

2005 Current Fiscal Year Report: The No Child Left Behind Negotiated Rulemaking Committee

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1. Department or Agency

Department of the Interior

2. Fiscal Year

2005

3. Committee or Subcommittee

The No Child Left Behind Negotiated
Rulemaking Committee

3b. GSA

Committee No.

16582

4. Is this New During Fiscal Year?

No

5. Current Charter

01/14/2004

6. Expected Renewal Date

04/12/2005

7. Expected Term Date

05/17/2007

8a. Was Terminated During Fiscal Year?

Yes

8b. Specific Termination Authority

8c. Actual Term Date

05/12/2005

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

No

10b. Legislation Pending?

Enacted

11. Establishment Authority

Statutory (Congress Created)

12. Specific Establishment Authority

Public Law 107-110

13. Effective Date

01/21/2001

14. Committee Type

Ad hoc

14c. Presidential?

No

15. Description of Committee

16a. Total Number of Reports

No Reports for
this Fiscal Year

17a. Open

0

17b. Closed

0

17c. Partially Closed

0

Other Activities

0

17d. Total

0

Meetings and Dates

No Meetings

Current Next
FY FY

18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$0.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$900.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$900.00	\$0.00
19. Federal Staff Support Years (FTE)	0.00	0.25

20a. How does the Committee accomplish its purpose?

Congress authorized the following sections of the No Child Left Behind Act for negotiated rulemaking: Sections 1043, 1116(g), 1124, 1127, 1130, 1136, 1121(d) and 1122. The objectives of the Committee are to represent the interests that will be significantly affected by the final regulations, to negotiate in good faith, and to reach consensus, where possible, on the recommendations for the proposed regulations. The duties of the Committee are to negotiate in good faith to develop recommendations for proposed regulations under Sections 1043, 1116(g), 1124, 1127, 1130, 1136, 1121(d) and 1122 of the No Child Left Behind Act of 2001, Public Law 107-110. The Committee met monthly

from June through October, 2003 to develop recommendations for the first six proposed regulations. The Committee met in February, 2004, to develop recommendations for proposed rules for two additional sections under the No Child Left Behind Act: 1121(d) and 1122. The Committee met in August, 2004, to review public comments on six proposed rules published Feb. 25, 2004, and make recommendations based on public comments to the Secretary for final rules.

20b. How does the Committee balance its membership?

The Committee consists of not more than 25 members who are representatives only of the Federal Government and of tribes served by Bureau-funded schools. As required by Section 1136 of the No Child Left Behind Act of 2001, tribal representation on the Committee reflects, to the extent possible, the proportionate number of students from tribes served by Bureau-funded schools. In addition, through consultation with tribes, various interests that will be affected by the final rules were identified and the tribal representatives reflect those interests.

20c. How frequent and relevant are the Committee Meetings?

The Committee met once a month from June through October 2003 to develop recommendations for six proposed rules under Sections 1043, 1116(g), 1124, 1127, 1130, and 1136 of the No Child Left Behind Act of 2001. The Committee successfully completed draft recommendations for six proposed rules. Six proposed rules based on the Committee's recommendations were published February 25, 2004. The Committee met in February, 2004, and developed recommendations for two additional

proposed rules under Sections 1121(d) and 1122 of the No Child Left Behind Act of 2001. Two proposed rules were published July 12, 2004. The Committee met in August, 2004, to review public comments on six proposed rules published Feb. 25, 2004)and make recommendations based on public comments to the Secretary for final rules. The public comment period ended June 24, 2004.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

Under the No Child Left Behind Act of 2001, Public Law 107-110, Congress required that the Secretary of the Interior conduct negotiated rulemaking with tribal and Federal representatives to develop recommendations for proposed rules.

20e. Why is it necessary to close and/or partially closed committee meetings?

All meetings are open to the public.

21. Remarks

The Committee has completed negotiations under the No Child Left Behind Act of 2001 on eight proposed rules affecting Indian education and will reconvene to consider public comments after the proposed rules are published for public comment. Six rules were published February 25, 2004. Two proposed rules were published July 12, 2004.

Designated Federal Officer

Catherine Freels Attorney

Committee Members	Start	End	Occupation	Member Designation
Anderson, Greg	05/12/2003	04/30/2005	Administrator, Eufaula Dormitory	Representative Member
Begay, Lorraine	05/12/2003	04/30/2005	Chinle Boarding School	Representative Member
Billie, Pauleen	05/12/2003	04/30/2005	Executive Director, Navajo Area School Board Association	Representative Member

Blackwell, Edith	05/12/2003	04/30/2005	Associate Solicitor	Representative Member
BlueEyes, Faye	05/12/2003	04/30/2005	Director of Support Services, Shiprock Alternative Schools, Inc.	Representative Member
Bordeaux, Deborah	05/12/2003	04/30/2005	Principal, Loneman School	Representative Member
Bordeaux, Roger	05/12/2003	04/30/2005	Superintendent, Tiospa Zina Tribal School	Representative Member
Byers, Larry	05/12/2003	04/30/2005	Acting School Supervisor, Chemawa Indian School	Representative Member
Cannon, Doyce	05/12/2003	04/30/2005	Director of Education, Cherokee Central Schools	Representative Member
Creamer, Mary	05/12/2003	04/30/2005	Program Manager, Navajo Educton	Representative Member
Dallas, Laverne	05/12/2003	04/30/2005	President of the Hopi Board of Education	Representative Member
Ducheneaux, Zachary	05/12/2003	04/30/2005	Tribal Council Representative, Cheyenne River Sioux Tribe	Representative Member
Girard, Vanessa	05/12/2003	04/30/2005	Community Educator, Gila River Indian Center	Representative Member
Keene, Gus	05/12/2003	04/30/2005	Director of Education, Ramah Navajo School Board	Representative Member
McKerry, Delores	05/12/2003	04/30/2005	Program Manager, Northern Central Association	Representative Member
Newell, Wayne	05/12/2003	04/30/2005	Director of Culture and Bilingual Education, Indian township School	Representative Member
Pivec, Anthony	05/12/2003	04/30/2005	Superintendent, Sequoyah High School	Representative Member
Rosier, Theresa	05/12/2003	04/30/2005	Counselor to the Assistant Secretary-Indian Affairs	Regular Government Employee (RGE) Member
Rossetti, Michael	05/12/2003	04/30/2005	Counselor to the Secretary	Regular Government Employee (RGE) Member

Sorensen, Mark	05/12/2003	04/30/2005	Executive Director, Little Singer Community School	Representative Member
Steele, Bruce	05/12/2003	04/30/2005	Principal, Polacca Day School	Representative Member
Waddoups, Wayne	05/12/2003	04/30/2005	Superintendent, Shoshone-Bannock School Dist.	Representative Member
Warner, Linda	05/12/2003	04/30/2005	Retired	Representative Member
Wells, Sharon	05/12/2003	04/30/2005	Special Assistant to the Deputy Director of School Operations	Regular Government Employee (RGE) Member
Yellow Fat, Terry	05/12/2003	04/30/2005	Superintendent, Standing Rock Community School	Representative Member

Number of Committee Members Listed: 25

Narrative Description

This committee has completed its mission and terminated FY 2005

What are the most significant program outcomes associated with this committee?

Checked if
Applies

Improvements to health or safety	<input type="checkbox"/>
Trust in government	<input type="checkbox"/>
Major policy changes	<input type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input type="checkbox"/>
Increased customer satisfaction	<input type="checkbox"/>
Implementation of laws or regulatory requirements	<input type="checkbox"/>
Other	<input type="checkbox"/>

Outcome Comments

NA

What are the cost savings associated with this committee?

Checked if Applies

- | | |
|----------------------------|-------------------------------------|
| None | <input type="checkbox"/> |
| Unable to Determine | <input checked="" type="checkbox"/> |
| Under \$100,000 | <input type="checkbox"/> |
| \$100,000 - \$500,000 | <input type="checkbox"/> |
| \$500,001 - \$1,000,000 | <input type="checkbox"/> |
| \$1,000,001 - \$5,000,000 | <input type="checkbox"/> |
| \$5,000,001 - \$10,000,000 | <input type="checkbox"/> |
| Over \$10,000,000 | <input type="checkbox"/> |
| Cost Savings Other | <input type="checkbox"/> |

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

0

Number of Recommendations Comments

n/a

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

0%

% of Recommendations Fully Implemented Comments

n/a

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

NA

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

n/a

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

- | | |
|-----------------------------------|--------------------------|
| Reorganized Priorities | <input type="checkbox"/> |
| Reallocated resources | <input type="checkbox"/> |
| Issued new regulation | <input type="checkbox"/> |
| Proposed legislation | <input type="checkbox"/> |
| Approved grants or other payments | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

Action Comments

NA

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

NA

How is access provided to the information for the Committee's documentation?

Checked if Applies

- | | |
|---------------------------|-------------------------------------|
| Contact DFO | <input checked="" type="checkbox"/> |
| Online Agency Web Site | <input type="checkbox"/> |
| Online Committee Web Site | <input type="checkbox"/> |
| Online GSA FACA Web Site | <input type="checkbox"/> |
| Publications | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

Access Comments

NA