

**STATE OF HAWAI‘I  
OFFICE OF HAWAIIAN AFFAIRS  
560 No. Nimitz Highway, Suite 200  
Honolulu, HI 96817**

**Minutes of the Office of Hawaiian Affairs Board of Trustees  
Thursday, September 21, 2017  
10:00 am**

**ATTENDANCE:**

TRUSTEE COLETTE MACHADO  
TRUSTEE LEINA‘ALA AHU ISA  
TRUSTEE DAN AHUNA  
TRUSTEE ROWENA AKANA  
TRUSTEE W. KELI‘I AKINA  
TRUSTEE CARMEN HULU LINDSEY  
TRUSTEE ROBERT LINDSEY

LISA CATALDO, ESQ., BOARD COUNSEL

**EXCUSED:**

TRUSTEE PETER APO  
TRUSTEE JOHN WAIHE‘E IV

**ADMINISTRATION STAFF:**

LISA VICTOR, COO  
ALBERT TIBERI, CC  
DAVID LAEHA, CFO  
MILES NISHIJIMA, LPD  
DANIEL SANTOS III, ISRM  
MOMI LAZO, SR. EA to CEO  
JEROME YASUHARA, COMP  
JOSEPH PONT, ISRM  
KAI MARKELL, COMP  
KANOE TJORVATJOGLOU CUP CHOY, OUTR  
KARLEN ONEHA, INST  
KAWIKA RILEY, ADV  
KEITH BUKOSHI, PP  
SCOTT WATANABE, ISRM  
STERLING WONG, PRO  
TIGER LI, ISRM

**BOT STAFF:**

CAROL HOOMANAWANUI  
DAYNA PA  
ALVIN AKEE  
LADY GARRETT  
MARIA CALDERON  
ANI PANG  
MELISSA WENNIHAN  
LÖPAKA BAPTISTE  
CLAUDINE CALPITO  
LEHUA ITOKAZU

**GUESTS:**

ROBERT EBANEZ  
HEALANI SONODA-PALE  
DR. KALAMAOKAAINA NIHEU  
KUPONO ANA  
BRANDON BUNAG  
GERMAINE MEYERS  
KAUKAOHU WAHILANI  
SHANA LOGAN  
BOB HAYES  
KAPUA KELIIOKA-KAMAI  
CLARE APANA

**I. CALL TO ORDER**

**Chair Colette Machado** Calls the Board of Trustees meeting to order at 10:04 am. Roll call is taken; Trustees Ahu Isa, Ahuna, Akana, Akina, Carmen Hulu Lindsey, Robert Lindsey, and Machado are present; constituting a quorum of seven (7) trustees. Excused absences have been received from Trustee Peter Apo and Trustee John Waihee.

Prior to proceeding, I'd like to amend the agenda to remove and defer action on VI. Executive Session A. & B. This matter will be deferred to the BOT on October 5, 2017.

**Chair Colette Machado** - I would like a 72 Hour Waiver for the following items:

V. New Business

A. Committee on Beneficiary Advocacy and Empowerment

1. 115<sup>th</sup> Congress Legislative Positioning – Matrix 1

**Trustee Dan Ahuna** moves for a 72 Hour waiver for item V.A.1.

**Trustee Robert Lindsey** seconds the motion.

**Chair Colette Machado** calls for a roll call vote.

Trustee Dan Ahuna moves for a 72 Hour waiver for item V.A. 1. Trustee Robert Lindsey seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO						Excused
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E						Excused
CHAIR COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			2
MOTION: [ ] UNANIMOUS [x] PASSED [ ] DEFERRED [ ] FAILED Motion passed with seven (7) YES votes, and two (2) excused.						

## II. APPROVAL OF MINUTES

A. August 24, 2017

**Chair Colette Machado** – We will move now to approve the minutes of Aug 24, 2017

**Trustee Dan Ahuna** moves to approve the minutes of August 24, 2017.

**Trustee Robert Lindsey** seconds the motion.

**Chair Colette Machado** – Any discussion hearing none, roll call vote.

Trustee Dan Ahuna moves to approve the minutes of August 24, 2017.						
Trustee Robert Lindsey seconds						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			x			
TRUSTEE DAN AHUNA	x		x			
TRUSTEE ROWENA AKANA			x			
TRUSTEE KELI'I AKINA			x			
TRUSTEE PETER APO						Excused
TRUSTEE CARMEN HULU LINDSEY			x			
TRUSTEE ROBERT LINDSEY		x	x			
TRUSTEE JOHN WAIHE'E						Excused
CHAIR COLETTE MACHADO			x			
TOTAL VOTE COUNT			7			2
MOTION: [ ] UNANIMOUS [x] PASSED [ ] DEFERRED [ ] FAILED						
Motion passed with seven (7) YES votes, and two (2) excused.						

### **III. PUBLIC TESTIMONY**

**Chair Colette Machado** –Just for general information to the public, we will take public testimony only related to IV. A. after we conduct the business under New Business and the referral from the BAE committee we will then move to community concerns and at that time we will engage in any kind of discussion that you choose, but you need to sign up. If you haven't signed up yet, under community concerns for any item that's not listed on the agenda please do so. I will assure all of you we will have time to engage with your testimony. With that said, I'd like to call on Lisa.

### **V. UNFINISHED BUSINESS**

#### **A. CEO's 15-Minutes Update on Ho'oulu Lāhui Aloha and OHA Activities**

**Lisa Victor, COO** – Mahalo Trustees, I have three short updates this morning. OHA will be having a mandatory all hands meeting with the staff and that is going to be on October 12<sup>th</sup> at Keehi Lagoon between 8 and 4 pm. Today is the first day for the Entrepreneurial Workshop from Hi'ilei and our beneficiary Mr. Palakiko has been registered and he is looking forward to attending. Also, we have been working on our technology road map and we have been trying to leverage some costs. Technology can get out of hand as far as costs if you don't manage it. So the ISRM team who I would like to introduce, Tiger is the manager for ISRM, Joseph and Dan and Scot they make up the entire ISRM Team. So what I wanted to do was give the board a brief update on our Technology road map and introduce Tiger and have him come and share the presentation.

I wanted to start, this is really important we talk about the future, what we are going to do, how are we going to prepare for growth and still manage cost. We have been working on this since 2015 and we have been able to drive costs down. But give enough infrastructure for growth. The goals we came up with are growth, security, mobility, and green and stability.

*(Please see attached PowerPoint presentation- Lisa Victor presents the first 17 slides. Tiger Li Presents from slide 18 slide 30 which is the end of the PowerPoint presentation)*

**Trustee Keli'i Akina** – Lisa and Tiger I am impressed with the reduction of costs. You talk about bandwidth reduction, and you talk about annual costs, can you compare that to the infrastructure onetime costs that we would have for this transition.

**Tiger Li** – We acquired a new big server a TANEx box last year, it costs us \$80,000. The costs is saving by cutting down systematics costs which is 250 before, this year is 120 a year. Next year will be 20 or less.

**Lisa Victor** – If we were to lay that same infrastructure we think it would have costs us \$450,000.

**Trustee Keli'i Akina** – Within a fairly short period of time, less than five years, the infrastructure costs are made up by this savings from our subscription and so forth.

**Lisa Victor**- Yes and the prior did not provide us growth. So now, we've doubled our growth and minimized our cost.

**Trustee Keli'i Akina** – What will the connectivity between our system the rest of the State of Hawaii Agency. I know that currently we are 13 -15 systems that don't connect with each other.

**Lisa Victor** – Once we get on board we are going to evaluate on how to better connect these systems. I look forward to connecting to Department and Health and all those places that already connected to the next generation next work. So we can share data easily.

**Trustee Rowena Akana** – I just have one questions. I think it's wonderful, I'm for saving money where ever we can. What about the firewall and other security features. Should we be concerned that if we have connectivity to the State and other entities they have the same for us is that correct. They can connect to us and they can take our information. How secure is our information especially the information, we don't want to share.

**Lisa Victor** – There are other entities that have multiple firewalls within the firewalls so that is the design we agreed to. That is the design in your documentation that we will have multiple firewalls within the firewall. We will have our own firewall, we will have our own access, we will have all of that that is not allowed within the network only by OHA personnel.

**Trustee Keli'i Akina** – First, I am impressed that we will be using office 365. Is there any potential for having online broadcast and archiving board meetings done on this digital platform.

**Lisa Victor** – For board casting we will be using PSTN and will allow us to do web broad casting of up to 10,000 users, we don't have that right now. Because of our bandwidth now there are going to be other tools that we can deploy.

**Trustee Keli'i Akina** – Can we have interactivity for example beneficiaries from the neighbor islands able to ask questions or testify to the board?

**Lisa Victor** - That is where we are going.

**Trustee Keli'i Akina** – I know you want to balance access to information with privacy and we do know that information requests and searches by external agencies sometimes involves accessing Trustee emails and so forth what kind of security will Trustees have to know that unauthorized access is not done by anyone in administration or by other Trustees.

**Lisa Victor** - A lot of that is managed by the firewalls, we have multiple firewalls in place. Emails have been the place the people want to get into the most.

**Tiger Li** – Our exchange server will be in Microsoft cloud, it’s not in the State, it is not in house. It will be relatively more secure.

**Trustee Leina’ala Ahu Isa** – I wanted to commend Lisa and staff, OHA really benefits from all your knowledge.

**Lisa Victor** – Mahalo Trustees.

**V. NEW BUSINESS**

**Chair Colette Machado** – Lets proceed to V. New Business A. I’ll call on Trustee Robert Lindsey

**A. Committee on Beneficiary Advocacy and Empowerment  
1. 115<sup>th</sup> Congress Legislative Positioning – Matrix 1**

**Trustee Robert Lindsey moves to approve Administration’s recommendations on NEW BILLS (OHA 1-H.R. 1169, OHA 4 – S. 1400 & H.R. 3211) on the 115th Congress Legislative Positioning Matrix dated September 20, 2017.**

OHA NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRAL
OHA 1	S. 254 H.R. 1169	ESTHER MARTINEZ NATIVE AMERICAN LANGUAGES PRESERVATION ACT	Amends the Native American Programs Act of 1974 to reauthorize the program through Fiscal Year (FY) 2022, and also increases the length of grants from three to five years. Decreases the number of required Native students in Native American language nests and Native American language survival schools.	S 4/8/2017: Following the bill's 2/8/2017 favorable vote out of committee, Chairman Hoeven reported the bill without an amendment and was placed on the Senate Legislative Calendar.  H 2/16/2017: Bill introduced	Senate Committee on Indian Affairs  House Committee on Education and Workforce
OHA 4	S. 1400 H.R. 3211	SAFEGUARD TRIBAL OBJECTS OF PATRIMONY ACT OF 2017	This bill increases the maximum penalty for a second violation of the Native American Graves Protection and Repatriation Act (NAGPRA) from five years to ten years. It prohibits exporting or transporting out of the United States Native American items obtained in violation of NAGPRA, Native American archaeological resources obtained in violation of the Archaeological resource Protection Act of 1979, and any Native American object of antiquity. An individual in violation will be fined and/or imprisoned for up to one year. Additionally, the bill would allow the Secretaries of State and Interior to designate a liaison to assist private individuals wishing to voluntarily return tangible cultural heritage. The bill also creates a Tribal Working Group, which would include Native Hawaiian Organizations, to receive information and assistance from the Executive Branch to provide assistance in the return of tangible cultural heritage.	S 6/21/2017: Bill introduced H 7/12/2017 Bill introduced and later referred to committees	Senate Committee on Indian Affairs House Committee on the Judiciary and Committee on Natural Resources

**Trustee Dan Ahuna seconds the motion.**

**Chair Colette Machado** – Hearing no discussion roll call.

Trustee Robert Lindsey moves to approve Administration’s recommendations on NEW BILLS (OHA 1-H.R. 1169, OHA 4 – S. 1400 & H.R. 3211) on the 115th Congress Legislative Positioning Matrix dated September 20, 2017.

Trustee Dan Ahuna seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA		x	X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO						Excused
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY	x		X			
TRUSTEE JOHN WAIHE'E						Excused
CHAIR COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			2

MOTION: [ ] UNANIMOUS [ x ] PASSED [ ] DEFERRED [ ] FAILED  
 Motion passed with seven (7) yes votes and two (2) excused

**VI. EXECUTIVE SESSION - DEFERRED**

*(As stated at the beginning of the meeting VI. Executive Session was deferred.)*

**A. Approval of Minutes**

1. June 29, 2017
2. August 1, 2017
3. August 16, 2017

**B. Consultation with Attorney Paul Alston, Esq. re: questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities regarding *Akana v. Machado et. al. Civil No. 13-1-2485-09 VLC. Pursuant to HRS § 92-5(a)(4).***

**VII. COMMUNITY CONCERNS**

**Chair Colette Machado** – We are now on VII. Community Concerns. I have before me people who have signed up to address the Trustees. You will each be given 5 minutes and we will flash the five-minute timer on the screen and the first speaker is Mr. Robert Ebanез.

**Mr. Robert Ebanез** – Thank you for having me today. Chair Machado, Vice Chair Dan Ahuna and Trustees. (please see attached testimony)

**Chair Colette Machado** – Our next speaker Healani Sonoda-Pale followed by Dr. Kalamaokaaina Niheu.

**Ms. Healani Sonoda-Pale** – Aloha, mahalo for letting me to testify today. First of all, I’d like to start with, I’d like to mahalo you for the \$7.5 million you awarded since 2010 to the 17 Hawaiian Focused Charter Schools which is part of Na Lei Na’auao Native Hawaiian Charter School Alliance. The Hawaiian Charter Schools only receive 50% of the per pupil amount given to traditional public schools. The annual OHA funding is important and provides much needed financial support in areas like instruction and transportation at my keiki’s school. I humbly request that you do not give the Hawaiian Charter School funding to the Council for Native Hawaiian Advancement. Which is a political organization rather than an educational nonprofit. In the past OHA has awarded the Hawaiian Charter School monies to organizations that work closely with

Hawaiian Charter Schools. Organizations like Na Lei Na'auao and Kanu O Ka 'āina learning 'ohana, which have mission, visions, and values that are focused on cultural and community based education and are closely aligned with those of the Hawaiian Charter Schools. We as the CNHA vision and mission are not aligned with Hawaiian Charter Schools in fact the vision and the mission of CNHA doesn't mention Hawaiian Education not once. CNHA's political stances has caused great divide and mistrust in Hawaiian Communities. While we understand that CNHA won the competitive bid process, CNHA did not consult with our Po'o Kumu or the Hawaiian Charter School leaders as a collective before applying to take this kuleana . In years past this grant has been awarded to Kanu O Ka 'āina Learning 'ohana whose mission is to serve and perpetuate sustainable Hawaiian Communities to education with aloha. KALO has supported our schools since the very beginning respecting schools autonomy while providing services and organizing events that have brought us together. Programs KALO has spearheaded and provided include the Hālau Wanana Teacher certification program, Ke ea Hawaii interscholastic school council and MEDT Program for rising school leaders and the Kui Ka Lono Conference for Haumana, Kumu Po'o and our communities. In contrast, CNHA leaders didn't even seek basic consent from our schools to receive these monies on our behalf. In the word of our Po'o Kumu as an organization CNHA has been absent from ongoing discussions and advocacy and out of touch on our priorities as a collective. We are deeply concerned about the way that CNHA has approached this relationship and we feel that our school is being forced into a relationship with an organization that is not aligned with our values as learning community. The HKM, Hālau Ku Mana aha Makua met on Thursday, September 14, 2017 and we voted unanimously to oppose CNHA administering OHA funding for Hawaiian Charter Schools. We ask OHA to revise the request for proposal in the future to limit to or prioritize nonprofit organizations that make Hawaiian Education central to their mission and operations or grant monies directly to the schools themselves or the school's supporting nonprofits. I humbly ask that you consider instead providing the Hawaiian Charter School monies to Na Lei Na'auao, KALO, or even better directly to each Charter School which will ensure that each student will receive their allotted \$350 in additional services that the OHA funds provide. Hawaiian Charter Schools are focused on native language, cultural and tradition. Providing an alternative to mainstream learning settings. The annual increase in enrollment it's testament to the success of Hawaiian Charter Schools in meeting the education needs of our Hawaiian Keiki. Of the approximately 4,200 student enrolled in the Hawaiian Charter Schools 91% of them are of Hawaiian ancestry. The education of our keiki is too important to risk on an entity with political rather than educational priorities who has not built rapport and trust with the Hawaiian Charter School 'ohana. I wanted to add this morning I wanted my son to come and testify as well he did not want to miss school. That's how much he loves that school and I just want to say please help us. Please.

**Chair Colette Machado** – Mahalo Healani, Dr. Kalamokaaina Niheu followed by Kupono Ana.

**Dr. Kalamokaaina Niheu** – I am here as a community member whose had a child that has gone to Charter Schools. I'm also as somebody that works very, very, hard on a regular basis to support our community and the things that we have fought for, for such a long time. People in the community we don't just fight, we also build deep, wide and strong. There is great beauty and one of the great beauty, one of the gift we have from decades of resistance combine with the love of our community is the great blossoming of our Charter Schools. We some of them now in their 20's and we look at every one of them and I am so impressed and thankful and grateful to all of the people who have come forward. Who have stood up and have worked so hard to build, build what has been created here and now we have a situation in which we have an organization like CNHA, we know how hard it is to build these community alliances. They have not done anything to build these alliances in our community and they have also not done anything in order to help create them. Organizations like KALO and Na Lei, we know that none of us are perfect but they have been there and they have been there in the trenches with our people and the flowering of our young people, the flowering of our pua. We see now we have children who are fearless, the same types of things that my parents and myself used to be fearful of they now look as base line. They now see as the foundation, there is no questioning of whether or not they are proud to be Hawaiian, they are Hawaiian. The question of whether or not they are going to live Aloha 'Āina is not even debated. That is the new standard that these charter Schools have created and now we are going to

potentially put in an organization that has created so much division and so much chaos. We all agree we have in this people in this room that were on both sides of the Federal Recognition fence and will probably be on both sides of the Federal Recognition fence forever. One of those organizations that lead that charge was CNHA and if we put them in charge of our young people and we're asking for big pilikia. If there is, one thing that our community doesn't need any more is anymore pilikia. We don't need any more division, we don't need more pilikia, our Charter Schools are struggling right now. We are all dealing with the fact that this is a Trump regime, they don't like any of us Federal Recognition, Independence, whatever and we are going to create another pilikia in our community. More division rather than moving forward and supporting all of this beauty that we have fought so long, and even if we disagree I think we have to really agree that our children when we see them, our tears fall from our eyes, we are so proud of them. The young people that we see now when they go up to Mauna Kea, when they do up against these struggles, and they fight for the water, they 'ōlelo, they oli they know their culture, they know their moo kū'auhau and the know who they are. If there is a possibility that it might go to CNHA I will always oppose that because I don't believe that CNHA is creating fearless young kanaka. That is my position on this at the very least what OHA owes to our Charter Schools who are struggling, struggling and yet producing high caliber young people. Is at the very least return this KALO and have the discussions in the community, talk to the Charter Schools, talk to the Students, talk to the Poo Kumu who come and they need to know if they are going to have a relationship or not with CNHA. Springing this on our communities when we are dealing with so much right now and the trauma is real. I am somebody who has tried to dedicate my life to healing the trauma of our community is so deep and powerful and painful. This will cause a deeper and greater wound even if you are pro CNHA how it came about is not pono. Mahalo Nui for your time, aloha 'āina and most of all Mahalo nui to our Charter Schools. We support you and we love you.

**Chair Colette Machado** – Kupono Ana followed by Brandon Bunag.

**Mr. Kupono Ana** – Aloha mai kakou. My name is Kupono Ana. I'm here today cause I wanted to talk to you about how majority of our lāhui is strongly against Federal Recognition because it's actually giving away our chance to regain our Hawaiian Kingdom. I'm not sure how you guys all feel about that. But majority of us don't want as it has been shown in all the DOI testimonies and how many times the actual Federal Recognition, the times that you tried to do it that it failed. You know, the Kanai Oluwalu and all those different types of ways that you guys were trying to do it. I honestly feel it is a big waste of money because it fell through so many times and that's a lot of money that could be actually going to our Charter Schools that are struggling like Dr. Niheu was talking about. In my own ahupua'a in Koolauloa side we have one in Hauula and they are just struggling you know. I forgot to talk to you guys about that the last time. I talked about the other ones. I really would like you guys changing your guy's vote against that and stand up for our Hawaiian Community because I am a product of being colonized for many, many years. I only have been aloha 'āina activated for about 2 ½ years. I can't speak 'ōlelo Hawaii, I don't know much about my culture but I feel like I have been slighted by America and just everybody who has just followed and listened to everything that America wants you to do. You guys are our voices, you guys own the table, you guys do not need to find a seat. I just humbly ask that you guys help us out and our Hawaiian people. I don't have any kids right now but when I do have them, I would like them to go to Hawaiian Charter School and learn their culture and be better than I was. I really wish I could done more and been more active in my community and my lāhui. So that's about it for today and I just humbly ask that you guys help all of us out. I thank you guys for your time.

**Trustee Dan Ahuna** – I actually wanted to speak what you just said. Before we go on, I want to say this. There is no side on this board table we all agree that we have to bring it back to the table. I want to thank our Chair cause we talked about this when these issues were raised, we are bringing it back to a Committee level on the 27<sup>th</sup> where we are going to hear, we want to hear more from the people both sides, but I just wanted to speak to Charter Schools. Sometimes we say we just activated and stuff like that but we have it in us no matter what. The reason why I am saying this because as a former Principle of Hālau Ku Mana I used to see

that in a lot of kids. They didn't know why they hated certain things and certain opportunities that they didn't have and stuff and they struggled with all of that. Then they started learning about where they from and how they came from Kaka'ako and how they couldn't be frolicking with the tourist they got kicked out of that area and they had to move to the mountain in Papakōlea and all this kind things. But what happened after that was with all these children some of them I've seen in my neighborhood of Papakōlea, I've seen them graduate and become great parents and great leaders in our communities and they do great things for their kids now. The generations aren't the same anymore. I coach football and the kids are good kids now, they getting raised properly and I owe it to Charter Schools. I'll be totally honest, I owe a lot to the Charter Schools and the reason why we have to owe it to Charter Schools is that they are community based. They are people based and a lot of those people are our people. We all agree that we need to support that. We are going to bring it back on the 27<sup>th</sup> so we can get behind this. One more thing we don't want to talk bad about either side but we want to bring up the struggles that the Charter Schools went through. At Hālau Ku Mana we started at UH nobody we went to Paradise Park, after Paradise Park then we went to Makiki. Those are steps still there, still going strong and now the kids I taught their kids are there and we cleared that gap and now we have to come together to find the solution and on the 27<sup>th</sup> we are going to have a great opportunity to do that. So I want invite you guys all to that meeting and that is where we can hash it out. One last thing a lot of times you come up here and you give testimony but you not included in the discussion of the solution. I'm hoping on the 27<sup>th</sup>

**Mr. Ana** – I wish we could have longer meetings. Private time where we can actually talk cause you guys always have to leave and all that kinds of stuff.

**Trustee Dan Ahuna** – The reason I want to say this is because I want to know what money they are not going to get, we want to get behind all of this. We want to ensure that the money is still going to the Charter Schools and all of that. Those are the questions I want to ask. It's important to come on that day and talk about the solutions and help us.

**Mr. Ana** – I have a dream I wish that we would be teaching 'ōlelo Hawaii in public school free so like it doesn't take away from people's livelihoods.

**Chair Colette Machado** – Thank you Kupono. Brandon Bunag followed by Germaine Meyers.

**Mr. Brandon Bunag** – Aloha Kakou. My name is Brandon Keone Bunag current principal of Hālau Ku Mana Public Charter School located in Makiki. On behalf of our school, our governing board, our faculty and staff, students and families we mahalo each of you for your continued advocacy and support of our school and all Hawaiian Focused Charter Schools. As a concern that has already been raised by others before me today and in previous weeks I too would also like to express some deep concern for the future of how, in particularly who will manage OHA's financial support to Hawaiian Focused Charter Schools. Moving forward with the Council for Native Hawaiian Advancement as a grant administrator of OHA's resources would be a slap in the face to the countless individuals who have built this movement on Hawaiian Education with their own time, money, effort and energy. This contract is much more greater than simple administration of funds and ensuring reporting compliance. Over the years, this contract has brought schools, students, faculty and staff together in order to generate momentum and ensure the continued collective success of our school and our individual students. Kanu O Ka 'Āina Learning 'ohana, KALO knows each school intimately they know our priorities, they know our successes and they know our challenges. More importantly, KALO also actively seeks hui to advance our priorities and problem solve our challenges. When operating in a system that is designed for us to fail partners like KALO play a critical role for our continued success. That is why we are still here 17 years later, 20 years later. CNHA's approach and process in all of this has me deeply concerned. I am concerned that we as a school are being forced into a relationship with an organization whose values, mission and purpose are not aligned with ours. I am further concerned that no one from CNHA has taken any time to engage in any meaningful discussion with any of our schools to seek understanding of our needs and our priorities yet according to their proposal our schools are expected to share data and attend an annual

conference. CNHA may and probably is successful in their area of work however administering grants to actively support Hawaiian Focused Charter Schools is not one of them. It is my humble ask this morning to the Board of Trustees is to really reconsider the decision of awarding this contract to CNHA.

We've been contacted by CNHA because we had to initiate the request to seek an ask for the proposal which they willingly shared. At least for the first year of a two-year contract, the formula for our schools is a commitment to stay the same for at least one year. But as you know the trend for Charter Schools in general in Hawaii continues to increase. Our enrollments at our schools continue to increase, people and other schools with good hearts are now using the words Hawaiian Focused Charter Schools. So all of these things in next week's discussion needs to be brought back to the table as we are part of the 17 schools, I say we because I am part of the school but I was not there at the beginning, we continue that discussion till now. How do we remain Na Lei Na'auao, how do we look at new schools that are coming up that may or may not be aligned. The commitment to our schools have been the same in the current contract. The biggest concern is the administration of it. That is where our biggest concern is. As a solution, an interim solution that I have proposed and I believe and we will all be advocating for is that OHA take the \$1.5 million divide it amongst the 17 Hawaiian Focused Charter and contract each school individually for these resources. Hold each of us accountable for the reporting requirements and we are more than willing to share the data that we need to, we are more than willing to share our successes, be open and candid about our challenges and also whatever other things that maybe necessary for that. Then moving forward if an administrator is necessary engage with us about the challenges that our schools have collectively gone through and continue to go through. CNHA publicly has divided our community, we don't need them to further divide us in education as a Po'o the job is 24/7, our teachers work 24/7 this is honestly one thing that is not necessary for us to have to come and share with you the OHA that your monies are being very well spent. We are more than open to sharing and showing how these monies are spent. Putting in a new grant administrator will disrupt significantly the collective movement that many have built these past 17 years. I look forward to next week I will be here. I make myself for questions today and or after today. Mahalo.

**Chair Colette Machado** – Thank you Brandon for taking the time to come. Germaine Meyers followed by Kaukaohu Wahilani.

**Ms. Germaine Meyers** – Aloha Chair, Aloha Trustees. My name is Germaine Meyers and I am a OHA beneficiary for beneficiary advocacy and empowerment and also a Nānākuli Hawaiian Homestead lessee. I emphasize that I am a Nānākuli Homestead Lessee because I was attacked by CNHA founder Robin Danner in the emails that I will go over in a few moments that I would like to bring to your attention again which I originally brought to your attention her attacks against me and my friend Kaiulani Milham on April 26, 2017. I attended a Board meeting and I brought these things to you and I have not received a response since that time.

This morning I received a copy of a letter dated September 12, 2017 from the current CNHA President and CEO Michelle Kauhane. She sent a four-page letter that day to the OHA Trustees regarding Charter School Grant Administrative Competitive Bid. It was a four-page letter and I read it in detail all the way to the last page and on the last page, you will note that she listed cc to the Board Members of CNHA. Two of those board members are SCHHA members, Robin Danner the founder of CNHA is also the currently president of the SCHHA and Robin Danner attacked me all over the Facebook and emails to Homestead Association Leaders all over this half a page piece of paper title, "Hawaiians Oppose Federal Recognition". We, myself, Kaiulani Milham were the authors of this flyer and we distributed it at the 2017 Oahu County Democrats Convention on April 22 less than 24 hours later on April 23 at 11:19 am Robin Danner sent an email address to the SCHHA Associations and she said this about me.

*(please see attached handouts)*

I brought this to OHA Trustees on April 26, 2017 I gave a copy to CEO Kamana‘opono Crabbe who is not here today and I have not heard a response. I have tried to become as I told you a SCHHA member or a Nānākuli Homestead Community Member, Kamaki Kanahale and Hana Aipolani who are board members of the CNHA, since 2013. They have not had a community board meeting since 2013. Actually, Hanalei’s board membership on the association is actually null and void because it expired and yet because they haven’t had re-elections and I haven’t been able to be a member I can’t run for their board because their bylaw says I have to be member for 2 year before I can run. 2013 no meeting, I’ve tried to get an application to be a member and I’ve been denied. I want to summarize to say that you have seen me since February and I notice there seems to be a pattern I feel like you guys try to exhaust us into indifference. Just put obstacle in our ways to exhaust us. But my closing remarks is a scripture and my prayer, “And God says, faith without good works is dead and it does not save.” My prayer is lord transform my faith into good works. My good works keep them alive. And Lord save lives. E hana kakou.

**Trustee Rowena Akana** – We are not trying to exhaust you it is not coming from us. I appreciate you coming to the meetings. Mahalo.

**Chair Colette Machado** – Kaukaohu Wahilani followed by Clair Apana.

**Mr. Kaukaohu Wahilani** – Aloha kakahiaka. Kōkua the schools. I’m a concerned parent my middle son goes to Hālau Ku Mana and I was so elated that my son got in. I heard what happened, I thank you folks that you didn’t sign the agreement yet. I am here in opposition of CNHA being administrator for these funds that you folks have been giving all these past years and mahalo for doing that. We want to stand with Kumu Keoni, my tita Healani and my tita Kalama and as a parent. People without their knowledge and history is like a tree without roots. And at Charter schools, our nā keiki they are being taught I so glad my keiki don’t know how to pledge allegiance to the flag. So glad they don’t know how for sing the national anthem. They damn know how to sing Hawaii Pono I. they know their roots, they know who they came from. ‘ōlelo No’eau pehea kou piko. Where your piko connected to. Our kupuna when they talk they talk in parables like how Christ does. Always get a kauna behind. Kanaka our people is always been about protocol. But I found CNHA never went to none of the schools although they went to apply for this grant they never went to none of the people involved in this process to at least talk to them. To me that is a bid red flag. Especially an organization called Council for Native Hawaiian Advancement, Hawaiians, I mean my thing is everything is protocol. You folks know by them not doing that that’s questionable about that. As a concerned parent, Hālau Ku Mana and all the Hawaiian Focused Charter Schools maikai what they teaching our nā keiki. Know that who they are and where they stand on this honua, who they come from. E Hawaii Au. I ask that I mahalo brother Dan too that next week I kind of wish I knew I don’t know I can take off next week. I will try my best to be here. Please think it over.

**Trustee Leina‘ala Ahu Isa** – I talked with a principle and she said she was mentioned in CNHA’s grant application but they never did. They did not go through the protocol thing.

**Trustee Carmen Hulu Lindsey** – I know that we will discussing this in depth next week but I want to make it very clear the process that this went through. The Board of Trustees approved the money and then it goes to our administration for distribution. On June 22, the Board of Trustees were notified by our administration that the contract was given to CNHA for administration. This was done after the decision was made by the administration. I would have hoped that maybe we could have discussed it first because after 8 years of KALO administering these funds to change it to someone else should have required a discussion by the Board this is kind of, where my personal irritation is. It is my hope that next week when we discuss it maybe we can find some solution. I just wanted to explain the process we went through.

**Trustee Rowena Akana** – Taking off where Trustee Lindsey left off, while the board was appraised that there was a grant for education I personally didn’t realize that it was going to CNHA in place of KALO. I know

several other board members that had no idea that that was happening. The other disconcerting thing is that we find out much, much latter only after the Charter Schools find out that CNHA has been awarded the grant that our administration had used some the education funds or funds from the legislature and they said that's why they put it out for bid or whatever, this is not a normal thing so I am very suspect on why that was done because we always give just our Trust Funds. So adding State Funds to it puts another stipulation, which causes it to go out.

**Chair Colette Machado** – I want to caution all of you because it is not listed on the agenda, that is why we cannot have such detail discussions on our one to one. But next week it will be agendized as part of the single item that we will be doing under the BAE.

**Mr. Wahilani** – Just one last thing if Michelle Kauhane is watching and Robin Danner is they are watching, they can still take their names, CNHA off the process right.

**Chair Colette Machado** – They can volunteer and remove their name. They will be here next week. And Kamana'opono Crabbe will be here next week. We are going to switch around, Clare has agreed to go after everyone speaking on Charter School Funding. I'd like to call Shana Logan followed by Bob Hayes.

**Ms. Shana Logan** – I wasn't planning to speak today. I have somethings to pass out. This is from the Native Hawaiian Hospitality Association and it outlines the Spirit of Aloha Law. I went to the Native Hawaiian Education summit couple weeks ago and my Hawaiian Studies Teacher with the Department Education it's a challenge to meet the Department of Education requirements in a normal school and I just want to support the Charter Schools here today. I won't be able to make next week because I live in Hilo. As a Hawaiian Studies Teacher I want to support, the priorities that we came up with at the Native Hawaiian Education summit were; That we would present to the Legislature that the top priorities in Hawaiian education are providing 'ōlelo Hawaii and ike Hawaii. Two things that Charter Schools do very well. As a parent of a former charter school student I really aloha the teachers because back when there weren't any charter schools they were plugging along at Windward Community College, I was going to school there and my teenage son was going to uncle Cal's school at Kualoa and the experience was life changing. Nowhere else do you have piko in the morning. Which is the opening protocol for Hawaiian Charter Schools. Nowhere else is Hawaii Pono I more important than the Star Spangled Banner or the Pledge of allegiance. Nowhere else do they teach the proper history of Hawaiians here in our own land. I tell you being in the Department of Education we are stifled as teachers like I said the last time I was here. 17 hours a week for a Hawaiian Studies teacher to service an entire school, I had 750 students to teach in 17 hours a week at Hilo Union and Keone Poko. Then I moved to Ha'aheo Elementary School, which is a 125 years old plus now. My great grandmother went those schools as a child in Hilo. She was stripped of her Hawaiianess in those schools the very schools I am now able to teach Hawaiian at not like the Charter School. They are more immersed in the language and the culture but what I teach are the basics. I find from K-6 is a very critical time for children to learn about who they are. When the principal is not supportive of the Hawaiian Studies program in the DOE schools I have found they can exit out and do whatever they like with it because even though there is a law they can replace whatever we teach with whatever they like teach about Hawaiian Studies. I just come here in support of the Charter Schools. I am hoping that you think about this my personal opinion being in the schools for just 6 years is that without the proper leadership you will not have Hawaiian Education succeed in the public school system. That is why we had the summit that is why you will see next year resolutions coming up through the legislature. I hope that OHA provides support for OHE the Office of Hawaiian Education.

**Chair Colette Machado** – Thank you Shana. Bob Hayes followed by Kapua Keliikoa-Kamai.

**Mr. Bob Hayes** - Good Morning Board members and thank you for giving us your time this morning. I know that we are beating this Charter School Funding issue to death. But to those of us to whom it effects it is life changing. I'm not Hawaiian but I adopted three Hawaiian keiki because I married into a Hawaiian family.

These kids were lost in the public schools, in the 8<sup>th</sup> grade my daughter was drinking she was experimenting doing crazy stuff, my younger child, my middle child was on a IAP because they couldn't educate him. I got a call in the middle of the night that my wife's sister who was addicted to drugs just gave birth to another baby and would we come to the hospital and adopt it. So are there problems out there, yes there are. Fortunately, we decided one day what is my kuleana for someone who is responsible for native Hawaiian children. I realize that they needed to find their center their grounding. We put them in Hālau Ku Mana, the previous Po'ō Kumu took my daughter under her wing, she went from drinking to meeting Hōkūlea in Aotearoa as a representative of World Indigenous People education Council. She spoke on the floor of the United Nations with Nainoa Thompson she became a pillar of the Hawaiian Community. She became a proud Hawaiian child, a proud woman and mother today. I have no doubt that her child is not going to grow up in the same conditions that she grew up in. My middle son still a little lost but at Hālau Ku Mana, he has found his place. There is a fire alarm at school the other day before school started. My son tells me, Dad you know I had to go get all the keiki and take them down to Kalae, which is the parking lot because that is where we go. I am thinking to myself my kid just took responsibility for all the underclassmen and walked them down. This the kid he would just blow you off five years ago. He is living, I tell him all the time Martin Luther King said a lot of things but you got to find in our life where your life impacts other people and that is where you will find the greatest reward. He is not an academic genius but he loves other people. His heart is huge because what Hālau Ku Mana what the Charter schools gave them. My youngest son, the one we adopted, he grew up with love he never knew the pilikia he had at the other place. He is musically gifted, he has performed with mana mele, he performed on Hawaii Theater stage. I hope he continues the culture. I swell with pride when I look at him. So when the school asks me to do anything I do it. Because there came a day when I stopped living me and started living for these kids. I know it's not your fault, we have legislative rules and you gave it to a committee and they wrote some rules to their best understanding. They didn't think to put in there that it should be an education-based organization that administered those funds, it was an oversight. We hope that the awarded entity will willingly surrender those funds so that they can be re-awarded with a properly written RFP. The RFP is where the problem was, we understand that. Let's please find a way to fix this funding. Thank you for listening to my story.

**Chair Colette Machado** – Thank you so much Mr. Hayes. Kapua Keliikoa-Kamai followed by Clare Apana

**Kapua Keliikoa-Kamai** - (Greets and address the Trustees in Hawaiian) I want to kāko'ō the previous two and all of the previous speakers regarding our Hawaiian Focused Charter Schools. As you've heard previously and many years past our Charter Schools are much, much needed. They are independent autonomous educational instruction is so important just as important as the many activities that they are encourage to participate in. Which is way beyond what standard DOE would allow for. These are the type of activities and ike that instills within our keiki what it is to be Hawaiian. What is the ike of our lāhui. It is not what we have today especially under America's core standards. I'm not only asking for public charter schools support but to really support our own ike Hawaii schools separate from DOE, separate from the Board of Education. Why, because we don't align in all areas, we are an exception to this nation of America. Primarily because this fake State of Hawaii is fake. That is why we are the exception. That is why many people do not know the travesty that has occurred upon our people this travesty, which in the last 10-20 years our babies, our children, our mo'opuna are now learning about. We want them to rise up but we want them to rise up in pono manner not with sticks, not with guns, not with hateful, hurtful words because those that perpetrated this wrongfulness upon us is 125 years ago. However, we still have perpetrators committing the same wrongs against us. I would put CNHA within that basket. Because they are so willing, they have been so adamant to sign away our rights. To have us concede to what America tried in 1898, 1897 and what they illegally succeeded in in 1898 and have since then continued in that manner. Our children are learning the truth. But they also need to learn how do we learn the truth and bring about the rightfulness of who we are and how we should be. It is through schools such as Hālau Ku Mana that bring about this information. It is not with shame because we should never be ashamed of our history, never ever, but with pride, with humility we want to raise our babies with this ike. We need your support, we need you to do what you can to dialogue with CNHA to rescind this

contract without any diminishment of the \$1.5 million that would go to these schools. We don't want the schools to be punished with what has already occurred. Now CNHA, while they made their previous statement has had native Hawaiian Education caucuses they have had our Charter Schools so they have in some manner tried to help but what they are doing today is not going to help our babies let me tell you. it's not going to help our babies to the fullest extent. That would be to hamau their ike, hamau their layer that is not what we want for our babies. We want them to be ha'aheo with ha'aha'a. Be our Hawaiian babies of tomorrow because these kids are making tomorrow's history. Let us help them to continue in that manner. Mahalo.

**Chair Colette Machado** – Clare Apana will be our last speaker.

**Ms. Clare Apana** – Good morning. Thank you for welcoming us again from the island of Maui. I come to give you a report and also to ask for your continued support of the sand mining the sand extraction and the desecration of iwi kupuna and the obliteration of the sand hills of Wailuku and Waikapu. I guess we all keep coming back to this board because I hope you know this is and you believe this but you do make a difference. The day that the two Trustees came to the County Council meeting in Maui, all members showed up, all the committee members showed up. We just had a meeting this last week on Monday and three people canceled that morning because they didn't want to be part of the discussion to moratorium sand mining. They didn't want to put their face out and take the chance that they would have to do something that would be unpopular to the developer and then maybe to us the Hawaiian people. I hope that you will continue your support, you made a motion to write a letter to Maui Lani Partners and you wrote two extremely letters to Maui County and that was in June 21-22. There has not been an answer to those letters. This was three months ago. They never answer you. I think that's a crying shame that you are a State entity and you asked for information, you asked for their mana'o and they have not answered you yet. That puts us in a really bad position because no one is acting upon the permit for grading for 213,000 almost 214,000 cubic yards of sand for a grading permit. I believe the limit is 12,500 cubic yards and nobody in the County of Maui will rescind that permit. And you asked for them to say is this thing good or not? Can they do this in the zoning? They just asked for rezoning in 2005 when they could of at that time added sand extraction and they did not. They added more property and they didn't even ask and AIS for the Land Use Commission because they said they were not going to change any landscapes or the land in any way that would make any difference so they didn't even have to and AIS which is required and then when they got their land designation they got their two extra pieces of land put in there, they sand mine the heck out of it. And now they are sand mining the last hill left in that Maui Lani Development.

You supported us and it really made a difference to us to know that your supported us and it made a difference in the County Council to know that you supported us. I ask you again to become more visible to write the letter to Maui Lani Partners, which have never been written. A letter to County was written and actually the problem goes so much deeper as you know out little group of people who care about the iwi kupuna were able to hire an attorney to put an injunction on them and the injunction is temporary at this time it holds in good faith because we do not have a real injunction but it's in good faith that nothing will happen until the court case is done. We found out that the archeologist firm they use, the archeologist who has been reporting to SHPD for all these years is not an archeologist. She does not have the degree to be an archeologist she said she went to I think Texas A&M and majored in anthropology/archeology. There is no archeology degree at that college. They do these monitoring plans that go along with a grading permit in a sensitive area. The archeologist representative herself said that she doesn't always follow that plan and when asked if she followed it, if it was in the administrative rules she said, well no. So she was asked if she picks and chooses what she is going to follow and she says, yes pretty much. This is how we are treated. There are means to do a better job but no one is enforcing it.

I don't know what to say about SHPD because if they could only do their job then we could try to take better care of our iwi kupuna. We wouldn't have to do any lawsuits. I will give you one very, very good example.

Since the year 2012 the Kamaunu family who is one of the members is a registered genealogist has been trying to claim descendancy to this area and they were brought to the burial council once and then they were continued and since then five years, they have never been agendized again. When you came to Maui Keaumoku Kapu went and made it a descendancy claim that was three months ago. And another person Victoria Palafox whose family owned the LCA right next to this one made a claim that was three months ago none of these claims have come before the Burial Council so that someone could speak for this iwi.

*(Clare shares pictures of the area, please see attached)*

These pictures are phase 6 Mauna Lani a property which has been sold to Town Development. Town Development as you know very famously pulled out of Kealakekua I believe it was last month or two months ago after contested case hearing with the pro se plaintiff. She was able to show what they were doing in terms of not preserving the history and the iwi. I just wanted to show you that what is happening in this place which is a burial preserve because they found 74 iwi. They were given the opportunity to grade in this burial preserve and take 12,500 cubic yards of sand out.

I think there is a way you can help and you said if they ignored your letter that you would consider that and I am asking you because we scraped together as much money as we could just to do this little injunction. The problem is so much bigger and its fixable. Our iwi kupuna could be treated with so much more respect the woman who did the pro se case in Kealakekua it took her months and months of work to do that and it's not necessary. There are laws there are ways to protect our iwi kupuna. But nobody is at home taking care of it. In summary, I'm not sure what happened but the motion you made in this BOT said to write a letter to the developer. I don't believe a letter was written, you did write very nice letters to the County of Maui, one of them asked for a response and you did not get a response that was three months ago. The problem seems to be so much bigger that I would ask that through your Governmental process or through it would seem the only thing that makes anybody do anything is a lawsuit which is crazy. That you will really look into this problem because it's not just my island, If we would just start with following what is already there we would be way ahead nobody ever enforces the burial laws. I ask you, I know you been looking into it I ask you for action because we did as much as we could. We will keep going as long as we can but we do not have the kind of resources to fight an entire State but maybe we do. That is what I ask you and I just wanted to give you a report. Thank you very much.

**Trustee Leina'ala Ahu Isa** – Trustee Hulu and I showed up and you are right they did show up. I was concerned because according to the PBN Maui Lani maybe its Town Realty, they are developing another small shopping center. I am afraid that they are going to use the sands not for the columns for their development. It is a County issue and I think we start there first. I think Kai can find out the letter OHA was supposed to send.

**Trustee Dan Ahuna** – Do you know the area they are doing the sand mining was ever brought up in the general plan the Maui general plan.

**Ms. Apana** – It is and its actually protected by the Maui Community Plan but no one is doing it.

**Chair Colette Machado** – I don't expect to give you a response because this item it not really listed you can talk to her after the meeting. I know she is going to come back and I again request for support I've always asked you Clare if your group has actually applied for possible consideration with Native Hawaiian Legal Corporation.

**Ms. Apana** – We have.

**Chair Colette Machado** – What was their determination of your request?

**Ms. Apana-** Before we did the injunction we waited for them and they were happy that we would go with someone else.

**Chair Colette Machado** – We can follow up with that request to NHLC to engage in some kind of outcome.

**Ms. Apana** – Thank you.

**VIII. ANNOUNCEMENTS**

**Chair Colette Machado** – We have an announcement that at 1:30pm we have a Resource Management Committee Meeting lead by Chairwoman Carmen Hulu Lindsey.

**IX. ADJOURNMENT**

**Chair Colette Machado** – If there is nothing more to say the Chair would like to entertain a motion to adjourn.

**Trustee Carmen Hulu Lindsey Moves to adjourn the meeting**

**Trustee Dan Ahuna Seconds the motion.**

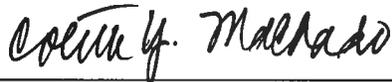
The meeting was adjourned at 11:48 am.

Respectfully submitted,



Dayna Pa, Board Secretary

As approved by the Board of Trustees on October 19, 2017.



Colette Y. Machado, Chairperson  
Board of Trustees

**Attachments:**

1. Trustee Peter Apo excuse memo
2. Trustee John Waihe'e IV excuse memo.
3. Technology Strategic Roadmap PowerPoint.
4. Testimony of Robert Ebanez
5. Various handout from Germaine Meyers
6. Handout from Shana Logan – "ALOHA"
7. Clare Apana - Pictures