

FINAL MINUTES OF THE AIHEC FALL 2022 BOARD OF DIRECTORS MEETING
Oklahoma City Convention Center
Oklahoma City, Oklahoma & Zoom Web Conference
Monday, October 3, 2022 – 8:30 a.m. CT

- I. **CALL TO ORDER & OPENING PRAYER:** AIHEC Board Chair David Yarlott Jr., President, Little Big Horn College, called the 2022 Fall Board of Directors Meeting to order at 8:45 a.m. CT.

ROLL CALL: Erykah Wilkerson, Executive Assistant to the President & CEO, called the roll with the following results:

Directors Present

Lane Azure
Twyla Baker
Duane Bedell
Sandra Boham
Lionel Bordeaux*
Donna Brown
Christopher Caldwell*
Sean Chandler
Eva Flying
Dawn Frank
Julia Good Fox, Acting President*
Haven Gourneau*
Justin Guillory
Elmer Guy
Brad Hall
Dan King*
Cynthia Lindquist
Robert Martin
Leander R. McDonald
Helen Zaikina-Montgomery*
Michael Oltrogge
Manoj Patil
Tamarah Pfeiffer
Monte Randall
Charles M. Roessel*
Cory Sangrey-Billy
Anna Shephard*
Lori Ann Sherman*
Carla Sineway
Russell Swagger*
Laurel Vermillion*

Regular Member Institutions

Sisseton Wahpeton College
Nueta Hidatsa Sahnish College
Bay Mills Community College
Salish Kootenai College
Sinte Gleska University
Turtle Mountain Community College
College of Menominee Nation
Aaniiih Nakoda College
Chief Dull Knife College
Oglala Lakota College
Haskell Indian Nations University
Fort Peck Community College
Northwest Indian College
Navajo Technical University
Blackfeet Community College
Red Lake Nation College
Cankdeska Cikana Community College
Institute of American Indian Arts
United Tribes Technical College
Leech Lake Tribal College
Nebraska Indian Community College
Little Priest Tribal College
Southwestern Indian Polytechnic Institute
College of the Muscogee Nation
Diné College
Stone Child College
White Earth Tribal & Community College
Keweenaw Bay Ojibwa Community College
Saginaw Chippewa Tribal College
Lac Courte Oreilles Ojibwe University
Sitting Bull College

Justina Wilhelm*
David Yarlott Jr.

Iḷisaḡvik College
Little Big Horn College

With 33 directors present, a quorum was established

Directors Absent

Stephanie Hammitt
Paul Robertson

Regular Member Institutions

Fond du Lac Tribal & Community College
Tohono O'odham Community College

II. REVIEW AND APPROVAL OF MEETING AGENDA

Chair Yarlott reviewed the proposed agenda for the 2022 Fall Board of Directors Meeting.

MOTION:

President Robert Martin moved [seconded by President Sandra Boham] to approve the 2022 Fall Board of Directors Meeting agenda.

OUTCOME:

The motion was agreed to by voice vote.

III. ANNUAL/BIENNIAL FALL DIRECTORS BUSINESS

Annual Review & Signing of AIHEC Code of Conduct

A brief review of the Code of Conduct was provided. Pursuant to board motion (Fall 2016), all board members and AIHEC staff must review the Code of Conduct annually and provide written acknowledgement of such review. In preparation of the board meeting, the Code of Conduct was sent via email to all members for their signature. A copy of the Code of Conduct and an acknowledgement form was provided in the board book for those presidents attending in-person who had not yet signed and returned the form via email. Ms. Wilkerson will follow up with virtual attendees who have not yet signed and returned the acknowledgement form.

Election of AIHEC Board Officers

During the fall meeting of every even-numbered year, elections are held for the five board officers: chair, vice-chair, treasurer, secretary, and member-at-large/peacekeeper. Subject to the term limit imposed on the board chair only, sitting officers may be reappointed for an additional 2-year term by motion or acclamation, or new officers shall be elected.

Election of Chair:

Vice Chair Elmer Guy assumed the role of chair to conduct the election of the board chair. Ms. Billy provided clarification on the election process, as presidents were unsure if motions were required to reelect individuals. She noted that under the AIHEC bylaws, the sitting chair may be re-elected due to the ongoing national pandemic. The AIHEC bylaws limit the chair to two consecutive terms except during a national emergency.

Nomination: President Sandra Boham nominated President Yarlott to continue to serve as chair.

Acceptance of nomination: President Yarlott accepted the nomination to continue as chair, noting he would abstain from voting.

Motion: President Leander McDonald moved [seconded by President Manoj Patil] to close nominations for board chair.

Outcome: President Yarlott was reelected by acclamation (unanimous consent) to serve a two-year term as board chair.

Election of Vice Chair:

Chair Yarlott resumed the role of chair and opened nominations for vice chair.

Nomination: President McDonald nominated President Guy to continue to serve as vice chair.

Acceptance of nomination: President Guy accepted the nomination.

Chair Yarlott called for additional nominations, and none were declared.

Motion: President McDonald moved [seconded by President Corey Sangrey-Billy] to close nominations for vice chair.

Outcome: President Guy was reelected by acclamation (unanimous consent) to serve a two-year term as board vice chair.

Election of Secretary

Chair Yarlott opened nominations for position of secretary.

Nomination: President Cynthia Lindquist nominated President McDonald to continue to serve as secretary.

Acceptance of nomination: President McDonald accepted the nomination.

Chair Yarlott called for additional nominations, and none were declared.

Motion: President Guy moved [seconded by President Michael Oltrogge] to close nominations for the position of secretary.

Outcome: President McDonald was reelected by acclamation (unanimous consent) to serve a two-year term as board secretary.

Election of Treasurer

Chair Yarlott opened nominations for the position of treasurer.

Nomination: President Oltrogge, member of the Finance & Audit Committee, nominated President Justin Guillory to continue to serve as treasurer.

Acceptance of nomination: President Guillory accepted the nomination, stating he was willing to step down should another president desire to be nominated.

Chair Yarlott called for additional nominations, and none were declared.

Motion: President Boham moved [seconded by President Oltrogge] to close nominations for the position of treasurer.

Outcome: President Guillory was reelected by acclamation (unanimous consent) to serve a two-year term as board treasurer.

Election of Member At-Large/Peacekeeper:

As stated in section 7.01 of the AIHEC bylaws, the member-at-large/peacekeeper “shall be the immediate past chair, for a minimum of one term.” When the sitting chair is elected to an additional term as chair, an election (or re-affirmation) is held for the member-at-large/peacekeeper position.

Nomination: President Oltrogge nominated President Lindquist to continue to serve as member-at-large/peacekeeper.

Acceptance of nomination: President Lindquist accepted the nomination.

Chair Yarlott called for additional nominations, and none were declared.

Motion: President Boham [seconded by President Robert Martin] moved to close nominations for position of member-at-large/peacekeeper.

Outcome: President Lindquist was reelected by acclamation (unanimous consent) to serve a two-year term as member-at-large/peacekeeper.

AIHEC Committee Membership Open Season -- Even Numbered Years

Directors (board members) serve on various AIHEC committees, overseeing AIHEC activities. Directors may serve on more than one committee; however, service is required on a minimum of one committee. Committee meetings are held virtually as needed, prior to each board meeting. Directors were asked to review their current committee assignments. Any director desiring to change committee assignments or join an additional committee should notify AIHEC staff: Carrie Billy, Patrese Atine, or Erykah Wilkerson by Monday, October 24.

IV. Honoring Our Leaders:

Two TCU presidents were honored for their leadership and service:

- President Richard Littlebear, Chief Dull Knife College (Retirement): President Littlebear officially retired during summer 2022 after serving as president for 23 years (since 1999) and working at CDKC for 26 years.
- President Robert Martin, Institute of American Indian Arts (Executive Committee member and Chair, AIHEC Student Activities Committee): President Martin served as Student Activities Chair for several terms, leading important initiatives. He is the only president rotating off the executive committee.

President McDonald provided an honor song for the two presidents as each was presented with a specially selected Pendleton blanket.

President Littlebear shared brief remarks, reflecting on the positive interactions he has had with students, colleagues, and Tribal communities. Students have always been his priority and he is thankful for the opportunities available to students now, which were not available when he was growing up. When he was young, there were no higher education opportunities available on his own reservation. Instead, he spent many years “wandering between four colleges”. He expressed his firm belief in the value of TCUs, and he encouraged all young Native people to establish – and work to achieve - goals.

V. Secretary’s Report:

Review and Approval of AIHEC Summer 2022 Board Meeting Minutes

Secretary McDonald presented the minutes from the AIHEC Summer 2022 Board of Directors meeting, which are included in the board book.

MOTION:

President McDonald moved [seconded by President Guy] to approve the AIHEC Summer 2022 Board of Directors meeting minutes.

OUTCOME:

The motion was agreed to by voice vote.

Abstention: President Tamarah Pfeiffer

Presentation for Acceptance of June, July, and September 2022 Executive Committee Meeting Minutes:

President McDonald presented the executive committee meeting minutes for June, July, and September 2022, included in the board book, for informational purposes.

MOTION:

President McDonald moved [seconded by President Martin] to accept the AIHEC June, July, and September 2022 executive committee minutes.

OUTCOME:

The motion was agreed to by voice vote.

Abstention: President Tamarah Pfeiffer

VI. Treasurer's Report:

AIHEC Investment Report

President Justin Guillory introduced Todd Early, Chief Investment Officer, Sovereign Investment Advisors, LLC, who provided an update on AIHEC investments. Mr. Early explained the impact of inflation, the covid-19 pandemic, and international matters, such as the war in Ukraine, on the U.S. stock market. He noted that the dramatic increases in the cost of food, durable goods, healthcare, and housing. The Federal Reserve has increased interest rates to stabilize the stock market and slow purchasing by U.S. consumers. Both stocks and fixed income investments have been volatile during the pandemic. While investment performance has been rocky over the past two years, Mr. Early stressed the importance of disciplined investing and praised the AIHEC board and staff for establishing clear and conservative investing principles and strategies. In closing, he said that historically, markets tend to make quick, dramatic recoveries following market declines. It is anticipated that the market will begin to improve over the next 12 months.

RECESS: Following Mr. Early's presentation, Chair Yarlott announced the meeting would stand in recess for 10-15 minutes.

VII. Committee Reports

Finance and Audit Committee

Treasurer and Finance & Audit Committee Chair Guillory Treasurer and Finance & Audit Committee Chair Guillory provided an update from the Finance and Audit Committee, which met virtually on September 16, 2022.

- AIHEC remains in stable and positive financial position.

- The AIHEC Board Directed Fund was established by the board in 2006 with an initial contribution from TCUs in the amount of \$38,000 (approximately \$1,000 per TCU). From [2009-2021](#), the AIHEC Central Office has contributed \$608,412, to provide a current balance (excluding interest) of \$646,421.
- **AIHEC FY 2021 Audit:** AIHEC successfully completed the annual audit for fiscal year (FY) 2021. The audit resulted in no finding or deficiencies. The AIHEC FY2021 audit was sent electronically to all directors prior to the meeting. In addition, AIHEC staff handed out hard copies of the audit to directors in attendance.

MOTION:

President Guillory moved [seconded by President Oltrogge] that the AIHEC Board of Directors accepts the fiscal year 2021 audit for the American Indian Higher Education Consortium (AIHEC).

OUTCOME:

The motion was agreed to by voice vote.

Tribal College Journal Advisory Board

Chair Randall provided updates from the TCJ Advisory Board’s meeting, which was held virtually on September 8, 2022.

- No motions were presented for Board consideration
- President Randall was elected to serve his first full term as advisory board chair. (Previously, he completed the remain portion of a two-year term when former President Raymond Burns departed Leech Lake Tribal College.)
- The TCJ is looking into accounting practices and issues regarding paid TCJ advertisements.
- The TCJ Online Auction is scheduled for November 2022. TCUs are encouraged to donate items for the auction and to promote the online event with their connections.

Chair Randell closed by complimenting staff on the TCJ’s recent fall issue on “Shared Governance” and highlighting the TCJ podcast, which featured former Haskell Indian Nations University President Linda Sue Warner.

Research Committee

Outgoing Chair McDonald provided updates from the Research Committee, which met virtually on September 13, 2022.

- No motions were presented for Board consideration
- President McDonald stepped down as chair after serving in that role for seven years. President Twyla Baker was elected committee chair and will assume the leadership role after the fall board meeting.
- The committee discussed the Bill and Melinda Gates Foundation’s (BMGF) goal to eliminate race and income as predictors of student success, attempting to better understand the meaning of the goal, and staff gave an overview of the new student success initiative. This will be an ongoing discussion item for the committee moving forward, as AIHEC and the TCUs work with BMGF and the student success network.
- The American Indian College Fund reported that they are conducting an analysis of TCU research programs and procedures.
- AIHEC staff will compile a list of TCU-based research centers to be shared with all TCUs.
- AIHEC staff asked the committee whether AIHEC had established a research agenda, and the committee directed staff to review the AIHEC research agenda, which was developed in approximately 2016, and propose recommendations, potentially to be considered at the spring 2023 Research Committee meeting.

In closing, outgoing chair McDonald encouraged TCUs to prioritize funding for institutional research (IR) positions and research centers. UTTC has established an IR position and has an NSF-funded research center. Both have allowed the college to expand programs with tribes and other institutions and to make better decisions regarding programing and student/Tribal services. He also stressed the importance of participating in the voluntary student data collection system, the Postsecondary Data Partnership (PDP). Currently, 12 or so TCUs participate in the PDP, and AIHEC and the College Fund are encouraging all to join. Staff noted that AIHEC AIMS is focused on institutional data, while the PDP is focused on student-level outcomes data. The board discussed the importance of funding staff positions to participate in these data collection systems, as well as the challenges involved.

Membership & Accreditation Committee

Chair Boham provided updates from the Membership & Accreditation Committee, which met virtually on September 22, 2022.

- President Sandra Boham was reelected as committee chair.
- San Carlos Apache College (SCAC) and California Tribal College (CTC), both developing members, provided updates from the past year, discussing challenges and opportunities the institutions have encountered. SCAC is making progress toward applying for accreditation and may soon be at a point where the college can apply for associate membership status. Ms. Billy will work with SCAC on this. Following the developing member presentations, the committee noted that unlike the associate member category, there is no limit on the length of time a developing member may stay in that category. Committee members believe establishing timelines and limits could be helpful in encouraging developing members to continuously improve and demonstrate accountability to institutional goals.

Based on the discussions regarding developing members, Chair Boham presented a motion for board consideration to establish a time limit on membership within the “developing member” category of AIHEC. The committee recommends a 7-year period be established, with the option to request a 3-year extension, for a total of 10 years. She stated the goal of the developing and associate member categories is to provide new institutions with time to grow and develop the capacity to be a fully functioning Tribal College or University.

MOTION:

President Boham moved [seconded by President Sangrey- Billy] that the AIHEC Board of Directors adopts the following timeline for AIHEC Developing Member status:

- (a) A Developing Member may maintain annual membership with AIHEC for an initial period not to exceed seven years.
- (b) At any time during the seven-year period, the Developing Member may apply for Associate or Regular Member status.
- (c) At the conclusion of the seven-year period, a Developing Member shall apply for membership as an Associate or Regular member or may request an extension of Developing Member status not to exceed three additional years.

DISCUSSION:

Ms. Billy provided clarification on AIHEC’s member categories and implementation of new bylaws, raising a potential issue with the motion as approved by the Membership & Accreditation Committee.

She apologized that this issue did not occur to staff until after the conclusion of the committee meeting: Typically, changes to the bylaws are effective immediately unless specified otherwise by the board. However, if there would be an immediate (and potentially adverse) impact on existing members, some boards determine that the new rules will be imposed moving forward only, meaning existing members would be subject to the membership rules as the rules were when the members were initially approved. She inquired whether the board intends: (a) that this change will apply immediately and retroactively, including to the two current developing members; (b) that current developing members (SCAC and CTC) will follow the rules that were in place when they became a developing member (i.e., no time limit); or (c) that the new rules will apply immediately, but for the two current developing members, the timeframe will start upon enactment of this rule change (i.e., regardless of the length of time the developing members have been in the category, the initial 7-year time frame begins at the conclusion of this meeting). She noted that both SCAC and CTC have been developing members for five years, so this change will have no *immediate* impact on their status. The assumption is that the rule change will apply immediately unless the board specifies otherwise.

OUTCOME:

The motion was agreed to by voice vote.

- **AIHEC Membership Compliance Certification:** As part of the implementation of the new AIHEC bylaws, AIHEC is establishing an annual Membership Compliance Certification requirement for Regular and Associate members. While every TCU provides the required information when applying for AIHEC membership, ongoing compliance has not been monitored regularly. This has resulted in some TCUs failing to meet the requirements (i.e., American Indian and Alaska Native student count and accreditation status). Through this new process, the committee will be able to help TCUs maintain compliance and address any issues as they arise. A copy of the certification form, with a list of required information, is included in the board book. All regular members should review the form, which Ms. Billy briefly described, as the form is due to the Central Office in December. She noted that this year, the form is a word document. However, in future years, the form will be integrated into the new AIHEC AIMS data collection system. Submission via email this year will ensure that AIHEC has all the foundational documents needed to move forward with a more streamlined process in the future. Chair Boham noted submission of the completed form is mandated under the AIHEC bylaws.

Student Activities Committee

Outgoing Committee Chair Martin provided an update from the Student Activities Committee, which met virtually on September 26, 2022.

- No motions were presented for Board consideration.
- President Martin announced he is stepping down as committee chair, after many years of service. President Donna Brown was elected as committee chair and will assume the leadership role after the fall board meeting.
- **AIHEC 2023 Student Conference:** The student conference will be held March 4-7, 2023, in Albuquerque, NM at the Albuquerque Convention Center, hosted by the Southwest TCU Presidents. The last student conference was in spring 2019. The 2020-2022 conferences were canceled due to the covid-19 pandemic. Diné College is coordinating the Knowledge Bowl and the reading list will be sent to all TCUs soon. The Woodlands TCUs are scheduled to host the AIHEC 2024 Student Conference.

- AIHEC Student Congress: The ASC has been unable to gather since 2020 due to the pandemic. However, elections are expected to take place as part of the AIHEC 2023 Student Conference.
- AIHEC 2023 National Basketball Tournament: The basketball tournament will be hosted by Nueta Hidatsa Sahnish College on March 30-April 2, 2023.
- AIHEC Athletic Commission: As the recently appointed president of Chief Dull Knife College, President Eva Flying has graciously agreed to serve as a commissioner, filling a vacancy on the commission reserved for a TCU president. President Flying is an excellent addition to the commission, as she previously served when she was athletic director at IAIA. Two vacancies remain on the commission: women's coach and TCU president or representative. Volunteers are needed and should notify AIHEC staff or incoming Chair Brown.
- World Games for Indigenous Peoples (WGIP): The next WGIP is scheduled to be held in October 2023 in Rio de Janeiro, Brazil. A planning meeting will be held in November. Chair Yarlott currently serves as one of seven WGIP International Advisory Members and encouraged each TCU to contact him to learn more.

Ms. Billy requested permission to share a few of the significant accomplishments made due to the leadership of Chair Martin. She noted Chair Martin's leadership in:

- Development and adoption of the AIHEC Student Conference Handbook;
- Establishment of the AIHEC Student Conference Commission;
- Formalization of the AIHEC Athletic Bylaws and establishment of a formal selection process (RFP) for the TCU host of the annual AIHEC National Basketball Tournament (including rules for standardizing/equalizing the tournament and helping to guide the hosts in planning the tournament); and
- Creation of sustainable structures and funding streams for the AIHEC Student Congress and consistency in leadership events for TCU students, such as the annual Leaders in Future Endeavors (L.I.F.E) Conference.

LUNCH BREAK: Chair Yarlott announced that the board will stand in recess for a working lunch. AIHEC has invited the leadership from the National Indian Education Association (NIEA) to join us for lunch, during which time a guided discussion among board members will occur. Prior to the recess, President Lindquist provided a prayer.

VIII. Working Lunch for AIHEC & NIEA Boards: During the lunch meeting, the two boards discussed ways in which they could collaborate on Native student success. The conversation included discussions on the impact of the pandemic on Native students and families and strategies for working together to build seamless pre-K-16 pathways that lead to safe places for our children/youth to learn, grow, and succeed. The two boards committed to establishing a task force or working group on the issue.

IX. PRESENTATIONS TO THE BOARD:

White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Native Americans and Strengthening Tribal College and Universities (WH Initiative):

Hollie Mackey, Executive Director of the WH Initiative, provided brief updates on a variety of initiatives to support Indian education and Indian Country.

- National Advisory Council on Indian Education: Four individuals are being vetted to fill current vacancies on the council. One additional vacancy is still open. Mackey hopes TCU representation will be appointed to the council, which is long overdue. The annual NACIE report was distributed to 152 members of Congress, as opposed to two members, as was the previous practice.
- P.L. 102-477 Programs: 12 federal agencies recently signed a [memorandum of agreement](#) (MOA) to allow Tribal governments to consolidate federal programs focused on job training and workforce development. Dr. Mackey said TCUs can assist in training the future workforce needed to support the growing production of electric vehicles and other in-demand jobs.
- Department of Labor (DOL) Jobs Summit: A webinar series for Tribes is being developed. The first webinar will be held on November 1, 2022. Webinar topics include community and family engagement, disability, educational pathways, and specific DOL programs.
- Native Languages MOA: In collaboration with BIE and other federal agencies, the Department of Education (ED) is assisting in the development of a 10-year national plan on Native languages. The plan will be shared for public feedback within the next year.
- White House Initiative Summit: The WH Initiative will host a summit at NWIC on October 26-28 to bring together Tribal and education leaders from Washington, Idaho, and Oregon. The summit will be focused on education issues with federal representatives in attendance to hear firsthand the issues impacting this region.
- The White House Tribal Nations Summit: The Biden-Harris administration will resume the annual Tribal Nations Summit, set for November 30-December 1. Details forthcoming.
- A White House Tribal Youth Summit is tentatively scheduled for November 14, 2023.
- Indigenous POPX: In collaboration with Dr. Lee Francis of Native Realities, the WH Initiative plans to support a youth initiative during the Indigenous POPX event from March 10-12, 2023, in Oklahoma City, OK.
- Public Service Loan Forgiveness Program: The cutoff date to register for the program to be considered for loan forgiveness is October 31, 2022. Please encourage TCU staff or community members to log into the online portal to register. It is easy and fast.
- Federal Student Loan Forgiveness: As recently announced by President Biden, applications for the new –and much broader - student loan forgiveness program will be available on the ED website soon.
- Free Community College Tuition: Secretary Cardona will be working with state and local leaders to support “free community college.” Dr. Mackey suggested that AIHEC and TCU presidents support this effort. Ms. Billy noted that this is a complex issue, particularly for TCUs, and the TCUs would appreciate the opportunity to discuss details of the plan and TCU insights with the Administration.
- Buy America Build America Act: In response to comments received during Tribal consultation, ED is considering allowing waivers to enable Tribes to buy products locally that may provide cost savings. For example, Tribes near the Canadian border may be able to buy lumber at a significant savings from local Canadian vendors, rather than buying American lumber that may have been harvested much further away.
- ED-Tribal Consultation on FY 2024 Budget: AIHEC and TCU leaders provided comments during the Tribal consultation. Dr. Mackey encouraged comments in support of Native languages to elevate and reiterate this priority as part of the formal consultation process.

Grant Opportunities:

- Hawkins Centers for Excellence Program: This program provides funding for teacher preparation pipelines at HBCUs, TCUs, or MSIs. Grant applications are due October 7, 2022.
- School-Based Mental Health Services Program: This new program provides funding to increase the number of credentialed, school-based mental health professionals. Grant applications are due November 3, 2022.
- Mental Health Service Professional Demonstration Grant: This program will boost the mental health professional pipeline by supporting partnership between school districts and institutions of higher education. Technical assistance webinars are scheduled for December 2022 and January 2023.

HEERF Funding:

Dr. Mackey reported that according to ED staff, TCUs have spent around 58 percent of their ED HEERF funding, compared to other institutions that have spent 88 percent of their funding. TCUs have spent 53 percent of their MSI-TCU funds (otherwise known as A2 funds). ED would like to know how they can help TCUs spend the funding by the 2023/2024s deadlines.

President Patil shared that TCUs are working with ED to receive approval to use MSI-TCU (A2) funds for construction related projects, but ED staff have been slow to provide approval. President McDonald said projects are underway, and while funding has been committed internally, the ED funding is provided on a reimbursement basis. President Pfeiffer added that supply chain issues are contributing to delayed timelines. Chair Yarlott said his college has plans for spending all its ED HEERF and ED MSI-TCU (A2) funds, but LBHC is awaiting clarification from BIE regarding construction and hopes to use BIE funds to augment ED funding.

In response to a question posed by Ms. Billy, nine to 10 presidents indicated they plan to use ED HEERF and ED MSI-TCU (A2) funding for construction.

President McDonald requested clarification on the spending deadlines for ED HEERF and ED MSI-TCU (A2) funding¹.

President Lindquist expressed her support for the free community college concept. She reported that CCCC enrollment is at a historic high primarily due to tuition discounts made possible by the covid-19 relief funds. She is concerned her college will see a significant drop in enrollment when the tuition discounts end, which will happen when the covid-19 relief funding ends. She is interested in the prospect of a federal plan to make free community college possible, but she is concerned the free community college proposal will be structured through state involvement that may exclude TCUs. Mackey stated the details are still being developed with the intention that the ED plan will be structured as an “opt-in” program supported by state and federal funding. Dr. Mackey will be sure to include AIHEC and Ms. Billy in all conversations to ensure TCUs are successfully included².

¹AIHEC staff addressed this question in the AIHEC report below.

²TCU use of covid-19 relief funding to provide free or discounted tuition to students generally ensures 100 percent of tuition costs are paid to the college. Most “free college” plans use a formula that fails to provide a 100 percent tuition match. Because TCU tuition rates are extremely low, anything less than 100 percent tuition coverage could be devastating for some TCUs. For TCUs, AIHEC’s position is that the federal government must be responsible for what otherwise would be the state share, at a 100 percent or more match.

President Lindquist added that the five North Dakota TCUs are requesting state support for their institutions.

Bureau of Indian Education

Katherine Campbell, BIE Program Analyst, provided a brief update on several topics:

- BIE TCU Operational Funds: The annual TCU operational funding that is typically distributed at the end of the summer was delayed this year due to Department of the Interior's (DOI) grant system issues and the retirement of Joe Herrin, former BIE financial systems specialist.
- BIE Office of Research, Policy, and Postsecondary Education: A new position will be advertised to expand the work of the office.
- The Assistant Secretary of Indian Affairs office has been examining the funding disparities between Tribally controlled colleges and Howard University. Dr. Campbell has been assisting in developing reports to justify a more equitable funding formula for the underfunded institutions. AIHEC has provided detailed information to the Office.
- Dr. Campbell has been detailed to Southwestern Indian Polytechnic Institute as Acting Vice President for College Operations, in addition to her current responsibilities, so at times, responses to questions may be delayed.
- Dr. Campbell has been discussing opportunities for TCUs to provide training to BIE teachers to address pandemic learning loss, particularly related to STEM subjects. Through the BIE Science Postsecondary Graduate Fund, TCUs may apply to host training sessions for nearby BIE K-12 teachers. TCUs would be able to contract with trainers and collect registration fees from participants. Dr. Campbell has been discussing this idea with Sitting Bull College.
- BIE is correcting an overpayment error by providing the excess funding to AIHEC for distribution to 28 Tribally controlled colleges. The extra funds will be distributed using the Indian Student Count formula for the relevant fiscal year.
- BIE TCU Endowment Fund: Dr. Campbell will send application information to eligible TCUs interested in applying for BIE TCU endowment funding. The total amount available is \$109,000.

American Indian Law Center: Rodina Cave Parnall, Director of the Pre-Law Summer Institute for American Indians and Alaska Natives (PLSI), provided an overview of their programs, which receive support from the BIE: 8-week summer boot camp, summer clerkship, and bar exam preparation. Ninety percent of PLSI attendees graduate from law school. Over 1500 students have participated in the program since the program was established 55 years ago. TCUs are encouraged to partner with AILC and to share information with their students.

BIE covid-19 relief funding - Construction and Renovation: As a follow-up to the discussion during the AIHEC Summer Board Meeting, TCU presidents asked for official guidance and approval to use BIE covid-19 relief funding for pandemic-related construction and renovation. As stated during earlier discussions, BIE Director Tony Dearman indicated that BIE would allow construction. Dr. Campbell again shared that she would seek clarification from BIE School Operations.

Again, Ms. Billy explained that AIHEC was successful in clarifying this matter through a provision in the FY2022 omnibus appropriations bill regarding certain covid-19 relief funds administered by ED (ED-HEERF-MSI fund). Throughout the 1.5-year process to clarify the law, BIE did not indicate that a similar clarification was needed for BIE covid-19 relief funds. Instead, during the 1.5-year process, BIE

relied on ED guidance (including FAQs) regarding uses of funding and verbally told TCUs pandemic-related construction was allowable.

President Guillory asked for clarification regarding the deadline to use BIE covid-19 relief funding. Dr. Campbell said as long as the funding has been drawn down, TCUs have up to 10 years to expend the funds (as stated by the law – “until expended”).

President Patil added that BIE has used ED FAQs throughout the pandemic and questioned the change in practice by BIE to disregard ED’s lead on construction and renovation.

Chair Yarlott shared that LBHC accountants requested written clarification regarding the use of BIE covid -19 relief funding as they plan for future construction projects. He added that LBHC plans to use BIE covid-19 relief funds for construction since the spending deadline is longer (“until expended”) than the shorter timelines associated with the ED covid-19 relief funding. However, finalizing project plans with private donors and others has been difficult due to the lingering uncertainty regarding BIE Covid relief funds and construction.

Presidents expressed confusion about whether covid-19 relief funding must be obligated and expended, or only obligated, by the end of the relevant grant period. Ms. Billy said staff would try to clarify deadlines and performance periods during the AIHEC report and that she will consult with ED regarding obligating/expending funds. Briefly:

- (a) BIE covid-19 relief funding: all covid-19 relief funding provided directly to TCUs from the BIE (funds not flowing through ED) are available until expended. Therefore, with respect to BIE-direct funds, this question is mute.
- (b) ED-HEERF funding: Ms. Billy will seek written clarification³, but in general, ED requires grant funds to be spent by the end of a grant period, with a short post-grant “program wind-up” grace period. Regarding covid-19 relief funds, ED uses general/existing ED and OMB grant regulations unless Congress has stated otherwise in statute. Therefore, ED funding should be spent by the end of the relevant grant period (or grace period, at the latest).

Operating Funding Uses: President McDonald shared that he thought unspent BIE operating funds [awarded under the Tribally Controlled Colleges and Universities Assistance Act] could be used for maintenance and improvements the following year. Dr. Campbell explained that department regulations specifically prohibit construction with BIE operating funding.

CEU Training: Presidents Oltrogge and Guillory requested that the BIE provide TCU staff with CEU training to ensure that TCU practices are aligned with standards established by the International Accreditors for Continuing Education and Training (IACET). Ms. Billy said that AIHEC and the BIE worked together previously to provide CEU training to TCUs.

BIE Operations and Maintenance (O&M): TCU presidents reiterated the importance of receiving dedicated funding for facilities operations and maintenance.

USDA—1994 Land-grant Programs:

³ See footnote 4 below for ED’s response to AIHEC’s inquiry.

Lawrence Shorty, Program Director, shared updates, which are also included in the board book (page 91).

- The 1994 Land-grant office is being moved from the Office of Partnership and Public Engagement to the Office of Tribal Relations. The move date is unknown.
- USDA plans to hire additional 1994 Land-grant program liaison staff to be placed in urban areas, including potentially at TCUs if TCUs are willing to host a USDA employee.
- USDA-AIHEC MOA: Mr. Shorty discussed the possibility of establishing an internal USDA requirement for USDA mission areas or program offices to develop “USDA-1994 annual work plans” to ensure TCU inclusion in USDA programs and to track success.

TCU Energy Storage Grand Challenge, U.S. Department of Energy (DOE):

This presentation will be rescheduled due to timing and time constraints. Ms. Billy thanked the DOE staff for their support and flexibility.

American Indian College Fund:

Cheryl Crazy Bull, College Fund President and CEO, provided updates on various projects.

- Annual Summary of Funding: Each TCU recently received an FY2022 summary of funding, which provides funding provided by the College Fund to individual TCUs.
- College Fund Program Webinar: TCUs also received a summary document outlining each of the College Fund programs. A webinar will be scheduled to provide more information about each of the College Fund’s programs and benefits to the TCUs.
- Internships: The College Fund will be making changes to its internship program to support students in designing their own internships.
- As mentioned during AIHEC’s 2022 summer board meeting, the Native Student College Affordability Study was recently completed in partnership with Native Forward, AISES, and Indigenous Education, Inc. ([See press release, August 17, 2022](#)).
- TCU Donor Visits: As pandemic restrictions are lifted, donors are requesting TCU site visits, which hopefully will result in increased donations to the Fund). However, the number of new donors has decreased, which mirrors national trends.
- The College Fund is currently holding onto its Mackenzie Scott donation as donations fluctuate along with the national economy. In general, the College Fund prioritizes student scholarship funding.
- As a follow-up to the Research Committee discussion, the College Fund supports the regional IR concept. The College Fund may possibly have funding available to support regional IRs through potential cost-sharing agreements with TCUs.

President McDonald shared his positive experience in hosting a donor TCU site visit at UTTC. He also encouraged all presidents to urge their faculty to take advantages of the College Fund’s under-used faculty capacity-building funds.

Written Reports: The following written reports are included in the board book, as follows:

- FALCON, pages 111-112
- AIHEC TCU Librarians’ Association, pages 113-125.

BREAK: Chair Yarlott announced the meeting will stand in recess for 10-15 minutes.

X. AIHEC CENTRAL OFFICE REPORT

AIHEC Report to the Board: Spotlight on AIHEC Programs

Čangleška: Native Student Success Initiative

Erica Moore, AIHEC Executive Director of Native Student Success, and Darius Taylor, Deputy Director of Equity, Education, and Innovation Research, provided an overview of the AIHEC Student Success Initiative funded largely by the BMGF. In September, AIHEC was officially selected as one of the six national organizations to lead the BMGF's new transformative postsecondary student success initiative. AIHEC has been involved with the BMGF as an applicant and eventually, a capacity-building grantee, since the fall of 2019, successfully making it through four or more grant proposal phases.

The "Intermediaries for Scale" Initiative (IfS) funded by BMGF, places AIHEC as the "intermediary" organization to support TCUs and Native students. Mr. Taylor provided an overview of the progress of the BMGF IfS initiative from the planning phase (blueprint phase) to the current implantation phase. Key milestones since fall 2019:

- AIHEC selected as 1 of 12 intermediaries/organizations from a pool of over 200 organizations nationwide (January 2020)
- Expanded AIHEC staff (from two staff to four staff)
- Critical support to meet urgent needs for TCUs during pandemic
- Pilot cohort: Institutional Transformation Assessment (ITA) administered to five TCUs. ITA includes 100 item survey of campus student success indicator
- AIHEC selected as 1 of 6 intermediaries/organizations to move to next phase of grant (September 2022)

Next steps:

- TCU Enrollment – ITA Completion: TCUs elect to enroll in the BMGF IfS initiative (15 TCUs are currently enrolled in year 1. TCUs will complete the Institutional Transformation Assessment (ITA): a 100-question survey that will help identify individual TCU priorities and needs. A representative sample of staff and administrators and others from the TCU will complete the ITA.
- Sense Making Meeting: TCUs will meet with AIHEC to prioritize needs and develop action plan.
- Connecting to the Eco-System: Once a TCU sets its priorities, AIHEC connects TCU to service providers and funding.

The BMGF IfS initiative relies heavily on research and data collection. Mr. Taylor added that the recent work of the AIHEC Knowledge Management Stewardship Collaborate (formerly known as AIHEC Knowledge Management Working Group) is overseeing and guiding AIHEC's data collection and research agenda. AIHEC is reviewing the pros and cons of the current data collection system (AIHEC AIMS) and comparing its key elements to the larger, more student-specific, and better funded Postsecondary Data Partnership (PDP). Over the next year, the instruments will be compared, and AIHEC staff will propose consolidation and simplification of AIHEC AIMS to the Research Committee for initial consideration.

Mr. Taylor noted that, like the College Fund and ATD, for a TCU to participate in the BMGF IfS Initiative, the TCU must contract with the National Student Clearinghouse to participate in the PDP. In addition to the ability to quickly analyze internal student success data, TCUs that submit data to the PDP will gain access to interactive dashboards and analysis-ready datafiles. Already, several TCUs are participating in the PDP. This has allowed AIHEC the opportunity to evaluate challenges and benefits of participation from the unique perspective of TCUs and to begin to work with others to

address these concerns, TCUs report difficulty with the initial set up and onboarding to the PDP, which can be cumbersome. However, staff noted that currently, through Project Success, which AIHEC advocated for, ATD has resources to support TCU onboarding to the PDP. TCUs currently involved in the PDP pointed out that the PDP platform will allow for data sharing between other systems such as the National Student Clearinghouse's Degree and Enrollment Verification systems.

Year 1: 15 TCUs will be recruited to join the BMGF IfS initiative this year (this includes the five TCUs that participated in the pilot phase). Year 1 TCUs will receive information next week regarding the ITA assessment. The remaining TCUs will have an opportunity to enroll in the IfS initiative during years 2 and 3. Participating TCUs will receive a minimum of \$65,000 per year in support and services for five years if participation in the initiative is ongoing. TCUs will also receive other benefits through coordination with other funders and additional AIHEC programmatic grants, capacity building activities, various annual convenings, and the establishment of a strong capacity building community of practice.

TCU presidents discussed capacity limitations at their individual TCUs, which prevent them from applying for grants or even joining an initiative/opportunity. They explained that opportunities, such as this, are passed to staff to determine if their institution will participate, and often, overworked staff will elect to not become engaged. President Lindquist explained that she missed seeing the emails about the opportunity. The group discussed the ongoing challenge of reading and reviewing emails.

Legislative and Executive Branch Update

Ms. Atine provided a legislative update and noted the attachments included in the board book.

Highlights include:

- FY 2023 Federal Appropriations: Continuing resolution until December 16, 2022.
- Potential Student Loan Reform Proposals for 118th Congress: Expect to see legislation designed to address federal student loan reform. Summaries of the Republicans REAL Reforms Act and Democrats LOAN Act are provided in the board book.
- Upcoming Mid-term Elections: Possible changes in leadership in the House and Senate. Projections continue to change as the races are close across the country; however, toss-up states can change the outcome. Predictions are that the Democrats will maintain control of the Senate, but the House could flip to Republican control. Ms. Billy noted the importance of getting out the vote, and she reiterated the importance of both Tribal and young voters in key battleground states such as Arizona, Montana, and Alaska.

President Boham shared that same day voter registration has been eliminated in Montana. Courts have determined the change specifically targets young voters between the ages of 18-24, as reports have shown these voters tend to vote on the same day they register. Other presidents noted that distance is a factor when getting people to register; actions that have the effect of blocking voting are being taken in several states; and many in Indian Country believe that absent fair voting laws, new barriers are constantly being imposed to block the Native voice.

Covid-19 Relief Aid: TCU Funding Spending Deadlines: A document was provided to outline spending deadlines for each of the covid-19 relief funding programs at the BIE and ED. Ms. Billy explained the document:

BIE covid-19 relief funding: Available until expended.

ED covid-19 Relief Funding: Three rules apply to all Department of Education covid-19 relief funding:

- (1) *All* unspent ED-HEERF funds under CARES and CRRSSA have been rolled into the HEERF ARP account. The HEERF ARP guidelines apply to all remaining funding provided under any of the covid-19 funding sources (CARES, CRRSSA, and ARP).
- (2) All ED-HEERF grant awards with a balance of \$1,000 or more as of April 24, 2022, received an *automatic* performance period extension to June 30, 2023, regardless of the grant type, due to Congressional directive. Therefore, all ED covid-19 relief funds now have an *initial* performance period end date of June 30, 2023.
- (3) All ED-HEERF grant recipients are eligible to request a one year no cost extension if needed, to **June 30, 2024**.

There is an important exception, or expansion, of the performance period/end date, which applies only to **construction projects** under the **ED HEERF MSI-TCU Aid (A2)**:

- **General rule:** To review, all ED covid-19 relief funds now expire on June 30, 2023. TCUs may request a 1-year NCE to June 30, 2024. If you are 100 percent sure your construction project will be completed by June 30, 2024, request a common NCE prior to June 30, 2023.
- **Construction Exception:** If a TCU knows or believes a construction, renovation, or real property project will take longer to complete than June 30, 2023, *or June 30, 2024*, a TCU may request a **NEW, EXTENDED performance period**. There are three important caveats to this request:
 1. All construction must be *related* to covid-19 prevention or mitigation *and* pre-approved by ED.
 2. The request for an extension of the performance period/end date (later than June 30, 2024) **must be made to ED before June 30, 2023**.
 3. If an end date is approved that extends beyond June 30, 2024, ED **will not** extend this period again (no additional no-cost extension).
TCUs must plan carefully and conservatively.

Presidents expressed ongoing concerns regarding supply chain delays as they try to complete projects funded by covid-19 relief funds. Several presidents expressed hesitation in use funding with spending deadlines potentially as early as summer 2023. Ms. Billy explained again that for construction projects, June 30, 2023, need not be the end date.

President Patil requested clarification regarding spending deadlines: does the funding need to be obligated or expended by the deadline, whenever it is? He contacted a program officer at ED who did not understand this question. Ms. Billy will follow up with ED to request clarification.⁴

⁴Following the meeting, AIHEC received written clarification from ED: “Generally speaking, an IHE should plan to have all funds obligated and expended by the end of the budget performance end date of a HEERF grant. Technically speaking, after the end date, grants go into liquidation status for 120 days as part of the closeout phase of a grant’s lifecycle. During the liquidation phase, institutions can still draw down funds as normal. However, any drawdowns during this period must have been for expenses that were otherwise incurred or approved by an ED program specialist during the grant’s normal budget performance period. Best practice is to only drawdown funds during the liquidation period to reconcile outstanding expenditures related to

AIHEC Board Report (written in board book): Ms. Billy encouraged all directors to review the AIHEC report, which contains updates on AIHEC initiatives and projects.

Aseto'ne Network Project, NARCH-BIRCH Award and Extension Collaborative on Immunization Teaching and Engagement (EXCITE):

Presentations from AIHEC staff were postponed due to time constraints. Reno Charette had planned to present on the Aseto'ne Network Project and the new AIHEC NARCH-BIRCH award, which is a significant achievement. In addition, Maggie Grandon planned to present on the EXCITE project, which AIHEC is conducting as an important function of 1994 Land-grant extension mission. Information about the projects is included in the board book.

Aseto'ne Continuation Grant through IPERT Application: The AIHEC Aseto'ne Project is an ongoing 6-year, multi-institutional partnership initiative funded by National Institutes of Health (NIH). Aseto'ne focuses on growing the AIAN health research workforce and has been successful in providing multiple health research opportunities for TCU faculty and students. AIHEC's current IPERT grant, which funds Aseto'ne, expires in spring 2023. AIHEC would like to continue this effort by applying for an additional NIH-IPERT grant.

MOTION:

President McDonald moved [seconded by President Martin] that the Board approves the submission by AIHEC of a renewal proposal, Indigenous Programs to Enhance Research Training (IPERT), for consideration of an award under the National Institutes of Health Research Education Program competition.

OUTCOME:

The motion was agreed to by voice vote.

Upcoming Meetings and Events

- AIHEC 50th Anniversary: AIHEC has been soliciting recommendations from TCU presidents for the AIHEC 50th Anniversary Speaker Series and we are requesting photos from all TCUs, in preparation for AIHEC's 50th anniversary celebration.
- AIHEC 2023 Legislative Summit: February 7-10, 2022. Note that the summit begins on Tuesday, rather than Monday.

To close the AIHEC report, Ms. Billy presented the 2020-2022 Executive Committee members with certificates of appreciation and a small gift in recognition of their leadership.

unforeseen delays and not to plan to drawdown funds during this time. The ERU office will contact schools with outstanding HEERF grant balances that are nearing the close phase. Please see ARP/HEERF III FAQ #51 [here](#) for additional guidance.”

Most HEERF grants currently have an end date of June 30, 2023. If a HEERF grant with this end date receives an extension as part of an approved HEERF A2 Construction request, **it must still obligate and expend all funds in that grant not associated with the construction request by June 30, 2023. Only drawdowns related to the construction request can occur afterwards.** Please see HEERF A2 FAQ#9 [here](#) for additional guidance.”

Check- In with TCU Presidents:

During the AIHEC Summer 2022 Board of Directors meeting, Chair Yarlott set aside time for directors to provide brief updates on themselves and their institutions – to share with one another how things are going. However, due to time constraints, only 10 directors were able to speak during the summer meeting. Therefore, his goal will be to have three individual TCU check-ins/updates during the virtual monthly TCU presidents’ meetings, as opposed to the board meetings.

New Business:

No new business was presented.

President Guy offered a closing prayer.

XI. Adjournment:

MOTION:

President Oltrogge moved [seconded by President Patil] that the 2022 AIHEC Fall Board of Directors Meeting be adjourned.

OUTCOME:

The motion was approved by voice vote.

Chair Yarlott adjourned the meeting at 5:08 pm CT.

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	Date
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