

**JNCL-NCLIS
Board of Directors
December 11, 2014
10:00 a.m. - 4:00 p.m.
Minutes**

1. Roll call

In attendance: Dr. Ray Clifford, President, BYU
Ms. Marty Abbott, President-elect, ACTFL
Dr. Peter Krawtschke, Treasurer, ATA
Dr. Antonia Schleicher, Secretary, NCOLCTL
Dr. Dan Davidson, American Councils
Mr. John Carlino, NYSAFLT
Mr. Keith Cothrun, AATG
Dr. Meg Malone, COD
Ms. Rita Oleksak, NNELL
Dr. Mary Pendergraft, NCLG
Ms. Amanda Seewald, MARACAS
Dr. Emily Spinelli, AATSP
Dr. Terry Wiley, CAL
Dr. Bill Rivers, Executive Director, JNCL-NCLIS
Ms. Rachel Hanson, Managing Policy Analyst, JNCL-NCLIS
Ms. Maria Pulcini, Policy Intern, JNCL-NCLIS

Excused: Dr. Jayne Abrate, AATF
Dr. Yea-Fen Chen, CLTA

2. Adoption of agenda

Dr. Rivers proposes adding a discussion of rebranding JNCL-NCLIS, and of the 2015 omnibus appropriations bill to new business. Approved unanimously with changes.

3. Approval of minutes of last meeting.

Dr. Spinelli was not present at the last meeting, and Sharon Fletcher, President of AATSP, attended in her stead. Dr. Clifford was also not in attendance at the May 2014 meeting. Approved with changes noted. Dr. Clifford and Dr. Spinelli abstained from voting due to their absence at the meeting.

4. Finance report (10:15 - 10:45)

a. Projected FY15 Financials

Dr. Krawtschke began stating that we applaud Dr. Rivers for his hard work pulling JNCL-NCLIS out of a very deep hole. He has done an incredible job. Also we owe it to five organizations that have contributed above and beyond to keep JNCL-NCLIS afloat: ACTFL, CLI, AATF, AC and BYU.

Dr. Rivers summarized that we've made some extraordinary cost cutting changes including staff changes, office changes, utilities. We've trimmed \$84,000-\$85,000 out of the budget. That is off of the budget that was in place when he came in which was significantly in excess of actual revenues. Extraordinary fundraising has been included here. Contract work has been carefully reviewed by Executive Committee to ensure there are no conflicts of interest. There have been some reductions in operations, in such things as website maintenance and other time-demanding tasks. There is a limit to what we can do without staff and what additional work we can take on.

The financial reports are a draft for 2014 and cover the year through November 30. The bottom line numbers are aligned, but there are internal numbers that need to be adjusted. We are coming out with a small surplus for the year. Recall that we are two organizations. There will be a slightly

larger surplus by the end of the year, which we will carry forward into next year for operating expense because we are a cash accounting system and we have already begun to receive dues for 2015.

In the new year, we will need to distinguish between membership dues and revenue from the delegate assembly.

Looking into 2015, our rent expenses will decrease. Benefits will change slightly because of a 24% increase in our premium, and a consequent change to our benefits plan to offset that increase. We have about \$70,000 in debt, credit card and Executive Director's back pay. We expect a small profit on the delegate assembly, and small operating surplus of about \$17,000. In conversations with the Executive Committee, we've developed some plans to try to move toward paying off our debt. Our average dues payment is \$3,000, with a bimodal distribution.

After lobbying, Bill spends the next largest portion of his time recruiting. It's a slower process than we'd hoped, but comes out to about a 60,000 increase in revenue. Another revenue stream is contracting out Bill's time and expertise to project based work with concurrence from the Executive Committee to avoid actual or perceived conflicts of interest. A conservative estimate is that we will increase revenue by about \$70,000 and be able to pay down our debt.

In the Financial Report, you will see an explanation of the underlying sources of our financial situation, including a running deficit, depleting of our reserve of \$80,000 in fall 2011, unknown expenses, and very expensive delegate assemblies.

You will see on the Historical Dues sheet that our high point in revenues was in 2003 at \$380,000, inflation adjusted.

Dr. Krawutschke reminded everyone that we owe Dr. Clifford, the Executive Committee, and the Board a debt of gratitude for staying calm and thoughtfully guiding us through some very difficult times.

Dr. Clifford then added that the suggestions for revenue streams came about from a letter to the Executive Committee from Dr. Rivers asking what we should do to close this gap and discussions about which were the most viable options.

Dr. Spinelli inquired about whether there is any chance of MLA rejoining. Dr. Rivers replied that it seems unlikely. We have extended an invitation to come to the Language Advocacy Day and Delegate Assembly as observers. Our sense is that they are facing their own challenges, and they also feel like they are getting what they want and need out of a membership in the National Humanities Alliance. We have a cordial relationship. Dr. Rivers is presenting at MLA, but it seems unlikely that they will come back.

It may be reasonable to work on getting ADFL to join. If members of the Board see opportunities to nudge this, they should feel free to do so.

b. Recruiting report

We have 99 members. Some big business names, and also smaller non-profits like FLAND. Even those small ones matter, especially when we go to the Hill, constituent representation matters.

We have a list of about 60 potential recruits from the ACTFL convention. Ms. Abbott and Walter Bacak, of ATA, have been kind enough to allow Dr. Rivers to wander the exhibit hall importuning people to join JNCL. We do this with the full knowledge of the hosting organizations.

Ms. Seewald asked what characteristics you look for as you recruit and if there are any limitations on who we will let in.

Dr. Rivers replied that we look for translating, interpreting companies, language materials developers, online folks, technology-based learning companies. Publishers generally don't seem to be interested. The bylaws leave it pretty wide open, and that piece of the bylaws have been in place since the beginning.

Dr. Krawutschke suggested that we publish the new members once a month for scrutiny by the board, so that some of the pressure comes off of Dr. Rivers regarding the choice of which members are allowed in. Dr. Davidson added that perhaps the board might have an idea of what kind of member we don't want.

Remember that the bylaws say that a member can be terminated by a 2/3 vote of the Board for failure to pay dues or for doing things that are detrimental to the mission of the JNCL-NCLIS. Dr. Malone mentioned the policy of IALLT has which maintains a code of ethics for members. Suggestions for contacts and potential members are welcome if members of the board have them because Bill doesn't know everyone.

5. By-laws report

a. Report of the vote on the amendment to the by-laws to create a category of Board membership for long-standing and historical contributors

A revised text for the bylaws creating a legacy category was suggested and submitted for a vote from the delegate assembly. It passed with a quorum: 37 votes; 33 yes; 1 no; and 3 abstaining. The text of the proposed revision states that new board members will be admitted no later than Jan. 2015. We have a timing issue because the vote only closed in November, which leaves us with limited time to open an application period and review the applications. We can't change the bylaws change now because the text has been approved, but we can change the date in the implementation policy.

Dr. Malone posed the question of whether 'legacy' is the right name for the category. The consensus was that it has been thoroughly defined in the provision.

Our implementation dates need to be modified. We should get the announcement as soon as possible, but allow them until March to submit the application and then make the appointment retroactive to January in order to stay in compliance with our own bylaws. Many of these organizations have board meetings in January, so they will likely need to discuss this at their board meeting. Mr. Cothrun asked of people really need three months to prepare a 1-2 page application? No. Dr. Spinelli then asked, how many applications we are expecting and is this a lot of effort for just a few applications? Dr. Malone stated that we should be responsible and conscientious in our procedure. She then motioned for a deadline of March 1, with a reminder in mid February. Her motion was seconded by Dr. Krawutschke. The motion was accepted unanimously.

The proposed implementation policy was approved by the Finance Committee. D needs a question mark. March 1 appointment deadline should be moved to May 15 (after the board meeting).

6. Review of Committees for 2015-2016 (11:15 - 11:45)

a. Standing (Finance, By-Laws)

The incoming president will need to reestablish a finance committee with the Treasurer, and reestablish a bylaws committee with the Secretary. The nominations committee goes away after the election. There are opportunities for service – you can express interest or wait for a call. Anyone can contact Ms. Abbott to express interest. Immediately after the holidays, JNCL staff should solicit interest for service on committees. Anyone from the broader delegate assembly can serve on the committees.

b. Proposed ad-hoc (Industry Relations, Policy)

Policy Advisory Committee. Right off the bat, Ms. Seewald expressed her feeling that the policy committee is essential to the mission of this organization and that she is astonished that it has not been a standing committee. Dr. Rivers explained that he is pushing for this because he doesn't want to be the only one responsible for policy, and that lack of transparency on policy direction was one of the complaints against the previous leadership. Currently, we are pretty collaborative, but it is informal, and we need a more proactive agenda that is informed by input from the diversity of our members. Dr. Krawutschke moved that the policy advisory committee be approved. Dr. Malone seconded the motion, and the floor opened for further discussion. Dr. Schleicher inquired if it will be an ad hoc or a standing committee. The answer was that it has to be ad hoc because it is not in the bylaws. It could be a select committee, which is not standing because it is not in the governing rules of the org, but an ad hoc committee charter is supposed include a date to disband. The proposed charter states that the President will appoint a chair and then choose members of the committee, which then must be approved by the Board. Dr. Malone suggested an ad hoc/pilot

committee to test it out. Although we trust the President to make appointments now, we should set up guidelines for the President to make appointments. Peter suggests that we solicit interest, then the President prepares a roster of appointments which will be approved by the Board. The Board will vet for conflicts of interest and may ask the President to change the roster if there are objections. Conflicts of interest should be disclosed in the expression of interest. Dr. Krawutschke called for the question. Ray called the question. The motion to establish a Policy Committee was unanimously approved.

Industry Relations Committee. Our growing membership necessitates consideration of new and different policy issues that have come to our attention both on a policy committee, but also an industry specific committee. There are questions about visas, employee classification, and NAICS codes. There is concern from the new members that they are not strongly represented on the Board, but also that they need to integrate into the organization. The committee charter includes a note about education and research which will facilitate that integration. We don't just want a committee talking to itself. Mr. Cothrun moved to open discussion of an industry committee. Dr. Spinelli seconded the motion. Dr. Clifford called the question. Establishment of an industry relations committee was unanimously approved.

Break for lunch at 12:00pm until 12:20pm. Working lunch resumes at 12:20pm

7. Legislative Update

a. Legislative Update

To summarize, in the omnibus, Title VI was level funded despite the Senate request made by Durbin, the subcommittee chair for an additional \$10m. FLAP remains at \$0. Race to the Top was also zeroed out. Fund for Improvement of Education, where FLAP used to sit, received no increase. There may be an opening there in the next two years to talk about some K-12 funding. We stress though that the decision to cut Title VI and FLAP was a departmental decision.

Title VIII has a \$3m funding line thanks to American Councils and AATSEEL and a change to from "should" to "shall" which we hope will trigger the appropriated funding to be transferred.

We have no news yet on Startalk yet. DLNSEO took a hit, though there was a \$10m increase for DLP to reverse the cuts.

DLI used to be a member, but is not any more. We still lobby on their behalf because it is the largest language school, because their programs send the clearest signal for language for the security sector, because their bottom line impacts our members who receive contracts from them, and because Sam Farr is an important ally who represents them.

Language is dispersed across accounts all of the government, and there is not centralized oversight of it in this administration as there has been in previous administrations. This makes it easy to cut when no one is watching over it. This congress has generally abided by the budget limitations, which has made it very difficult to add anything back in, and to asks Republicans to give money to things that the administration isn't asking for.

We've had three hearings in the last two years and are looking toward the possibility of another in the new congress perhaps in conjunction with the Language Advocacy Day.

We have made significant strides in developing a network of contacts on the Hill and in the executive agencies. With staff turnover, this remains and evergreen challenge. There is a new working group for languages in the White House, which is currently government only because of FACA restrictions that make it cumbersome to open it up. This happened somewhat at the instigation of JNCL. The White House didn't actually know that FLAP had been cut, when we first met with them in 2012.

Dr. Rivers doesn't see any path for reauthorizing NCLB or HEA in this Congress. That's ok for JNCL because FLAP is still on the books. We don't want a reauthorization that removes FLAP.

Republicans in the Senate are aware of FLAP and supportive. The house is more of a challenge. Sen. Harkin's retirement will be an advantage to us, and we have good relations with the soon-to-be majority offices in the Senate.

We are continuing to work with and maintain relationship with One Dupont Circle.

New initiatives: FLEP – Our Senate sponsor, Sen. Lautenberg of NJ, passed on and we were unable to get a replacement sponsor. The idea of this is to get ideas in the hopper for the reauthorization of ESEA. With Holt's retirement, the reintroduction of that is uncertain. However, much of the language of that bill had been incorporated into the majority version of ESEA which was never passed out of committee. The other new legislation is the BEST Act, which establishes a pool of money for states to create and implement seals of biliteracy. ACTFL is working with NABE and TESOL to develop a set of guidelines.

Holt is going on to a job at the AAAS (the other AAAS). We have other language supporters, but it remains to be seen whether any of them will step up to be the kind of supporter that Holt has been. There are about 20 regular signatories. It is important that we continue to develop supporters and champions.

b. Discussion of the potential study by the American Academy of Arts and Sciences on the impact of language on the national interest

It has been in ACTFL's policy agenda for some time to get a national academy study on language. We worked over the summer to get this letter to AAAS. The signatories on the request were Don Young, Rush Holt, David Price, and Leonard Lance in the House. In the Senate, Tammy Baldwin, Mark Kirk, Brian Schatz, and Orrin Hatch. The idea is to get this study because we are not going to get a Presidential Commission on language, due to the FACA limitations and procedures. AAAS has done a study on humanities and a Study on STEM education, so it was a natural next step. The request came out right before Thanksgiving. They tell us that there is funding lined up. There is no public funding, which is another feature that made it an attractive option. Chairman might be someone like Karl Eikenberry, and perhaps a left-leaning co-chair. They are in the process of establishing the research commission right now. The commission will include members that we suggest and who come from outside of their fellows. The study should be out sometime in the next year, in early February or March, take about a year to develop report, and will include public meetings. The foci will be on social justice, cognitive benefits, national security, and economic competitiveness. The final report should come out in the spring of 2016, right in time for elections, and will be formally issued to Congress with recommendations. As it starts to get moving, JNCL needs to be feeding information to our members and giving them direction about what to tell their members and how to get involved. This is the first study since the 1979 Perkins Commission. This will give us ammunition and publicity over the next few years, if this actually all goes through and gets done. This study is a very big deal, especially given the current climate in Congress. And one notable feature is that this is entirely and narrowly focused on language, and it is intended to produce concrete, actionable recommendations.

Dr. Wiley pointed out that missing from the legislative report is work on young language learners, immigration-related language issues.

9. Board of Directors Workshop on Legislative Priorities

Dr. Rivers has done a great job of developing a policy agenda, but it is the task of the Board to be setting that agenda. While have some basic policy directions, this workshop is intended to establish policy priorities. Each group will focus on one category, but should explore the other categories as well.

Dr. Wiley reminded the Board to address articulation between levels and not to look at them in isolation. A lot of funding comes out focused on population groups, rather than language; so if we can identify how they relate to those groups but highlight the language issues, that may be a more effective approach.

a. Group work: (1:00 – 2:30)

i. K-12 – Ms. Seewald, Mr. Carlino, Dr. Wiley

ii. Higher ed – Dr. Krawutschke, Dr. Schleicher, Dr. Spinelli, Dr. Pendergraft

iii. FL & Stem/workplace/Study abroad – Dr. Malone, Dr. Davidson, Mr. Cothrun

Break - 2:30-2:45

c. Working Group Reports

a. Higher Education

- preparation for language teacher training, and increase funding for immersion experiences for teachers
- graduate training – more funding for graduate students and context that bring in more diverse graduate students themselves. ex. tax deductions for all overseas travel that will maintain and improve language skills; emphasize the importance of language for international studies; broader requirement for foreign language studies; funding for summer programs for retraining teachers for language for special purposes (business, medical, legal); reinforce importance of second language experience for all teachers of all subjects
- growth of two-year colleges where there is little foreign language instructions
- necessity of sharing w/ university leaders results of surveys regarding language and job readiness
- creation of national research center/institute for interpretation and translation, even covering the history of the profession here and abroad

b. Study Abroad

- ditto to Higher Ed
- lack of cross-governmental coordination on language. ongoing need for it
 - reinstitute Czar of language, oversight across government.
- defunct IRS grants that helped research on study abroad. Still on the books, just isn't being funded
- support for State Dept office on study abroad- help them, don't let them flounder, but feed them information

c. K-12

- study abroad for students and teachers, pre-service teachers and current teachers
- Title III money, some money can be used toward immersion education. Immersion satisfies some of the intervention requirements for ELLs – need for reeducation of ESL supervisors about function of immersion in ELL education and Title III
 - and Title I students. narrowing the achievement gap
- foreign language requirements in high school and college entry
- language requirements linked to STEM grants
- link to college and career readiness
- activity with business roundtables to educate about link with career readiness
- recommended readings for members – current books in the field (the Bilingual Advantage, Multilingual Matters)
- pre-school initiatives – there's a way for us to piggy back on the popularity of pre-K resource allocations
- teacher training
- distinction and reeducation about meaning of bilingual education, and immersion
- publicize research
- proficiency credit to heritage speakers

10. Old Business

None.

11. New Business

a. Review of 2015 Language Advocacy Days

Ms. Hanson reported that we have secured a sleeping room block and meeting room at the Beacon Hotel near Dupont Circle for May 7-8. The agenda will be similar to last year's meeting, with an advocacy session on Wednesday evening and Hill meetings on Thursday afternoon. The room rate at the hotel is \$239/night which is a slight increase from last year's rate, but was the best we could find in a hotel that had suitable meeting space. We are not returning to the Embassy Row Hotel

because their remodeling project has priced them out of our range. The registration page will go up on our website before the holiday. We have three registration categories: Early, \$195.00 from Dec. 15 to March 1; Regular, \$225, from March 1 to April 30; and late, \$275 from May 1 to May 7. After the new year we will poll the new Board to determine the date of our May Board meeting, Wednesday or Saturday.

Ms. Seewald about the implications of the House committee that is looking into the activities of the Confucius institute and whether anyone else was aware of the details of that investigation. JNCL-NCLIS can investigate further. Dr. Wiley oversaw a working group researching Chinese Flagship and the Confucius Institute, and found them to be innocuous. The only problem that seemed to possibly arise was that Hanban tends to promote their own materials which are sometimes not suitable for this country. Ultimately, they have little control about what the program does or the curriculum and content, and exercise no censoring, at least at Arizona State University. Where they are more visible and problematic is at the elementary level, and the problem in the public eye has most to do with symbolism. Questions have been raised about where the materials and promotion are coming from, and the propaganda ministry is a potential source. The result is a cadre of Chinese speakers who are well-informed about American culture and issues. Hanban itself is a problem because it's coming directly out of a government agency.

b. What should JNCL-NCLIS call itself?

JNCL-NCLIS, even the acronym is a mouthful and it's opaque. We don't have to change the bylaws or any of our legal paperwork, we can have a DBA (doing business as) name. We've changed the logo, and that's a first step, now it's time to continue that transformation. Some of our new members don't understand what we are, and the name is misleading in Washington due to the association of the word 'joint' with military. Dr. Malone suggested that a name change would allow us to separate ourselves a little bit from our past and create a clean slate. Mr. Carlino proposed that we could just shorten it to one, or just NCL (national council for languages). The discussion will be continued with the new Board.

12. Recognition of outgoing Officers and Members of the Board of Directors (3:50 – 4:00)

Dr. Rivers moved to formally recognize the service our president, Dr. Ray Clifford, and other board members Dr. Mary Perndergraft, Mr. Patrick Raven, and Dr. Yea-Fen Chen. The motion was seconded by Mr. Cothrun.

13. Adjournment

Dr. Krawutschke moved to Adjourn. Adjourned at 3:39pm