

**FINAL MINUTES OF THE AIHEC FALL 2021 BOARD OF DIRECTORS MEETING
ZOOM WEB CONFERENCE
FRIDAY, OCTOBER 8, 2021 at 12:30 PM ET**

- I. **CALL TO ORDER & OPENING PRAYER:** AIHEC Board Chair David E. Yarlott Jr. called the 2021 Fall Board of Directors meeting to order at 12:42 PM ET. President Richard Littlebear, Chief Dull Knife College, offered the opening prayer.

ROLL CALL: Noelia Ramirez, AIHEC Executive Assistant, called the roll with the following results:

Regular Members Present

Aaniiih Nakoda College
Bay Mills Community College
Blackfeet Community College
Cankdeska Cikana Community College
Chief Dull Knife College
College of the Muscogee Nation
Diné College
Institute of American Indian Arts
Keweenaw Bay Ojibwa Community College
Leech Lake Tribal College
Little Big Horn College
Little Priest Tribal College
Navajo Technical University
Nebraska Indian Community College
Northwest Indian College
Oglala Lakota College
Saginaw Chippewa Tribal College
Salish Kootenai College
Sinte Gleska University
Sisseton Wahpeton College
Sitting Bull College
Stone Child College
Southwest Indian Polytechnic Institute
Tohono O'odham Community College
Turtle Mountain Community College
United Tribes Technical College
White Earth Tribal & Community College

President (Voting) or Representative

Sean Chandler
Duane Bedell
Karla Bird
Cynthia Lindquist
Richard Littlebear
Monte Randall
Charles M. Roessel
Robert Martin
Lori Ann Sherman
Helen Zaikina-Montgomery
David E. Yarlott Jr.
Manoj Patil
Elmer Guy
Michael Oltrogge
Justin Guillory
Thomas Shortbull
*Lori Sherman (Proxy)
Sandra Boham
Lionel Bordeaux
Lane Azure
Laurel Vermillion
Cory Sangrey-Billy
Monte Monteith, Interim President
Paul Robertson
Donna Brown
Leander R. McDonald
Lorna LaGue

Regular Members Absent

College of Menominee Nation
Fond du Lac Tribal & Community College
Fort Pack Community College
Haskell Indian Nations University
Iḷisaḡvik College
Lac Courte Oreilles Ojibwa Community College

Christopher Caldwell
Stephanie Hammitt
Haven Gourneau
Tamarah Pfeiffer, Acting President
Justina Wilhelm
Russell Swagger

Nueta Hidatsa Sahnish College
Red Lake Nation College

Twyla Baker
Dan King

With 24 regular members being present, a quorum was established.

Other Members Present

California Tribal College

Juliet Maestas

Ms. Ramirez reviewed virtual meeting protocol.

II. REVIEW AND APPROVAL OF MEETING AGENDA

Chair Yarlott reviewed the proposed agenda for the 2021 Fall Board of Directors meeting.

MOTION:

President Guy moved to accept the agenda [seconded by President Boham].

OUTCOME:

The motion was agreed to by voice vote.

III. SECRETARY'S REPORT

President McDonald presented the minutes from the Summer 2021 Board Meeting, the September 2021 Special Board Meeting, and the Executive Committee meetings for July through September 2021, which are included in the meeting packet.

MOTION:

President McDonald moved [second by President Lindquist] to approve the minutes from the Summer 2021 Board Meeting and September 2021 Special Board Meeting.

OUTCOME:

The motion was agreed to by voice vote.

MOTION:

President McDonald moved [second by President Martin] to accept the Executive Committee meeting minutes for July through September 2021.

OUTCOME:

The motion was agreed to by voice vote.

IV. ANNUAL REVIEW OF AIHEC CODE OF CONDUCT

Ms. Billy reviewed the AIHEC Code of Conduct and the purpose, which includes the goal of ensuring that meetings are conducted in a professional manner. Pursuant to board motion (Fall 2016), all board members, staff, and contractors must review the AIHEC Code of Conduct annually and provide written

acknowledgement of such review. Ms. Billy reported that many board members have submitted the annual acknowledgment form; however, some have not yet submitted the form. Ms. Billy requested that board members type "*I have reviewed the code of conduct*" into the Zoom chat, as Ms. Ramirez slowly scrolled through the Code of Conduct on the screen so board members could read while she scrolled. Ms. Tina Cooper, AIHEC Vice President of Finance and Administration, agreed that capturing the statement in the Zoom chat would meet the annual requirement.

V. TREASURER'S REPORT

Todd Early, Chief Investment Officer, Sovereign Finance LLC, provided the Board with an overview of AIHEC's investment portfolio. The investor report (April 2018-August 2021), which begins on page 30 in the board book, covers four accounts: (a) AIHEC Endowment Fund (b) AIHEC Student Congress Endowment Fund; (c) AIHEC Board Directed Fund; and (d) AIHEC Operating Fund. Mr. Early emphasized the importance of conservative investing to maintain a balanced portfolio.

President Shortbull asked President Guillory how the AIHEC investment portfolio grew from \$2 million to more than \$22 million. President Guillory deferred the question to Ms. Billy, who reminded the Board of the recent \$20 million gift from MacKenzie Scott, which was announced during the 2021 Summer Board meeting, discussed during a biweekly TCU presidents meeting, and announced more broadly through a press release that was widely distributed and sent to the TCUs. The gift is currently conservatively invested, according to AIHEC's investment policy, which was discussed and approved by the AIHEC Finance and Audit Committee. This will allow the gift to grow, potentially through the end of the pandemic, as there is no rush to determine whether to invest the funding long-term, budget the gift on select TCU/AIHEC priorities, or do a combination of the two. President Shortbull questioned the decision to invest the \$20 million stating that several TCUs also received direct gifts. He repeatedly attacked Ms. Billy's character and accused her of improperly managing the gift, stating that she may have improper plans for spending the money. Further, he said the funding should have immediately been distributed to certain TCUs (those not receiving individual gifts from Ms. Scott) and that the gift was intended for the TCUs individually, not for the AIHEC organization. Ms. Billy clarified that Ms. Scott donated funds to six TCUs in December 2020 and to various higher education organizations supporting diverse students in July 2021. AIHEC and the American Indian College Fund were among the recipients in July 2021.

Ms. Billy attempted to explain the purpose of the gift, AIHEC's work to develop a Board-approved investment plan and other related policies, discussions with the Finance and Audit Committee, and steps taken to respect the wishes of the donor and to protect the funding until the board had sufficient time to fully discuss ideas and strategies for using the funding for the maximum benefit of the organization and TCUs. President Shortbull repeatedly expressed his belief that she was improperly using the funding and that the gift should immediately be given to his college and other TCUs that were not gifted by Ms. Scott.

Ms. Billy further explained that the Finance and Audit Committee and Executive Committee reviewed the issue and directed AIHEC to invest the funds for the present time. President Shortbull disagreed with decision to invest the funds and repeated his belief that the funds should be divided solely among the TCUs that did not receive direct gifts from Ms. Scott.

MOTION:

President Shortbull [seconded by President Bordeaux] moved that the \$20 million gift to AIHEC be equally divided and given to the TCUs that did not receive any money from MacKenzie Scott.

DISCUSSION:

President Bordeaux inquired about AIHEC plans for the funds. Ms. Billy explained, as dictated by Ms. Scott, that the funds were given to sustain AIHEC's operations. She further explained the unsolicited gift arrived during an extremely busy time when AIHEC was focused on supporting TCUs during the pandemic, including working with Congress and the Biden administration to maximize TCU covid-19 relief funding. Because there was no pressing need to spend the funding immediately and AIHEC had a sound investment policy and strategy in place, and after discussions with members of the Executive Committee and Finance and Audit Committee, the decision was made to invest the funds upon receipt until the time could be taken to develop plans to benefit the entire organization. AIHEC has transformed since the early 2000s from a financially unstable organization into a strong and financially healthy organization. Since that era of financial instability, the Board has consistently expressed a strong interest in establishing an endowment for AIHEC to provide long-term, ongoing support for AIHEC operations. She noted that she views her purpose to be a steward of AIHEC's resources and assets for future generations.

President Bordeaux asked which TCUs received donations and how much they received. The following TCUs received unsolicited gifts: Chief Dull Knife College, Navajo Technical University, Salish Kootenai College, Blackfeet Community College, Turtle Mountain Community College, Institute of American Indians Arts, and the IAIA Museum of Contemporary Native Arts. Recipients had the choice of whether or not to publicly disclose the amount of the donation.

President Shortbull again expressed his opposition to AIHEC's current action of investing the \$20 million gift from Ms. Scott. Instead, he believes the \$20 million donation should be distributed equally among the TCUs, including Oglala Lakota College, which did not receive direct donations from Ms. Scott.

President Boham, Salish Kootenai College, shared her college's experience in receiving a donation from Ms. Scott. Representatives from the funder explained that more than 600 organizations were vetted by a research team using a list of criteria established by Ms. Scott. All donations were unsolicited and requests for donations would not be considered. Regarding the current \$20 million investment, President Boham added that while a timeframe has not been established for the investment, there is a higher earnings potential solely based on the size of the original amount. She added that long-term impact would be better than short-term impact.

President Guillory suggested that a review of the AIHEC draft spending policy could provide additional information and context regarding AIHEC investments and spending. Chair Yarlott added that money and politics often divide people. He also added that he supports developing a plan to use the funding, and not rushing into spending the funds.

President Bordeaux shared his recollection of a time when AIHEC operated "as equal" with an "all for one, one for all" approach in requesting funding from the Kellogg Foundation. In the example, Sinte Gleska

University was offered \$1.5-\$2 million, but he refused the funding unless all TCUs received funding. The Kellogg Foundation responded by offering additional funding for a total of \$25 million for all TCUs. He agreed that additional discussions are needed regarding the funding¹.

Regarding the \$20 million donation, Ms. Billy reiterated that the donation was unsolicited. During her conversation with the representatives, her first response was to strongly recommend the donation be made directly to the TCUs. The representative explained that this was not an option – the funding was for AIHEC, based on Ms. Scott’s desires. Ms. Billy added that AIHEC had two options: accept or refuse the donation. President Shortbull inquired about the terms of the donation. Ms. Billy explained that the donation was given exclusively to AIHEC with few restrictions. For example, an annual report is required for some years. She further reiterated that the donation is invested on behalf of all the TCUs until spending policies are considered and recommendations and plans can be developed. None of the gift has been spent – but rather, invested and grown since received in the summer, as is transparent from AIHEC’s detailed financial reports, included in the board book. AIHEC staff have been focused on supporting TCUs during the pandemic and addressing membership issues, both of which require an immense amount of time and attention.

President Guillory again requested that the Board receive Mr. Early’s presentation on the AIHEC draft spending policy. Chair Yarlott and President Guillory agreed that the presentation may answer questions and allow for further discussion. Mr. Early provided a PowerPoint presentation which highlighted the strong earnings from the \$20 million investment, and he began to review the draft policy. He also added that other Tribal organizations that he works with are having conversations on how to best use funds for the greatest benefit. He asked Ms. Billy whether AIHEC had a strategic plan, and Ms. Billy responded that AIHEC does have a detailed strategic plan that guides AIHEC’s activities and initiatives. Mr. Early said the strategic plan, along with AIHEC’s policies, is important to future discussions and is an important guide for implementing any spending policy.

President Lindquist noted that a motion remains on the floor and must be resolved; therefore, she offered the following motion.

MOTION:

President Lindquist [seconded by President Gourneau] moved that President Shortbull’s motion regarding the MacKenzie Scott unsolicited gift be tabled.

OUTCOME:

Agreed to by voice vote, with one objection. (President Shortbull, Oglala Lakota College).

President Shortbull suggested that AIHEC provide operational funding to each of the TCUs in the same manner as the American Indian College Fund, by providing \$33,000 to each TCU. He further added that he

¹Equity and unity continue to be a guiding principle of AIHEC. For example, when Project Success (funded by Ascendum) was originated by the U.S. Department of Education, the plan was to benefit only a handful of TCUs. AIHEC staff insisted that all TCUs be included, and all have been included in this multi-year project. Further, AIHEC did the same in vigorously advocating for equity in TCU covid-19 relief funding and construction funding at the federal level and donated goods from the private sector, for example.

believes investment to be a waste of the funding when the funds could be spent immediately by his college. Chair Yarlott disagreed and stated that investing the funds will allow for greater opportunities in the future. President Shortbull inquired about decisions on potential opportunities – who makes the decisions.

Ms. Billy again explained the process that occurred as the donation was received, providing greater detail: (1) the AIHEC Finance and Audit Committee was immediately consulted; (2) the decision was made to invest the funds until the full Board could be consulted on the long-term future of the gift and any necessary policies and safeguards were developed and approved; (3) fortunately, by previous action of the Board, AIHEC already had in place a sound investment policy, as well as an independent Financial Advisor, which allowed AIHEC to conservatively invest the gift; (4) a recommendation was made to the Finance and Audit Committee that the next step would be to develop and approve an investment *spending* policy, to provide a framework for spending the gift prudently; (5) based on the recommendation, AIHEC staff worked with Mr. Early on a draft spending policy for committee review; (6) the committee reviewed and requested revisions to the draft policy and after subsequent modification and review, a draft policy was approved by the committee; (7) assuming the spending policy is adopted by the full board, the committee will develop recommendations for the gift, or a portion of the gift, in addition to the annual AIHEC operating budget, for presentation to the full board at the next meeting. She added that if the Board were to follow the motion to immediately distribute the funding to a select group of TCUs, AIHEC would be disregarding the established budgeting process and would be spending without deliberating the value of a spending policy, as recommended by the Finance and Audit Committee.

President Shortbull said that in standard fundraising, organizations first develop a purpose before soliciting or receiving funds. He stated that he believes there is no stated purpose for the \$20 million at this time. Once again, discussion reiterated that AIHEC did not solicit the gift. President Shortbull expressed his displeasure with the current unstated purpose for the \$20 million donation and said his college does not take funding unless a plan is in place for spending the funds.

Chair Yarlott requested that Mr. Early continue his presentation on the draft spending policy, which is contained in the board book on pages 62-66. Mr. Early explained that the donation was provided to support and validate the vision and mission of AIHEC. The draft spending policy was developed using industry best practices to protect investments and provide sustained funding for programs and the organization. The policy was developed in consultation with the Finance and Audit Committee. President Crazy Bull asked about the structure of the endowment and the Board's ability to use the corpus in the future. Mr. Early reiterated that the Mackenzie Scott gift is unrestricted, therefore, any portion of the funding may be spent or invested, and he explained that the current draft spending policy contains suggestions but does not contain a final decision regarding long term holdings of the corpus of the Mackenzie Scott gift or other AIHEC endowment accounts. In some cases, federal laws or donor restrictions may limit or prohibit the spending certain endowment corpuses.

In response to question raised by President Shortbull, Mr. Early explained that potential earnings range between 6 to 7 percent, based on a three-year rolling average from 2018. Mr. Early further reviewed various investment and spending scenarios with year-over-year growth and losses.

MOTION:

President Guillory [seconded by President Oltrogge] moved that the Board approves the AIHEC Spending Policy, as drafted and approved by the AIHEC Finance and Audit Committee.

OUTCOME:

Agreed to by voice vote.

President Guillory acknowledged President Justina Wilhelm, Iñsaḡvik College, for agreeing to serve as a new member of the Finance and Audit Committee. He also thanked AIHEC staff members Tina Cooper, Stacia Prue, Todd Early, and Carrie Billy for their excellent support throughout the process.

President Shortbull stated that while the Board passed the spending policy, a plan to spend the \$20 million endowment was not available and he believed the policy was for an accumulation of funds.

President Monteith inquired about the difference between a spending policy for “investments” versus “endowment” accounts. Since the just-approved policy references “endowments,” he questioned the policy’s applicability to the \$20 million “investment.” To address the confusion, President Guillory said the terms would be changed to “investments,” rather than “endowments”. Ms. Billy noted that AIHEC has only one fully restricted endowment, and that if any endowment has specific restrictions or rules, the restrictions and rules would be controlling (over the spending policy). AIHEC simply calls the other investments “endowments”, to indicate that the funds are set aside for investment, to be used for a specific purpose.² Ms. Billy stated the Finance and Audit Committee had requested a document that combines AIHEC’s investment and spending policies, and when complete, will be provided to the board.

President Bird asked to clarify item number six on the spending policy: *“Exception will be made upon the written approval of the AIHEC Board of Directors”*. She asked if AIHEC decisions are made by majority vote. Ms. Billy affirmed this, noting that pursuant to AIHEC Bylaws, all AIHEC board decisions are based on

² AIHEC currently has one endowment with terms that prohibit the spending of the endowment corpus. (This is a “permanently restricted endowment because the signed agreement with the donor prohibits AIHEC from spending the corpus.) TCUs are most familiar with this type of endowment because the two endowments most TCUs have are endowments whose corpus includes federal funds invested from the U.S. Department of Education or Bureau of Indian Education. The underlying statutory authority for this funding prohibits or limits a TCU from spending the endowment corpus (and, in some case, the interest earned on the endowment). However, a non-profit entity may have other types of endowments that may not have these strict limitations: a donor restricted endowment, in which a donor makes a gift that may range from having only limited restrictions to very stringent requirements, all of which are spelled out in a contract or other written agreement (such as the endowment described previously); or a board designated endowment, in which the board might impose restrictions on use and purpose, including restricting the spending of the endowment corpus, or the board might impose *no* restrictions, simply designing a growth fund and calling it an endowment for a variety of reasons; or the organization may choose to call various investment funds “endowments”, rather than “funds” to distinguish one from the other (e.g. the “AIHEC operating endowment”). All these examples of investments may be called an “endowment,” but as explained, use of this term does not mean there are restrictions on the use of the funds (or on part of the funds, such as the corpus). When a board or non-profit establishes an “endowment” or investment, either board directed with restrictions or unrestricted or simply by naming a fund an endowment, having in place sound investment and spending policies are critical to ensuring accountability and attention to fiduciary responsibilities. These two documents provide a frame around which the board and organization may invest and prudently spend portions of the investment. Note that the terms of most donor restricted endowments may be changed only by the donor or by a court. A board may change the terms of a board designated endowment at any time.

a majority rule vote and that rollcall votes require a majority of sitting board members (directors) to vote in the affirmative for passage.

VI. PRESENTATIONS TO THE BOARD

American Indian College Fund: American Indian College Fund (College Fund) President and CEO, Cheryl Crazy Bull, thanked those who attended the College Fund's online strategic planning session on October 8, 2021, and invited those who were unable to attend to reach out to her. She then provided updates in the four initiative areas: (1) Student Access and Success; (2) TCU Capacity Building; (3) College Fund Sustainability; and (4) Public Awareness. A PowerPoint presentation is included in the board book, pages 81-84.

President Crazy Bull presented on the Community of Practice approach to support TCUs in sharing learning and best practices. Invitations were made for TCU leaders to attend upcoming sessions on: Indigenous Early Childhood Education, *Obdaya Opta Tate Kim Kah'Boke*, Computer Science Initiative, Native Arts Enrichment, and Curriculum Development. The College Fund, in partnership with Wieden and Kennedy, is preparing to launch a new public awareness campaign entitled, *This is Indian Country*. In celebration of Native American People's Day, the College Fund is hosting a virtual concert and coordinated a full-page ad in the *New York Times*.

Bureau of Indian Education (BIE): Dr. Venida Chenault, BIE Research Analyst, presented on behalf of the BIE, noting that BIE soon will distribute TCU endowment awards of \$6,816 to each of the 16 TCUs that applied. All 2022 TCU operational grant applications have been received with one remaining outstanding. Dr. Chenault also provided an update on several partnership opportunities for TCUs and students. Her written report is included in the board book on page 99.

USDA-1994 Land-grant Programs: Lawrence Shorty, Director of USDA 1994 Programs, provided updates on several USDA programs. Mr. Shorty explained a new process to help in identifying TCU students for internships and scholarships. The new application process will be simplified from a 16-page application to a short resume, unofficial transcript, and essay. USDA is launching an Equity Commission and would like a TCU representative.

Mr. Shorty is working closely with AIHEC to develop a new AIHEC-USDA Memorandum of Agreement, based on prior agreements. The work under the new MOA could be outlined in a bi-annual or annual plan. Mr. Shorty's written report is included in the board book on page 100.

White House Initiative on American Indian and Alaska Native Education (WHIAIANE): Ron Lessard, Acting Director of WHIAIANE, provided several updates. The Biden Administration is preparing to release an updated Executive Order on Indian Education to be entitled *White House Initiative on Advancing Educational Equity Excellence and Economic Opportunity for Native Americans and Strengthening Tribal Colleges and Universities*. Unfortunately, a separate EO on TCUs, as requested by AIHEC, was not possible. However, the draft EO includes specific language and directives to support TCUs. Other announcements include:

- White House Tribal Nations Conference to be held virtually the week of November 8, 2021.

- National Native Languages Summit, rescheduled from in-person at NIEA, to a virtual event on November 18-19, 2021, from 2:00 pm – 6:00 pm ET.
- The Federal Native Languages MOA will be expanded beyond the initial three agencies to include additional federal agencies.
- The White House Council on Native American Affairs meets regularly, and Mr. Lessard and BIE Director Tony Dearman co-lead the Education Committee. Through this means, Indian Education and TCU needs are discussed with the White House Domestic Policy Council.
- U.S. Secretary of Education Miguel Cardona recently visited two TCUs, Saginaw Chippewa Tribal College and Tohono O'odham Community College and hopes to visit more in 2022.

The National Advisory Council on Indian Education will meet the week of November 1, 2021. In response to a question raised, Ms. Billy explained that during the Trump administration a concerted effort was made by AIHEC to nominate several TCU presidents to fill multiple vacancies on the council. However, due to inaction by the Trump Administration, there are currently no TCU representatives serving on the council. In reference to nominations that occurred during the Trump Administration, Mr. Lessard relayed the confusion that occurred during that time between the White House and the Department of Education. Mr. Lessard added that NACIE will discuss the current vacancies, and service terms at the next meeting.

FALCON/Land-grant: A written report is included in the board book on pages 96-97.

AIHEC TCU Librarians' Association: A written report is included in the board book on pages 86-94.

President Yarlott declared a 15-minute recess at 2:32 pm ET.

VII. AIHEC CENTRAL OFFICE REPORT

Legislative & Executive Branch Report: Ms. Billy informed the board that extensive updates are now provided as part of AIHEC's bi-weekly TCU meetings, but Capitol Hill and the Administration are very active, and things are changing rapidly. Ms. Atine provided brief legislative updates, with the following highlights:

- Overview of FY22 Appropriations with House and Senate proposed funding levels, and AIHEC requested funding levels. (Funding table on pages 127-129)
- Continuing Resolution through December 3, 2021.
- Build Back Better/Reconciliation: Overview of TCU and Higher Education provisions (pages 130-132).

Regarding the proposed "Tuition Free Community College" program, Ms. Atine explained how TCUs would be reimbursed by the federal government (an amount equal to tuition and fees for each eligible student). Unfortunately, the "Tuition Free Community College" probably will be cut from the Build Back Better proposal to reduce topline spending and to provide more funding for other urgently needed social programs.

President Lindquist spoke about the ongoing issues TCUs experience when competing for TRIO Student Support Services grants. Ms. Billy said AIHEC is working with the Council on Opportunities in Education to provide specific assistance to TCUs in the upcoming competition.

Ms. Billy and Ms. Atine reiterated that higher education organizations are united in advocating for a substantial increase for Pell grant funding.

President Bordeaux spoke about the establishment of the U.S. Land-grant system in which the Federal government stole and exploited tribal lands to create Land-grant universities, such as Ohio State University and South Dakota State University. He added that tribes should be compensated, possibly through USDA funding for TCUs.

President Bird commented that BCC is considering establishing an endowment. She is looking for best practices as the college develops an investment policy to keep funds secure for future generations. President Bird explained that current BCC bylaws allow for the appointment of five new board members at one time. There is concern that the aforementioned board members could make significant changes to the established endowment. She welcomed input from other TCU presidents on strategies to implement safeguards.

Other AIHEC highlights include:

- Three new AIHEC staff members: Kathy Aplan, PR & Communications Associate; Dr. Erica Moore, Executive Director of Native Student Success Initiatives; and Darius Taylor, Gates-Harvard Data Fellow.
- Upcoming virtual Falcon Conference on October 21-24, 2021.
- AIHEC partnership with the American Indian Physicians Association and others to host a virtual AI/AN Healthcare Workforce Development Summit on October 25-26, 2021.
- AIHEC Survey on TCU Infrastructure Needs
- AIHEC Survey on Tribal Contributions
- AIHEC Survey on Vaccination, Masking, and Testing Policies.

The AIHEC report is included in the board book on pages 109-125.

As reported earlier, Ms. Billy and John Phillips are working with USDA to update the expired MOA between AIHEC and USDA, as required in the Farm Bill. AIHEC attempted to renegotiate the MOA during the Trump Administration, but USDA failed to follow through. Newly returned USDA Secretary Tom Vilsack has indicated his willingness to re-sign an MOA. The current draft is based on a previous MOA and includes significant revisions to further support TCUs, as provided by the Executive Committee and FALCON. The draft MOA is included in the board book on pages 101-107.

MOTION:

President McDonald [seconded by President Gourneau] moved that the Board supports the draft AIHEC-USDA MOA, as presented, and formally requests that Secretary of Agriculture, the Honorable Tom Vilsack, sign the draft MOA as soon as possible.

OUTCOME:

Motion agreed to by voice vote

AD HOC Committee on Membership: As directed by a board motion passed during the Special Board meeting on September 16, 2021, the Membership and Accreditation Committee met on September 28, 2021 and established an ad-hoc committee on membership. Members include:

- Lauren Vermillion, SBC
- Robert Martin, IAIA
- Haven Gourneau, FPCC
- Cynthia Lindquist, CCCC
- Tom Shortbull, OLC
- Stephanie Hammitt, FDLTCC
- Michael Oltrogge, NICC
- Christopher Caldwell, CMN
- Duane Bedell, BMCC
- Monte Monteith, SIPI
- Lori Ann Sherman, KBOCC
- Monte Randall, CtMN

The charter will be discussed at the first virtual meeting of the committee scheduled for October 18, 2021:

- Classes of AIHEC membership
- Criteria, rights, and privileges for each membership class
- Modifications to bylaws regarding any proposed new or modified classes and rights
- Whether and which changes are prospective or retroactive

Ms. Billy stated that a decision is needed on whether to hold the upcoming 2022 AIHEC Legislative Summit as an in-person meeting or a virtual meeting.

MOTION:

President Azure [seconded by President Patil] motioned to hold the 2022 AIHEC Legislative Summit in-person, with the stipulation that those who attend are fully vaccinated.

DISCUSSION:

President Oltrogge asked about the likelihood of in-person meetings or whether most TCU presidents would be conducting virtual meetings from the hotel. Ms. Billy reviewed a list of “pros and cons” to having an in-person legislative summit. Issues discussed included:

- Proposed in-person legislative summit would be limited to one TCU representative per TCU.
- No students would participate in person.
- Currently, Washington, DC has an indoor mask mandate in place.
- Many Congressional offices are closed, and all staff are working from home.
- There are limits on the number of attendees for in-person Congressional meetings, in the offices that are currently open.
- Potential in-person meetings with Members of Congress could be cancelled due to votes, budget negotiation, etc.
- Currently, the Capitol Hill complex is closed to the public: access to Congressional buildings is extremely limited. If you are admitted for a meeting, there is no access to cafeterias, etc.
- Tribal leaders attending in-person meetings in Washington, DC are typically attending fundraising events.

- Republican offices are more likely to allow in-person meetings. Democratic offices are more likely to schedule virtual meetings.

President Shortbull expressed concern about attending an in-person meeting in the event of another covid-19 surge and stated his goal of keep his students safe. He announced that Oglala Lakota College would not participate in an in-person event. President Monteith suggested that the TCUs in each state could agree to send a few TCU presidents, rather than all TCUs presidents. President McDonald inquired if Zoom would be an option if one did not attend in-person. Ms. Billy stated that due to covid-19 safety protocols and limited technology, Zoom meetings would not be possible unless the entire TCU delegation from a state participated virtual. In other words, hybrid meetings likely are not possible from Congressional offices.

President Shortbull asked if President Biden's Build Back Better plan may be pushed past February. Ms. Billy said staff believe the legislation will not be completed by February, if completed at all. One issue is that there is limited time on the Congressional calendar because this is an election year. Ms. Atine stated this is difficult to gauge.

OUTCOME:

A poll vote was conducted via Zoom chat and voice vote with the following results: 17 voting "yes"; 8 voting "no". The motion was agreed to.

VIII. COMMITTEE REPORTS & MOTIONS

Research Committee: Leander McDonald, Chair

The Research Committee had two motions that require board action:

MOTION:

President McDonald [seconded by President Bird] moved that the AIHEC Board of Directors supports a course-sharing agreement pilot proposal among Tribal Colleges and Universities, to be submitted to the Lumina Foundation and other foundations with similar portfolios.

OUTCOME:

Motion agreed to by voice vote, with one vote of opposition noted.

MOTION:

President McDonald [seconded by President Sangrey-Billy] moved that the Board of Directors directs that a formal salary survey of Tribal College and University staff and faculty shall be included in reporting requirements for AIHEC member institutions, to be completed biennially.

OUTCOME:

Motion agreed to by voice vote.

Student Activities Committee: Robert Martin, Chair

The Student Activities Committee had three motions that required board action:

MOTION:

President Martin [seconded by President McDonald] moved that the Board of Directors shall designate the Southwest/Oklahoma/Kansas Tribal Colleges and Universities as the hosts of the next annual AIHEC Student Conference, potentially in Spring 2023, and the official conference rotation shall restart the following year, with the Woodlands TCU Region, potentially in 2024 (Order: Woodlands, SD, ND, MT/Mountain West, and Southwest).

OUTCOME:

Motion agreed to by voice vote.

MOTION:

President Martin [seconded by President Gourneau] moved that the Board of Directors approves the re-nomination of AIHEC Athletic Commissioner Cameron Billy of Stone Child College to serve another 4-year term on the AIHEC Athletic Commission.

OUTCOME:

Motion agreed to by voice vote, with one abstention.

MOTION:

President Martin [seconded by President Sangrey-Billy] moved that the Board of Directors approves an annual Tribal College and University digital media event, such as "Indigeverse," as an officially sanctioned AIHEC activity, to be conducted to encourage and promote TCU student, faculty, and staff engagement in digital media, and further to be conducted as part of, or in coordination with, the annual AIHEC Student Conference, if feasible.

OUTCOME:

Motion agreed to by voice vote.

President Shortbull stated he believed the motions presented by the committees are insignificant and can be handled on a committee level.

Tribal College Journal Advisory Board: Monte Randall, Chair

The Tribal College Journal Committee had one motion that required board action.

MOTION:

President Randall [seconded by President Lindquist] moved that the annual Tribal College Journal licensing fee paid by AIHEC member institutions shall be increased by 5 percent over the fiscal year 2021 fee level.

OUTCOME:

Motion agreed to by voice vote.

IX. NEW BUSINESS

No new business was put forward.

President Lindquist inquired if a consent agenda could work to pass all committee motions based on President Shortbull's comments. President McDonald noted if that were the case, the AIHEC Draft Spending Policy would not have been brought to the board for discussion. He further noted President

Shortbull's disagreement with the policy, which may have not been brought to the Board's full attention if a consent agenda had been used.

Ms. Billy stated that some of the procedural issues, such as votes on commission members, handbook updates, calendar rotations, etc., could be handled at the committee level, if the relevant handbooks were amended and the amended handbook(s) approved by the Board. President Martin stated any motions in question could be removed for discussion during the consent agenda approval process at the request of any board member. The presidents agreed time would be saved during board meetings with the use of a consent agenda.

MOTION:

President Shortbull [seconded by President Lindquist] moved to delegate to the AIHEC Student Activities the authority to approve appointments to the AIHEC Athletics Commission and AIHEC Student Conference Commission.

OUTCOME:


Motion carries by voice vote.

X. ADJOURNMENT

President Bordeaux thanked AIHEC staff and provided a closing prayer. Hearing no objection, Chair Yarlott declared the meeting adjourned at 4:30 p.m. ET.

Minutes prepared by AIHEC staff.

Executed and acknowledged by the undersigned being the Secretary of the Board of the Corporation.



Leander R. McDonald, Secretary
American Indian Higher Education Consortium

7-15-22
Date