

**STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200**

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

September 27, 2017 10:00 a.m.

ATTENDANCE:

Vice-Chairperson Dan Ahuna
Trustee Leina'ala Ahu Isa
Trustee Rowena Akana
Trustee Keli'i Akina
Trustee Carmen Hulu Lindsey
Trustee Colette Machado
Trustee John Waihe'e, IV

EXCUSED:

Chairperson Robert K. Lindsey, Jr.
Trustee Peter Apo

BOT STAFF:

Max Mukai
Lehua Itokazu
Lopaka Baptiste
Dayna Pa
Laurene Kaluau-Kealoha
Claudine Calpito
Davis Price
Maria Calderon
Crayn Akina
Liana Pang
Lady Garrett

ADMINISTRATION STAFF:

Kamana 'opono Crabbe, CEO
Lisa Victor, Pou Nui / COO
Albert Tiberi, CC
David Laeha, CFO
Everett Ohta, CC
Jerome Yasuhara, COMP
Kai Markell, COMP
Kamaile Maldonado, PUBL
Kanoë Tjorvatjoflou, OUTR
Keith Yabusaki, TAP
Leona Kalima, CULT
Misti Pali-Oriol, TAP
Momilani Lazo, EA CEO
Raina Gushiken, CC
Sterling Wong, MEDIA

GUESTS:

Paula Kaupu
Angie Aipoalani
Danielle Chavez
Geri Mendiola
Michelle Kauhane
Jordyn Danner
Kehau Meyer
Cassandra Chelo
Verlieann Malina-Wright
Robert Ebanез
Kelii Kanakaole
Cheryl Burghardt
Healani Sonoda-Pale
Ipo Torio-Kauhane
Kalena Hanohano
Kau'i Kanahale
Tia Koerte
Lorilani Keohokalole
Kanani Beniamina
Kahui Kanahale
Kuulei Kaaumoana
Hedy Sullivan
Hokulani Cleeland
Brandon Bunag
Noe Lopes
Kukana kana-Toth
Zac Toth
Kapua Keliikoa-Kamai
Kahelani Keahi
Ines Larson
Bob Hayes
Purdy Wahini
Kahaka Patolu
DeMont Conner
Rachel Kailianu
Ryan Sonognini
Sam Kapoi
Lopaka Lonaea
Germaine Meyers

I. CALL TO ORDER

Vice Chair Ahuna (VC Ahuna) calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, September 27, 2017 to order at **10:02 a.m.**

VC Ahuna notes for the record that **PRESENT** are:

MEMBERS			AT CALL TO ORDER (10:02 am)	EXCUSED ABSENCE	TIME ARRIVED
CHAIR	ROBERT	LINDSEY, JR.		X	
VICE-CHAIR	DAN	AHUNA	X		
TRUSTEE	LEI	AHU ISA	X		
TRUSTEE	ROWENA	AKANA	X		
TRUSTEE	KELI'I	AKINA	X		
TRUSTEE	PETER	APO		X	
TRUSTEE	HULU	LINDSEY	X		
TRUSTEE	COLETTE	MACHADO	X		
TRUSTEE	JOHN	WAIHE'E	X		10:04 AM

At the Call to Order, **SIX (6) Trustees are PRESENT**, thereby constituting a quorum.
Trustee John Waihee arrives at 10:04 am.

II. PUBLIC TESTIMONY*

Robert Ebanez

Aloha Kakou. I testified last week to NOT allow the Council for Native Hawaiian Advancement (CNHA) the contract that KALO received as an administrator for the Charter Schools. The reason was (CNHA) is a political organization that is in favor of Federal Recognition and their goals of controlling our Ali'i Trusts which is the Pauahi Foundation, Queen Emma Foundation, Lunalilo Trust, and Queen Liliuokalani Trust. CNHA are NOT heirs, we the people are the heirs and beneficiaries of the trusts, those of Royal Bloodline are heirs and guardians of our lands in Kingdom. I introduced myself last week as a descendant of the King. Our children is our legacy. I would rather have the Charter Schools be awarded the \$1.5 Million dollars directly, and to hold the Charter Schools Administration accountable in the allocation of the Grant. I also mentioned to the Board of the need for OHA to conduct a Forensic Audit. As a Royalist and a Hawaiian National I have a responsibility to Malama our people, our lands, our drinking waters, the sea and the Kingdom. The Kingdom of Hawaii still exists as I mentioned in my testimony last week. America's debt is in the Trillions of dollars and the money printed today by the Federal Reserve is worthless for it is no longer backed by silver or gold. Hawaii has 170,000 tonnes of Gold in Bank of Hawaii. We are the richest country in the world. We don't need America's debt and supposed wealth. We as Hawaiian Nationals are against Federal Recognition, we believe in total Independence and Sovereignty of our Kingdom. We are descendants of the Kingdom, and will never give up fighting for Justice, and Freedom for our people and country until the last Aloha Warrior is left on this earth. There are two sides of the Sovereignty issue. Sovereignty and Independence and Federal Recognition but there is only one

way that is Pono. OHA had spent Millions of dollars on a Government to Government relationship with the United States Corporation. Our people are suffering, and have suffered for over 124 years through the US Military Occupation. Many are homeless, incarcerated and alienated from our homeland. Home ownership in Hawaii is unaffordable for our people, our health coverage should be free under the will of the Queen Emma Foundation, education of our people and especially our youth should be free under the Pauahi Foundation, our elders should be taken care of during their golden years of life, and our orphans will be care for under the Queen Liliuokalani Trust. This can be our future and we have the power to make it happen. Aloha Malama Pono.

VC Ahuna reminds everyone that all public testimony must be on the Native Hawaiian Focused Charter Schools (HFCS) issue and limit testimony to 5 minutes each speakers. Wants to hear from the community.

Trustee Kelii Akina thanked Robert for his testimony and has request from a beneficiary that each speaker speak directly into the microphone.

Healani Sonoda-Pale spoke in opposition and shared concerns on the HFCS funding to CNHA. Spoke of letter that was sent to OHA regarding charter school funding from 14 schools across the state. Wants to keep testimony short since she had long testimony last week. Shared various concerns that CNHA did not consult with their kula regarding the grant or anytime during that process. Would have liked that to be part of the application criteria. Feels there is an issue of trust now. Had meeting with 30 parents, all voted unanimously against grant for HFCS funding to CNHA.

VC Ahuna coments that OHA wants to make sure the charter schools get the money and asks Healani if this is a concern with CNHA. Healani said everyone at the kula is opposed to the grant, they are not sure what they are going to do but are looking at other options for funding.

VC Ahuna calls Germaine Meyers, then Lorilani.

Germaine Meyers (GM)

Aloha, My Name is Germaine Meyers, OHA Beneficiary for BAE and a Nanakuli Hawaiian Homestead Lessee. After last Thursday's board meeting, the Hawaii News Now reported a story on their news broadcast (see attachment-1) about the CNHA Charter School grant that was discussed at the Board meeting. They interviewed Michelle Kauhane and during the interview they asked Michelle what could be the cause of the opposition against CNHA. Michelle Kauhane's response was: "I think at the core of the mistrust is the opposition to our position on federal recognition." Kauhane vows to bring more federal dollars to help bring parity to charter schools.

My question is **HOW?** How will CNHA bring more federal dollars to help bring parity to charter schools. According to Michelle Kauhane's letter to OHA dated September 12, 2017, on page 3, Concern #5, Michelle stated in her last sentence of paragraph 4 the following in bold letters: Our intent with this award, is to achieve what has yet to be implemented by previous vendors, and that is to execute leveraging opportunities to assist charter schools to receive additional funding beyond dependence solely on OHA and KS funding to subsidize DoE funding. In a few moments, I will share with you a document disbursed by CNHA just one month prior in August 2017 that stated: "What is the value of establishing a Native Hawaiian Government?" bullet point #2 of 4 states:

"Our own government will allow us greater progress on issues that we have found difficult to achieve as a lahui through the state or federal governments, from establishing our own Native Hawaiian education system to supporting a hiring preference for Native Hawaiians."

The document states "**We** have found difficult to achieve as a lahui."

Who is **WE**? The Lahui or Hui? What document did CNHA disburse in August 2017? This 32 page document titled "CONSTITUTION OF THE NATIVE HAWAIIAN NATION" was disbursed by CNHA at a workshop fiscally sponsored by a \$10,000 OHA Ahahui Grant. The CNHA event was on August 11, 2017. In OHA's Ka Aha 'ilono Enewsletter August 2017 edition, which I received on August 4, 2017, the event was titled:

Grant Resource Training and Policy Briefing for Native Hawaiian Community-Based Organizations FOR NATIVE HAWAIIAN COMMUNITY-BASED ORGANIZATIONS? a.k.a. HUI, not Lahui. But if you read the description of the event, it stated:

Come explore potential funding opportunities, review top policy issues, and get the latest on the draft Native Hawaiian Constitution and the Pursuit of Self-Governance! I tried to get a seat at that workshop by following the instructions. I sent an email to policy@hawaiiancouncil.org

I received a reply from Jordyn Danner on August 9, 2017 (2 days before the workshop) that stated there was no more seats available but she would put me on a waitlist. Also, they plan to have future grant training events. I responded the same day by saying I wasn't interested in the Grant Training, I wanted to know more about their pursuit of self-governance. (After all I'm the Lahui right?) I **never** received a reply from Jordyn Danner (or OHA) since August 9, 2017. I received a copy of the ticket that people received from Eventbrite. The ticket showed that the event was presented by CNHA, SCHAA, and AHCC. At the event on August 11, 2017, attendees were given this 32-page Constitution of the Native Hawaiian Nation. Before I review some of the disturbing contents (maybe during community concerns) please let me review to you who created this Constitution document. According to page 28: Who wrote the Constitution and how was the group formed?

A Native Hawaiian governance convention or 'Aha was held in February of 2016. Any Hawaiian on the Native Hawaiian Roll's certified list of over 100,000 was eligible to run for delegate to the 'Aha and an election was held. (...) Over 120 participants came together and met for four (4) weeks in Maunawili. HUI or LAHUI? According to my research, OHA funded this AHA EVENT through a fiscal sponsor Akamai Foundation that charged a 5% administrative fee to the client, Na'i Aupuni. According to the Fiscal Sponsorship agreement, 2f states the amount of the sponsorship was \$2,598,000. Therefore the 5% fee was \$129,900. (are any of the charter schools receiving this kind of money?) On page 6 of the agreement, the budget was given. In the budget under the heading Governance 'Aha Contract, it noted the following line item: 62 working days for 40 delegates, 5 facilitators, 10 staff total amount for this line item \$1,457,088.

OHA approved to spend \$36,427 per delegate for a 62 working day Governance 'Aha. HUI or LAHUI? Yet under Referendum Contract, The estimated expenses related to community consultation was just \$7,800. Community consultation for only \$7,800? Yes, less than \$8,000 for the Lahui, \$1,457,088 for 40 delegates. HUI or LAHUI? The last line item on the budget stated:

Any attorney fees, any other consultants, or if any category above needs additional funding - \$726,912. HUI or LAHUI? According to the 2010 Native Hawaiian Population Census, which is on OHA's website, the LAHUI consists of the following:

18 years and over, State of Hawaii only 186,734, US Continental (the other 49 States) 154,529 For a total Native Hawaiian population of 341,263. This is the LAHUI. Yet only 154 participants were allowed to attend the 'Aha that created this document. 154 is less than 1% of the Native Hawaiians

18 years and over in the State of Hawaii only (.00082), let alone the entire population of Native Hawaiians 18 years and over in all 50 states (.00045)

HUI or LAHUI? I would like to now share with you some of the disturbing things noted in this document (which I'll do during community concerns) that stated "...to be a member... you MUST BE ENROLLED in the Nation." HUI or LAHUI? In closing I would like to share with you a quote from Senator Brickwood Galuteria, as listed in the participant guide. In the guide, he shared this quote he was fond of: "Either we're at the table or we're on the menu.' I choose to be at the table." In layman's term: Eat or Be Eaten. Who is eating and who is being eaten? HUI or LAHUI? E hana kakou.

Trustee Ahu Isa welcomed & acknowledged the students from Kula Aupuni Niihau A Kahalelani and she has goodies for them. See her staffer, Lady Garrett for goodies.

VC Ahuna asks GM if she has a solution or proposal. GM states to give the money directly to the charter schools, the lahui and not through CNHA. Or CNHA should give up the grant.

VC Ahuna said Lorilani Keohokalole is next.

VC Ahuna thanks Aunty Hedy for coming.

Students & kumu of Kula Aupuni Niihau A Kahalelani sung several mele.

Lorilani Keohokalole

Aloha Mai kakou ... My name is Lorilani Keohokalole and I have been involved with the Charter School system at Kanuikapono Public Charter School on Kauai since 2001. Three of my four children were privileged to attend Kanuikapono PCS, on Kauai from Kindergarten to 8th grade. Two now attend Kamehameha Middle and HS Schools Kapalama campus.

My youngest is in 3rd grade at Kanuikapono. Our Native Hawaiian culture based Charter Schools, impact Hawaiian Keiki in many ways. Most obvious is instilling 'olelo Hawaii; Ioina Hawaii; 'Oli; Mele, Mo'olelo and Hana No'eau to name a few ways. Core subjects and life skills are interwoven like a fine Mat, to create a foundation for our Keiki to live and learn. This gives our Keiki, an opportunity to learn from multi-generational community members; volunteers and Teachers that are diverse in skills and techniques of teaching. Learning opportunity within our schools are built on relationship to 'aina; to self; to 'ohana; to kula and to Community. Building relationships and community is essential to our teaching and success. Charter schools are always looking for exciting; thoughtful; provocative curriculum that will inspire our Keiki. This will lead to the strengthening of our Lahui. Speaking of Building relationships. I remember. Back in 2001, on the beach in Anahola... as many young and progressive educators came to meet and discuss the birthing of The Native Hawaiian Charters, and eventually, Na Lei Na'auo - The Native Hawaiian Charter School Alliance. Built on the experience; practice; methodologies and aloha and respect of one another, NLN was born. Trust. It was the bonding factor. Relationships. The knowing of partners; children; parents and our communities; schools and our people and our unique places we came from. The bonds that formed from multiple challenges within a system that would not bear witness to this occurrence, the Charter School "movement", let alone a Native Hawaiian one. K.A. L. O. And Na Lei Na'auo were the tendons and muscles that allowed for larger pieces in the Movement To flourish. Many times never seen, but felt, they were the team that provided the needed support, a young movement needed; more than just a

fund distributor.... NLN-KALO was a guiding force that held the Charter Schools together Not a business as usual branch. Relationships and Trust. This has been the pale for many years... which we've built from. And lastly, where and whom do we share our "best works" with? Na Lei Na'auo and all the partnering schools bring it together to do just this, A unique annual event: Ku I Ka Lono Conference. A time and place for OUR haumana to gift each other their mana'o; their inspiration; their best practice and best works. Usually scheduled near Spring Break, haumana travel to Hawaii Island and congregate for 3-4 days of participation and ho'ike. They are the presenters. They are the audience. They are the hostess. They are hosted. We, are just the vessel from which to hold their light. Na Lei Na'auo is an alliance of Native Hawaiian Charter Schools. A relationship and alliance built on Trust and Relationships. Please support the continued efforts and years of laying this pale. Mahalo nui.

VC Ahuna calls Tia Koerte, followed by Hokulani Cleeland.

Tia Koerte Olelo Hawai'i, Ni'ihau dialect. Spoke in opposition of the HFCS to CNHA, not here to criticize work that OHA does. Shared additional discussion on charter schools. Asking OHA to review & reconsider the process of the award.

VC Ahuna thanks Tia for her comments.

Trustee Rowena Akana spoke on Ke Kula Ni'ihau O Kekaha and its students who had difficulties adjusting transferring to public school due to Hawaiian language being their first language and English being their second language. OHA stepped in and Ke Kula Ni'ihau O Kekaha was formed. Teachers were hired to translate and help students transition. Shared that this issue is about more than money, it's about the relationship to the people, land, culture, language and the preservation of it. She said this is what's more important, not the leveraging of more dollars.

VC Ahuna thanked Trustee Rowena Akana for her comments.

VC Ahuna asked Tia if the charter schools still could use the money.

Tia Koerte responded yes.

Hokulani Cleeland Olelo Hawai'i, Ni'ihau dialect. Teacher at Ke Kula Ni'ihau, 23rd year teaching there.

Trustee Kelii Akina asked if Hokulani could speak into microphone. Said he has good things to say.

Hokulani Cleeland Started at school in 1995, teaches high school at Ke Kula Niihau, main concern is to mahalo OHA support. He is a board member also. Shared his concerns for funding, money that was received can only be used for certain purposes. Commented on mission, staffing, perpetuating the Hawaiian language and funding concerns of Ke Kula Niihau O Kekaha. Mahalo to OHA, monies given is well spent.

VC Ahuna thanked Hokulani for his comments. Commented we came to visit you 4 years ago at Kekaha Armory and Hokulani was the tech teacher.

VC Ahuna said Aunty Hedy is next. Spoke on how small Ke Kula O Niihau is. They need our help. Kauai island has 4 charter schools.

Hedy Sullivan shared her aloha and mahalo to OHA. Funding helps their teachers and charter school. Discussion on her letter she read at the Kona BOT meeting. She came with her Board Chair Tutu Kuulei and Niihau teacher Aunty Kanani, hopes they get an opportunity to speak. Asked OHA to reconsider on how OHA will deliver the monies to the charter schools.

VC Ahuna asked for questions. None. Mentioned they read her letter at Kona meeting. Asked if she had concerns.

Hedy Sullivan said she did not read the proposal really clearly. Saw part where they used all their names on letter, was very concerned they were not asked. Feels they should have asked permission. Commented on her letter regarding per pupil allocation.

VC Ahuna said Ipo Torio-Kauhane next.

Ipo Torio- Kauhane honored to be here with Kauai. Wants discussion for a second to be on Na Lei Naauao and not CNHA. Shared her comments on Na Lei Naauao, K.A.L.O. and Kanu o Ka Aina. We need to learn from this and fix the process. We cannot fault CNHA for applying for something that they were qualified for. Discussions should have occurred with all involved. Requests that a line item be given directly to each school. Also suggests mediation, not public. Additional discussion on charter schools. Put key people together in room. Believes this can be worked out with aloha and get resolved. Asks do we want CNHA support with legislative tasks and breaking that nut of federal funding? Says, of course all we have now is crumbs. Would like this to be done the right way and build partnerships, instead of tearing each other down.

Trustee Keli Akina mahalo and agrees with Ipo for calling for cooperation. Reiterates what Ipo mentioned that CNHA was not at fault to compete in a process. Asks Ipo is her case for her preference of K.A.L.O. to be the administrator was included in K.A.L.O.'s application for the grant.

Ipo Torio- Kauhane answered yes.

VC Ahuna thanked Ipo. Said we are trying to do our best and do the right thing. Mentioned no voting today at this special meeting.

Trustee Rowena Akana gave additional discussion on why meeting was agendaized. Reiterated we cannot blame CNHA for applying. Said OHA has to take some responsibility for how this was done. Wants Chair Machado to have all Trustees go over how grant system is really working. Feels current process is not working and shared concerns. She does not want this to happen anymore. Wants Trustees to do something about this.

VC Ahuna says **Brandon Bunag** is next.

Brandon Bunag as the Po'o Kumu of HKM, I still have questions and concerns about CNHA "winning" the bid to administer OHA's financial resources and commitment to the 17 Hawaiian-focused charter schools (HFCS). First, funds dedicated to servicing Hawaiian students in

underfunded Hawaiian focused charter schools should not be put out to competitive bid - nor is there any legitimate reason for a competitive bid. Over the years, you (the Trustees) in close collaboration with our supporters have worked tirelessly to line item the \$1.5M for HFCS and were successful. I may not know the ins and outs of State funding. However, I do know the State per-pupil funds that are provided to each school are line-itemed in the Charter School Commission's operating budget. Those funds are not subjected to State procurement procedures and thus are not put out to bid for the lowest bidder. In my mind, I liken the Charter School Commission to the Office of Hawaiian Affairs whereby both are State agencies and operate with State and (in the case of OHA) trust funds. Why then, is it necessary for OHA to bid the administration of OHA funds allocated for HFCS support? I ask this question because it has been told to us that because State funds are being used, procurement policies apply. Yet, State funds are used to provide the Charter Commission per-pupil funds for each school and are not subjected to state procurement policies. Also, I want to raise another question. Has the Board of Trustees taken a vote to support the awarding of this contract to CNHA? I ask because the Letter of Interest Solicitation informed applicants that "Recommendations for award will be presented to OHA's Board of Trustees for approval." I gather from your responses in previous meetings that this vote did not occur. Also, it is not reflected in any of the available Board Minutes posted on your website. In addition to these questions, I again raise my strong opposition in moving forward with this contract.

While I cannot speak on behalf of our sister schools, it is my kuleana to speak on behalf of our school. I want to be very clear that my opposition has nothing to do with CNHA's support and advocacy for Federal Recognition. My opposition comes from a legitimate concern that CNHA has not approached this potential relationship in ways one would hope for. At no time during the application process was I contacted or informed by CNHA of their interest or intent of applying for a grant that would administer funds for our school. Yet, our school's participation is being assumed and/or forced - Regardless of what the application did or did not require - it is best practice, pono practice to at least inform schools of an intent/desire to support our school by administering a grant that has been managed by another organization for so many years. One cannot assume that we will compromise our value system in order to chase the money. Lastly, I am most concerned of CNHA's perceive practice of utilizing fear tactics and spinning facts in a way that best suits them. Last week, I have heard a few testimonies of homesteaders expressing concern over certain agents of CNHA and their interactions with them. Without going into too much detail, I want summarize a string of emails that I was made privy to as chairperson for the Native Hawaiian Education Council a few years ago. During that time, as a council we took up a discussion on the Department of Interior actions and tabled indefinitely any action. The council's purposeful inaction led to an assumption by agents of CNHA that NHEC would rather raise the \$500,000 operating budget (versus the allocation provided by the Native Hawaiian Education Act) and thus were removed from any federal advocacy and support. Further a person closely related to CNHA- but no longer a named individual on CNHA's board stated, "Saying Yes to the DOI encourages the United States to correct the disparity in treatment, thereby clarifying the political status of the Native Hawaiian people, and that helps to protect and continue the Native Hawaiian Education Act funding, and all the programs that are served by it.

As NHEC was created by Congress and charged with advocating policies that are good for the Native Hawaiian people, particularly in the area of Native Hawaiian education, your Council's refusal to respond affirmatively to the DOI inquiry is baffling." For me, what this highlights, is the character of CNHA as an organization. Using words to instill fear should not be an acceptable practice- especially in education. As a council made up of educators from across the State, we made an educated and informed decision which was then interpreted, misconstrued, misunderstood and even taken out of

context. What happens to if one was to replace NHEC with Halau Ku Mana? What would happen to the countless effort, energy, time and aloha individuals have given to create this system that has been proven to work for our communities? Proceeding with this contract will force us to engage in a relationship with an organization whose values, beliefs and evidently practices are inconsistent with our school values. For these reasons, I am struggling to put my support behind CNHA. At the end of it all, I hope we can agree that the intent and purpose of this is to service our keiki, particularly our native Hawaiian keiki, in all 17 Hawaiian-focused charter schools. That said, remove the middle man completely from the equation and provide these resources directly to the schools that are working tirelessly to ensure a high quality, culturally grounded and community-based education for our future.

VC Ahuna asks if anyone has questions. None. Thanks Brandon.

Trustee Rowena Akana says thank you so much for sharing that information.

VC Ahuna says next speaker is Kapua, thank you.

Kapua Keliikoa-Kamai shared her concerns and how this will affect her children, and their classmates and the other haumana of all the Hawaiian charter schools. Additional discussion on her concerns regarding the grant process and how the Hawaiian way was not followed. Appreciates the discussion today. Asks Chair Machado to put this matter on Oct. 4 agenda for reconsideration to the action that was already taken. We are here for reconsideration to the action.

VC Ahuna thanked Kapua. Kukana Kama-Toth is next, Bob Hayes is after.

Kukana Kama-Toth from Waimanalo, parent of child at Halau Ku Mana. Shared her concerns regarding charter schools and the DOE school system. Additional discussion about decisions being made with public input. Feels its not pono, people are unhappy, others are making decisions for them. Spoke of additional concerns for kanaka. Feels that money should be given directly to charter schools, no need for fiscal sponsor.

VC Ahuna thanked Kukana, Bob Hayes is next. Followed by Kahaka Patolo.

Bob Hayes Mahalo for being allowed to testify. Graduate of Halau Ku Mana and is a parent of students at Halau Ku Mana. Shared additional discussion on charter schools and the grant award process. Feels that awardee should refuse the award and allow it to go to re-bid.

VC Ahuna thanked Bob. Kahaka is next. Kahaka not present at the moment. DeMont Conner next.

DeMont Conner shared additional discussion on charter school funding. Issue is not with CNHA, has issue with OHA. Would have like voices of people to be heard before decisions were made. Feels this was done wrong, not pono. Asks OHA to reconsider the grant award. Feels award should not be given without the consultation of the people it was affecting.

VC Ahuna thanked DeMont. Inez Larson is next.

Inez Larson from Makaha. Shared additional discussion on charter schools. Spoke on funding for charter schools has been put to good use, kids are excelling in academics. Disappointed at who the

award went to. Feels they are robbers. Additional comments about looking into who got the contract. Feels CNHA lies and has been kicked out of their meetings.

VC Ahuna thanked Inez. Verliann Malina-Wright is next. Followed by Michelle Kauhane. Then we are taking a short break.

Verlieann Malina-Wright

My name is Verlieann Malina-Wright, Kupuna. I have served the education needs of our Hawaiian families and communities for over 50 years and from pre-school to Ph.D. levels. My leadership experiences include international leadership as past Co-Chair of the World Indigenous Nations Higher Education Consortium (WINHEC), national leadership as past President of the National Indian Education Association, and at the state level, past Chairperson Of the Native Hawaiian Education Council. As an educator, I have taught in private and public schools, served as an Education Officer for the Hawaii State Department of Education, and retired from Kula Kaiapuni o Anuenue. I also built and served as Director of the first Kamehameha Schools Adult and Community School, accredited by the Western Association of Schools and Colleges.

Today, I Chair two community organizations, Pacific American Foundation, a NH Culture-based Environmental Science non-profit and Hawaii Maoli, a NH organization that serves the needs of Hawaiian civic clubs, public, private, non-profit and philanthropic organizations
I also currently serve as a Board member for a newly launched integrated arts Hawaiian focused public charter school Kamalani Academy, at Wahiawa. In partnership with ACADEMICA a Charter Management Organization, we plan to launch several more charter schools in the state of Hawaii. But today, I stand before you as a Kupuna, with over 50 years of education and community-based experiences, to share my mana'o with this Board of OHA Trustees. **GRANT PROCESS:** This process was followed with proper announcements, review, rating and selection. The Center for Native Hawaiian Advancement is the organization that is the grant recipient. **CONTEXT:** When looking at how the Hawaiian Focused Charter Public Schools (HFPCS) are organized, there is a HFPCS Network - Lei Na'auao. May I recommend that when grants cross over several areas of the OHA Strategic Plan - Grants Adm, Education, Culture. Etc. and that there is another Hawaiian institution, Kamehameha Schools, awarding similar grant support to these HFPCS, that a meeting be conducted among the players to determine how changes such as a new grant awardee can impact this HFCS network. **NEED AREA:** School has begun, students and teachers are in school, delay in per pupil allocation funding impacts directly on our children. The HFCS are critical to achieving the OHA Education Strategic Plan goals. **RECOMENDATION:** That administratively the OHA Grants Mgt team allocate a percentage (to be determined) to KALO for support as the administrative management education/assessment reporting costs of Lei Na'auao. Independently of costs also supported by Kamehameha Schools. Shared additional discussion on charter schools. *Wisdom Reflection:* Organization, people, community.

VC Ahuna thanks Verliann.

Trustee Keli Akina thanked Verliann. Expressed many people have concerns regarding CNHA's political stance. Asked Verliann if CNHA were to be involved in advocating for charters schools, how could they allay the fears that they would be politicizing this with the federal recognition initiative.

Verlieann Malina-Wright said in education that you have the realm from sovereignty to no sovereignty. All players have to be at the table. There is so much money for the charter schools at

the federal level and we're not even at the table. Added additional discussion occurred regarding charter schools.

Trustee Keli Akina added there can be cooperation between CNHA and the HFCS, a pathway forward, so long as there is assurance that federal recognition will not be one of the aims for the usage of this grant money.

Verlieann Malina-Wright agreed. It must be driven by the leadership of the school and the leadership includes parents.

Trustee Keli Akina thanked Verlieann.

VC Ahuna thanked Verlieann and calls Michelle Kauhane next.

Michelle Kauhane ****See attached handout given in meeting****

VC Ahuna thanked Michelle.

Trustee Rowena Akana Shared her concerns regarding the list of 10 priorities, asked what is the depth of personnel, so that they are able and have the experience, lobbying knowledge of achieving the things you say you can do. Additional discussion on the HFCS grant award. This is not about being against CNHA, this is the fault of OHA how this happened. This is not just about money.

Trustee Keli Akina thanked Michelle for her testimony. Commented on Verlieann's testimony. Asked Michelle to comment on it.

Michelle Kauhane Said this has nothing to do with federal recognition. Commented that CNHA is always associated with federal recognition. They will not change position on federal recognition. Federal recognition is an individual choice for everybody, they will make the choice on their own whether they participate or not. Shared additional discussion on separating this issue with CNHA and federal recognition.

Trustee Keli Akina Commented if the administrative fee will be used towards the agenda of promoting federal recognition.

Michelle Kauhane Said we report to you how money is spent. Majority of the money goes to the schools. You can audit payroll, budget etc. to insure we spent the money on what we said we were going to spend the money on.

VC Ahuna thanks Michelle.

VC Ahuna said we are taking a short recess.

VC Ahuna asked Michelle if they would be willing to just not take the grant.

Michelle Kauhane Said no. Absolutely not. I will willingly work with the schools. But I will not rescind our proposal, thank you for asking.

Trustee Rowena Akana asked Michelle if they already hired someone to administer the grant to the charter schools.

Michelle Kauhane said yes, not specifically just for this grant, but yes we have hired someone.

Trustee Rowena Akana asked if the person was from the mainland.

Michelle Kauhane said no.

VC Ahuna we will take a short recess at 12:30 pm.

VC Ahuna reconvened meeting at 12:45 pm.

III. NEW BUSINESS

- A. CEO Updates – Hawaiian Focused Charter School Funding Award to Council for Native Hawaiian Advancement (CNHA) – Discussion only

VC Ahuna called administrative staff up to address concerns, calls KP.

Kamana’opono Crabbe (KP) Olelo Hawaii. Mahalo to Trustee Ahuna and those who came to share concerns today regarding the HFCS grant award. We had prepared a power point, but I think the level of discussion that was shared from everyone today, gets to the point of some of the major concerns regarding this award. Shared comments on how we can move forward in OHA. Additional Olelo Hawaii and discussion on HFCS, CNHA & KALO and per pupil allocation funding. Suggested possible mediation to reconcile this matter. Mentioned contract is not signed, there is a process that we need to follow before matter is brought to the Board. Reiterated why grant solicitation was offered for HFCS funding. We will make every effort to follow the procurement process and reconcile this through a joint RM/BAE meeting, then depending on vote matter will be heard at Board meeting.

VC Ahuna reiterated KP’s comments and recommendation; this will be brought back through a joint RM/BAE committee meeting to have an action item set to make a decision.

KP agreed, that is my suggestion.

VC Ahuna so Trustee Hulu and I would be addressing these issues and bringing it to a vote.

Trustee Hulu Lindsey asked that we should stop all negotiations at this point until this meeting occurs.

VC Ahuna and **KP** ask for legal advice comment from corporation counsel.

Albert Tiberi said we can address that outside of the meeting and have discussion. There is no need to have Board action on that right now.

Trustee Rowena Akana asks counsel for clarification.

Albert Tiberi commented I think asking Administration to stop negotiations, thinks KP can agree to postpone further action until we take this matter to the Board. Just a time out.

Trustee Rowena Akana said so the answer is yes that everything stays status quo right now, until it comes to committee and we take a vote.

Chair Colette Machado comments Trustee Akana was nice enough to provide for me a copy of the Letter of Interest Solicitation. I had not seen this before, in this Letter of Interest Solicitation it identifies 2 specific questions that outline part of the response that is part of the application or the intent is to #8. Describe your strategy for outreaching to all Hawaiian-focused charter schools for participating in the annual conference and inter-school activities and #9. Describe your strategy for outreaching to all Hawaiian-focused charter schools to provide assistance for capacity-building activities. What I'm understanding is they didn't have this engagement by the 17 schools so that came right out the interest. In addition to that, on the last page, as Trustee Akana had underlined for me it says, Recommendations for award will be presented to OHA's Board of Trustees for approval. A notice of award containing a statement of findings and decision for the award or non-award of a grant will be provided to each applicant. There seems to be a conflict here. You provided us a scoring with a summary between KALO and CNHA, 5 or 6 point difference. These questions were addressed in the letter of intent and it does talk about whether or not they were consulted. When we come back to address this we need to look at the legal twists and turns and discuss issues for possible reconsideration of award. Misti will be asked to answer the part about Board approval. Asked Misti to start with the Letter of Intent and those points and that it does say the Board will have final approval.

Misti Pali-Oriol answered yes.

Chair Colette Machado said we don't feel it is because you folks already awarded it. That's why we going through these extra steps to have this special meeting, then another joint committee meeting, then in executive session.

Misti Pali-Oriol said grants department recognizes that was an error on our part, we have discussed it with Administration and they will bring it before the joint committees.

Trustee Kelii Akina clarified that Chair Machado read from the Letter of Interest Solicitation and cited near the end, recommendations for award will be presented to OHA's Board of Trustees for approval. did I understand you to say that did not take place.

Misti Pali-Oriol said that did not take place. We recognize that's what it says and we still need to complete that part portion in order for the award to be made. The award will be made by the Board.

Trustee Kelii Akina said thank you. I have a question for KP. The school year has started, one thing is clear, everyone in this room, beneficiaries and Trustees care about the haumana, the students. How will putting on hold the process of executing the grant affect the disbursements that schools expect and need.

KP said go ahead.

Misti Pali-Oriol said in our grants process there are few situations where legal department would let us retroactively execute a contract. One of them being, we made the error in our process, this was our error, the schools will not suffer from our error. We will be asking our legal team to allow us to retroactively fund the schools from the beginning of the school year.

KP said so moving forward Trustees that's a matter, the funding is very important for the operations, and the funding of the haumana, we will discussing that matter with corporation counsel. But that will also be part of the recommendation in terms of moving forward the deliberation for the RM/BAE committee.

VC Ahuna said so as Trustees we set the policy to all this, the only way we can move is through the process. We are taking this to a joint committee, with an action item.

Trustee Rowena Akana thanks Misti for coming to table and explaining to everyone that it is an OHA error, grants dept. should not have awarded that letter to anyone until that decision was made, in the future we follow the process.

Chair Colette Machado thanked everyone that came to the last several meetings, we will engage in fact finding, due diligence by the Trustees and Administration, we have seen some possibilities, have a common area that (inaudible) revisit that, something feasible for everyone and all concerned. Thank you for your patience as we take this to a joint committee chaired by Trustee Hulu Lindsey with the RM committee and Co-Chair with our BAE committee Trustee Dan Ahuna, who is Vice Chair. Based on that outcome, it will get referred to the BOT for ratification. Allow us to take our fact finding, due diligence, when we do a decision it will help us protect us from any potential litigation for any kind of failure that we did not handle properly.

Trustee John Waihee asked regarding a letter that he got, it says in the analysis, that the grant solicitation process was fair open and transparent there is no appeal process for grant solicitations. So that being the case, even if we have another meeting,

Trustee Hulu Lindsey said they didn't follow the process.

Trustee John Waihee said ok.

Albert Tiberi said the competitive grant process, there is not a procurement code applies, but there is an internal process that applies. In a procurement code there are appeals that are built into the rules and statutes.

Trustee John Waihee said so my question is the solicitation, you guys are bringing the scoring you did and we can approve it or not, we can't rescore it, I'm just wondering what we are able to do, what our options going to be at that point and time.

Albert Tiberi said I think that's a discussion she was talking about having in executive session, where we can discuss options.

Chair Colette Machado said each one of us will be engaging in due diligence, to try and clarify fact from fiction.

Trustee Kelii Akina reiterates Chair Machado and Trustee Waihee comments. Shared concerns about breach of process, funding for charter schools, asks for hooponopono.

Trustee Lei Ahu Isa comments on PBN article regarding charter and public schools.

Trustee Rowena Akana shared that OHA can tap into federal funds for charter schools, not just KALO or CNHA, these funds can be used a supplement.

VC Ahuna thanks everyone for attending.

IV. COMMUNITY CONCERNS*

VC Ahuna asks for if anyone wants to speak for Community Concerns, calls Germaine Meyers.

Germaine Meyers commented on a speaker's testimony. An OHA Beneficiary for BAE and a Nanakuli Hawaiian Homestead Lessee, commented on a Kupuna education administrator testimony, "It's smart to use someone else's money." I ask at what price. What is the price to using someone else's money, and if there is a price, who will pay it. Hui or Lahui? Shared additional concerns regarding CNHA and federal recognition. Comments on email from Robin Danner and CNHA sponsored event. Shared additional concerns regarding the document that was handed out at that event.

VC Ahuna asked for questions. None.

VC Ahuna called Kapua Kamai.

Kapua Keliikoa- Kamai shared concerns regarding CNHA grant workshops and followed up on request for community meeting in Waianae, she would like maximum participation at meeting. Spoke on 4th Waianae coast candidate forum they are hosting and reason for holding event.

Trustee Lei Ahu Isa commented on email from beneficiary wanting to advertise in the Ka Wai Ola but was told they had to sign up with Kanaiolowalu first or they couldn't advertise. Asked if you have to sign up?

Chair Colette Machado said she will work with Kanoe to agendize a meeting in Waianae. Let us know if you have specific presentations to show at meeting, will follow up for Nov. meeting. Agenda for meeting must be filed.

Trustee Kelii Akina asks for range of dates of community meeting.

Kapua Keliikoa- Kamai said the Hawaiian affairs committee, who is hosting, is meeting on Nov. 15th the district park is unavailable, and they are looking for large venue. They are aiming for Nov. 15th.

Trustee Kelii Akina said mahalo.

VC Ahuna called Kukana.

Kukana Kama-Toth shared her concerns for advocacy in Waimanalo, the future of Waimanalo, DHHL, past 18 month process of working with a Senator to create document that explains what Waimanalo is. Mentioned Waimanalo community is being pressured to meet document deadline in Dec. and feels Waimanalo is being overlooked. Concerned about ongoing and increasing commercial activities in Waimanalo.

Chair Colette Machado (inaudible)

KP asks Kukana if this is part of the State's 2050 state planning.

Kukana Kama-Toth said she is not sure and will make note of it. Feels the purpose of the document monies, which Waimanalo did not lobby for, is to commercialize Waimanalo way more than it's been.

VC Ahuna asked for questions. None.

V. ANNOUNCEMENTS

None.

VI. ADJOURNMENT

VC Ahuna seeks motion to adjourn BAE meeting.

Trustee Hulu Lindsey – moved.

Trustee Machado – second

VC Ahuna adjourns the BAE meeting at 1:35 p.m.

Respectfully submitted,



Claudine Galpito
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on 12/6/2017.



Trustee Dan Ahuna
Vice Chair
Committee on Beneficiary Advocacy and Empowerment

ATTACHMENT(s):

- Excused Absence Memo – Trustee Peter Apo
- Excused Absence Memo – Trustee Robert K. Lindsey, Jr.
- Brandon Bunag Testimony
- Lorilani Keohokalole Testimony
- Dr. Verlieann Malina-Wright Testimony
- Copy of letter sent to CNHA From Makua from Halau Ku Mana School
- Michelle Kauhane testimony