there and willing and ready to help. And
15 this is also brought down to BIE at the line office, so
16 having people out there who are really aware of the needs
17 and know their job and having that push because Mike has
18 made it something that we're very aware of at the line
19 office, so I know their schools are aware of, hey, you
20 need to be putting this information in FMIS. It's
21 crucial to what you guys need.

22 So again, it's good to have people out
23 there who do know what they're doing and giving that
24 feedback all the way around so that we're all aware, and
25 we're all on the same page.

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1 JERRY BROWN: Our ELO is having a meeting
2 this week in Billings, so I wasn't able to go to that.

3 ARTHUR TAYLOR: Any more comments,
4 questions on FMIS? Suggestions, recommendations?

5 I know we're not going to fix the wheel
6 here, but I think it's a start for us to talk about that
7 and figure out where the part of the wheel is broken so
8 that we can try to work together and fix that.

9 VERLA LaPLANTE: I think it's like here,
10 the training that you've been talking about, maybe just
11 on a regular basis knowing that in regions training on
12 FMIS has to happen, and I don't know, you know, that
13 wouldn't be me making that determination but higher up
14 who would be providing those trainings and how often, but
15 maybe just ensure that it's out there that, hey, you know
16 what, FMIS is critical, so we need to ensure that every
17 so often somebody knows there is a training out there
18 because of turnover.

19 JERRY BROWN: I think one of the problems
20 in this last couple years has also been the turnover at
21 the central staff with O&M within the BIE [inaudible]
22 liaison, BIE and OFMC, Glen Allison. Glen is not new to
23 the BIE, but he's new to this.

24 VERLA LaPLANTE: [Inaudible].

25 JERRY BROWN: In fact, Glen and I worked
0029 in plant design and construction back when they built a
1 lot of these schools 40, 50 years ago.

2 Again, like I was saying earlier, even
3 though the committee is still ongoing, there are efforts
4 now to straighten out some of the communication problems
5 and some of the other concerns.

6 I think the ELOs do have to step up, and
7 maybe they might need training in FMIS and other
8 particulars in terms of the liaison that Glen is doing.

9 ARTHUR TAYLOR: I think we're moving on to
10 the next item on the agenda, which is a break.

11
12
13 (Recess taken from 10:06 a.m. to
14 10:26 a.m.)`

15
16 EMERSON ESKEETS: My name is Emerson
17 Eskeets. I'm the Deputy Director for OFMC.

18 This portion of the presentation is on the
19 formulas for minor and major renovation and facility
20 replacement. This is a portion of the discussion that
21 took place that's up here now for presentation, and we'll
22 walk you through it and show you some of the
23 recommendations that were talked about.

24 This slide talks specifically -- maybe not
25 specifically but at a high level of the budgets that come
0030 through OFMC's program.

1 At a high level there is maintenance and
2 operations that goes directly to the Bureau of Indian
3 Education, so they get the maintenance dollars right
4 away.
5

6 Then we have our minor improvement program
7 and special projects, so we have portables, emergency,
8 energy, roofing, seismic, demolition, condition
9 assessment. Those are all the dollars that are
10 attributed to the minor improvement program, so it's
11 anywhere from \$2.5 to \$500K, and these are identified in

12 the backlog I think we talked about earlier. Backlogs
13 are incoded to FMIS and [inaudible] and put in the green
14 book for [inaudible].

15 (Reporter asks that speaker
16 holds the microphone closer.)

17 The other one is our major facility
18 improvement and repair projects, so again, this is all
19 based on the backlogs that will be incoded to FMIS and
20 anything over 500,000.

21 Then facility replacement, any backlog
22 that shows a value of 66 percent replacement of a
23 building goes into that category.

24 The other category that we have is the
25 whole school replacement. That's new school

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1 construction. That's what it's talking about here is our
2 major program budgets.

3 The existing MI&R project selection
4 process for individual schools, usually there is the
5 backlogs identified in the backlogs, so here it is
6 identified top, individual backlogs meaning that it's
7 high priority. Safety, handicapped accessibilities and
8 prioritized funding.

9 As all the backlogs go through the process
10 from the location which is the individual schools here,
11 it goes through that process, and then it goes to the
12 regional facility manager, and they review it and then
13 prioritize it and forward it to the central office of
14 OFMC which is located in Albuquerque.

15 They further review it and make sure it's
16 in the correct category and ensure that the funding and
17 the descriptions are correct, and they provide funding
18 for that. So that's the process.

19 Some things that were recommended during
20 the meetings that the committee has had was to emphasize
21 to the schools the importance of data entry in FMIS, so
22 that was discussed quite extensively, and we are here
23 today still talking about it.

24 The other recommendation was to publish
25 the criteria that OFMC will use to make MI&R decisions by

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1 including the weighting of the formulas, the point of
2 contact in each regional office and the person in each
3 region who will prioritize the list sent from the
4 regional office to headquarters. So again, we're just
5 talking about communication and making sure everybody's
6 aware of the need and how to follow that process, the
7 guidance that should be with each program.

8 As we do this, they're also talking about
9 somehow making an annual report that explains each
10 decision that was made for each school-proposed project
11 from the prioritization list. So all this, they want
12 some transparency, so they want to put it on the Bureau's
13 website so that everybody can have access to it, review
14 it and what everybody is doing.

15 Again, we're talking about communication
16 with OFMC's regional office must communicate closely with
17 ELO and [inaudible] in the region on the prioritization
18 of MI&R project, and there should be written endorsements

19 or rejection of OFMC regional office's prioritization
20 list by ELO so that it's specifically asking that they be
21 logged. Regional official will include endorsements and
22 objections with prioritization list submitted to
23 headquarters.

24 Alternatively, they want central office to
25 host workshops to have a committee that would review and

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1 comment on the prioritization.

2 Here another recommendation that was made
3 on how to disburse the MI&R funding, the funding was
4 taking two-thirds of the funds disbursed by OFMC regional
5 offices to be allocated to regions based on square
6 footage of all schools' educational & dormitory space in
7 that region. All that information again was based on
8 FMIS.

9 The funds allocated within the regions by
10 regional committee. Members will be made up of ELOs, the
11 regional facility managers, superintendents and facility
12 managers. And I think the [inaudible].

13 The prioritized projects not funded by
14 regional funds to be forwarded to OFMC so OFMC will then
15 work with the one-third remaining funds to further
16 prioritize backlogs based on worst-case backlogs, again
17 using FMIS.

18 Any questions?

19 CHARLOTTE WILLIAMS: Square footage?

20 EMERSON ESKEETS: Square footage?

21 CHARLOTTE WILLIAMS: I'm Charlotte

22 Williams, Muckleshoot.

23 It says that the region is based on square
24 footage of all schools in that region, so does the square
25 footage come from the national first and then to

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1 regional?

2 EMERSON ESKEETS: I think they're going by
3 regional total square footage.

4 CHARLOTTE WILLIAMS: Well, really what I
5 meant is let's say there is ten million, and there's a
6 million for each region, and based on square footage, or
7 is it ten million, ten regions, but one region might only
8 get half a million?

9 EMERSON ESKEETS: Okay. Say it's ten
10 million, and then each region will have so much square
11 footage, and they'll divvy that up like that.

12 STACIE SMITH: So if I can jump in, I
13 think the idea is that the regions are not the same
14 sizes, so they will not be getting the same amount of
15 funding. The funding will vary. Some regions have a lot
16 of square footage, and some have a little square footage,
17 and the budget will be proportional to the amount of
18 square footage in their region.

19 CHARLOTTE WILLIAMS: But not the total
20 national square footage?

21 STACIE SMITH: You take the total national
22 square footage of all the schools in your regional, and
23 you divide it, and you'll get whatever percentage your
24 regional square footage is out of the national. Does
25 that make sense?

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1 CHARLOTTE WILLIAMS: Yes.

2 JERRY BROWN: That was a major debate that
3 we had within the committee because like the region that
4 Two Eagle River School and the schools that are in our
5 area was a very small amount, and some of the committee
6 recommended that maybe we get a little extra, and other
7 committee members from larger regions had some real
8 concerns about that. And I think the end result was
9 well, we'll just see how it plays out because our
10 percentage, square foot percentage is so small that it,
11 you know, we're talking under a couple hundred thousand
12 dollars for O&M. I don't know if it was MI&R or not.

13 But no, that's a good question because I
14 think that's something that needs to be brought forth and
15 looked at by other people as well, and here you brought
16 it up. I think that's a good point. Thank you.

17 STACIE SMITH: Just one last thing is we
18 don't have in our presentation what the funding for 2011
19 would look like for MI&R if it used this formula, but we
20 did come up with that for the committee to consider, and
21 I think it's one of the documents that's posted on that
22 website. So if you want to go and look at that, what
23 would our region be getting, you know, it might be
24 something we make sure is in the report when we do the
25 final version so that people can really see this is what

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1 it would look like given a certain amount of funding.

2 The funding changes every year, so the
3 actual dollars would actually change, but you'll get a
4 better sense of what would the implications of this be
5 for our region. And I can try to pull that up, if that
6 would be helpful.

7 DEBORAH BORDEAUX: This is Deborah
8 Bordeaux.

9 The question that comes to my mind in
10 this -- and I apologize for missing the earlier part of
11 the presentation -- but in the instance of my school,
12 Loneman School, is once they had determined that our
13 school was going to be replaced under the replacement
14 process, we were no longer eligible for MI&R funds.

15 And there were numerous breakdowns at the
16 school or things that were falling apart, and for safety
17 and health reasons we needed to find a way to address
18 them, so that increased a burden to us in our maintenance
19 and operation funds at the school.

20 So how does this distribution or formula
21 address that issue for a school when they've reached that
22 point of saying yes, you're going to get a new school or
23 yes, your school is going to be replaced?

24 And in that time, for us it took a
25 five-year process, and hopefully this will help to

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1 address that, but it took a five-year process, and in
2 that five years we were not eligible for the MI&R funds.
3 Not only did it impact our school, but it impacted our
4 quarters as well. So we continued to have our building
5 fall apart around us and struggled with trying to make
6 sure that we could meet those safety needs and health

7 needs of our students.

8 So how will this help that or address that
9 process.

10 STACIE SMITH: I believe that the
11 committee specified a change to that policy. I'm not
12 sure. I know it was discussed at some point that schools
13 would not be, even though they were listed for new school
14 replacement, they would not be ineligible for MI&R
15 funding while they were waiting; is that right?

16 EMERSON ESKEETS: Well, you know how we
17 work with your school, so I guess your current situation
18 is that you have a new school.

19 In the meantime you have needs, and
20 depending on the severity of the needs we're working with
21 you to reimburse you for those emergency situations, and
22 also at the same time to the extent possible if you have
23 a break in your fire sprinkler system or repair those
24 type things as you're trying to get your school project
25 done, so that's the correct scenario.

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1 I think your question is based on square
2 footage, how will I get allocation. I don't think that
3 really changes. Somehow we'll manage to fix those in the
4 interim while that school is trying to get or is working
5 on a replacement school.

6 DEBORAH BORDEAUX: What you had brought up
7 as an example was when we have an emergency situation,
8 and I know that I hadn't seen that mentioned in here if
9 you have an emergency at your school.

10 For us, our pipes froze, and the sprinkler
11 system froze and that type of stuff, and we had a big
12 flood in four of the classrooms. So that was addressed
13 through the emergency repair, and there is a process for
14 that. I didn't get to read the whole document, and I
15 don't know if that emergency repair is addressed in here.

16 But the word that you used here which I
17 think is really crucial is transparency. Now, the
18 squeaky wheel gets addressed, so not every principal may
19 know, have the same knowledge I do and speak up like I
20 do.

21 My experience has been that a lot of
22 principals that graduate from college and go to work at a
23 tribal grant school aren't told how to address these
24 things.

25 I'm just saying that somehow this needs to

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1 be really clear so that when a principal comes into a
2 situation, and they know they're getting a new school,
3 they need to know, what if I still have breakdowns? How
4 do I address that? What happens?

5 That's where I'm saying this needs to be
6 really clear for them. That's all.

7 EMERSON ESKEETS: Okay. Noted.

8 JACKIE CHEEK: On Page 37 of the draft
9 report, it's Roman Numeral No. 4, Eligibility for
10 Application, and it says, "During the five-year process,
11 these schools should still be eligible for MI&R and FI&R
12 monies as needed to ensure the school can continue to
13 operate and improve its physical condition to meet

14 educational needs."

15 DEBORAH BORDEAUX: Okay.

16 JERRY BROWN: Thanks for bringing that up.

17 EMERSON ESKEETS: Any more questions?

18 Wayne has a question, and yet he was a
19 presenter. Yes, Wayne?

20 WAYNE WITT: My name is Wayne Witt, and I
21 guess mine isn't really a question. It's just a
22 clarification on how this two-thirds of the MI&R funds
23 come into discussion based on square footage, and the
24 reasoning for the division by square footage is to be
25 sure that all the schools get some MI&R funds, and that's

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1 not happening now.

2 And as far as the transparency, what we're
3 recommending is that it come out of the regional office,
4 decided by the facility managers and superintendents from
5 the schools.

6 What's happening now is some of the
7 smaller schools cannot operate with the funds that they
8 have, so they rely on these MI&R funds to help them with
9 their maintenance because most of the MI&R projects can
10 be done by their own maintenance people. And that's why,
11 you know, to make it fair it has to be by square footage
12 so even the little schools will get some money to
13 supplement their maintenance program.

14 EMERSON ESKEETS: Okay. I'll continue.

15 Okay. On the facility improvement and
16 repair recommendations, as far as those go, here is some
17 things that were discussed:

18 Annually publishing & distributing to
19 schools, tribes, and regions the rankings and how they
20 were obtained, and to make sure that the transparency
21 again that they list the projects that will be funded for
22 that year and show the budget for FI&R funding for that
23 year and then also the points of contact responsible for
24 making those decision, so that's their roles and
25 responsibilities.

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1 Any school project or selection in the
2 FI&R program that is not explained solely by the location
3 index and ranking, what they want further will be
4 explained with further detail in the green book.

5 How should OFMC improve the FI&R funding
6 process by including education space deficiencies in the
7 prioritization formula? Well, they discussed that OFMC
8 must conduct a study of all comparing space guidelines
9 and look at the state accreditation requirements to
10 existing conditions to determine educational
11 deficiencies. Then look also at the educational
12 deficiencies, that they should be incorporated into the
13 FI&R formula for critical health and safety capital
14 improvements, educational space deficiencies, and
15 backlogs, and they want to give it a weighting factor of
16 nine.

17 These are the guidelines that come from
18 what they call our budget guidance. These are then the
19 criteria given to us, and there is a critical health and
20 safety deferred maintenance.

21 As you can see there, S-1 stands for
22 safety, H-1 for handicap, M for [inaudible], X for site,
23 so that's on the high priority, so we've given it a score
24 of ten.

25 The next one is C-1, critical health and
0042 safety capital improvement and educational facility
1 deficiencies for a score of nine.

2 Then energy, so it would have a rating of
3 two or three, so it's going to be a policy of high
4 performance, sustainable buildings with a score of five.

5 And there is a site for X-2 and M-2,
6 critical mission deferred maintenance, for a score of
7 four.

8 And then again code compliance on capital
9 improvement for handicapped site again with a score of
10 four, and other deferred maintenance, M-3, the score is
11 three. And then there is other capital improvements of
12 P-2, P-3, C-2 that you'll see has a score of one.

13 So these are the backlogs that you'll see
14 in FMIS. I know some of you have seen them, and you'll
15 see those S-1, S-2, S-3 categories.

16 Okay, determine location score: This is a
17 very high level and Step 1 says, "Determine the relative
18 weighted score for each backlog." So they take the cost
19 of this backlog divided by the total cost of all backlogs
20 at the school and then multiply this by the weight factor
21 of this backlog, one through ten, so you get a relative
22 weighted score for this backlog.

23 Step 2 after we do all of that, we add
24 them together for all the backlogs in the school, so then

0043 you have the relative weighted score for location. So
1 you have RWS plus RWS plus RWS, total them up, then get
2 your location score.

3 After you get your location score, it's
4 ranked against the location score of all other schools
5 from highest to lowest. So then our office, central
6 office, will then fund the FI&R starting from the
7 top-ranked school, and they just go down the list until
8 the funding that they have for that year is spent.

9 If the cost of repair work is shown to be
10 two thirds of the replacement school cost, then it is
11 determined that they need a facility replacement or a
12 replacement school.

13 A facility replacement is just if you need
14 a library or a gym, so that's the facility replacement.

15 Replacement school is the total
16 replacement of the school.

17 Improving the formula for prioritizing
18 FI&R, again including educational needs, and we'll have
19 to figure that into the FI&R.

20 We need to be sure -- maybe you can speak
21 to that a little bit, Jackie, the educational needs.

22 JACKIE CHEEK: Well, you had mentioned
23 earlier in terms of the accreditation, and in case
24 somebody says that the school was built before computers

0044 so the technology, the cabling brought in, or you might
1

2 need a lab, it's different needs that may not have been
3 available at the time that the school or the facility was
4 built initially.

5 EMERSON ESKEETS: So the committee then
6 recommended that there is an update needed to the
7 formula, so they wanted to take that relative weighted
8 score which will be based on FMIS backlog, multiply that
9 by 75 percent and that weighted education deficiency
10 score. So that's one way.

11 The other one is to normalize it using the
12 API -- and I forget what the acronym stands for -- so the
13 API is multiplied by 25 percent, so that gives you your
14 overall project score.

15 STACIE SMITH: So I think it might be
16 helpful maybe if someone on the committee wants to try to
17 sum up what is different about what the committee is
18 proposing for the FI&R formula from what it is now, so
19 what's really -- it's a very complex formula, right, and
20 they try to walk through a little bit of how it works,
21 right. But it's all backlogs get a score, and then the
22 cost of the backlogs that have that same score get added
23 together and added to all the other backlogs that have
24 that score, and together you get a weighted score that
25 shows not just how many backlogs we have or how expensive

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1 they are, but how important they are in terms of how
2 intense or problematic, what the risk is for your school.

3 So something that's a health and safety
4 risk gets a lot more points toward your relative weighted
5 score toward your location score than something small,
6 you know, like a crack or something like that.

7 So that the goal of this is to come up
8 with something that can be compared to in what condition
9 is your school as compared to other schools so that they
10 can rank them, all right?

11 This is the way it's used now. They use
12 this, and the big change that the committee is
13 recommending is adding in educational facility
14 deficiencies, right, which they're defining as if you're
15 missing something at your school that is educationally
16 needed. Up until now there has been no way to put that
17 into your formula.

18 So when they would decide who gets a new
19 school or who gets FI&R money, the fact that you are
20 missing a library didn't count, all right, or missing a
21 gym, all right, or missing wiring for computers. All of
22 that stuff, there was no way to account for it.

23 The change the committee is recommending,
24 and it was actually required by the statute that they
25 addressed this issue, is these what they're calling

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1 educational facility deficiencies; what is missing from
2 your school that is undermining the educational mission
3 of your school.

4 And what they're doing is giving that a
5 score of nine, so anything you're missing that's critical
6 for your school will get rated really quite high under
7 those things that are critical life and safety but pretty
8 much the next thing, and those will now get counted into

9 your score. So that's one big change.

10 The other change is API currently is a
11 number that calculates the importance of the different
12 buildings and aspects of your campus, and currently
13 certain things are ranked differently. So if you happen
14 to have some old outhouses, those actually bring your
15 score lower even if they have nothing to do with what
16 your deficiencies are.

17 The committee decided this was not very
18 useful, so they decided to instead of getting rid of API
19 completely, which might cause more ripples in the
20 department because they're actually required to use API
21 by the department, they decided, well, let's just call
22 everything a hundred, even the outhouses, and that way
23 the API always disappears. So really your whole score is
24 going to be based on those deficiencies and adding in the
25 educational needs that are currently not tended to

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1 before.

2 Is that helpful.

3 EMERSON ESKEETS: API is the asset
4 priority index. It's the importance of a structure at
5 the campus to its mission.

6 Some of the proposed changes the committee
7 recommended were again just to increase transparency and
8 communication between OFMC and schools. They include the
9 distribution of the FI&R ranking of schools annually, but
10 again with a brief explanation of how the ranking was
11 achieved. Again transparency, publishing to schools the
12 projects to be funded that year along with the rankings,
13 again, as mentioned, including facility needs as FMIS
14 backlogs will be averaged into the overall location
15 scores for schools with a weighting factor of nine, and
16 then the API again to equalize and other factors to
17 equalizing the distribution.

18 STACIE SMITH: Any questions or comments
19 on this formula?

20 EMERSON ESKEETS: Deborah?

21 DEBORAH BORDEAUX: When you were talking
22 about educational need, one of the things that had come
23 to my mind was you talked about communication between BIE
24 and OFMC.

25 Under the ISEP regulations, it does allow

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1 for us to provide services in South Dakota for students
2 who turn five by December 31st, and in South Dakota the
3 cutoff is September 1st. ISEP says that we can provide
4 services for those students whose birthday is by
5 December 31st, and that's when they're five years old.

6 So we have that service at our school, and
7 we provide a pre-K classroom for those students who are
8 five between September 1st and December 31st, and so we
9 have a pre-K classroom.

10 When we were going through this process
11 for our school planning and we asked for that classroom,
12 we were denied. So we still have that need. We've been
13 providing that service for our students for fairly close
14 to 15 years at the school, and we can document that, but
15 we were not allowed to be able to have a classroom for

16 those students.

17 So that creates a problem for me as we're
18 moving from the old school into the new school and trying
19 to figure out how do I have enough classrooms, because of
20 the formula that was used to determine the amount of
21 students that we're going to have over a ten-year period
22 and what we need in terms of classroom and square footage
23 size.

24 So how do you address that as an
25 educational need?

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1 The other part of the question that I have
2 is annually for the past three years we've been given an
3 opportunity to apply for a FACE program, and we really
4 want a FACE program, but we have not been able to get one
5 because we don't have the facilities for it. Even with
6 our little outbuildings that we do have, they're just --
7 well, obviously, we're getting them replaced. They're
8 not in any condition to provide services for that.

9 But we will never be able to get a FACE
10 program even with the new school that we have. We're
11 going to be crowded as we go in because we were not given
12 that classroom for our pre-K classroom.

13 But I'm so happy to get a new school and
14 anxious to get in there. I'm trying to figure out how to
15 do this and be happy about it, but we're already behind
16 going in.

17 So when you talk about educational need --
18 now, ours is an FI&R project, a facility improvement and
19 repair or replacement project.

20 So that's a concern that I have, and I
21 don't know if you've addressed it in here again. I
22 haven't read the document, but somehow I think those need
23 to be addressed so that you're looking at the ISEP, and I
24 may have mentioned that before, but I'm just saying it
25 again.

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1 And then, you know, we've been given an
2 opportunity annually for a FACE program, and many schools
3 are able to access that, and we would really like to, and
4 it would be helpful to the educational process of
5 children, and we can't do that right now, and I don't
6 know when in the near future we would be able to.

7 EMERSON ESKEETS: Jackie, do you see those
8 two items?

9 JACKIE CHEEK: There is an item I remember
10 reading on the FACE program, but I haven't found it yet.

11 EMERSON ESKEETS: I know we talked about
12 FACE program because I think you'd have to have an
13 approved program through BIE for as far as to
14 [inaudible].

15 DEBORAH BORDEAUX: Well, you know I'm here
16 on behalf of Loneman, so if there is a way to address it,
17 will it be made clear how we would be able to access
18 getting those extra classrooms for ourselves for FACE or
19 for our pre-K classroom and be able to provide those for
20 our community? Will it be in there somehow to state
21 clearly?

22 MICHELE SINGER: It won't necessarily be

23 in this report because it's not, this report is intended
24 to address those statutory requirements that we were
25 given as a committee to address to the Secretary and to

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1 Congress, so some of those specifics are noted in places
2 where we got comments during our meetings during the
3 public comment period. And there are things that the
4 committee did discuss, because I know specifically with
5 the FACE program I can see where you end up in a bit of a
6 loop without approval from BIE for the program,
7 facilities doesn't approve the space for the program.

8 So I feel like there are some schools when
9 they were telling us because they got caught in a loop of
10 not being able to get the approval because they didn't
11 have the space and not being able to get the space
12 because they didn't have the approval.

13 So we did discuss that as something that
14 is somewhat outside the scope of the committee's mandate
15 of the report, but it's something that we had
16 recommendations on for BIE and OFMC to address.

17 So whether or not you're going to see that
18 reflected specifically in the final report, it's very
19 doubtful. It's not our mandate, and it's much too
20 specific for addressing the catalog on conditions of
21 schools and a report on an annual funding formula that
22 we're mandated on doing.

23 DEBORAH BORDEAUX: Well, clearly there is
24 a problem in the communication between OFMC and BIE, and
25 I think that for anything to work, that has to be clearly

0052

1 defined and know how to go through those loopholes,
2 whatever they may be.

3 What you just described is very simply
4 what's the biggest problem is the communication between
5 BIE and OFMC and, for whatever reason, they choose not to
6 talk to one another.

7 I sometimes get so busy in my office, my
8 phone can ring and ring and ring and ring, and I'll just
9 ignore it because I know that I've got to get this taken
10 care of, and there is a voice message, and I can always
11 get back to voice message.

12 But what you've described is to me one of
13 the biggest problems for us at the educational level is
14 the communication between BIE and OFMC. It's just not
15 there.

16 STACIE SMITH: Just to say this is all
17 getting noted and will go back to the committee because
18 the committee did identify exactly that problem. They
19 didn't end up putting a direct recommendation in the
20 report, partly because it wasn't specifically part of the
21 mandate. That doesn't mean they can't decide -- they had
22 talked about having an appendage with some additional
23 recommendations, and this will go back to them, and they
24 can see if there is some additional recommendations they
25 can put in there.

0053

1 EMERSON ESKEETS: Jackie?

2 JACKIE CHEEK: If you look at Page 43, it
3 talks the inappropriate educational spaces at the top.

4 It says accreditation risk, and probably about the fifth
5 line it says, "The intent of this criteria would be to
6 identify schools not meetings minimal requirements from
7 such standard-setting bodies as the FACE program
8 guidelines, tribal requirements (i.e., Navajo NCA), state
9 requirements, et cetera."

10 So at least it is identified as one of the
11 items that may play a role in this particular section.

12 DEBORAH BORDEAUX: What page is that?

13 JACKIE CHEEK: That's on Page 43 in the
14 middle of the page. And I know there is one other place,
15 but I haven't located that yet.

16 JERRY BROWN: On another note, like I
17 mentioned earlier, there was some real candid exchanges
18 between BIE and OFMC, but the tribal members of the
19 committee did write a letter to the Assistant
20 Secretary -- well, to the Secretary, I think, or was it
21 just the Assistant Secretary -- on a specific matter, but
22 I think the thinking behind it was to try to break
23 through these breakdowns in communication and get a
24 little bit more up above direction on how they should be
25 communicating. And we still haven't heard the exact

0054

1 results of that, and I was hoping Michele might shed some
2 light on that.

3 MICHELE SINGER: It was to the Assistant
4 Secretary, not me.

5 JERRY BROWN: No, but I thought maybe you
6 might be hearing.

7 So we haven't anything heard on that, but
8 the whole idea is to break the log jam in communication.

9 So in addition to what we recommend in
10 this report, we also took that direct action. It may not
11 have been in our mandate, but we thought it was
12 important.

13 We caucused without the federal
14 representatives, and we talked about it, and we wrote a
15 letter, so it was something that the whole committee had
16 definite feelings about.

17 STACIE SMITH: Any other comments or
18 questions about the FI&R recommendations?

19 Jackie?

20 JACKIE CHEEK: I can just follow up on
21 what Jerry was mentioning.

22 There was a request from the Assistant
23 Secretary's office to the Director for the Bureau of
24 Indian Education and the Director for the Facilities
25 program to get together and discuss all of the facilities

0055

1 programs, and that is still being scheduled in terms of
2 the meeting to go over all the various pieces.

3 So just to let you know that it did not
4 fall on deaf ears. It is being worked on.

5 JERRY BROWN: So that could include
6 [inaudible]?

7 JACKIE CHEEK: Right. Exactly.

8 JERRY BROWN: Wayne, were you going to do
9 the MI&R?

10

WAYNE WITT: That's done. They switched

11 them around.

12 STACIE SMITH: Yeah. We switched them, so
13 we've done MI&R, and we've done FI&R.

14 JERRY BROWN: Oh, we did that already.

15 STACIE SMITH: Yes, and we're on new
16 construction.

17 JERRY BROWN: Well, since you're doing new
18 construction...

19 STACIE SMITH: This is the most
20 significant change that the committee is recommending.
21 The MI&R formula change is definitely a big change. The
22 FI&R formally changes, you know, improvements but not
23 radically different.

24 The FMIS recommendations are tweaking and
25 adding a lot of needed support and oversight, but the new
0056 school process is quite new. There is two parts there.
1 There is the process and then the formula.
2 So who wants to -- Wayne?
3 WAYNE WITT: The existing and previous
4 programs, and there was no existing process. The current
5 funding is being allocated based on the 2004 replacement
6 school list.
7

8 STACIE SMITH: [Inaudible] we have the
9 criteria [inaudible].

10 WAYNE WITT: [Inaudible] well, the past
11 processes prior to 1994 are annual prioritized list based
12 on FACCOM or FMIS data.

13 STACIE SMITH: It is in here [inaudible].

14 WAYNE WITT: 1994 to 2003, multi-year
15 priority list based on OFMC evaluation of applications.
16 2004 multi-year priority list based on
17 FMIS data and site visits from the contractor.

18 STACIE SMITH: Those lists are Appendix F
19 in your report.

20 WAYNE WITT: There is five of them schools
21 left?

22 STACIE SMITH: Yes.

23 WAYNE WITT: There is five of them schools
24 still left on the replacement list.

25 STACIE SMITH: So it starts on Page 129.
0057

1 WAYNE WITT: The previous priority list
2 criteria, the building code deficiencies, 15 points;
3 environmental risks, ten points; accessibility, five
4 points; educational space utilization,
5 inappropriately-housed students, accreditation
6 deficiencies, and students per square foot of classroom
7 space, 20 points; building and equipment condition, 30
8 points; site conditions, ten points; availability of
9 alternative facilities, five points; historical
10 enrollment trends, five points.

11 The principles underlying the new process,
12 funding should be prioritized for worst first.

13 Formulas must support health and safety
14 standards; must account for educational needs, only as
15 good as the FMIS data which must be improved.

16 That basically is if the data isn't there,
17 then it's not worth it, and that is the problem is that

18 we are recommending using FMIS but updating it to make it
19 fair and accessible to all the schools.
20 Must be uniformly applied. Must not be
21 susceptible to manipulation. Must be practicable.
22 Should be defensible legally and technically. Some
23 non-formula, subjective decision-making may be
24 unavoidable but must also be clear, consistent,
25 transparent and compliant with these principles.

0058

1 The new process for school replacement and
2 renovation:

3 Every five years or sooner if sufficient
4 funding is allocated OFMC to generate a list of schools
5 approved for replacement. List to be based on
6 application process. Objective criteria applied to
7 available data, enabling all schools, regardless of
8 resources, to apply. Allow for a mix of replacement and
9 renovation. Some schools may not require the replacement
10 of every building on campus. Some may only need
11 renovation.

12 Schools on the fiscal year 2004 list that
13 have not yet received funding will be funded for a
14 replacement school prior to the application of this new
15 approach, and that's the ones that we were talking about
16 that were still left on the prior list.

17 The eligibility for application: FMIS
18 shows schools in poor condition. Only schools in poor
19 condition are eligible.

20 All schools in poor condition will be
21 ranked; however, if schools do not apply, they will not
22 be considered.

23 OFMC must heavily publicize the initiation
24 of the application process and must reach far beyond the
25 Federal Register notice.

0059

1 During the five-year cycle, schools on the
2 replacement list would still be eligible for MI&R and
3 FI&R monies.

4 Review of applications, short list of
5 applicants:

6 OFMC reviews the applications for
7 accuracy, calculates the location scores, 65 points max.

8 Review committee including outside experts
9 in education, school facilities, and Native American
10 culture assesses other criteria and awards up to 35
11 points and determines the top ten applicants.

12 Publication of top ten in alphabetical
13 order invited to public meeting in Albuquerque. At this
14 meeting schools present arguments and answer committee
15 questions.

16 After deliberation, the committee ranks
17 the top five. Committee required to be clear and explain
18 in detail its decision on selection. Committee
19 recommendation reviewed by the Assistant Secretary for
20 final approval.

21 The makeup of the committee: The No Child
22 Left Behind Committee will develop more detailed
23 recommendations regarding the committee makeup including
24 number of members, selection criteria and selection

25 process.

0060

1 Initial ideas would include: Outside
2 experts in education, school facilities and Native
3 American culture, application/nomination process and
4 selection by feds and your input.

5 The final notification of approval: BIA
6 to publish a ranked list of all applicants in the Federal
7 Register and a list of schools approved for replacement.
8 The Federal Register notice should state clearly that
9 applicants not approved for replacement will not be
10 funded in the five-year window, will have to reapply in
11 the next five-year cycle, and applicants will be
12 re-ranked in the next five-year cycle of application.

13 The goal is for all schools to understand
14 what the rankings do and do not mean.

15 Post application: Schools in the
16 replacement pool will undergo a pre-planning for
17 readiness which is site availability, soils and available
18 utilities.

19 Reasonable time/money would be provided
20 for the schools in the pool for identifying readiness.

21 Readiness criteria should be created for
22 the pool.

23 Schools will be funded for construction
24 based on one, ranking; two, readiness; and three, budget.

25 Unchanged for the length of the term. If

0061

1 the Bureau funds all schools in under five years,
2 reinstantiate the application process to ensure there are no
3 gaps in activity.

4 If Bureau cannot fund all schools within
5 five years, unfunded schools are grandfathered into the
6 next ranking of schools for the next five year timeframe.

7 Whole school replacement and renovation:

8 1. Pre-notification: Three plus years
9 [sic] notification of pending application process.
10 Schools provided FCI condition, application materials and
11 asked to update backlogs.

12 2. Application: Application process
13 opens, and schools provided 45 days to respond online.

14 3. OFMC initial review: OFMC reviews
15 applications against FMIS data for accuracy/completeness,
16 and awards up to 65 points.

17 4. Committee review: The external
18 committee scores applications based on the other criteria
19 up to 35 points. Applications ranked top ten are
20 published in alphabetical order and not by ranking.

21 5. Public meeting and final committee
22 decision: Ten highest-ranked schools invited to present
23 to review committee at a public meeting. Committee then
24 completes a final ranking. Top five projects are sent to
25 the Assistant Secretary for acceptance.

0062

1 6. Award notification: Assistant
2 Secretary notifies the schools in the pool of funded
3 projects. Names of schools in the pool and ranking of
4 all schools are published.

5 7. Pool pre-planning: OFMC works with

6 the awardees on pre-planning addressing site readiness
7 and starting development of programs for each major
8 project.

9 8. Construction scheduling: OFMC
10 schedules projects in the appropriate order. If school
11 is not site ready, it has 18 months from award acceptance
12 to move forward or must reapply.

13 Questions?

14 STACIE SMITH: So this is the process.
15 Next we'll tell you the formula, but this is the process
16 in a nutshell of how the schools are going to be
17 selected. And you'll see there is a lot of transparency
18 built in. The committee spent a lot of time thinking
19 about how to make sure people knew what was going on.
20 They want lists of all the rankings to be published but
21 to be making very clear if you're not in the top five,
22 this doesn't mean you're on the list and you might get
23 funding someday. You're going to have to reapply, and
24 the list can change, everything except the top five every
25 five-year cycle.

0063

1 So that's one thing that the committee was
2 trying to do. They were trying to balance transparency,
3 but they don't want to set expectations so that people
4 think, oh, but I was ranked seventh. That means the next
5 five-year cycle I'll be third, you know, or second. No.
6 Not necessarily. They want to make sure that's made
7 clear in the way that this was published.

8 They wanted to say even the top five
9 they're not going to necessarily take them in that order
10 because even the one that's ranked first of those five,
11 if they're not site ready but number two is, they're
12 going to let number one keep working on getting site
13 ready, and they're going to start funding number two
14 because they're ready to go.

15 Now, number one is still going to make
16 sure they're funded in that five years as soon as they're
17 site ready, but they wanted to give that flexibility so
18 that, you know, everybody is not waiting for that first
19 school on the list to be site ready.

20 So those are some of the highlights of the
21 process.

22 Are there any questions or comments on
23 this process?

24 MIKE LaPLANTE: My name is Mike LaPlante,
25 and just an incident that we have here is I've got a

0064

1 school that's in need of replacement but, you know, it's
2 just to help with the school. We have part of it that's
3 a stand-alone building that affects portions of it, and
4 I'm working on that stand-alone project to hopefully cut
5 down some of the cost on the replacement part of that
6 academic school, you know, once money is available for
7 it.

8 So there is ways to work on your schools
9 and not necessarily have to go directly into a full
10 replacement, you know. There is ways around all this,
11 ways around all this money to make it try to work for
12 you.

13 JERRY BROWN: Emerson, did you have any
14 comments on this?

15 EMERSON ESKEETS: No, I don't.

16 MICHELE SINGER: Just one quick thing to
17 think about for those of you who may just be looking over
18 the report for the first time now or when you leave here
19 after what we've talked about. Sometimes I think it
20 makes more sense then once you've had some discussion to
21 then take a look at it and give us comments.

22 One of the strong and steady goals of the
23 committee was to increase the transparency of the process
24 and try as much as possible to put all the information
25 out there at various times because one of the concerns we

0065

1 kept hearing and criticisms of the previous process was
2 folks just didn't understand how the lists came about,
3 and they felt like it came out and then it changed, and
4 there was really confusion surrounding that, which
5 created bad feelings, clearly.

6 When you don't know how something happens,
7 human tendency is to fill in the blank with the worst
8 possible assumption.

9 So when you look at it and give us
10 feedback, think about whether we've made some changes to
11 try and meet that goal, and at the same time as Stacie
12 pointed out, we didn't want to by published the list
13 with, you know, a certain ranking of, you know, worst
14 first after that process to give people the expectation
15 that if you're seven or ten or twelve on the list that
16 you could still know when you're going to fall because
17 that could change. Things happen that a school could
18 deteriorate rapidly over a five-year period, and it could
19 get higher in the next ranking process.

20 So any ideas or comments you have that you
21 want to share with us about how to make certain that
22 we're communicating clearly that process so that we're
23 giving all the information possible but also not creating
24 false impressions or false hopes.

25 What we're really trying to do is just

0066

1 have that information out there and also not waste the
2 time and resources of schools with a process that is too
3 cumbersome, too difficult, too expensive or too time
4 consuming for them. So by using FMIS data and that kind
5 of information as a major part of it, if you're keeping
6 that data up already, it's good for you on funding in
7 other ways, and then that also helps you in this process,
8 so we also didn't want to create too many additional
9 burdens. That's kind of the sweet spot we were trying to
10 hit.

11 DEBORAH BORDEAUX: One of the things that
12 comes to mind right away is based on my knowledge of
13 people that I work with on the Pine Ridge Reservation and
14 some of the other schools is the question that's going to
15 come up is what happened to the other list? Once you're
16 creating this, we were on the list, and we were number
17 whatever on the list, and what happens to us now? And I
18 think that's going to have to find a way to address that.

19 I can think of one of the schools and one

20 of the school board members who has been working real
21 hard trying to find a way for them to get their school
22 replaced that from their knowledge going back
23 historically over a period of time when we were number
24 one at one time, now we were down to number 67 at one
25 time, and now we're here at this time. So when something

0067

1 like this is presented, they're going to want to know
2 what happens to how the schools were ranked before, and
3 what's going to happen with that.

4 I think that's going to come up, and
5 people are going to want to know what happened and how do
6 we fit in now, and what assurances do we have that this
7 process will work for us, and we'll be able to work our
8 way through this and have some idea of getting our school
9 replaced.

10 MICHELE SINGER: Right now there is the
11 existing list. There is four schools left that have now
12 been funded, so there's four, and the committee's
13 decision was that those four should be funded before we
14 move into publishing a list of the next five. So that's
15 one just if someone asks you, that's the quick answer.

16 Those are also good comments about ways we
17 need to communicate when this is all published so that
18 folks know exactly.

19 DEBORAH BORDEAUX: Previously before you
20 ever were born, there was a list, and everybody was on
21 that list and ranked somehow on that list.

22 Then all the sudden another list was made,
23 and everybody was re-ranked on that list. And again,
24 this was probably before you were born.

25 Then these other ones come into existence,

0068

1 and I do know that some people have been at these schools
2 for a long period of time, and they're going to want to
3 know how come, because way back here I was on this list,
4 and I was number one, it was never addressed, and now I'm
5 not even on the list? Where am I and how come and what
6 for?

7 That's what I'm saying. You're going to
8 have to find some way to address that. Those lists no
9 longer exist, or they're not in vogue anymore. I don't
10 know.

11 MICHELE SINGER: Yeah, I think we need a
12 historical process document where we publish some
13 information about everything we know about what happened
14 and where we are now. I mean I think that's something we
15 should look at that would be separate from this report,
16 but it would be a complimentary document, set of
17 information, so that people -- I mean exactly right. I
18 mean we've definitely heard that feedback from committee
19 members who have been at their schools for a long time,
20 and that's been a great source of information for us
21 about how it feels to be on the receiving end of who's on
22 first.

23 DEBORAH BORDEAUX: Then again, that
24 five-year process that you have there that you worked in
25 is valuable and, again, from our own experience and our

0069

1 process that says it took us five years, and part of it
2 was the person who kept reviewing our plans and looking
3 at these things, there was confusion within the OFMC
4 themselves. Even Emerson said he couldn't figure it out
5 either.

6 It's just people knowing what the steps
7 are and making sure, and I'm hoping that in the end when
8 we move in to our building that it will be the best, and
9 it was worth all of that struggle for those five years,
10 but we missed that making sure that we have the process
11 of helping schools to maneuver that bureaucracy.

12 STACIE SMITH: I think it's a really good
13 point for the committee to take back and think about, you
14 know, it's one thing to just say in the Federal Register
15 notice this is not a new list. It's only to let you
16 know, but people are going to take it in the wrong way,
17 and to really think more about how to balance that
18 transparency and the false expectations so that they
19 really are communicating clearly with the schools, and
20 the schools know what's going on. I think that's a
21 really good point to take back for the committee's final
22 meeting.

23 EMERSON ESKEETS: She brings up a very
24 good point in the period of window that she's talking
25 about [inaudible], so now that we're looking at that list

0070

1 of 14 in the Federal Register, you know, we're down to
2 four now.

3 So she raises an important point, and
4 there is a window that some ranks have been established,
5 and some, I don't know, still haven't been established,
6 so there is a list of maybe one or two or three or four
7 of them, but they're all relating somehow to this 14 list
8 of schools that's the current list that exists now.

9 But I want you to go back to a couple of
10 slides back. I think -- let's see. Maybe one more
11 slide. There you go.

12 Where the Federal Register notice should
13 state clearly that applicants not approved for
14 replacement will not be funded in the five-year window,
15 and I guess my point is they'll have to reapply when they
16 start this process of those falling into the category of
17 being funded. They'll have to reapply in the next
18 five-year cycle, and all the applicants will have to be
19 re-ranked in the next five-year cycle application, so
20 again, speaking to transparency.

21 JACKIE CHEEK: This is Jackie Cheek.

22 I would like to suggest that everyone take
23 a look at the Appendix F of this draft report because
24 there you'll find a table of the priority list schools
25 for whole school replacement FY 93 to FY 2004. This is

0071

1 Appendix F as in Frank.

2 STACIE SMITH: It's on Page 129 and 130.

3 JACKIE CHEEK: Yes. I was looking for the
4 page number. I didn't see it.

5 That shows you FY 93, FY 2000, FY 2003 and
6 FY 2004.

7 STACIE SMITH: Just to point out, the ones

8 with asterisks in the FY 2004 list are the four that are
9 still going to be on the list. Every other school here
10 has been done.

11 DEBORAH BORDEAUX: This is the new school
12 construction list?

13 STACIE SMITH: Yes.

14 DEBORAH BORDEAUX: This does not include
15 the replacements, and somehow I think you need to publish
16 that as well.

17 JACKIE CHEEK: Also to get back to our
18 section concerning the FACE program, the only other place
19 I did locate it immediately was on Page 23 where it gives
20 a list of the responses to say complementary educational
21 facility needs, and it's got a little graphic.

22 STACIE SMITH: Okay. Should we go on to
23 the formula?

24 JERRY BROWN: I tried to pass this off to
25 everybody else, but they keep saying, "You've got to do

0072
1 something, Jerry Brown."

2 Anyway, as I mentioned in our first
3 meeting, and one thing that wasn't in my resume when I
4 was considered for this committee, but sitting in
5 Albuquerque it dawned on me that 47 years previously I
6 worked for the contract management unit for plant design
7 and construction, the big white building in the middle of
8 central in Albuquerque. That's when a lot of the schools
9 that are now falling apart were built down on the Navajo
10 and a few other places.

11 I remember being concerned as a young
12 person in that contract management unit that it was awful
13 odd that these buildings were bid with the best possible
14 equipment, the best possible everything, and then the day
15 after the contracts were awarded we saw these engineers
16 walking in with truckloads of change orders stacked to
17 the ceiling hauling them in. I remember our engineers
18 sitting there looking at them, stamping them, approving
19 them and all that. So the best faucets, the best hinges,
20 the best of everything ended up being replaced by the
21 least expensive things.

22 And last year when I heard that the Shonto
23 roof caved in, I said, "I worked on that building." The
24 original design was to take into consideration the
25 hundred year snowfall that takes place out of Shonto, and

0073
1 here it came in 47 years later, and the roof caved in.

2 Anyway, so with those thoughts in mind as
3 we went through this in developing this formula -- and
4 thank you, Debbie, for those comments because that kept
5 coming up in the committee; What's going to happen when
6 someone comes in?

7 Well, another thing that I wanted to
8 reflect on also is remember in the last even before
9 Michele was born up until now, these things aren't
10 decided in a political vacuum either, you know. The
11 tribes get all their political ammunition ready if they
12 want to do something, and this is also considered part of
13 the formula, or at least when you look -- I got a little
14 cheat sheet here I put together that's pretty good too --

15 but one of the concerns is the ability of the tribe or
16 the school to be able to develop these applications, and
17 I think that's part of it.

18 When you have big guns in Congress, Senate
19 and the House always talking for you, you're bound to get
20 a little head, so I've watched these lists change over
21 the years, but the committee was really concerned about a
22 lot of these.

23 Now, Emerson, you can correct me or
24 clarify what I'm saying. The 65 points comes at a point
25 through the FMIS after so many back orders?

0074

1 STACIE SMITH: Backlogs.

2 JERRY BROWN: Backlogs, where it's cheaper
3 to replace than to repair. That's the assumption that's
4 made for those first 65 points.

5 And again, it depends on how well you keep
6 up your FMIS for your school. And at a point it almost
7 automatically triggers a move to a replacement, right;
8 the 65 points? I mean the beginning of it, and then the
9 committees develop these other points to make it fair.

10 EMERSON ESKEETS: I don't think it
11 automatically triggers, but then it's in the queue for
12 consideration.

13 JERRY BROWN: So if the school wants to
14 apply, and they have those 65 points, then they move
15 forward with an application, right?

16 EMERSON ESKEETS: Right.

17 JERRY BROWN: Okay. And then the
18 committee worked on these other points for the formula,
19 and so you also get five points for crowding, and this is
20 the actual students per square foot divided by standard
21 for what? Is that a typo?

22 STACIE SMITH: No. It's by the standard
23 for that school.

24 JERRY BROWN: By the standard for that
25 school. Okay. That school and space guidelines times

0075

1 100. Award points based on Chart 2, Page 42.

2 STACIE SMITH: We'll get to that. We're
3 going to go through each of these. This is just an
4 overview.

5 JERRY BROWN: Right. Okay.

6 Then the next level of points is for
7 declining or constrained enrollment associated with poor
8 facilities, and then we award points based on narrative
9 provided on this criterion.

10 Then five points inappropriate educational
11 space. Award points based on percent of students in
12 inappropriate educational space in portables, dormitory
13 space, leased space according to Chart 3.

14 Then five points for accreditation risk,
15 and this is because of your space and lack of space,
16 you're in danger of losing accreditation.

17 Award points based on the number and
18 severity of citations in the accreditation according to
19 Chart 4.

20 Then ten points for school age. A lot of
21 those these schools I worked received ten points.

22 Anyway, award points based on the average
23 age of school's educational and dormitory buildings
24 according to Chart 5.

25 Before we leave this page -- facilities, I
0076

1 did want to congratulate you on your impression of Jack
2 Reaper on his outhouses.

3 STACIE SMITH: I channel people well.

4 JERRY BROWN: Yeah. Anyway, then five
5 points for cultural space needs.

6 Again, the committee is really concerned
7 that we're not actually giving enough for this, but at
8 least it's -- and this is where BIA is going to have to
9 work on more importance of cultural space needs -- but
10 points based on narrative, describing, one, is there a
11 specific tribal requirement; two, is there a program; and
12 three, is there a lack of space for that program or
13 requirement?

14 Okay, next slide. So this is going to
15 explain each of those levels.

16 Chart 2, crowding, five points.
17 Determined by, one, calculating students per square foot
18 per grade based on three-year average enrollment per
19 NASIS. Oh, that's the main accounting of Indian
20 students. That's another information management system.

21 Okay, divided by total square feet core
22 educational space.

23 Two, compare this ratio against standard
24 for that school in the space guidelines times 100.

25 Three, award points based on the chart
0077

1 below.

2 Application will lay this out in a simple
3 way for applicants to fill in. OFMC will confirm.

4 Crowding factor 140 and above, points
5 awarded, five; 130 to 139, four; 120 to 129, three; 110
6 to 119, two; 101 to 109, one; 100 and below, zero.

7 Can anyone explain the crowding factor,
8 what those numbers mean? I wasn't in on that formula.
9 Do you remember?

10 STACIE SMITH: I can if you want, yes.

11 JERRY BROWN: Go ahead.

12 STACIE SMITH: It's basically a way of
13 trying to calculate to what extent your school is
14 overcrowded and to give more points the more overcrowded
15 you are.

16 So basically it's, you know, 140 and above
17 is the way that it's calculated, the more you have that
18 much overcrowding. When you get to 100, that means
19 you're not overcrowded at all, right?

20 And one concern the committee had was are
21 schools going to know how to do this calculation? It
22 sounds a little confusing, you know, calculating schools
23 per square foot per grade, and then you have to use this,
24 and then you have to divide the square feet, and then you
25 have to use the ratio. And so their answer to that was

0078
1 they're going to create a very simple set of questions,
2 tell us your square feet per whatever, tell us your this,

3 this, this, and OFMC would actually do the calculations
4 for you once your application comes in.

5 So they're going to make it really easy
6 for the schools to fill this thing out, and it's going to
7 be an objective measure of how overcrowded the school is.

8 That's going to be up to five additional
9 points for getting a replacement school based on this
10 factor.

11 JERRY BROWN: Okay. In the interest of
12 time, I'm going to try to sail through these. If anyone
13 wants me to slow down, that's fine.

14 Lower enrollment due to poor facilities,
15 five points.

16 Rather than read each one, let's skim
17 down.

18 Poor facility, five points if school has
19 closed a building due to poor conditions. Three points
20 if school can demonstrate students transferring away.

21 All lists and data would be verified by
22 selection committee prior to finalizing rankings.

23 Any questions on lower enrollment due to
24 poor facilities?

25 Okay. Chart 3, inappropriate educational
0079

1 spaces, and the percentage of students taught based on
2 last three years average in portables, dormitories or
3 leased facilities. So the higher the percentage, the
4 higher the points.

5 Any comments or questions?

6 STACIE SMITH: Just to be clear,
7 dormitories there means that you're actually trying to
8 educate kids in the dormitories.

9 JERRY BROWN: Using them for classrooms,
10 yeah. Right. Yeah. Using them for classroom space.
11 And that happens quite a bit.

12 Any comments or concerns about that?

13 And that's covered on Page 43 in your
14 draft report.

15 Chart 4, accreditation risk. Citations in
16 accreditation named by the accreditation body, and then
17 the points awarded were accreditation at highest risk is
18 five points, and no citations is zero points, and there's
19 all space in between. That's on Page 43 of your report.

20 Does anyone have any concerns about that?
21 How about the ELO?

22 VERLA LaPLANTE: Verla LaPlante, and I do
23 think that accreditation should deserve higher points.

24 If a school isn't accredited, we don't
25 have a school. Well, we have a school, but it's -- I

0080
1 think Jackie knows how I get when I get on speeches.

2 STACIE SMITH: I think one of the things
3 the committee talked about was how many schools actually
4 face lack of accreditation due to facility problems, and
5 I think what they came up with was it's quite small.

6 Emerson, I'm not sure if you know, are
7 there any schools that are unable to get their
8 accreditation because of facility problems right now?

9 EMERSON ESKEETS: I am not sure.

10 STACIE SMITH: Okay.
11 VERLA LaPLANTE: But even though there may
12 not be schools in that situation, I think if they were,
13 and they're looking at things hypothetically, if there
14 was, that would deserve more points.

15 DEBORAH BORDEAUX: I don't know in terms
16 of requiring more points, but all tribal schools, and I
17 don't know about BIA-operated schools, but we are
18 required to be accredited by an accrediting agency,
19 whether it's the state or a regional or a
20 tribal-accrediting agency, we are required to be
21 accredited.

22 Again, I can only speak for Loneman, we go
23 through both state accreditation standards and same for
24 NCA. Part of the state requirements is allowing for like
25 a state fire marshall to come in and do a review of the

0081
1 school and allowing the state officials to come in and do
2 a review. And they do have different standards that they
3 use to look at, and we get a report from them and have
4 them on file, and those are part of our accreditation
5 file, so they are there and available.

6 JACKIE CHEEK: This is Jackie Cheek again,
7 and we recently did a data call on accreditation for the
8 schools, and we have a list back at the central office
9 with the accrediting agency and how long that's good for,
10 so they are in place.

11 JERRY BROWN: As far as the number of
12 points, I think the thinking was when the committee
13 discussed this was the fact that everyone is required to
14 be accredited just to receive funding; that there
15 shouldn't be as many points, although it shouldn't be
16 there if they're at risk of losing it.

17 Okay. School age, again, the average age
18 of school buildings or dormitories to be replaced or
19 renovated under the application.

20 Naturally, if it's over 60 years old like
21 I am, and it needs to be replaced -- right. I need to be
22 replaced -- but again, a lot of it has to do with -- Mike
23 brought up something this morning that I thought was
24 really important. If schools aren't keeping up on the
25 FMIS on the conditions of the school and all, the age

0082
1 needs to be included in that, you know, like the costs
2 every year go up, and if people aren't keeping up with
3 the O&M -- one of the discussions that have been going
4 through this committee for the last 18 months almost now
5 is that if you're like Wayne, and you keep everything in
6 perfect condition, you're actually penalizing yourself
7 because you're keeping the building serviceable even if
8 it is 60 years old. But I think that's part of why OFMC
9 has that point where to keep renovating, it's more
10 expensive than replacement.

11 But then the other side of it it's like
12 what's our other co-chair from Navajo, Lorena, keeps
13 bringing up the school that has flowers growing out of
14 the side of the building.

15 I've been to that school, so I know she's
16 telling the truth. That's on Black Mesa. I've been

17 there.

18 They keep up their AYP, but they have a
19 hundred year old building that they're running their
20 school in, and it does have flowers growing out of the
21 side.

22 Again, as a tribal representative on this
23 committee, think it's important to get across to
24 congressional and Department of Interior people the
25 reality of what a lot of our kids are having to go to
0083 school in.

1 I, for one, keep bringing up the
2 comparison between state educational agencies and the BIE
3 as being our state educational agency, but there is no
4 comparison. We don't have the tax base that the state
5 educational agencies have. We don't have the resources
6 that the state educational agencies have. And Congress
7 needs to start treating our educational system under BIE
8 as them being the state educational or them being the
9 state legislature that appropriates everything for the
10 ESCA that other states do. That's not anything to do,
11 but I think the school age has a lot of bearing on it.

12 Any comments on school age?

13 STACIE SMITH: I just want to clarify one
14 other thing which was that the committee was thoughtful
15 about which buildings are counted because many of the
16 schools consist of many different buildings, and you
17 might have gotten one new building, and is that going to
18 prevent you from later getting a new school?

19 So they wanted to say you can actually
20 take that building out of your application. You can say
21 yes, we got a new gym. It's its own building. Don't
22 count that because the rest of our campus is 50 or
23 60 years old.

24 This is not going to bring down -- your

0084 new building isn't going to get averaged in and bring
1 down your whole score. They wanted you to be able to say
2 which buildings you're actually asking for replacement
3 and only count those buildings in your age average, so
4 just to clarify that point.

5 Any questions or comments?

6 JERRY BROWN: Cultural space needs, five
7 points.

8 You disagreed on the points for
9 accreditation. I thought for sure it would be we need
10 50 points for this.

11 VERLA LaPLANTE: Well, I think it's been
12 addressed in not having space and being it's the school
13 is being educated in what don't we have space for. We
14 don't have space for our cultural. We don't have space
15 for our FACE program. We don't have the space for our
16 pre program.

17 I think it goes back to that education and
18 making sure that they get everything in the application
19 that's going to give them the points.

20 JERRY BROWN: A comment or concern I have
21 on this is when I look at a tribal school like Two Eagle
22 River School, the whole school is a cultural space.
23

24 We started out as an alternative school.
25 The tribe developed Two Eagle School to catch all of the
0085 kids that were being pushed out and dropping out of
1 public schools. We had a tremendous drop out rate. We
2 started with ten kids about 40 years ago, and this year
3 was our lowest class in several years, but our total
4 enrollment is about 130.

6 We try to make the whole school a cultural
7 space in different regards, you know, like we try to
8 address the individual learning needs of every student,
9 and we do training with all the teachers on learning
10 styles and individual instruction and things like this.

11 But again at the same time we've had to
12 sacrifice some space.

13 Another reality is that kids come to
14 school with their kids, and so we had to do away with our
15 vocational classroom to create a day care to meet
16 standards of a day care, and we're licensed to have a day
17 care and all that.

18 But there are other things that are
19 happening that need to be considered, you know, cultural
20 space.

21 But, anyway, any other concerns about this
22 cultural space number of points?

23 STACIE SMITH: I just want to say you
24 raise a really nice point about whether there are
25 other things in addition to what's narrowly said here as

0086 native language cultural education, like would the
1 preschool, could that kind of fall in here? Could the
2 day care fall in here? It's not explicitly cultural, but
3 the need for that space stems from the unique position
4 that this school is in the community.

6 So maybe the committee can take that issue
7 up at their final meeting and see if this is the place to
8 put that or if there is somewhere else to make sure
9 they're accounting for those kinds of issues.

10 JERRY BROWN: Again, I think we're trying
11 to get attention of BIE and OFMC to make sure that in
12 planning facilities we don't leave the educational needs
13 behind.

14 MIKE LaPLANTE: Having been working out in
15 some of the safety industrial world parts in the building
16 trade, as you go into building design and everything
17 else, you're working with all the entities of that
18 particular project you're working on, meaning if like
19 when we were building a hospital, we'd bring in the
20 nurses, and we'd bring in the doctors, and we'd bring
21 everybody else in for their inputs, you know. And
22 basically that's what needs to be done in these phases of
23 coming in here.

24 The tribe needs to come in and, you know
25 -- I don't know if the tribe needs to come in. They need

0087 to have some input. The schools need to come in and have
1 an input on saying, you know, these are what our needs
2 are. But again once everybody determines what their
3 needs are, some of these needs are going to have to be
4

5 pushed out of the way because of the money that's
6 available, you know. But in reality, a lot of things can
7 be met just through communication, you know.

8 So there is a way of getting around some
9 of these issues as long as in the design phase part of it
10 entities get to have some kind of input as far as what,
11 you know, what is going to be available.

12 MICHELE SINGER: This is Michele Singer,
13 and actually part of that is what we're trying to
14 mitigate is to make it clear up front that these are the
15 needs and factors that go into the application process so
16 that it doesn't -- we've got lots of feedback and lots of
17 complaints and lots of issues raised by committee members
18 who talked about that back and forth in the design and
19 planning phase and how they felt about it. And what we
20 tried to do was to get some of this in the application
21 process so that it was available to everyone in the
22 application process to have these issues considered, and
23 then, of course, it continues later on.

24 But really the goal was to be completely
25 transparent and address a number of the needs that people

0088

1 felt didn't get considered in a clear way early on. So
2 that was one of the goals of the committee.

3 MIKE LaPLANTE: But then you look at it
4 differently too. You bring in other entities, and then
5 all of a sudden it becomes a big clouded issue because
6 now there are too many people and too many issues wanting
7 to be on the table, you know. Instead of this project
8 being a mainstreamed project that just gets developed, it
9 becomes a fight to the finish of who's going to get what
10 they want.

11 JERRY BROWN: Because it's finite money,
12 then what you're talking about happens time and time
13 again. Regardless of how much people push for certain
14 aspects in the construction, there is only so much money.
15 Like you say, a lot of the stuff just has to be thrown
16 out.

17 Listening to some of my fellow committee
18 members who are in the process of construction and
19 building, I'm hearing that all the time, you know. We
20 put in for this, but they wouldn't let us have it. Of
21 course, through the process of getting, you know, defined
22 and all that, funds are allowed for certain things that
23 you might end up not needing, so then you're able to get
24 some of the things that you really need.

25 Okay. Any more on this cultural space?

0089

1 Okay. Factors not considered. Cost share
2 not used, equity and fairness, in ranking. Make sure
3 clear in write-up only after ranking choices in final
4 planning and construction.

5 That's definitely a design vocabulary,
6 right, Emerson?

7 EMERSON ESKEETS: I think [inaudible] cost
8 share is not a factor.

9 JERRY BROWN: Oh, okay.

10 STACIE SMITH: The committee was trying to
11 differentiate between what's considered in the ranking

12 versus what's considered once you're selected to get a
13 new school, and then you have to negotiate what's
14 included in that new school like some of the stuff Mike
15 was talking about.

16 This is not that second part. This is
17 only that first part, what's ranked. And what the
18 committee was saying is that you can put in your own
19 money as a tribe, that does not get you up higher on the
20 ranking to getting selected as a school that gets
21 replaced.

22 JERRY BROWN: Like this beautiful athletic
23 field out here had nothing to do with them getting the
24 school, right?

25 Okay. School isolation in original

0090
1 statute from factors not considered.

2 What does that mean, Emerson?

3 STACIE SMITH: It means that the committee
4 was asked in the statute to consider a number of specific
5 factors when they looked at their formula, and the
6 committee did consider school isolation, but the
7 committee decided that that should not be included in the
8 ranking formula; that is, a school that's more isolated
9 is not going to get extra points. They considered why
10 they might, and they looked at both sides, but they
11 decided that they weren't going to include that.

12 So if you guys had comments and want it
13 considered differently, the committee will take that
14 back, but they decided that school isolation should not
15 be considered in the ranking.

16 JERRY BROWN: Isolation factored into
17 transportation and other formulas.

18 STACIE SMITH: So, yeah, that was one of
19 the reasons is they felt it was already factored in to
20 other components, not to this formula, but they didn't
21 consider it in this.

22 JERRY BROWN: Unimproved roads, often
23 unimproved sidewalks as well, availability of
24 alternatives.

25 Okay. Now we're down to that great frame

0091
1 that says question or answer on replacement school
2 formula.

3 Any questions or answers? Deborah is
4 ready to go.

5 DEBORAH BORDEAUX: No, I think the biggest
6 one is that --

7 JERRY BROWN: Use your mike, please, and
8 give your name.

9 DEBORAH BORDEAUX: Deborah Bordeaux.
10 The most important one is the condition of
11 the facilities and educational deficiencies, and guiding
12 schools and making sure that they have accurate
13 information into that is the most important.

14 A lot of the schools look at what their
15 needs are based on the condition of their school, so
16 that's the most important -- to me, that's the most
17 important thing, and it's got the highest points, and
18 making sure that the schools know how to get their

19 accurate information into FMIS is then a priority.
20 That's what I see there.

21 JERRY BROWN: Any other comments or
22 questions or answers?

23 Well, I did make it through that. I thank
24 my mother and father and my legal training.

25 STACIE SMITH: There is one last slide,
0092

1 and I don't know if Michele wants to take that one.

2 MICHELE SINGER: Sure. This is Michele
3 Singer again.

4 One of the things we want to out there in
5 each of these meetings is that we do have the statutory
6 requirement to do the catalog and two reports. That's
7 what the law mandated this committee to be formed to
8 accomplish.

9 The other possible results we'd like folks
10 to think about is whether what we come up with should be
11 adopted into a statute. I mean the Elementary and
12 Secondary Education Act is being updated now. Some of
13 you probably attended consultation sessions held by the
14 Department of Ed and Department of Interior jointly on an
15 issue of what should be included in the update to ESCA.
16 Would we want to think about adopting the formula or any
17 other issues into formal DOI regulations, not into
18 informal DOI policy practice. But there is also a step
19 below regulation that's actual DOI policy, the Indian
20 Affairs Manual, which is a published policy document that
21 is required that the department follow that. Or is the
22 report enough and no other action be taken by us, but we
23 see what Congress and/or the Secretary does in response
24 to what we provide.

25 Of course, these reports, any information
0093

1 that will be out there, both in this draft form from this
2 consultation and later on, we encourage and we hope that
3 it will be used by tribes to support lobbying and
4 education efforts nationwide so that when your tribal
5 leader goes to meet with your representative or with your
6 senator that this be something they take along and point
7 out some of the numbers that you looked at in there, the
8 needs, the unmet needs, the important things.

9 That's not something we can do. As feds
10 we're prohibited from lobbying, but it is certainly
11 something that the tribes can do, you can do, that you
12 can encourage, and then I know that our tribal reps on
13 the committee will be doing and they have been doing by
14 updating the tribal leaders in their areas in their
15 regions so that they can do that. So we know that's one
16 thing that will be done.

17 But one thing to think about and we're
18 asking feedback on is what else would you like to see
19 come out of this? And we're going to meet our statutory
20 mandate, and we'd like to see it put into use right away.

21 We're very encouraged by the efforts of
22 BIE and OFMC in starting to make changes as soon as they
23 were getting feedback on the committee, so they've
24 started some of these things to improve the process
25 already, but we welcome that. So not just the context

0094

1 stuff, the report, but what else would you like to see us
2 do? We definitely encourage that feedback. That was one
3 of the last things we wanted to give you to think about.

4 We are accepting comments on the report
5 until July 29th. We have further consultations scheduled
6 in Phoenix, in Rapid City and in Miami, and we're at
7 tribal facilities or tribally-owned facilities in each of
8 those locations where we could be. In Rapid City I think
9 we're at the convention center. That was the only place
10 where we could find a space, and there is not a
11 tribally-owned facility that we could get into.

12 But we have those three consultations
13 coming up. We encourage attendance at those as well if
14 you happen to be in the neighborhood or anywhere close
15 by. We like to see you again. We like repeat offenders
16 but also to help us spread the word to go to the website
17 to look at the documents and give us any kind of feedback
18 up until that July 29th date.

19 The committee will be having its final
20 meeting in September. We will have compiled the comments
21 and feedback from the transcripts of each consultation,
22 anything that we get e-mail, fax, regular mail, phone
23 calls.

24 I've had some great phone calls in
25 response from people who couldn't make consultations

0095

1 already asking me questions and giving feedback, so we'll
2 be taking all of those comments and all of the dialogue
3 back to the full committee for a week in September to
4 consider that to make changes and hopefully finalize
5 these reports.

6 We are anxious to get this out there. All
7 of what we've learned, it feels so important that we do
8 want to get it to the Secretary and to Congress, and so
9 the committee is anxious to do that.

10 JERRY BROWN: The final meeting will be in
11 D.C.?

12 MICHELE SINGER: Yes. The final meeting
13 will also be in Washington, D.C., because we're hoping to
14 be able to have a committee provide us full attendance
15 from the [inaudible] of BIE and hopefully the Assistant
16 Secretary and some other staff as well as folks out of
17 the department so they can really hear what the committee
18 has to say. So we're having that final meeting in D.C.
19 so that we make it easy as possible for as many people to
20 attend as can.

21 So if we have any other comments or
22 questions?

23 CHRIS BORDEAUX: Chris Bordeaux. I have a
24 couple comments.

25 In looking through the Power Point and

0096

1 also reading the report, I really don't see any strong
2 language in there for consequences for the Bureau, the
3 BIA, BIE or OFMC. Most of the consequences are for the
4 schools that if you don't follow these deadlines, you're
5 not going to get help, but I don't see any consequences
6 for the Bureau side of it. There is kind of a mention of

7 it but not anything strong.

8 Another thing I'd like to say is OFMC,
9 BIE, BIA may and should be transparent and possibly will
10 be. With words like that, it's hard to see what's being
11 said; words like should and may and possibly. Whatever
12 in the report or even in the Power Point, in reading
13 through it what the schools have to do, it's will and
14 must, and what the Bureau and OFMC have to do, it says
15 should and may. Usually what that means is when it comes
16 down to it, it's not an objective statement. It's a
17 subjective statement, and it all seems to fall back into
18 the good ol' boy system.

19 Then if these are adopted into statute
20 which they should be, are adopted and made regulations
21 which they should be, then there will be consequences for
22 the Bureau.

23 Right now all I see is that they come up
24 with investigations and GAO reports, but it doesn't seem
25 to change, and I'm really glad for what the committee has

0097

1 done in revising all that what is already there and
2 making it more accessible, but there needs to be stronger
3 language on that.

4 These are must things. These are will
5 things that need to be done; not just should and may.

6 Thank you.

7 JERRY BROWN: Any other comments or
8 questions? Go ahead, Chris.

9 CHRIS BORDEAUX: It seems like you spent a
10 lot of time on the backlog, and I've always asked
11 different people this, and I've gotten two different
12 answers.

13 One of them is is there actual money in
14 the backlog? And some people have said, no, it's just a
15 backlog, and there is nothing there. Others say, yeah,
16 they put money aside, but they don't get to it.

17 So is there money in the backlog?

18 EMERSON ESKEETS: Is there money in the
19 backlog?

20 Well, the FMIS is the backlog, and if you
21 don't keep your inventory updated, you don't keep your
22 backlogs, they're called deficiencies that if you don't
23 get those all identified in the system, yes, you won't
24 get money.

25 Then if there is backlog and inventory
0098 updated, then you get your O&M dollars.

1 If you get your backlog updated, then it
2 falls into the prioritization of your MI&R projects, FI&R
3 projects, and now it's the backlog again for your school
4 replacement.
5

6 So yes, there is money, and that's the
7 meaning of us looking at the data, prioritizing it so we
8 can then fit it into the green book to ask for that
9 money. So yes, from that sense, there is money in FMIS.

10 STACIE SMITH: I put this slide back up
11 because it shows you where is the money, and it's in
12 these specific buckets for these specific programs:
13 MI&R, FI&R, facility replacement and whole school

14 replacement or replacement school. Those are all funding
15 the repair of the backlogs in different ways, right?

16 So MI&R is individual backlogs, FI&R.

17 But if you're asking is there money in
18 each of those buckets and how much, I think some of that
19 information has been made available to the committee, and
20 it's on the website. You can actually look at how were
21 the budget buckets funded over the years, so you can see
22 more of that.

23 Emerson, do you want to say more about
24 that?

25 EMERSON ESKEETS: Just a little bit.

0099

1 As you well know, it's up to Congress to
2 say yeah, here is your level of funding, and that's what
3 happened.

4 So for 2011 I don't have full funding for
5 replacement schools, so there is no projects. I don't
6 have full level funding for FI&R, so there is no money,
7 but I do have money with the supplemental programs, the
8 MI&R, the special programs, so there is money there, so
9 we're trying to make that work for us, so yes.

10 CHRIS BORDEAUX: Then in the backlogs, I
11 think we've all heard the horror stories about the Bureau
12 coming in and doing a project that doesn't make sense to
13 do it; trying to fix up a building that has already been
14 condemned because it was on the backlog, and they get
15 money to come in and do it.

16 Is there a process in here where those
17 kind of things won't happen?

18 EMERSON ESKEETS: I think they already
19 looked at that.

20 We shouldn't be going in there if the
21 building is condemned. We should be boarding them up and
22 deem them abandoned and then only give them so many
23 dollars to keep it warm so that your pipes don't freeze,
24 so there is that process for that.

25 But is there a process for that, and the

0100

1 process that they're talking about? Yes, it's been
2 talked about.

3 STACIE SMITH: Anything else? Any other
4 comments overall on the committee's work on the draft
5 report?

6 JERRY BROWN: Okay. We're at a point now
7 where we actually have completed the consultation
8 presentation, but we are required or should be here after
9 lunch, right? I had asked Michele earlier.

10 What do people think? Are any of you
11 anticipating other folks coming this afternoon?

12 MICHELE SINGER: Often times what we do
13 when we do finish early is that we try to come back in
14 the afternoon in case someone saw the notice and was
15 likely to come and would like some information.

16 It seems unlikely in this location if you
17 don't know of anyone. We haven't been contacted by
18 anyone else.

19 Do you know, Art, if you were expecting
20 anyone from your area?

21 ARTHUR TAYLOR: There's one other school
22 that contacted me and said they were going to send
23 somebody, and they haven't been here yet.
24 The school website won't let me access my
25 e-mail. My e-mail is blocked here.

0101

1 VERLA LaPLANTE: Can you tell me which
2 school it was? Was it one in this region?

3 ARTHUR TAYLOR: Yeah. It's in the Pacific
4 Northwest region. They have a brand new school.

5 VERLA LaPLANTE: Chief Leschi?

6 ARTHUR TAYLOR: Must be Chief Leschi.

7 VERLA LaPLANTE: [Inaudible] BIE is over
8 there right now or ISEP, but I actually was surprised
9 that we didn't have more school representation.

10 ARTHUR TAYLOR: I contacted all the
11 schools from the Pacific Northwest to be here today or to
12 send somebody or to private comment. And Lummi is
13 involved in graduation today, so they told me up front
14 they could not send anybody, but I suggested even a
15 parent committee representative or somebody that could
16 sneak away and come down. I'm not sure if they're en
17 route or not. It's hard to say.

18 VERLA LaPLANTE: Over lunch I can call
19 someone and just follow up and ask. I know a lot of
20 people are getting ready for graduation tomorrow.

21 But [inaudible], but I'm surprised they
22 didn't send somebody. Chief Leschi is very active. If
23 you guys don't mind calling during lunch.

24 ARTHUR TAYLOR: Sure.

25 MICHELE SINGER: Yeah. I think that would

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1 be great.

2 So what we'll plan on doing is we will
3 come back after lunch. I think we'll give it a little
4 while and just make sure, but we'll plan on going ahead
5 and probably leaving early. But just so you know, we'll
6 take a lunch break and come back just to make sure
7 because I certainly don't want anyone to come and not
8 have anyone here to give them information and talk with
9 them.

10 So what we'll do is break for lunch now
11 and come back in an hour to be available in case anyone
12 comes in the afternoon.

13 Probably if nobody does show up, you know,
14 we'll give it an hour or so and probably look at wrapping
15 up around at 2:30 or 3 o'clock if no one comes.

16 Otherwise, we did publish that we would be
17 here until 4:00. I'm going to assume if someone isn't
18 here by 2:30 or 3 o'clock, they weren't intending to
19 come, but if someone did get delayed or just thought
20 they'd come to the afternoon, we want to at least be
21 available for that.

22 So thank you all very, very much for
23 taking the time and providing very thoughtful comments
24 and feedback, so thanks to everyone for attending.

25 VERLA LaPLANTE: We want to thank you.

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This was really good information.

(Lunch was recess taken from
12:24 p.m. to 1:30 p.m.)

(No further participants
appeared, and nothing further
was entered in the record.)

(Meeting adjourned at 2:40 p.m.)

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