



Bureau of Indian Education Advisory Board for Exceptional Children, Advisory Board meeting January 27-28, 2021

Name of Committee: Bureau of Indian Education Advisory Board for Exceptional Students

Meeting Location: Due to the COVID-19 pandemic and for the safety of all individuals the entire Advisory Board meeting was conducted online.

Meeting Presentation: The entire meeting was conducted online using the Go-To- Meeting webinar platform and teleconference.

Advisory Board Chair: Norman Shawanokasic, Chairperson; and Gretchen Wendell, Vice-Chair assisted with lead duties as well.

FACA Regulations: As an advisory board to a federal agency, the Advisory Board falls under the requirements of the Federal Advisory Committee Act (FACA; 5 U.S.C., Appendix 2). FACA aims to ensure that the advice of federal advisory committees is objective and available to the public, and that the committees comply with cost control and recordkeeping requirements. The Advisory Board must comply with FACA regulations by:

- Making Advisory Board meetings open to the public,
- Publishing advance notice of upcoming meetings in the *Federal Register*,
- Recognizing a Designated Federal Officer (DFO) assigned by the BIE to support the Advisory Board,
- Ensuring that members avoid conflicts of interest, and
- Limiting membership terms.

Jennifer Davis, DFO was present during all meeting sessions to maintain compliance with the FACA regulations.

MINUTES for Day 1 - Wednesday, January 27, 2021

Start Time: 8:00 a.m. Mountain Standard Time (MST)

Welcome, Call to Order, Board Roll Call – completed by the DFO

1. Present - Norman Shawanokasic, Chairperson
2. Present - Gretchen Wendell, Vice-Chairperson
3. Present - Brenda Anderson, Secretary
4. Present - Dr. Robin Blitz, M.D., Board Member
5. Present - Dr. Eudore Camata, Ed.D., Board Member
6. Present - Cynthia Frank, Board Member
7. Present - Dr. Perry Graves, Ed.D., Board Member



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8. Present - Marsha LaFollette, Board Member
9. Present - Marcy Oliver-Starr, Board Member
10. Present - Jennie Platerio, Board Member
11. Present - Dr. Harvey Rude, Ed.D., Board Member
12. Present - Teryl Running Horse, Board Member
13. Present - Katinee Chavez, Board Member
14. Present - John Struck, Board Member
15. Absent - Teresa McMakin, Board Member

- Present – Jennifer Davis, DFO
- Gallery: Individuals who attended the Wednesday, April 28, 2021 online advisory board meeting, their names are in the appendix section. Names were obtained from those who signed in.
- The DFO provided a brief overview about the meeting purpose and objectives; the board authorizations; information about the public commenting sessions; and meeting reminders.
 - Purpose of the Advisory Board Meeting, Target Audience, Meeting Objectives and Reviewed meeting agenda.
 - Mentioned the Authority for the Advisory Board: The Advisory Board is authorized and established by Public Law 108-446, The Individuals with Disabilities Education Improvement Act of 2004 (IDEA).
 - The Advisory Board is regulated by: The Advisory Board is regulated by The Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix 2.
 - The BIE Advisory Board meeting is being recorded and all contents of the board meeting is considered a public record. All papers, records and information obtained from this meeting will be made available for public inspection, following the Freedom of Information Act (FOIA). All meeting Minutes are posted on the BIE website at www.bie.edu
 - The January 27-28, 2021 meeting will use the Mountain Daylight Time Zone (MDT).
 - Reviewed the schedule for the Public Comment sessions and the guidelines.
 - Summarized the Advisory Board Agenda for January 27-28, 2021.
 - Mentioned three new Board members: Dr. Perry Graves, Marsha LaFollette, Teryl Running Horse, each will be serving 3-year terms.

Old Business

- The Chairperson asked if the September 30, 2020 board minutes were approved. Yes, the September board minutes are approved and posted on the BIE website. The Chairperson asked if there are any questions or comments about the minutes. There was no response from any of the board members.



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8:15 BIE Central Office Update. Presenter: Mr. Tony Dearman, BIE Director

- The BIE Central Office Update was moved to an earlier time from 9:45 a.m. MDT to 8:15 a.m. MDT due to accommodating the BIE Director's schedule. He had hearings he has to attend for the BIE. The Chief Academic Office Update was moved back to 9:00 a.m. from 8:15 a.m. MDT for January 27, 2021.
- The presenter was asked to respond to the following questions:
 1. Provide feedback about each recommendation listed in the 2020 Annual Report.
 2. Provide feedback about the 2020 Annual Report specifically in relation to the BIE Reorganization; and how effective the BIE has been in completing its staffing plan?
 3. Provide a status update in relation to the BIE's Reorganization and the 2020 Annual Report.
 4. Provide feedback as to how the Advisory Board can support the BIE's mission.
- A copy of the presenter's slide presentation is located in the Appendix section.
- Several team leaders across the BIE participated during this presentation as part of the BIE Central Office Update.
- Key accomplishments by the BIE to build capacity, to serve tribes and schools:
 - Communication between the tribes across 23 states and BIE personnel has been strong regarding school openings, closures, distance learning and on-site school days.
 - We are working to build up school operations functions and staff across the BIE. The BIE has been working on the reorganization for a few years. We are working on our internal structure. Contracts and facilities. The BIE has taken over all safety inspections for all BIE funded schools and is currently working to bring over acquisition which will be contracts for milk, food and books. We are working to streamline this process with the Chief Financial Officer to bring this entire process into the BIE.
 - Budget separation in 2019. The BIE now has its own Green Book and has separated from the BIA. We are setting up the BIE to be its own Bureau. The "Green Book," sets the standards for an effective internal control system for federal agencies. A link has been provided to obtain more information about the "Green Book" from the U.S. Government Accountability Office (GAO) , <https://www.gao.gov/greenbook/overview>
- BIE Reorganization - Moving Forward
 - Regarding positions within the BIE. The BIE was about 42% capacity and has made improvements and is now currently staff at 70% capacity and continue to be aggressive with hiring.



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- We are dealing with office space due to increasing the BIE personnel capacity. We are revising duty stations to appeal to school needs and to attract more people to hire.
- The BIE is the process of hiring Senior Executive Service (SES) position for the Division of Performance and Accountability (DPA) Associate Deputy Director (ADD). The BIE is waiting for Qualifications Review Board to certify the SES candidates so the BIE can move forward on this.
- BIE is focusing on monitoring, so that technical assistance to schools will be provided to the maximum extent.
- Student behavior health support at the school level is being worked on. We are in the process of hiring more positions to support the BIE schools. We have a national behavior health support contract to work with all BIE funded schools, as well as our dormitories and colleges.
- Human Resources for 2020 Annual Report Recommendations - Jackie Shamblin, Director for BIE Human Resources
 - BIE Workforce Plan - in 2016 the BIE was approved to be a stand-alone Bureau and we're still working on this.
 - Program coverage and alignment is our biggest issue and Ms. Sharon Pinto, Deputy Director for School Operations has been helping with this process to address this.
 - Communicating program consistency across the BIE. We have several Associate Deputy Director (ADD) levels such as the ADD Navajo which encompasses both Bureau Operated (BOS) and Tribally Controlled Schools (TCS), the ADD for TCS and the ADD for BOS. We are working to develop standard operating procedures to ensure everyone is following the same procedures.
 - Staffing Recruitment and Hiring - The BIE was at 42% capacity and now we are at approximately 70% capacity within 2-years. We now have 86 hiring actions currently being processed. We have converted GS-13 positions to GS-11/12/13 positions, and this has helped to fill positions in a timely manner. Prior to this, the BIE had been advertising 3-5 times to get a highly qualified staff. The BIE is getting qualified talented people that can qualify at a lower level where they are rated.
 - BIE Director approved the BIE to implement the Pathways Program - bringing in college students to let them work part-time as teacher assistants, special education teacher assistants. When they are finished with college the BIE can hire them as full-time teachers or special education teachers.
 - The Student Loan Repayment Program (SLRP) - is now being used to recruit and retain personnel. A maximum of \$30,000 (\$10,000 provided each year). We have also incorporated recruitment and relocation incentives.
 - Professional Development is also being provided. The LRP Publications has been paid for by the BIE and is provided for all BIE funded school personnel to use.



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- We have also purchased the Federal Manager e-training that will be mandatory for the BIE managers and supervisor. This will be to improve interpersonal skills and working on complex employee issues.
- Division of Performance and Accountability (DPA)/Special Education Program, Dr. Eugene Thompson, Acting Supervisory Education Specialist.
 - Due to technical difficulties Margo DeLaune, Acting Associate Deputy Director filled in for Dr. Thompson.
 - DPA/IDEA - has been working to fill positions Seattle, Bismarck, and Albuquerque sites, and is working with human resources to complete this process. Other vacancies for DPA are currently frozen and will be working with HR later to work on these positions.
 - The DPA/IDEA is assisting the BIE's Education Recourse Centers (ERC's) to assist with special education issues and topics that need to be addressed.
- BIE School Operations - Sharon Pinto, Deputy BIE Director for School Operations and Lawrence Palmer, Supervisory Budget Officer
 - Lawrence Palmer provided the presentation - Ms. Pinto has been able to increase personnel capacity with the School Operations section.
 - We are working on the Dept. of Education reimbursement funds (U.S. Office of Special Education) with the DPA/IDEA and are providing technical support and to expedite the distributions to the schools as quickly as possible. We are also assisting the DPA with funding calculations which helps with the distribution of accurate and timely funding distribution allocations to the schools.
- 2020 Annual Report/Accountability and Compliance - DPA/Special Education Program, Dr. Eugene Thompson, Acting Supervisory Education Specialist.
 - Corrective Action Plan (CAP) Accomplishments also referred to as "Specific Conditions". For 2021 we are addressing quarterly reports to OSEP. The Public Reporting milestone
 - The DPA is currently working on the CAP status for Fiscal Monitoring system, exiting data, improving Secondary Transition program, addressing related services and Initial Evaluations. We will publish the SY2018-2019 Assessment on the BIE website and will get this information to Office of Special Education Programs (OSEP) to remove this item from the Corrective Action Plan (CAP).
 - Monitoring - we are working on virtual monitoring of 6 schools for SY2020-2021 to finish the monitoring by the end of the school year.
- BIE Performance Office - Travis Clark, Supervisory Performance Officer. A review of the U.S. Government Accounting Office (GAO) Report 20-358, Actions to Ensure Students with Disabilities receive Special Education Services -
 - The BIE Performance Office is taking over all the GAO reports and will be working collaboratively across divisions to address the issues in the GAO reports and implementing the recommendations in the reports.



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- There are 9 GAO reports for the BIE. One GAO Report 20-358 is specific to the overall BIE's Special Education program and the special education services within BIE funded schools. Mr. Clark provided a summary overview of GAO Report 20-358. This link shows the report at <https://www.gao.gov/products/GAO-20-358>
- According to GAO Report 20-358, the BIE has no formal policy and procedures handbook to guide BIE (state and school levels) on how to perform special education processes. The BIE is trying to be aggressive in addressing the concerns highlighted in the GAO report.
- A Special Education Policy and Procedures handbook is needed for the BIE's Special Education programs. A contractor has been hired to assist with this task. The contractor studied six high performing schools to see what they are doing that makes them successful so we can include these functions in the handbook. We are looking for seamless service for BIE funded school for quality services for students with disabilities.
- The contractor has provided a product (policy and procedures manual) to the BIE. We will review the manual internally and will include BIE's subject matter experts regarding special education at the ADD levels, ERC's, DPA and schools to include their input about the product and customize it to make it workable for all of BIE at the state and school levels. Within a few months a special education policy and procedures handbook will be published within the Indian Affairs Manual that will fully address the seven recommendations.
- Dr. Eugene Thompson, Acting Supervisor Education Specialist provided brief comments.
 - We have been working on developing a general supervision foundation and we have been collaborating with various departments to develop a framework that will address the eight areas of General Supervision.
 - I have also been working closely with the ERC's leadership meeting and have been focusing on issues such as compensatory education, service logs and timely initial evaluations. I have also been providing updates and announcements regarding special education issues and topics.
- **BIE Sovereignty in Indian Education Office - Spike Big Horn, Program Manager**
 - Mr. Big Horn was not available to provide comments. Juanita Mendoza, Special Assistant to the BIE Director provided the following comments. Mr. Big Horn works directly with the Tribal Education Departments (TED) grants and can work directly with the TED's participants to work with BIE funded schools.
 - The BIE would like to speak with Advisory Board about the TED program to work with the board about how the TED grantees help serve and improve services for students with disabilities.
 - How can the advisory board support BIE mission? The BIE appreciates the Advisory Board reaching out to the BIE and wanting to collaborate to help our students.



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- The BIE would like the BIE Advisory Board to continue to bring forth concerns; and to
 - Continue to provide suggestions and positive student outcomes; and to
 - Support BIE initiatives and think of areas where we can work together.
- Director Dearman asked the Board members if there are any question:
 - Dr. Harvey Rude, Board Member - I would like to compliment you on addressing the recommendations provided by the BIE Advisory Board, particularly hiring personnel (reaching approximately 70% capacity) also addressing the GAO report recommendations. My question is, what are the remaining challenges to get fully staffed at BIE? A hiring freeze was mentioned. Are we getting all the ERC's fully staffed so we can have that technical assistance support on the ground for the schools?
 - Jackie Shamblin, BIE HR Director provided a response to this question. The biggest issue we are facing right now is COVID-19. People do not want a move/relocate during this time. I know that COVID-19 vaccinations are now being conducted people are more willing to accept our jobs.
 - Also BIE has approved us to allow staff to stay at their current home location until we get back to a more normal environment. Currently we have 86 positions which are in the hiring phase. All 86 positions are filled, and nobody leaves the BIE we will be at 86% capacity. The BIE 96% staffing capacity very quickly even higher. The biggest roadblock we are facing is COVID-19.
 - Another obstacle is the location where the positions are located. Some of the work sites are remote locations we which are difficult positions to fill.
 - Changes have been made to some of the positions and have allowed the BIE to attract more qualified and numerous applicants.
 - Tony Dearman commented - We are also looking at opportunities for individuals to stay within the BIE so they can advance in the GS system.
 - John Struck, Advisory Board Member -
 - I would like to compliment the BIE on building a partnership between the BIE Advisory Board and our respective mandate and moving forward on those recommendations and working collaboratively with the BIE advisory board on improving special education services for students with disabilities.
 - I'm looking at the agenda and I see all presenters for the next two days and they will be responding to the 2020 Annual Report and I appreciate the IEP the support for the Advisory Board.
 - The Student Loan Program, is that only for BIE operated school staff or can that same process be available for Tribal controlled personnel?
 - Jackie Shamblin - the student loan program that was mentioned earlier is a Federal program that all federal agencies can use. I can provide the guidance and policy regulations for the student loan pay back program. There's nothing saying that tribal controlled schools can't put something



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similar in place regarding the Federal student loan payback program offered to federal employees.

- Information about the Student Loan Repayment Program the BIE HR uses and the link to where the program is on the OPM webpage.
<https://www.opm.gov/policy-data-oversight/pay-leave/student-loan-repayment/>

9:00 a.m. MST, BIE Chief Academic Office Update - provided by Dr. Tamarah Pfeiffer, Supervisory Chief Academic Officer and Dr. Maureen Lesky, Program Analyst. An overview of the BIE Unified Systems Standards, Assessment and Accountability, currently referred to as the "BIE Agency Plan".

- The presenter was asked to respond to the following questions:
 1. Provide an overview of the new BIE's Standards, Assessments, and Accountability System (SAAS).
 2. Provide an overview, update, and status of the BIE's SAAS Alternate Assessments for Students with the Most Significant Cognitive Disabilities
 3. Provide an overview, update, and status of how the BIE's SAAS Alternate Assessments is aligned with Alternate Academic Achievement Standards.
 4. What is the BIE's plan to rollout the SAAS out at the school level?
- A copy of the presenter's slides are provided in the Appendix section.
- An overview was provided about how the BIE will be implementing the new BIE Unified Systems Standards, Assessment and Accountability System (referred to as the "**BIE Agency Plan**"). The following items were reviewed:
 - The BIE's Transition Timeline for the SAAS for SY 2020-2021
 - Every Student Succeeds Act (ESSA) requires the BIE to have the same level of responsibilities as any other state. Our accountability standards for assessments are no less than what other states are required to do for statewide assessments.
 - The Final Rule - The Final rule replaces 25 CFR part 30 regulation regarding Adequate Yearly Progress (AYP).
 - Governing Bodies such as Tribes/School Boards can waive in part or in whole the Final Rule. Currently, there are 17 tribes/ school boards that have acknowledged the BIE's Agency Plan.
 - Reviewed the BIE Unified Content Standards
 - Reviewed the BIE Unified Assessments for Math, Reading/Language Arts, Science, alternate assessment, and English Language Proficiency for English Language Learners.
 - Slide 9 - A chart summarizing the BIE's Standards and Assessments for SY 2020-2021.
 - Slide 10 - A chart shows the BIE's Accountability Indicators.



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- Slide 11 - A chart shows the BIE's Accountability Indicators points.
- Slide 12, 13 - Shows dates for Test Coordinator Training
- Slide 14 - A summary regarding Accommodations was provided.
- Slide 15 - An overview about "The BIE Agency Plan Roll out to Schools". For school year 2020-2021 no states have received any waivers regarding the assessment, including the BIE.
- Slide 16 - Contact information for questions about the BIE Agency Plan.
- Question session -
 - Gretchen Wendell, Vice-Chairperson - asked about how the graduation rate will be calculated for highly mobile students within various BIE schools and reported to the U.S. Department of Education? Dr. Maureen Lesky stated the BIE is working towards adopting a 5-year cohort rate plan and was brought up during tribal consultations. The BIE is aware of a 5-year graduation cohort rate plan and will be working with the high schools to ensure the BIE high schools are able to work with a 5-year cohort plan. Currently, a 5-year graduation cohort plan will not be available during the 2020-2021 year but the BIE is working towards this plan.
 - Dr. Robin Blitz, Board Member - Asked about the science proficiency requirement. Why is the science component only a requirement for the elementary levels and not for the high school grade levels? Dr. Maureen Lesky stated the BIE originally had the Science requirement for both the elementary and high school grade levels when the BIE Agency Plan was first submitted to the U.S. Department of Education. We were told that the Other Academic Indicator (OAI) applied to elementary grade levels. We will be looking at adding the science requirement for the high school grade levels. The BIE was not ready to put the science proficiency for high school grade levels within the 2020-2021 school year plan.
 - Dr. Eudore Camata, Board Member - since the BIE has adopted the BIE Agency Plan will the Tribally Controlled Schools (TCS) still be required to implement the state assessment where they are in addition to the BIE Agency plan? In the Final Ruling all BIE-funded schools (TCS and Bureau Operated) were included in the BIE Agency Plan. There were 17 tribes/school boards that wanted to waive the BIE Agency Plan Assessment and implement their own state level assessment. To obtain an assessment waiver an entity would need approval from the U. S. Department of Education and the BIE. There were three exception for three entities. The Miccosukee tribe, Navajo Nation, and a Cherokee school in North Carolina. They were approved a school waiver for school year 2020-2021 because they had already implemented or completed their own state assessment prior to school year 2020-2021.



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- Dr. Eudore Camata, Board Member - the assessment results for the BIE state assessment, will that data serve as the baseline data? Dr. Maureen Lesky stated the 2020-2021 assessment scores will be the baseline data.
- John Struck, Board Member - is there a ceiling or a percentile for students with disabilities who can take the alternate assessment test at a given school or will there be guidance to support the school's decision making on the alternate assessment? Our office is working with the BIE is Division of Performance and Accountability special education program personnel to get guidance regarding the alternate assessment as well as the vendor.
- Marsha LaFollette, Board Member - it is a good idea to continue to have discussions about the alternate assessment for students with disabilities, as well as the alternate standards to coincide with who should qualify for the alternate assessment. Training and guidance will be needed for everyone involved.
- Dr. Harvey Rude, Board Member - My question is about history and culture which are very important. How all these areas would be represented and assessed in the BIE Agency Plan? The Navajo Nation has their own specific standards for history, government, and culture. What is being done to research best practices for history, government, and culture? Dr. Tamarah Pfeiffer stated the BIE's Chief Academic Office has contacted the BIE Sovereignty Office to reach out to the Tribal Education Departments (TED's), universities and other entities that have already developed the history, government and culture standards and assessments. We will be phasing in these areas and we are looking at 2025 when these areas may be implemented across the BIE funded schools. Dr. Lesky also added that for an assessment tool to be developed it would have to be piloted to test the validity and reliability of the tool. These are other elements to consider when developing standards and assessments.
- Dr. Eudore Camata, Board Member - my question is about the waiver again. You mentioned there were 17 tribal/school boards that requested a waiver. Is this to waive the assessment for the BIE Agency Plan or the state assessment where they are located? Dr. Pfeiffer stated within the Final Rule a tribe or school boards has the authority to request a waiver to waive the standards, assessments, or accountability areas. Some tribes would like to waive 1 or 2 areas and some tribes want to waive all 3 areas. Dr. Camata asked, if the Navajo Nation has asked for a waiver when will the BIE funded Navajo schools know what has been waived to avoid unnecessary training for the assessments? There is no mention of student participation in assessment. Is there no criteria to measure



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participation? I want to make sure the stakeholders that they will receive more guidance for the spring assessment. Dr. Lesky stated all states are required to meet the 95% participation rate, including the BIE. It's not included in the indicator slide chart. The participation rate will be posted the school's report card.

- Has the BIE Agency Plan been placed on the BIE website? The BIE is working to get the plan posted on the BIE website. I believe the U.S. Department of Education may the BIE Agency Plan posted on their website. We are waiting for their approval first before we post it on the BIE website.

Additional Comments:

- John Struck, Board Member - encouraged all board members to review other states alternate assessments and reflect on their own understanding of the alternate assessment. There is a large gap between a student's skills and the state standards.
- Dr. Eudore Camata, Board Member - thanked all the presenters for their presentations.

10:00 a.m. MST - Break

10:15 a.m. MST - Board Meeting (continuation)

- The board reviewed the September 30, 2020 Advisory Board minutes.
 - Comments made by the Chairperson - page 4, first bullet points - parents on the Navajo Nation are refusing to send their child to school. I want to point out that this is nationwide and not only on the Navajo Nation. Also, on the 7th bullet the about technology on Indian reservations. I think this is also a nationwide item too and not only limited to the reservations.
 - Questions asked about Page 7 - first bullet. Is there any progress on this item as of today? Marcy Oliver responded - the contract has not gone out for bid. The schools are having to pay with the school's credit card for services due to no contracts being filled. Ms. Oliver has sent out emails to the BIE but has not received any feedback. I see repetitive issues throughout the years of the special education and related service positions within the BIE and across Indian country.
 - Norman Shawanokasic, Chairperson would like the BIE to respond to the Advisory Board and asked if there are federal regulations that requires the BIE to respond to the advisory board. The DFO states there are no regulations that a federal agency does not have to respond back to the BIE Advisory Board. We put a lot of time and effort in the Advisory Board and developing the annual reports, so do we want to continue to ask for a response from the BIE or the DOI? Dr. Eudore Camata, Board - perhaps if it's not about the BIE or the BIE leadership to respond to the advisory board, perhaps the BIE leadership and clarify what recommendations they would like from the advisory board. We are operating



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under regulations to provide recommendations, perhaps it should be made clear from BIE leadership what advise they need from us. The DFO stated, the Advisory board member will continue to develop an annual report as stated in the regulations. The BIE participation with the advisory board has improved over the years and is responding to the board when requested. Dr. Camata - I agree with the BIE's increased response has improved and personally appreciate the BIE staff has been gracious with their time and response. It has been helpful for everyone, especially for students with special needs. Dr. Rude - clearly there has been an effort to address the annual reports recommendations. The obstacle is that we are operating under technology for now due to the COVID. When we return to normalcy I highly recommend the board meets in Washington, D.C. It is important to have a formal discussion with the BIE leadership.

- Brenda Anderson, Board Member - Commented on Travis Clark's (Performance Officer) provided a great report and it added a lot of information and I commend the BIE for working on the needs of the children with special needs.
 - John Struck, Board Member - each presenter was asked to report on the recommendations from the 2020 annual report, and this is a major proactive step working relationship.
 - Chairperson - on Page 2 the last paragraph, what would be an example of this bullet? Marcy Oliver, Board Member - to work with Haskell Indian Nations University or Southwestern Indian Polytechnic Institute (SIPI) to develop an Education Technical program, Haskell - to develop a teacher education program. We also need to investigate related service providers program.
 - Marsha LaFollette, Board Member - looking at tribal colleges, looking at these colleges to get them to develop programs to support the needs for BIE special education.
 - Harvey - we need to review the 2020 annual report and it will guide our thought process during this meeting January 27-28, 2021.
 - Chairperson - We need a motion to approve the advisory board minutes for September 30, 2020. Dr. Harvey Rude motioned and Dr. Eudore Camata - second the motion. All board members agreed, zero opposed.
- New Business
 - The DFO provided new business updates:
 - Charter - was renewed 1/7/2021 and will be updated again by 1/7/2023.
 - Advisory Board nomination form - the form is out in the public to request comments so the BIE can make adjustments.
 - Vetting of nominees - 4 applicants are still undergoing the vetting process. This will fill four board members terms will expire 4/1/2021.
 - Work on the next meeting dates and agenda and provide the DFO with the information.



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11:00 a.m. MST - Public Commenting Session

- A 30-minute commenting session was provided for the public on 1/27/2021 starting 11:00 a.m. MST and ending 11:00 a.m. MST.
- Patricia Sandoval, Superintendent of the Laguna Tribal Education Department provided comments.
 - I am representing John Antonio, Governor of the Pueblo of Laguna. "I'm an administrator of a tribally controlled school and as an administrator I would like to request the advisory board to discuss or recommend carryover of IDEA funds, during the pandemic, for SY 2020-2021. During this pandemic we have not been able to fully utilize IDEA funding and we do not want to lose that funding. I would like the advisory board to recommend and support schools to carryover SY 2020-2021 IDEA funds.
 - I have also been vocal regarding the waivers and I've attended the trainings the BIE has provided. I know what the waiver process is and I understand that tribal waivers do not apply for this years. There are a lot assessments for the special education section and these assessments were not waived. There are a lot of indicators stating our students with disabilities need to be assessed. If there are no waivers approved I would like to request the advisory board, specifically to support the tribally controlled schools and that there be some type of "Hold Harmless Clause" established so that our students are not penalized during this time of the pandemic. Our students are in virtual learning and our families and students continue to have trouble with technology and/or just being connected to the internet. Some tribes have also issued mandates that do not allow the entire community to be onsite for classes and are required to attend school virtually.
- Due to a technology issues the internet connection was lost and the recording of public comments was stopped. The audience was told if the meeting is completely disconnected to log back on using the same passcodes.

11:30 a.m. Lunch Break (1 hour)

12:30 p.m. Division of Performance & Accountability (DPA) - Margo DeLaune, Acting Associate Deputy Director.

- The presenter was asked to respond to the following: Provide feedback regarding the recommendations listed in the 2020 Annual Report as it relates to the DPA Program.
- There was no slide presentation. A verbal presentation was provided.
- Most of the recommendations regarding the 2020 annual report was covered this morning with all the presenters, so I'm not sure what else I would cover. Do you have



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any other suggestions or additional information the board would like for me to provide?
No board members responded to this question.

- Margo DeLaune provided - Both IDEA and SEP sections are providing technical assistance and collaborating with the schools regarding school improvement areas within the schools. This is a new pilot project that will be starting February 2021 with WestEd who will be assisting the BIE with this new endeavor. It will also assist with the comprehensive and improvement status. Both ADD and DPA staff to pinpoint areas to help the schools.
- Gretchen Wendell - commented on Indicator 13 (secondary transition). Collecting data for this indicator is extremely difficult to collect because the contact information is constantly changing for telephone numbers, email addresses, etc. Dr. Thompson stated we need to collaborate with the ADD office and the DPA to assist the schools to accurately encode the data in the NASIS so we can help with secondary transition. Dr. Thompson is looking for ideas on how to improve the tracking system for students with disabilities who have left school. Ms. Wendell provided a suggestion for Indicator 8 - Parent Surveys. If we can partner with a company to collect feedback immediately (by phone, online, etc.) right after we complete an IEP meeting, instead of waiting at the end of the year, to capture information while it is still fresh parents our minds. South Dakota has set up an online parent survey and it is uploaded automatically. Something similar to this is suggested. Dr. Eudore Camata stated for the BIE the parent survey is still paper based. If an electronic version of the parent survey can be implemented, I would support this.
- John Struck, Board Member - How many individuals are special education certified within the various ERC across the BIE? Margo DeLaune referred this question to Dr. Eugene Thompson, Acting Supervisory Education Specialist. This will require some networking with each ERC to determine the special education staff within each ERC. I attend the ERC Leadership meetings so I can get information from them about this question.
- Dr. Harvey Rude, Advisory Board Member - What is the quality of the school buildings such as the broad band, housing for teachers to support rural and remote challenges of our schools? Margo DeLaune responded. This is under the School Operations (Sharon Pinto). In the BIE leadership meetings, when the CARES Act funding was provided, they were using these funds to bolster their infrastructure for technology. As for system wide for the BIE I can't speak to this directly. Some schools are still having difficulties with technology who are very remote, and a few are struggling to get laptops and proper technology.

1:15 p.m. MST BIE's Special Education Program - Dr. Eugene Thompson, Acting Supervisory Education Specialist.

- The presenter was asked to respond to the following:



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1. Provide feedback regarding the recommendation listed in the 2020 Annual Report as it relates to the BIE's Special Education Program.
 2. Provide an update about the progress regarding OSEP's Determination Letter
 3. Provide an update regarding secondary transition as mentioned in the OSEP's Determination letter.
 4. What special activities is the BIE working on?
 5. What type of technical assistance is being provided to the schools to improve secondary transition activities?
- A copy of the presentation slides is in the Appendix titled: BIE Special Education Updates. Dr. Thompson provided feedback and an update on the following areas:
 - Dr. Thompson introduced himself and provided a summary about his career and working the BIE.
 - Slide 3 provided Feedback on the recommendations listed in 2020 Annual Report
 - Slide 4 provided progress update about the Office of Special Education Program's Determination Letter.
 - Update - Improving Secondary Transition; slide 7 shows 80% of BIE funded schools were non-compliant within the area of Transition in the IEP's, and 20% were compliant. Slide 8 provides an analysis of 338 IEP's review regarding transition compliance areas. Slide 9 shows a bar graph of the overall compliance rating for each item evaluated for of transition.
 - The Special Education General Supervision System graphic shows components by which states ensure LEAs adherence to IDEA and improved outcomes for children with disabilities.
 - Update - provided about the FFY 2019 State Performance Plan timeline; and an updated was provide about the Monitoring for Correction of Findings for BIE funded schools that were monitored during School Year (SY) 2016-17, SY 2017-18 and SY 2018-19.
 - Update - Fiscal Management topics were provided for: IDEA Part B allocation to schools, IDEA Grant Award Application 2021-22, Unmet needs, Specific Conditions—fiscal, public reporting, exiting, secondary transition, related services, initial evaluations. The topics of Data were also discussed: Updating data protocols—616 and 618, Data reporting and CIID Self-Assessment.
 - Update - Item 1: Improvement, Correction, Incentives, Sanctions, and Item 2: Targeted Technical Assistance & Professional Development. Item 3: The BIE's Special Education Policy and Handbook—BIE is working with a contractor to develop this document. Item 4: Dispute Resolution were discussed.
 - Updates - The DPA will be filling 3 vacant positions, BIE website update, and the BIE's collaboration with OSEP and TA providers.
 - Updates - about the BIE's technical assistance to high schools to improve secondary transition.



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- Updates - about the BIE's Differentiated Monitoring & Support (DMS), a brief description of the seven findings.
- Overview and Update - GAO Investigation of BIE Special Education an overview of the seven recommendations
- Update - provided on the Corrective Action Plan specific conditions during SY 2020-2021

2:30 p.m. BIE Office of Sovereignty in Indian Education (SIE) - Spike Big Horn, Program Manager

- The presenter was asked to respond to the following:
 1. Provide an overview about the Tribal Education Departments (TED) grant program (The history, purpose of the TED grants, how and when did the TED grants get started).
 2. How do the TED grants relate and support special education programs within BIE funded schools?
 3. What is the status of the participating tribes who have been funded?
- There was no slide presentation. A verbal presentation was provided.
- Mr. Big Horn introduced himself and provided a brief overview of his career. The SIE program is responsible for the Johnson O'Malley program; Family and Child Education (FACE) Program; he oversees the allocation of funding of the Tribal Colleges; and annual awards for the Native Language grants; and the Tribal Education Departments (TED's).
- The TED grants are competitive and started in 2015. The grants were awarded to tribes for the development and operation of TED's for the purpose of planning and coordinating all educational programs of the tribe. This link provides more detailed information about the TED grants. <https://www.bie.edu/topic-page/tribal-education-department-grant-program>.
- Dr. Eudore Camata, Board Member - What kind or how can a TED assist the tribe of capacity building for a tribal or BIE wide teacher certification or licensure? Is this possible? Response - using TED funds with this initiative may be possible but details would need to be worked on to finding out the costs associated, and factors involved.
- Jennie Platerio, Board Member - How many tribes and currently participating in the TED grant program? There are 15 current programs. How are tribes using the Part C funds for student with disabilities?
- Norman Shawanokasic, Board Chairperson - How do the TED grants relate and support special education programs within BIE funded schools? Response - I do not have any data or information on how tribes are working on this. I hope to have some information when tribes submit their annual reports to the BIE.
- Katinee Chavez -Shawanokasic, Board member - What grade levels do the Native Language grants cover? It covers K-12 grade levels. The schools that have been funded are based on their needs. Most of the programs focus on K-6 grade levels, but it is not limited to these grade levels. The funds cannot be used for construction of facilities.



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3:30 p.m. MST - Advisory Board Discussion

- A brief introduction of each advisory board member present during the meeting was provided.
- A discussion about the next board meeting dates for April 2021.

4:00 p.m. MST – Recess

MINUTES for Day 2 - Thursday, January 28, 2021

Start Time: 8:00 a.m. Mountain Standard Time (MST)

Welcome, Call to Order, Board Roll Call – completed by the DFO

1. Present - Norman Shawanokasic, Chairperson
 2. Present - Gretchen Wendell, Vice-Chairperson
 3. Present - Brenda Anderson, Secretary
 4. Present - Dr. Robin Blitz, M.D., Board Member
 5. Present - Dr. Eudore Camata, Ed.D., Board Member
 6. Present - Cynthia Frank, Board Member
 7. Present - Dr. Perry Graves, Ed.D., Board Member
 8. Present - Marsha LaFollette, Board Member
 9. Present - Marcy Oliver-Starr, Board Member
 10. Present - Jennie Platerio, Board Member
 11. Present - Dr. Harvey Rude, Ed.D., Board Member
 12. Present - Teryl Running Horse, Board Member
 13. Present - Katinee Chavez, Board Member
 14. Present - John Struck, Board Member
 15. Absent - Teresa McMakin, Board Member
- Present – Jennifer Davis, DFO
 - Gallery: The individuals who attended the Thursday, January 28, 2021 online advisory board meeting, their names are in the appendix section.

New Business

- Chairperson - reviewed the agenda for today.
- The Board members completed their introduction from yesterday - this included Gretchen Wendell and Cynthia Frank, Board members.
- The Board reviewed dates for the next advisory board meeting dates. The dates of April 28-29, 2021 were selected.



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- The Chairperson asked if there was any feedback about yesterday's meeting. Brenda Anderson, Board Member - thanked the presenters for their knowledge, sincerity and passion about their work and presentations. There were no excuses provided if there were issues or problems in their regions, and she stated the staff are very concerned for students with disabilities. She thanked the school staff and presenters for their efforts and hard work.

For each Associate Deputy Director Office's, the following questions were provided in advance for the presenters to respond to:

1. How is the ADD (Navajo, BOS and TCS) developing the capacity within the ERC's in their region to ensure special education services are being adequately supported?
2. Provide an update about the Return-To-School Plans and how are special education services supported in the plans?
3. Provide feedback about the recommendations as listed in the 2020 Annual Report as it relates to each ADD region (ADD level, ERC's, schools).
4. How has the ADD office (Navajo, BOS and TCS) addressed their areas of responsibilities as it relates to the recommendations listed within the GAO report?

8:30 a.m. ADD Navajo Region Schools (TCS and BOS) Special Education Updates. Presenter: Evangeline Bradley-Wilkinson, Acting Education Specialist (Special Education).

- The presenter provided slides for this presentation. A copy of the slides are located in the Minutes Appendix
- Presenter - Evangeline Bradley-Wilkinson was recently detailed (3 weeks ago) to her current position as Acting Education Specialist (Special Education) for the ADD Navajo Region Schools; she provided a brief statement about her background regarding her career and education.
- Carrie Watahomigie, Education Specialist (Special Education) for the ADD Navajo Region Schools, introduced herself and provided a brief statement about her background regarding her career and education.
- Slide 2 - Provided information about the Navajo Region Special Education Supports and Services.
- Slides 3, 4, - Provided information about the BIE's Vision, Mission statement, Core Values,
- Slides 5,6 - Provided information about the Navajo Region Schools Current Status of BIE Special Education Program Areas of Concern and Refinement.
- Slides 7 through 11 - Provided information about the Navajo Region Schools Strengths
- Slides 12 to 21 - Provided information and responded to Question #1 as listed above.
- Slides 22 to 25 - Provided information and responded to Question #2 as listed above.
- Slides 26 to 28 - Provided information and responded to Question #3 as listed above.



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- Slide 29 - Provided a response as it relates to the BIE's GAO report (U.S. Government Accountability Office). This is Recommendations 1 as it relates to Question #4 as listed above.
- Slide 30 - Provided a response as it relates to the BIE's GAO report. This is Recommendations 2 as it relates to Question #4 as listed above.
- Slide 31 - Provided a response as it relates to the BIE's GAO report. This is Recommendations 3 as it relates to Question #4 as listed above.
- Slide 32 - Provided a response as it relates to the BIE's GAO report. This is Recommendations 4 as it relates to Question #4 as listed above.
- Slide 33 - Provided a response as it relates to the BIE's GAO report. This is Recommendations 5 as it relates to Question #4 as listed above.
- Slide 34 - Provided a response as it relates to the BIE's GAO report. This is Recommendations 6 as it relates to Question #4 as listed above.
- Slide 35 - Provided a response as it relates to the BIE's GAO report. This is Recommendations 7 as it relates to Question #4 as listed above.
- A time for questions was provided for the Board members.
 - Dr. Eudore Camata, Board member - Will the Navajo schools be administering the BIE's Unified Assessment? Presenter response - "All Navajo regions schools will be administering the assessment according to the guidelines and following the student's IEP's. To obtain additional clear guidance this will have to be discussed with the Navajo ADD Assessment Coordinator to provide a response for this question. The assessments must abide by each student's Individualized Education Plan (IEP)."

9:30 a.m. ADD Bureau Operated Schools (BOS) Special Education Updates. Presenter: Gloria Yepa, Education Specialist (Special Education).

- The presenter provided slides for this presentation. A copy of the slides are in the Minutes Appendix
- Slide 2 - Gloria Yepa, Presenter provided contact information about Hankie Ortiz, ADD for BOS.
- Slide 3 - Provided information about Education Resource Centers (ERC) for BOS region.
- Slide 4 - Provided a copy of the four questions (as listed above) the presenters are to respond to.
- Slide 5 through 12 - Provided a response as it relates to question #1, *"How is the ADD (Navajo, BOS and TCS) developing the capacity within the ERC's in their region to ensure special education services are being adequately supported?"*
- Slide 13 through 17 - Provided a response as it relates to question #2, *"Provide an update about the Return-To-School Plans and how are special education services supported in the plans?"*



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- Slide 18 through 32 - Provided a response as it relates to question #3, *"Provide feedback about the recommendations as listed in the 2020 Annual Report as it relates to each ADD region (ADD level, ERC's, schools)."*
- Slide 33 through 47 - Provided a response as it relates to question #4, *"How has the ADD office (Navajo, BOS and TCS) addressed their areas of responsibilities as it relates to the recommendations listed within the GAO report?"*
- Slide 48 - Provided positive highlights that are taking place within the ADD BOS region.
- A time for questions was provided for the Board members.
 - Johns Struck, Board Member - Provided a comment. *"I support your recommendation to align the Strategic Direction document in the special education general supervision system document. This will be an excellent way merging these two initiatives."*

Break (15 minutes)

10:45 a.m. ADD Tribally Controlled Schools (TCS) Special Education Updates. Presenter: Dr. Cherie Poitra, Education Specialist (Special Education).

- The presenter provided slides for this presentation however a copy of the slides are not available.
- Dr. Cherie Poitra - introduced herself and provided a brief statement about her background regarding her career and education.
- Slide 1 - Coversheet
- Slide 2 - Provided information regarding Question 1, *"How is the ADD (Navajo, BOS and TCS) developing the capacity within the ERC's in their region to ensure special education services are being adequately supported?"*
 - Provided information about the types of position vacancies and selection within the ADD TCS region. This region needs a lot special education positions to support students with disabilities. The TCS region is fully staff with two added positions: Special Education Specialists assigned to Bismarck, ND and the Student Behavioral Health Specialist.
 - The initiatives for employee training, including special education training for the school staff. Also scheduling 504 training, taking mandatory virtual training, will also be attending the LRP Publication training for all TCS.
 - TCS are different as compared to BOS schools. We have a new webpage that will be linked to the BIE website, specifically for Tribally Controlled Schools webpages. The school's websites have live links located in this webpage.
 - Goal 5 - TCS are working on Goal 5.
- Slide 3 - Provided information regarding Question 2, *"Provide an update about the Return-To-School Plans and how special education services supported in the plans are?"*
 - Return to School Plan - have been reviewed by all levels. For special education Dr. Poitra works directly with all special education directors in TCS. We are all



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working to meet the expectations of all student with disabilities IEP's. This is a very complex project and we are working together to share resources, attending the State of Washington's Department of Indian Education has a lot of resources we are using to help us with all of the TCS. This is where we are building our relationship outside the TCS region. We are busy and keeping up the direct communication.

- Dr. Poitra is providing individual training sessions with TCS. Working schools using NASIS, review IEP's with school principals, etc.
- Assessment - how are we doing to address the state and alternative assessments? Each state is different where all the TCS are located. How are we going to assess our students? We are working to plan and strategize to have a plan in place.
- Continuous Learning Plan - is used when there is a crisis such as a situation like being snowed in for 4-5 days or due to a pandemic, we will use these school plans to ensure students continue their learning.
- We work as a team to ensure that one of use attend important meetings such as TCS administrative meetings, senior leader meetings, etc.
- Slide 4 - Provided information regarding Question 3, *"Provide feedback about the recommendations as listed in the 2020 Annual Report as it relates to each ADD region (ADD level, ERC's, schools)."*
 - The monthly ERC is not more interactive instead of just updates provided.
 - We need to encourage and support interagency communication and collaboration between the BIE special education system and Tribal Education Departments. A list of ten resources is provided on the slides. Dr. Poitra provided comments about each resource.
 - Training is necessary and needed. We have designed and structured training for all TCS in our region. Some schools have already purchased special education training. The ADD TCS purchased Achieve 3000 for 28 schools, which is a literacy program. This also meets the need for special education professional development.
 - The TCS continues to keep up the collaboration with the BIE leadership team. There are weekly reports and senior leader calls on a weekly basis.
- Slide 5 -
 - TCS had a large amount of funds for professional development. The TCS region decided to purchase Achieve 3000 for 28 schools which is a literacy program. This help them become more aware of their roles in special education. This program has professional development for the staff.
 - Pandemic hit all locations hard, so this increase our direct community participation from all stakeholders across the BIE system. Dr. Poitra has direct communication with all TCS schools, she attended the BIE leadership meetings and has that constant collaboration with senior leaders as well as the schools.



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- Slide 6 - Provided information about Policy and Regulations for special education. Provided information regarding Question 3, *"How has the ADD office (Navajo, BOS and TCS) addressed their areas of responsibilities as it relates to the recommendations listed within the GAO report?"*
 - We will be receiving the BIE Special Education Policy and Procedures guidance document and is coming very soon.
- A time for questions was provided for the Board members. I want to be more interactive with the Board members.
 - John Struck, Board member - Transition has been a non-compliance issue. What are the challenges and training is going on for the TCS region?
 - Presenter response - Each of our communities are different and resources are limited. Our schools are creative in dealing with the struggles. The schools are doing online training, they are involved with State training and documenting these events. Some of the issues circling around a lack of knowledge of special education regulations. Achieve 3000 will help in this area as a resource.
 - Transition plans, the roles are passed on from the teacher to paraprofessionals. This correct and the TCS was dinged for this. We are trying to make corrections to ensure certified personnel provide these services.
- Harvey Rude, Board member - What are the Tribal Education Department (TED) that have developed the greatest impact for special education?
 - Presenter response - It would have to be TED's in North and South Dakota. They are very vocal and strong with their TED's.

11:45 a.m. Lunch (1-hour)

12:45 p.m. MDT. Continuation of BIE Advisory Board Meeting

1:00 p.m. Public Commenting Session (30 minutes)

- Cynthia Frank, Board member - commented on the COVID-19 vaccination. Needs to be more scientific testing to determine the safety of the vaccinations. If the vaccinations are mandated by an agency, this is my concern for BIE students. Gretchen Wendell, Board member - stated we need to get further guidance from CDC regarding the safety of the vaccinations. Dr. Robin Blitz, Board member - supported to follow the CDC guidelines and that the scientific trials have not been completed for children, so there will not be any school rulings about the vaccinations for now.
- Brenda Anderson, Board members - provided a comment. We need to follow the CDC guidelines as well as federal, state, and tribal regulations about the COVID-19 vaccination.



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- Chairperson - provided his concern that he would like parents to be knowledgeable about the entire IEP before signing the IEP's What is done to educate parents to ensure they know what they are signing the IEP.
- Gretchen Wendell, Board member - commenting on secondary transition and the struggles she sees with parents understanding this topic. Marsha LaFollette, Board Member supported Gretchen Wendell's comments.
- No other comments were made from the public.

1:30 - 4:00 p.m. MDT. Continuation of the Board meeting

During this time the Board continued to work on:

- Complete Old and New Business items
- Start working on 2021 priorities
 - Marsha LaFollette, Board member - reviewed 2020 BIE Advisory Board Annual Report.
 - Harvey Rude - suggested to have 2-3 recommendations. Also, are there items that still require attention? The board has a lot of good data to write the priorities. I am surprised the BIE is not involved in their own initiatives which is the Tribal Education Department (TED) grantees. This is an important project and should have BIE involved. We also need to take time to discuss the progress of last year's report
 - Jennie Platerio - I agreed with Dr. Rude with having a lot of good information with the TED grants. There
 - Brenda Anderson - we need to hear more information about the native language item that Mr. Spike Big Horn mentioned. Dr. Poitra mentioned return to school plans, and we need to consider this topic as well.
 - Gretchen Wendell - another item we need to include are the state and alternate assessments. How are the school going to implement this? And to work with our students so they can adequately perform on the state assessments.
 - Jennie Platerio - supported Gloria Yepa's, ADD BOS Education Specialist (special education) statement, "The need for the BIE align the Policy and Procedures and the BIE's Strategic Initiatives. If these two items are aligned this will help the BIE move forward and will be in a better position.
 - Marsha LaFollette - the new Policy and Procedures is distributed; it would be good to have a presentation overview about this new guidance document to get everyone on the same page.
 - John Struck - we can consider the workforce issue, the lack of staff. What is the status of teacher preparation programs in tribal community programs, Haskell, partnership with a university? We need to look at certifiable teacher preparation programs to support a "Grow Your Own" program within our tribal communities. Also, if we can get representation from TED Directors to get input from these entities and tribally controlled schools.



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- Harvey Rude - supported John Struck's statement about the TED, to get more representatives from the grantees. This will be valuable information for our next meeting.
- Brenda Anderson - requested clarification about what are the TED versus Haskell and SIPI. Dr. Rude commented. Haskell and SIPI are under the jurisdiction of the BIE. The tribal colleges are under the jurisdiction of each tribe. Mr. Big Horn will be the best person to contact to inform the board on which tribes received the TED grants.
- Marsha LaFollette - if we do get the TED grantees to present, if they can provide what kind of incentives they provide for current employees to pursue education degrees. It would be nice to hear what is out there.
- Marsha LaFollette - Dr. Poitra mentioned the new BIE's Performance Office (Travis Clark, Supervisory Specialist). What is the purpose of this office? How it interrelates with the strategic direction, the reorganization, staff development, services provided to schools? Dr. Rude suggested Travis Clark to provide a summary, but it's not a priority for the annual report. Ms. LaFollette requested further clarification about this office.
- John Struck - have someone provide an overview about the BIE Strategic Plan document.
- A lengthy discussion about the board subcommittees occurred. How do they work, is a federal register notice needed? How will this work virtually?

2:30 p.m. MDT. Break

- Chairperson - brought up the 2018 and 2019 BIE Advisory Board annual report as a resource. How will the board write up the 2021 annual report? Provide comments or questions on how to proceed when we write up the 2021 annual report.
- Keep track of priorities as content for our next board meeting, especially if we meet with the TED grantees, and all the other topics we had previously mentioned prior to the break. This visual will help us with planning our next board meeting.
- The board suggested inviting 2-3 TED grantees. It was suggested that TED grantees with high number of BIE funded schools or tribes with a high count of BIE students. It was suggested that the Navajo Nation, Standing Rock, Mississippi Band of Choctaw Indians, or Rosebud Sioux Tribe be contacted. The final outcome of the TED grantees was the Hopi Tribe, Navajo Nation and the Mississippi Band of Choctaw Indians.
- BIE standards and assessments.
- What is the BIE doing to assisting the schools and resources for success when they take the assessments? How is this process impacting SWD?
- Native language revitalization and where does it fit in BIE schools?
 - How is this process impacting children with disabilities (CWD)?
 - Are there processes in place to waive this priority for non-verbal or deaf CWD?
 - Are there native language supports for SWD who use sign language or speech generating devices, from English to a native language?



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- Alignment between BIE Policy and Procedures and the BIE Strategic Initiatives as posted on the BIE website and the General Education Supervision. This was mentioned by Gloria Yepa, Dr. Thompson, and Evangeline Wilkerson. How do they relate to one another? The board needs an overview about these documents.
- Workforce, lack of staff issues, advisory board has been working on this for several years; potential to invite tribal colleges, education preparation programs, representative from SIPI and Haskell to speak on this. Approximately 26 tribal colleges - invite representative from these colleges.
 - Will the BIE continue to use online resources to expand their workforce? Such as related services (tele-practice for some related services); some schools looking at this as a possibility.
 - Schools to continue their virtual options. Not just referring to assistive technology.
- Hear more from the BIE's Performance Office from Travis Clark. Place on the agenda item for April meeting
- Transition plans and process
 - We need someone address this. Possibly Dr. Thompson?
 - Look at which schools are hiring in the area of transition. Most schools may not have a transition specialist in their organization chart. What would the position description involve?
 - Possible to track the attendance for students with disabilities (SWD) who attend their own IEP meetings.
 - Post School Outcomes Indicator 14. Get data on student with disabilities, what are they doing 1-year after completing high school (i.e. employment, higher education, vocational training, self-employment, etc.); request data from BIE (Dr. Thompson). BIE does have the indicator 14 data (as per Dr. Thompson).
- Update on Plan of Coordination from BIE/Special Education - (Dr. Thompson or designee)
 - DPA understaff for multiple years - impacts the tasks of DPA, who are the partners that work with DPA on this?
 - There is a 2009 version Plan of Coordination from BIE - needs to be updated.
- The board finalized the next board meeting dates. April 28-29, 2021, July 28-29, 2021 and September 22, 2021. The agenda items will need to be selected for the next board meetings as well as the questions for the next presenters.
- John Struck - suggested to provide four 15-minute blocks of time for public comments instead of two 30-minutes sessions. The DFO will ask the CMO if having 15-minutes public comment sessions is allowed. If approved, it will be placed during our next meeting.

4:00 p.m. MDT. Meeting Adjourned. Gretchen Wendell motioned to adjourn. Dr. Robin Blitz, second the motion. All unanimously approved by the Board meeting to adjourn. The board meeting ended at 4:00 pm MDT.



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APPENDIX

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- **Gallery: Attendees for the Wednesday, January 27, 2021 online meeting.**
 - Alissa Chavez Lowe, Tribal Education Contact, San Felipe Pueblo
 - Amanda Lister, Principal, Pyramid Lake High School
 - Angel Valencia, Business Manager, San Felipe Pueblo Elementary School
 - Benita McKerry, Intake Spec., Native American Disability Law Center, NM
 - Berdine Largo, Reading Coach, Mescalero Apache School
 - Billie McDonald, ESE Coordinator, Seminole Tribe of Florida
 - Brooke Ratliff, Education Specialist, Bureau of Indian Education
 - Carmelia Becenti, Education Program Specialist, DPA/ESSA Program
 - Carrie Watahomigie, Education Program Specialist, ADD Navajo Schools
 - Cherie Poitra, Acting Associate Deputy Director, Tribally Controlled Schools
 - Colletta Wilson, Principal, Nizhoni Elementary School
 - Connie Albert, Education Program Administrator, Albuquerque ERC
 - Delphina Shunkamolah, Education Program Specialist, DPA/IDEA Program
 - Dr. Berdina Tsosie, Education Program Administrator, Minneapolis ERC
 - Dr. Pamela Speaks, Education Specialist, BIE Curriculum, Instruction and Assessment
 - Eleanor Jones, Education Program Specialist, DPA/Special Education Program
 - Emily Arviso, Special Assistant, ADD Navajo Schools
 - Eugene Thompson, Supervisory Education Program Specialist, DPA/IDEA Program
 - Evangeline Bradley-Wilkinson, Education Program Specialist, ADD Navajo Schools
 - Gloria Echols, Transition Specialist, Choctaw Tribal Schools/Exceptional Education
 - Gloria Yepa, Education Program Specialist, ADD Bureau Operated Schools
 - Jacqueline Wade, Education Program Specialist, DPA/ESSA Program
 - Juanita Mendoza, Special Assistant, BIE Director Office
 - Karen Etsitty, Education Specialist (School Improvement), Albuquerque ERC
 - Karen Malone, Acting Associate Deputy Director, ADD Navajo Schools
 - Kimberly Smith, Education Specialist, (School Boards), Seattle ERC
 - Margo DeLaune, Acting Associate Deputy Director DPA
 - Mary Beardsley, Program Support, DPA/Special Education Program
 - Mary Ross, Superintendent, Mescalero Apache School
 - Maureen Lesky, Program Analyst, Chief Academic Office
 - Maxine Roanhorse-Dineyazhe, Education Program Administrator, Phoenix ERC
 - Patricia Sandoval, School Board, Pueblo of Laguna Department of Education
 - Richard Edwards, Executive Director, Shiprock Associated Schools, Inc.
 - Richelle Etsitty, Education Program Specialist, Phoenix ERC
 - Sharon Pinto, Deputy Bureau Director, BIE School Operations
 - Spike Bighorn, Program Manager, BIE Office of Sovereignty in Indian Education
 - Tamara Romo, Executive Assistant to Special Services, Chief Leschi Schools
 - Dr. Tamarah Pfeiffer, Chief Academic Officer, BIE Chief Academic Office
 - Tiffany Johnson, Administrator, Wa He Lut Indian School
 - Tony Dearman, BIE Director



Bureau of Indian Education Advisory Board for Exceptional Children, Advisory Board meeting January 27-28, 2021

- Travis Clark, Chief Performance Officer, BIE Director Office
- Ventura Lovato, Education Specialist, Albuquerque ERC
- Veronica Lane, Program Analyst, BIE Performance Office
- Wendy Revenig, Senior Regional Sales Director, Achieve 3000
- Dyonni Tenorio, Indian Health Service/Albuquerque Area
- Lawrence Palmer, BIA Branch of Facilities
- Amber Wilson, Darin Wright, Frances Chretien, Gregory Anderson, Joanie Sanchez, Leslie Vallo, Louella Garcia, Melanie Helle, Renee Tolino, Sarah Murphy, Shawna Allison Becenti, Tish Howard

Gallery: Attendees for the Thursday, January 28, 2021 online meeting.

- Alissa Chavez Lowe, Tribal Education Contact, San Felipe Pueblo
- Angel Valencia Business Manager, San Felipe Pueblo Elementary School
- Benita McKerry, Intake Spec., Native American Disability Law Center, Farmington, NM
- Berdine Largo, Reading Coach, Mescalero Apache School
- Brooke Ratliff, Education Specialist, Bureau of Indian Education
- Carmelia Becenti, Education Program Specialist, DPA/ESSA Program
- Carrie Watahomigie, Education Program Specialist, ADD Navajo Schools
- Cherie Poitra, Acting Associate Deputy Director, Tribally Controlled Schools
- Colletta Wilson, Principal, Nizhoni Elementary School
- Delphina Shunkamolah, Education Program Specialist, DPA/Special Education Program
- Dr. Berdina Tsoisie, Education Program Administrator, Minneapolis ERC
- Dr. Pamela Speaks, Education Specialist, BIE Curriculum, Instruction and Assessment
- Eleanor Jones, Education Program Specialist, DPA/Special Education Program
- Emily Arviso, Special Assistant, ADD Navajo Schools
- Eugene Thompson, Supervisory Education Program Specialist, DPA/IDEA Program
- Evangeline Bradley-Wilkinson, Education Program Specialist, ADD Navajo Schools
- Gloria Echols, Transition Specialist, Choctaw Tribal Schools/Exceptional Education
- Gloria Yepa, Education Program Specialist, ADD Bureau Operated Schools
- Hankie Ortiz, Associate Deputy Director, Bureau Operated Schools
- John McIntosh, Education Program Administrator, Navajo ADD
- Karen Malone, Acting Associate Deputy Director, ADD Navajo Schools
- Margo DeLaune, Acting Associate Deputy Director DPA
- Mary Beardsley, Program Support, DPA/Special Education Program
- Maxine Roanhorse-Dineyazhe, Education Program Administrator, Phoenix ERC
- Renee Tolino, Ch'oooshgai Community School
- Zonnie Sombrero, Education Specialist, DPA/IDEA Program
- Sarah Murphy, Shawn Walbecq, Tish Howard, Hertha Woody, Joanie Sanchez, Leslie Vallo, Kevin Shot With Arrow



Bureau of Indian Education Advisory Board for Exceptional Children 2021 Board Members

Name, Board Position & Location	Representing the Category of:	Term
Norman Shawanokasic , Chairperson Wisconsin	Tribes or Tribal Organizations	07/09/2020 to 07/09/2023 3-Years
Gretchen Wendell , Vice-Chairperson South Dakota	Bureau Employees Concerned with the Education of Children with Disabilities	04/01/2019 to 04/01/2021 2-Years
Brenda Anderson , Secretary Arizona	Tribes or Tribal Organizations	04/01/2019 to 04/01/2022 3-Years
Dr. Robin Blitz, M.D. , Board Member Arizona	Service Providers to Children with Disabilities	07/09/2020 to 07/09/2023 3-Years
Dr. Eudore Camata, Ed.D. , Board Member New Mexico	Local Education Officials	04/01/2019 to 04/01/2021 2-Years
Cynthia Frank , Board Member New Mexico	Indian Parents or Guardians of Children with Disabilities	07/09/2020 to 07/09/2023 3-Years
Dr. Perry Graves, Ed.D. , Board Member Kansas	Teachers of Children with Disabilities	01/14/2021 to 01/14/2024 3-Years
Marsha LaFollette , Board Member Mississippi	Service Providers to Children with Disabilities	01/14/2021 to 01/14/2024 3-Years
Teresa McMakin , Board Member Montana	Local Education Officials	04/01/2019 to 04/01/2022 3-Years
Marcy Oliver , Board Member New Mexico	State Education Officials	04/01/2019 to 04/01/2021 2-Years
Jennie Platerio , Board Member Arizona	Bureau Employees Concerned with the Education of Children with Disabilities	04/01/2019 to 04/01/2021 2-Years
Dr. Harvey Rude, Ed.D. , Board Member Colorado	Service Providers to Children with Disabilities	07/09/2020 to 07/09/2023 3-Years
Teryl Running Horse , Board Member South Dakota	Indian Persons with Disabilities	01/14/2021 to 01/14/2024 3-Years
Katinee Shawanokasic , Board Member Wisconsin	Indian Persons with Disabilities	04/01/2019 to 04/01/2022 3-Years
John Struck , Board Member Mississippi	Teachers of Children with Disabilities	07/09/2020 to 07/09/2023 3-Years

Roster updated 1/20/2021



Online Meeting: Bureau of Indian Education Advisory Board for Exceptional Children January 27-28, 2020

Purpose of the Meeting: The Bureau of Indian Education (BIE) Advisory Board members will be provided information from various presenters regarding the BIE's Special Education Program and to develop the 2021 priorities.

Supplementary Information: This meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and Public Law 108-446 Individuals with Disabilities Education Improvement Act of 2004, Part B, Sec. 611(a)(6); Sec. 612(a)(21)(A).

Online Meeting & Time Zone: Due to the COVID-19 pandemic and for the safety of all individuals the BIE Advisory Board meeting will be conducted online. **This meeting will use the Mountain Standard Time (MST) zone.**

DAY 1 - Wednesday, January 27, 2021

Online Go-To-Meeting Access Information Wednesday, January 27, 2021 8:00 AM - 3:30 PM (MST)	
<ul style="list-style-type: none"> • Join using your computer, tablet or smartphone. https://global.gotomeeting.com/join/172073373 • Or dial in using your phone. United States: +1 (669) 224-3412 Access Code: 172-073-373 • Or using a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com Meeting ID: 172 073 373 • Or dial directly: 172073373@67.217.95.2 or 67.217.95.2##172073373 • New to GoToMeeting? Get the app now and be ready when your first meeting starts: https://global.gotomeeting.com/install/172073373 	
8:00 a.m. MST	BIE Advisory Board meeting <ul style="list-style-type: none"> • Welcome, Call to Order & Roll Call - Norman Shawanokasic, Chairperson • Webinar Logistics, Meeting Purpose, Regulations, etc. (Jennifer Davis, DFO) • Old Business - Review meeting minutes of last meeting and the 2020 Annual Report New Business
8:15 a.m.	BIE Central Office Update - (Central Office Representative) <ul style="list-style-type: none"> • Provide feedback about each recommendation listed in the 2020 Annual Report. • Provide feedback about the 2020 Annual Report specifically in relation to the BIE Reorganization; and how effective the BIE has been in completing its staffing plan? • Provide a status update in relation to the BIE's Reorganization and the 2020 Annual Report. • Provide feedback as to how the Advisory Board can support the BIE's mission.
9:00 a.m.	BIE Chief Academic Office (Supervisor or Representative) <ul style="list-style-type: none"> • Provide an overview of the new BIE's Standards, Assessments, and Accountability System (SAAS). • Provide an overview, update and status of the BIE's SAAS <u>Alternate Assessments</u> for Students with the Most Significant Cognitive Disabilities • Provide an overview, update and status of how the BIE's SAAS Alternate Assessments is <u>aligned</u> with Alternate Academic Achievement Standards. • What is the BIE's plan to rollout the SAAS out at the school level?
10:00 a.m.	Break (15 minutes)
10:15 a.m.	Resume Board meeting - <ul style="list-style-type: none"> • Old Business - Review meeting minutes of last meeting and the 2020 Annual Report New Business



Online Meeting: Bureau of Indian Education Advisory Board for Exceptional Children January 27-28, 2020

11:00 a.m.	<p>Public Commenting Session - (30 minutes)</p> <p>You can join by webinar or dial in using your phone. Use the Online Go-To-Meeting Access Information found on page 1 of this agenda.</p>
<p>Request for Public Comments: The BIE Advisory Board is seeking comments from the public regarding the concerns, issues and improving the special education program for students with disabilities within the BIE school system. Three-minutes will be provided for each commenter. When commenting please provide your name, the agency you represent, and your city and state. Please provide as much information as possible about your topic. To ensure confidentiality refrain from using student/individual names. Written statements being submitted in response to the agenda announced in this notice must be received by the DFO at least five calendar days prior to the first day of the meeting date.</p> <p>Public Comments can also be sent via at any time:</p> <p>Email: Jennifer.davis@indianaffairs.gov; or Fax: (602) 265-0293 Attention: Jennifer Davis, DFO; or</p> <p>U.S. Postal or Hand Delivered to: Bureau of Indian Education, Attention: Jennifer Davis, Designated Federal Officer (DFO), 2600 N. Central Ave., Suite 800, Phoenix, AZ 85004</p>	
11:30 a.m.	Lunch (1 hour)
12:30 p.m.	<p>Division of Performance & Accountability (DPA) (Acting ADD or Representative)</p> <ul style="list-style-type: none"> • Provide feedback regarding the recommendations listed in the 2020 Annual Report as it relates to the DPA Program.
1:15 p.m.	<p>BIE Special Education Program (Acting Supervisory Education Specialist or Representative)</p> <ul style="list-style-type: none"> • Provide feedback regarding the recommendation listed in the 2020 Annual Report as it relates to the BIE's Special Education Program. • Provide an update about the progress regarding OSEP's Determination Letter • Provide an update regarding secondary transition as mentioned in the OSEP's Determination letter. • What special activities is the BIE working on? • What type of technical assistance is being provided to the schools to improve secondary transition activities?
2:15 PM	Break (15 minutes)
2:30 PM	<p>BIE Office of Sovereignty in Indian Education (Program Manager or Representative)</p> <ul style="list-style-type: none"> • Provide an overview about the Tribal Education Departments (TED) grant program (The history, purpose of the TED grants, how and when did the TED grants get started). • How do the TED grants relate and support special education programs within BIE funded schools? • What is the status of the participating tribes who have been funded?
3:30 PM	<p>Advisory Board Discussion</p> <ul style="list-style-type: none"> • Complete Old and New Business items, work on 2021 priorities
4:00 PM	Recess



Online Meeting: Bureau of Indian Education Advisory Board for Exceptional Children January 27-28, 2020

DAY 2 - Thursday, January 28, 2021

Online Go-To-Meeting Access Information Wednesday, January 27, 2021 8:00 AM - 3:30 PM (MST)	
<ul style="list-style-type: none"> • Join using your computer, tablet or smartphone. https://global.gotomeeting.com/join/491120013 • Or dial in using your phone. United States: +1 (646) 749-3112 Access Code:491-120-013 • Or using a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com Meeting ID: 491 120 013 • Or dial directly: 491120013@67.217.95.2 or 67.217.95.2##491120013 • New to GoToMeeting? Get the app now and be ready when your first meeting starts: https://global.gotomeeting.com/install/491120013 	
8:00 a.m. MST	BIE Advisory Board meeting <ul style="list-style-type: none"> • Call to Order & Roll Call - Chairperson • Review the agenda • Work on 2020 priorities
8:30 a.m.	ADD Special Education (SPED) Program Reports: <ul style="list-style-type: none"> ➤ 8:30 a.m. Navajo Region Schools (TCS and BOS) Navajo Region Representative ➤ 9:30 a.m. Bureau Operated Schools (BOS) BOS Representative ➤ BREAK (15 minutes) ➤ 10:45 a.m. Tribally Controlled Schools (TCS)TCS Representative <p>For each ADD's Office the following questions are asked:</p> <ul style="list-style-type: none"> • How is the ADD (Navajo, BOS, TCS) developing the capacity within the ERC's in their region to ensure special education services are being adequately supported? • Provide an update about the Return-To-School Plans and how are special education services supported in the plans? • Provide feedback about the recommendations as listed in the 2020 Annual Report as it relates to each ADD region (ADD level, ERC's, schools). • How has the ADD office (Navajo, BOS, TCS) addressed their areas of responsibilities as it relates to the recommendations listed within the GAO report?
11:45 a.m.	Lunch (1 hour)
12:45 p.m.	BIE Advisory Board meeting (continuation) <ul style="list-style-type: none"> • Call to Order & Roll Call • Work on completing the Old and New Business items
1:00 p.m.	Public Commenting Session - (30 minutes) You can join by webinar or dial in using your phone. Use the Online Go-To-Meeting Access Information found on page 3 of this agenda.



Online Meeting: Bureau of Indian Education Advisory Board for Exceptional Children January 27-28, 2020

1:30 p.m. to 4:00 p.m.	Advisory Board meeting (continuation) <ul style="list-style-type: none">• Complete Old and New Business items• Start working on 2021 priorities• Work on logistics for next Board meeting
2:30 p.m.	Break (15 minutes)
4:00 p.m.	Adjourn

Questions about the BIE Advisory Board: Contact: Jennifer Davis, Designated Federal Officer (DFO)
Office: (602) 240-8597 | **Mobile:** (202) 860-7845 | **FAX:** (602) 265-0293 | **Email:** jennifer.davis@indianaffairs.gov

Other Federal Agencies (OFAs) to review applications that are routed to the qualitative panel reviews. The volunteers will review and score applications based on a pre-determined scoring criterion.

This proposed information collection previously published in the **Federal Register** on October 27, 2020, with a 60-day public comment period. The comment period closed on December 28, 2020. FEMA received one comment with two parts via www.regulations.gov in response to Information Collection 1660-0072. A summary of the comment and FEMA's response is provided below.

The first part of the comment stated that because "community" is used in program descriptions, applications and sub-applications submitted by SLTTs for BRIC and FMA grants should include additional information such as evidence of public outreach and education on proposed mitigation activities and public comment on the proposed mitigation activities. In response, while FEMA appreciates this comment, the **Federal Register** notice for this information collection was published to solicit feedback about the expression of interest form created to solicit potential panelists for the BRIC application review process. Adding additional requirements to BRIC applications and sub-applications is outside the scope of this matter.

The second part of the comment seeks additional information about the makeup of the qualitative panel, the review process, and whether panelists will be compensated for their participation in the review process. In response, FEMA provides the following information.

BRIC applications and sub-applications will be reviewed for Eligibility and Completeness (E&C) by FEMA's respective regional offices. During the E&C review, projects that are submitted to the national competition will also be provided a technical score. Technical scores are made up of 100 points, which are binary points. After applications have gone through the E&C review, they will be forwarded to the National Technical Review (NTR). Projects that are marked as standard or decentralized during the E&C review will be reviewed and issued an NTR memo. After NTR has concluded, the projects that are submitted to the national competition will be sent to the qualitative panels. During the qualitative panels, applications will be reviewed by representatives from the SLTTs and OFAs that comprise the panel and scored based on a gradient scale. Qualitative scoring has a total of

100 possible points. The scoring is made up of six (6) criteria, all ranging in different point value. The panelists will leverage their mitigation experience and expertise during the review to assess the degree to which subapplications meet the six BRIC qualitative evaluation criteria. The subapplication's final qualitative score will be calculated by averaging the qualitative scores from each panelist. The six criteria include the following: (1) Risk Reduction/Resiliency Effectiveness possible 35 points, (2) Future Conditions possible 15 points, (3) Implementation Measures possible 15 points, (4) Population Impacted possible 15 points, (5) Outreach Activities possible 5 points, and (6) Leveraging Partners possible 15 points. More information on the background, evaluation process and scoring, and criteria can be found here: https://www.fema.gov/sites/default/files/2020-08/fema_bric-qualitative-criteria_support_document_08-2020.pdf. For the qualitative panels, each application will be reviewed and scored by three (3) volunteer panel members. The panelists will not be compensated for their participation.

Collection of Information

Title: Mitigation Grant Programs.

Type of Information Collection: Revision of a currently approved collection.

OMB Number: 1660-0072.

FEMA Forms: Building Resilient Infrastructure and Communities (BRIC) FY20 National Competition Panel Review Expression of Interest Form.

Abstract: FEMA's FMA and BRIC programs use an automated grant application and management system called FEMA GO. The Pre-Disaster Mitigation program uses an automated grant application and management system called e-Grants. These grant programs provide funding for the purpose of reducing or eliminating the risks to life and property from hazards. The FEMA GO and e-Grants systems include all the application information needed to apply for funding under these grant programs. FEMA and SLTTs will use the information submitted via the FY20 National Competition Panel Review Expression of Interest Form to solicit volunteers from SLTTs and OFAs to review applications that are routed to the BRIC qualitative panel reviews. The volunteers will review, and score applications based on a pre-determined scoring criterion.

Affected Public: Federal Government; State, local, Tribal, and territorial governments; Individuals or Households.

Estimated Number of Respondents: 436.

Estimated Number of Responses: 5,364.

Estimated Total Annual Burden Hours: 58,248.

Estimated Total Annual Respondent Cost: \$3,324,211.

Estimated Respondents' Operation and Maintenance Costs: None.

Estimated Respondents' Capital and Start-Up Costs: None.

Estimated Total Annual Cost to the Federal Government: \$7,586,635.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Millicent L. Brown,
*Acting Records Management Branch Chief,
Office of the Chief Administrative Officer,
Mission Support, Federal Emergency
Management Agency, Department of
Homeland Security.*

[FR Doc. 2021-00027 Filed 1-6-21; 8:45 am]
BILLING CODE 9111-BW-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[212A2100DD/AAKC001030/
AOA501010.999900 253G]

Advisory Board for Exceptional Children

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of meeting.

SUMMARY: The Bureau of Indian Education (BIE) is announcing that the Advisory Board for Exceptional Children will hold an online meeting. The purpose of the meeting is to meet the mandates of the Individuals with Disabilities Education Act of 2004

(IDEA) for Indian children with disabilities. Due to the COVID-19 pandemic and for the safety of all individuals, it will be necessary to conduct an online meeting.

DATES: The BIE Advisory Board meeting will be held Wednesday, January 27, 2021 from 8 a.m. to 4 p.m. Mountain Standard Time (MST) and Thursday, January 28, 2021 from 8 a.m. to 4 p.m. Mountain Standard Time (MST).

ADDRESSES: All Advisory Board activities and meetings will be conducted online. See the **SUPPLEMENTARY INFORMATION** section of this notice for information on how to join the meeting. Public comments can be emailed to the DFO at Jennifer.davis@indianaffairs.gov; or faxed to (602) 265-0293 Attention: Jennifer Davis, DFO; or mailed or hand delivered to the Bureau of Indian Education, Attention: Jennifer Davis, DFO, 2600 N Central Ave., Suite 800, Phoenix, AZ 85004.

FOR FURTHER INFORMATION CONTACT: Jennifer Davis, Designated Federal Officer, Bureau of Indian Education, 2600 N Central Ave., Suite 800, Phoenix, Arizona 85004, Jennifer.davis@indianaffairs.gov, or (202) 860-7845 or (602) 240-8597.

SUPPLEMENTARY INFORMATION: In accordance with the Federal Advisory Committee Act, the BIE is announcing the Advisory Board will hold its next meeting online. The Advisory Board was established under the Individuals with Disabilities Act of 2004 (20 U.S.C. 1400 *et seq.*) to advise the Secretary of the Interior, through the Assistant Secretary-Indian Affairs, on the needs of Indian children with disabilities. The meeting is open to the public.

The following items will be on the agenda:

- Update Reports regarding special education from: BIE Central Office, BIE/ Division of Performance and Accountability (DPA), BIE/Associate Deputy Directors for Tribally Controlled Schools, Bureau Operated Schools and Navajo Region Schools.

- The BIE's Office of Sovereignty in Indian Education—will provide an overview and update of the Tribal Education Department (TED) grant program.

- The Chief Academic Office—will provide an overview and Update of the BIE's Standards, Assessments, and Accountability System

- Public Commenting Sessions will be provided during both meeting days.

- On Wednesday, January 27, 2021 from 11 a.m. to 11:30 a.m. MST, public comments can be provided via webinar or telephone conference call. Please use

the same online access codes as listed below for the January 27th meeting.

- On Thursday, January 28, 2021 from 1 p.m. to 1:30 p.m. MST, public comments can be provided via webinar or telephone conference call. Please use the same online access codes as listed below for the January 28th meeting.

- Public comments can be emailed to the DFO at Jennifer.davis@indianaffairs.gov; or faxed to (602) 265-0293 Attention: Jennifer Davis, DFO; or mailed or hand delivered to the Bureau of Indian Education, Attention: Jennifer Davis, DFO, 2600 N Central Ave., Suite 800, Phoenix, Arizona 85004.

To Access the January 27, 2021 Meeting

You can join the meeting on January 27, 2021 through any of the following means:

- From your computer, tablet or smartphone using <https://global.gotomeeting.com/join/172073373>.
- Using your phone in the United States, by dialing +1 (669) 224-3412 and using Access Code: 172-073-373.

- From a video-conferencing room or system by dialing or typing in: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 172 073 373, or by dialing directly: 172073373@67.217.95.2 or 67.217.95.2##172073373. If you are new to GoToMeeting you can get the app by using this link: <https://global.gotomeeting.com/install/172073373>.

To Access the January 28, 2021 Meeting

You can join the meeting on January 28, 2021 through any of the following means:

- From your computer, tablet or smartphone using <https://global.gotomeeting.com/join/491120013>.
- Using your phone in the United States, by dialing +1 (646) 749-3112 and using Access Code: 491-120-013.

- From a video-conferencing room or system by dialing in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 491 120 013, or dialing directly: 491120013@67.217.95.2 or 67.217.95.2##491120013. If you are new to GoToMeeting you can get the app by using this link: <https://global.gotomeeting.com/install/491120013>.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying

information from public review, we cannot guarantee that we will be able to do so.

Authority: 5 U.S.C. Appendix 5; 20 U.S.C. 1400 *et seq.*

Tara Sweeney,

Assistant Secretary—Indian Affairs.

[FR Doc. 2020-29322 Filed 1-6-21; 8:45 am]

BILLING CODE 4337-15-P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Federal Council on the Arts and the Humanities

Arts and Artifacts Indemnity Panel Advisory Committee Meeting

AGENCY: Federal Council on the Arts and the Humanities; National Foundation on the Arts and the Humanities.

ACTION: Notice of Meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, notice is hereby given that the Federal Council on the Arts and the Humanities will hold a meeting of the Arts and Artifacts Domestic Indemnity Panel.

DATES: The meeting will be held on Wednesday, February 17, 2021, from 12:00 p.m. until adjourned.

ADDRESSES: The meeting will be held by videoconference originating at the National Endowment for the Arts, Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Elizabeth Voyatzis, Committee Management Officer, 400 7th Street SW, Room 4060, Washington, DC 20506, (202) 606-8322; evoyatzis@neh.gov.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is for panel review, discussion, evaluation, and recommendation on applications for Certificates of Indemnity submitted to the Federal Council on the Arts and the Humanities, for exhibitions beginning on or after April 1, 2021. Because the meeting will consider proprietary financial and commercial data provided in confidence by indemnity applicants, and material that is likely to disclose trade secrets or other privileged or confidential information, and because it is important to keep the values of objects to be indemnified and the methods of transportation and security measures confidential, I have determined that that the meeting will be closed to the public pursuant to subsection (c)(4) of section 552b of Title 5, United States Code. I have made this determination under the authority granted me by the Chairman's

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BIE Advisory Board for Exceptional Children

CENTRAL OFFICE UPDATE
JANUARY 27, 2021

2

STATUS OF BIE REORGANIZATION

- ▶ KEY ACCOMPLISHMENTS TO BUILD CAPACITY AND SERVE TRIBES AND SCHOOLS
 - ▶ BUILT UP SCHOOL OPERATIONS FUNCTIONS AND STAFF ACROSS THE ORGANIZATION
 - ▶ BUDGET SEPARATION IN 2019
 - ▶ ESTABLISHED A BUSINESS SUPPORT CENTER TO STREAMLINE ACQUISITIONS
 - ▶ FILLED KEY POSITIONS AT ERCs AND ADD OFFICES INCLUDING SPECIAL EDUCATION STAFF AT ERCs.

3

BIE REORGANIZATION – MOVING FORWARD

- ▶ HIRE DIVISION OF PERFORMANCE AND ACCOUNTABILITY (DPA) ASSOCIATE DEPUTY DIRECTOR
- ▶ FOCUSED TECHNICAL ASSISTANCE TO SCHOOLS TO MAXIMIZE SCHOOL PERFORMANCE
- ▶ STUDENT BEHAVIORAL HEALTH SUPPORT AT THE SCHOOL LEVEL

4

2020 ANNUAL REPORT RECOMMENDATIONS – HUMAN RESOURCES

- ▶ HUMAN RESOURCES (HR)
 - ▶ BIE WORKFORCE PLAN
 - ▶ PROGRAM COVERAGE AND FUNCTIONAL ALIGNMENT
 - ▶ COMMUNICATING PROGRAM CONSISTENCY
 - ▶ STAFF RECRUITMENT, RETENTION & HIRING
 - ▶ CAREER LADDER POSITIONS
 - ▶ PATHWAYS PROGRAM
 - ▶ STUDENT LOAN REPAYMENT PROGRAM (SLRP)
 - ▶ RECRUITMENT & RELOCATION INCENTIVES
 - ▶ HIRING PERCENTAGES FROM 2018 TO PRESENT
 - ▶ PROFESSIONAL DEVELOPMENT
 - ▶ LRP PUBLICATIONS (SPECIAL ED CONNECTION)
 - ▶ FEDERAL MANAGER TRAINING
 - ▶ NATIONAL BOARD CERTIFICATION (TEACHERS)

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2020 ANNUAL REPORT RECOMMENDATIONS – HUMAN RESOURCES - Continued

- ▶ IDEA-DPA
 - ▶ REVIEWED APPLICATIONS; SELECTED APPLICANTS FOR BISMARCK AND SEATTLE ERC; ALBUQUERQUE ERC APPLICANT DECLINED/WITHDREW APPLICATION
 - ▶ WORKING WITH BIE-HR ON REFERENCE CHECKS
 - ▶ ADDRESS OTHER VACANCIES LATER; CURRENTLY ADDITIONAL VACANCIES FROZEN AND WORKING WITH BIE-HR
- ▶ PROFESSIONAL DEVELOPMENT
 - ▶ IDEA-MONTHLY UNIVERSAL TA CALLS; ERC PRESENTATIONS; FOLLOW-UP ON GUIDANCE DOCUMENTS FROM DPA AND DEPARTMENT OF ED.

6

2020 ANNUAL REPORT RECOMMENDATIONS – FUNDING, STAFFING & PROCUREMENT

- ▶ SYSTEM OF FUNDING, STAFFING AND PROCUREMENT THAT IS EQUITABLE ACROSS THE BIE SYSTEM
 - ▶ Budget Funding Support Workflow
 - DOE Reimbursable Funds (Office of Special Education) → DPA Technical Support
 - DPA/School Ops Funds Calculations → Budget Distributes → Approved Applications
 - ▶ ADD/ERC/School Support Teams
 - Funds support SpED teachers, admin staff, ancillary services, student equipment needs
 - School Operations has hired addition Budget and Acquisition staff to improve services
 - ▶ BUDGET AND PROCUREMENT
 - School Operations teams with DPA to process distribution of approved funds/applications and delivers procurement support via BIE Acquisition services, purchase requisitions
 - Building staffing capacity to improve services

2020 ANNUAL REPORT – ACCOUNTABILITY AND COMPLIANCE

7

- ▶ CAP ACCOMPLISHMENTS
 - ▶ STATE COMPLAINTS REMOVED FROM SY 2020-21 REPORTING
 - ▶ TIMELY SUBMISSION OF QUARTER REPORTS—SPECIFIC CONDITIONS
- ▶ CAP STATUS
 - ▶ OUTSTANDING TASKS IN CAP
 - ▶ FISCAL MONITORING, EXITING, SECONDARY TRANSITION, RELATED SERVICES, INITIAL EVALUATIONS—QUARTERLY REPORTS TO OSEP
- ▶ MONITORING
 - ▶ WORKING ON VIRTUAL MONITORING OF 6 SCHOOLS IN SY 2020-2021

GAO REPORT 20-358 – ACTIONS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE SPECIAL EDUCATION SERVICES

8

- ▶ IMPLEMENTATION OF SYSTEM SO SCHOOLS HAVE ACCESS TO DAILY SUPPORT SERVICES
- ▶ CQIP
- ▶ ESTABLISH PLAN AND TIMEFRAME FOR HIRING VACANT POSITIONS
- ▶ CONSISTENT AND ONGOING OUTREACH TO SCHOOLS FROM ERCs
- ▶ SEVEN RECOMMENDATIONS—TECHNICAL ASSISTANCE TO ADDS FOR THEIR SCHOOLS TO DO COMPENSATORY SERVICES, EVALUATIONS, EXTENDED SCHOOL YEAR (ESY); STRENGTHEN COLLABORATION WITH OTHER DIVISIONS AND DEPARTMENTS; DEVELOP GENERAL SUPERVISION SYSTEM—A WORK IN PROGRESS.

2020 ANNUAL REPORT - COORDINATION AND COLLABORATION

9

- ▶ IMPROVE COMMUNICATION AMONGST PERTINENT ENTITIES
 - ▶ BIA, TRIBAL EDUCATION DEPARTMENTS (TED) AND SOVERIGNTY IN EDUCATION OFFICE
- ▶ ESTABLISH RELATIONSHIPS WITH TEDs TO COORDINATE ACTIVITIES FOR SPECIAL EDUCATION SERVICES
- ▶ INCREASE COMMUNITY PARTICIPATION FROM ALL STAKEHOLDERS ACROSS THE BIE SYSTEM
 - ▶ SPECIAL EDUCATION IN COLLABORATION WITH OSEP-FUNDED TA PROVIDERS, ESTABLISHING A GENERAL SUPERVISION SYSTEM (WORK IN PROGRESS)
- ▶ FINALIZE SPED POLICY AND PROCEDURES

HOW CAN THE ADVISORY BOARD SUPPORT BIE's MISSION?

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- ▶ Continue to bring forth concerns;
- ▶ Continue providing suggestions resulting in positive student outcomes
- ▶ Support BIE initiatives

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QUESTIONS?



Overview of BIE Unified System of Standards, Assessments and Accountability

BUREAU OF INDIAN EDUCATION

DR. TAMARAH PFEIFFER AND DR. MAUREEN LESKY

Agenda

- (5 minutes) Welcome and Introductions
- (30 minutes) Overview of Standards, Assessments and Accountability (SAAS):
 - Transition to BIE Unified System of Standards, Assessment and Accountability
 - ESSA
 - Final Rule
 - BIE Agency Plan
 - BIE Unified System of Standards, Assessment and Accountability
 - Overview of Alternate Assessment aligned to Alternate Achievement Standards
 - Roll out of SAAS at the School Level
- (25 minutes) Question and Answer

BIE's Transition Timeline to Unified Standards, Assessments & Accountability System SY 2020-2021

- *Feb 18, 2020 – First Deadline from U.S. Department of Education to submit a draft BIE Agency Plan
- *March 2020 – Final Rule Published
- *April 27 - May 1, 2020 – Tribal Consultation on BIE Agency Plan (Standards, Assessments & Accountability included)
- *June 2020 – Review Tribal Consultation comments
- *July 2020 – Amend BIE Agency Plan based on Tribal Consultation
- *August 2020 – Return to Learn guidance, BIE Assessments “Year at a Glance” included
- *January 2021 – BIE Agency Plan is approved by the U.S. Department of Education

Every Student Succeeds Act

Reauthorizes the Elementary and Secondary Education Act to create a long-term, stable federal policy that gives states additional flexibility and encourages innovation, while at the same time holds them accountability for student achievement results.

Final Rule published on March 26, 2020

Link to Final Rule – <https://www.govinfo.gov/content/pkg/FR-2020-03-26/pdf/2020-06148.pdf>

Final Rule – The “What?”

The Final Rule (25 CFR part 30) goes into effect 4.27.2020

- *The Final rule replaces 25 CFR part 30 regulation regarding AYP
- *Unified assessment for English Language Arts, Math, Science, Alternate and English Language Proficiency
- *Revised language so that it is consistent with the Elementary and Secondary Education Act
- *Replaced Standards, Assessment and Accountability System Plan with “Agency Plan”
- *Added 30.105 language regarding Native American Language similar to 34 CFR 200.6
- *Governing Bodies and/or School Boards can waive in part, or in whole, of the Final Rule
- *Phasing in of Tribal Civics (Researching what is currently being used and who is using it)
- *Added language consistent with ESEA to clarify requirements regarding School comprehensive support and improvement

BIE Agency Plan – The “How?”

- *How we are implementing standards, assessments, and accountability?
- *What are factors that go into an accountability system?
- *How will BIE describe the performance status of schools?
- *A DRAFT BIE Agency Plan was shared with the U.S. Department of Education for SY 19-20. Through Consultation, BIE received feedback from Tribal Leaders and Stakeholders that impacted SY 20-21 and beyond.
- *April 9, 2020- U.S. Department of Education approved BIE's Assessment and Accountability waiver request for SY 19-20, due to COVID-19.
- *January 12, 2021 – U.S. Department of Education approved BIE Agency Plan.

BIE Unified Content Standards

The Every Student Succeeds Act reinforces state authority over standards, accountability and other key education policies.

It prohibits any U.S. Secretary of Education from requiring states to adopt specific standards or assessments.

The law does require that states align standards with college and career readiness skills.

BIE College and Career Ready Standards in Math, K-12: http://www.corestandards.org/wp-content/uploads/Math_Standards1.pdf

BIE College and Career Ready Standards in English Language Arts, K-12: http://www.corestandards.org/wp-content/uploads/ELA_Standards1.pdf

Next Generation Science Standards/BIE College and Career Ready Standards, K-12:

- 4th grade: <https://www.nextgenscience.org/search-standards?keys=&tid%5B%5D=104>
- 7th grade: <https://www.nextgenscience.org/search-standards?keys=&tid%5B%5D=106>
- 10th grade: <https://www.nextgenscience.org/search-standards?keys=&tid%5B%5D=107>

English Language Proficiency Development Standards, K-12: <https://wida.wisc.edu/teach/standards/eld/2020>

BIE Unified Assessments

Each state is required to have implemented a set of high-quality student academic assessments:

- Math, Reading or Language Arts in grades 3-8 and 11;
- Science in designated grades in grade bands 3-5, 6-8, and once in high school; BIE selected grades 5, 8, 11

-Alternate as specified in a student's Individual Education Plan (IEP)

- English Language Proficiency for English Language Learners

BIE Unified Assessments

A summary of BIE's Standards and Assessments for SY 2020-2021 are listed below:

Subject	Standards	Assessment
English Language Arts and Mathematics	Based on College and Career Readiness Standards	BIE ELA and Math Assessment – vendor Pearson
Alternate Language Arts and Mathematics and Science	Based on College and Career Readiness Standards	BIE Alternate Assessment- Pearson
Science	Next Generation Science Standards	BIE Science Assessment - MSA BIE Science Assessment- Cognia
English Language Proficiency	English Language Development Standards	BIE ELP Assessment - Access for EIs - WIDA

BIE Accountability Indicators

BIE Accountability Indicators Beginning SY 2020-21	Grade Span	
	K-8	H.S.
Accountability Indicators		
1. Academic Achievement: Proficiency on mathematics and ELA assessments	yes	yes
2. Other Academic Indicator: Proficiency on Science assessments	yes	N/A
3. English Learner Progress	yes	yes
4. Four-Year cohort graduation rate	N/A	yes
5. SQSS: Chronic Absenteeism	yes	yes

BIE Accountability Indicators - Points

BIE Accountability Indicators	SY 2020-2021	
	K-8	H.S.
Accountability Indicators		
1. Academic Achievement: Proficiency on statewide mathematics and ELA assessments	50 Pts.	50 Pts.
2. Other Academic Indicator: Proficiency on statewide Science assessments	20Pts.	N/A
3. English Learner Progress-applied to all schools with 10 or more English Learners	15 Pts.	15 Pts.
4. Four-Year cohort graduation rate	N/A	20 Pts
5. SQSS Chronic Absenteeism	15 Pts.	15 Pts.
Total	100	100

Test Coordinator Training

For ELA/Math Assessment and Alternate Science Assessment with Pearson we have provided training to school leaders and test coordinators on:

- January 11, 2021, January 13, 2021, January 15, 2021, January 19, 2021, January 21, 2021 and January 26, 2021

For General Science and Alternate ELA and Math Assessment with UDPSI we provided training to school leaders and test coordinators on:

- January 14, 2021 – 9 am MT, 12:00 pm MT, and 2:00 pm MT
- More training will be scheduled

Test Coordinator Training

For Alternate Assessment, Multi-State Alternate Assessment (MSAA) training, MSAA will provide online modules for test coordinators to complete during **March 1-15, 2021**.

MSAA:

- One-to-one administration
- Not timed (breaks are encouraged)
- Computer based or paper based
- Supports:
 - Training modules
 - Sample items
 - Manuals
 - Resources

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Accommodations

- Each vendor will provide a set of accommodations specific to the assessment.
 - Pearson for ELA/Math Assessment (grades 3-8 and 11)
 - Cognia for General Science Assessment (grades 5, 8, and 11)
- Schools (Special Education Coordinators) will need to identify accommodations for each student based on their IEP or 504 plans.
- Communication is through bi-weekly flyers.
- Training has already started through overview sessions and test administration webinars.

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Roll out to Schools

- Recorded sessions will be made available to school leaders and test coordinators and shared in bi-weekly flyers
- SAAS Overview since July 2020
- Overview of Test Administration since July for ELA/Math, Science and Alternate Assessments
- Test Administration Training will be schedule for Science Alternate
- Communication to ADDs and EPAs regarding preparation of all assessments
- Only entity to waive Assessments is the US Department of Education
- BIE is working on a SEA "State" level waiver to US Department of Education. No states have received any waivers to date for Spring 2021.

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Questions?

Chief Academic Officer

Dr. Tamarah Pfeiffer

Tamarah.Pfeiffer@bie.edu

Program Analyst


Dr. Maureen Lesky

Maureen.Lesky@bie.edu

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BIE SPECIAL EDUCATION PROGRAM UPDATES


DR. EUGENE R THOMPSON
 ACTING SUPERVISORY EDUCATION SPECIALIST (SPECIAL EDUCATION)
 BUREAU OF INDIAN EDUCATION
 WEDNESDAY, JANUARY 27, 2021



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INTRODUCTION


- Dr. Eugene R. Thompson (Dine)
- Joined BIE in 2007; Acting Supervisor since January 6, 2020
- Qualifications
 - Career in special education—teaching, administration; 2 years higher education
 - BIE Advisory Board alumni; PCMR
 - Doctorate in Educational Administration and Supervision, Arizona State University



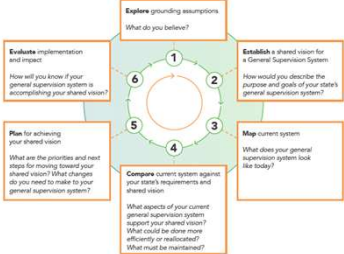

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Feedback on Recommendations Listed in 2020 Annual Report

- Effective and Consistent Implementation of BIE System(s) Workforce Plan
 - Guidance to schools and ERCS to ensure teachers and related service providers are providing services at beginning of school year
 - Three applicants selected—Seattle, Bismarck, Belcourt ERCS
 - Monthly TA calls for ADDs, EPAs, ERC staff, schools
- Coordination of Special Education Services to include effective communication, collaboration, and transparency across the BIE system, other BIA divisions and tribal education departments in support of tribal sovereignty
 - Leveraging general system to improve student outcomes
 - Developing grounding assumptions about general supervision system; foundation for collaborative efforts in general supervision
 - Establishing a shared vision and shared direction across BIE divisions and departments




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Progress on OSEP's Determination Letter


- Reporting exiting data in Specific Conditions
- Cooperative Agreement with WestEd
- Revised milestone in Strategic Performance Management (SPM) to improving secondary transition
- Implement Fiscal Monitoring System
- Collect and Report Data (612, 616, 618)
- Demonstrate Compliance with Secondary Transition Requirements
- Improve Exiting Data
- Ensure Provision of Related Services and Timely Initial Evaluations



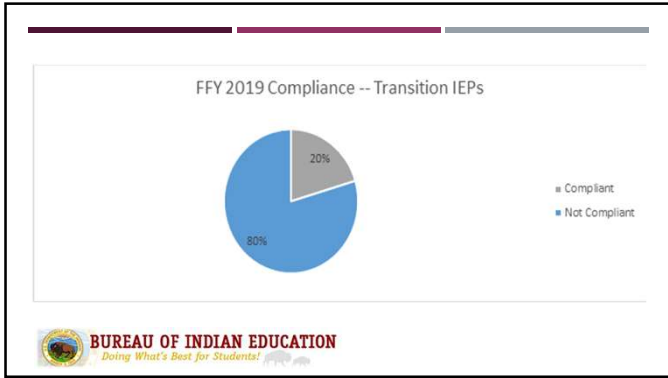
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Update on Improving Secondary Transition

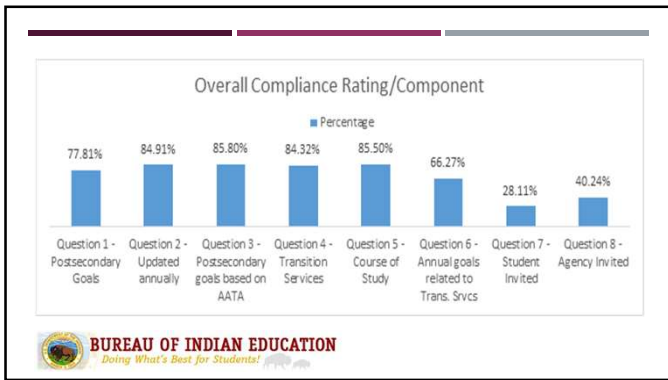
- Cooperative Agreement with WestEd to improve secondary transition
- 338 IEPs reviewed



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- ### Analysis of 338 IEPs Reviewed
- 69 had compliant IEPs
 - 39 had one item out of compliance
 - 115 had two items out of compliance
 - 41 had three items out of compliance
 - 17 had four items out of compliance
 - 19 had five items out of compliance
 - 7 had six items out of compliance
 - 10 had seven items out of compliance
 - 21 had all eight items out of compliance
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General Supervision Systems

A general supervision system consists of the many mechanisms by which states ensure LEAs adherence to IDEA and improved outcomes for children with disabilities.


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- ### Current General Supervision Activities
- State Performance Plan
 - FFY 2019 Annual Performance Report (APR)—due February 1, 2021
 - State Systemic Improvement Plan (SSIP)—due April 1, 2021
 - SPP/APR Clarification period—April 2021
 - Public reporting of assessment data, SY 2018-19
 - Cooperative Agreement with WestEd—improve secondary transition
 - Monitoring
 - Correction of Findings SY 2016-17, SY 2017-18, SY 2018-19
 - Virtual Monitoring SY 2020-21—six schools
 - Begin reviewing SY 2010-21 secondary transition IEPs
 - Differentiated Monitoring & Support (DMS)
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- ### Current General Supervision Activities
- Fiscal Management
 - IDEA Part B allocation to schools
 - IDEA Grant Award Application 2021-22
 - Unmet needs
 - Specific Conditions—fiscal, public reporting, exiting, secondary transition, related services, initial evaluations
 - Data
 - Updating data protocols—616 and 618
 - Data reporting
 - CIID Self-Assessment
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Current General Supervision Activities


- Improvement, Correction, Incentives, Sanctions
 - Secondary Transition corrections SY 2019-20
 - Developed grounding assumptions
 - Identifying strengths, what needs improvement
 - Part of developing a general supervision system
- Targeted Technical Assistance & Professional Development
 - Universal, Targeted, Intensive
 - Monthly technical assistance calls
 - Education Resource Center (ERC) technical assistance



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Current General Supervision Activities


- Policies, Procedures, Implementation
 - Special Education Policy and Handbook—Public Policy Associates, Michigan
- Dispute Resolution
 - State Complaints



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Other


- 3 vacancy selections—Seattle, Bismarck, Belcourt ERCs; other vacancies: Kyle, Flandreau, ABQ
- Website
- Collaboration with OSEP-funded technical assistance providers
 - National Center for Systemic Improvement (NCSI)
 - WestEd
 - IDEA Data Center (IDC)
 - National Technical Assistance Center on Transition (NTACT)
 - Center for IDEA Fiscal Reporting (CIFR)
 - Center for Integration of IDEA Data (CIID)



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TECHNICAL ASSISTANCE TO HIGH SCHOOLS TO IMPROVE SECONDARY TRANSITION

- \$600,000 for 60 high schools for secondary transition activities (i.e., professional development, transition curriculum, transition assessment, virtual learning activities); webinar February 11
- Update the Secondary Transition guidance document
- Start Community of Practice this spring (i.e., forum to share ideas, build capacity of schools)
- Implement an online Learning Management System (i.e., provide modules, online community & forum for teachers and experts)
- WestEd developing questionnaire—virtual engagement of students and staff and parents, advisory board
- Developing general supervision system—monitoring alignment with secondary transition
- Dissemination of weekly NTACT newsletter
- Letter to stakeholders on Wested




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Differentiated Monitoring & Support (DMS)

Seven Findings.


- Lack of established policies and procedures for the implementation of Part B of IDEA;
- Lack of enforcement of compliance with the requirements of IDEA (identification and correction of non-compliance);
- Need to issue annual local determinations;
- Lack of reporting to the public on the performance of each BIE school;
- Lack of implementation of the dispute resolution system; and
- Lack of reporting on the status of the corrective actions imposed by OSEP.



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GAO Investigation Of BIE Special Education


- Report issued
- https://www.gao.gov/products/GAO-20-358?utm_campaign=usgao_email&utm_content=topic_education&utm_medium=email&utm_source=govdelivery



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Seven recommendations:

- 1--Establish consistent requirements for schools on making up missed special education and related services and monitor schools to ensure that they follow these requirements.
- 2--Work with knowledgeable stakeholders in Indian education to establish a community of practice or other formal mechanism to identify and disseminate promising practices for schools— especially those in remote locations—on recruiting, hiring, and retaining special education teachers and contracting with providers. Consider conferring with BIE's special education advisory committee, OSEP, and relevant tribal and state education officials in addressing this recommendation.
- 3--Rescind the policy of its division overseeing tribally controlled schools that does not meet Interior's requirement to annually review all schools' documentation to verify the provision of services for every special education student, and ensure that all divisions comply with this requirement.



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- 4--Update the agency's workforce plan to include a strategy and timeframe for filling vacant staff positions responsible for overseeing and supporting schools' special education programs.
- 5--Fully implement the agency's high-risk monitoring policy for IDEA and other federal education programs, including requirements for agency-wide coordination, and ensure that schools selected for such monitoring receive reports and technical assistance plans within 30 days of agency on-site visits, as required by BIE policy
- 6--Establish special education training requirements for staff in the agency's Education Resource Centers who are responsible for supporting and overseeing schools' special education programs, and ensure that staff complete those training requirements
- 7--Ensure that all of the agency's Education Resource Centers conduct outreach with schools to inform them of their new roles in overseeing and supporting schools' special education programs under BIE's reorganization.



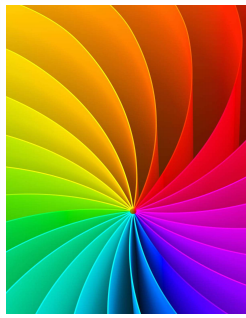
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Specific Conditions—SY 2020-2021

- Implement Fiscal Monitoring System
- Collect and Report Data (612, 616, 618)
- Demonstrate Compliance with Secondary Transition Requirements
- Improve Existing Data
- Ensure Provision of Related Services and Timely Initial Evaluations

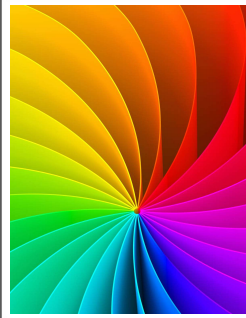


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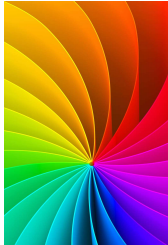
ADD SPECIAL EDUCATION PROGRAM REPORT

Navajo Region
TCS and BOS
January 28, 2021



NAVAJO REGION SPECIAL EDUCATION SUPPORTS AND SERVICES

Karen Malone, Associate Deputy Director, Acting
Erinly Arviso, Special Assistant
Evangeline Bradley-Willinson, Ed. Spec. Special Education Coordinator, Acting
Carnie Witalsonigie, Ed. Specialist-Special Education
John McIntosh, Education Program Administrator, BOS - New Mexico
Dr. Edie Morris, Education Program Administrator, BOS - Arizona and Utah
Charles Sherman - Education Program Administrator, Acting, -TCS - NM
Deloria Chapa, Ed. Specialist - School Improvement, Crownpoint, NM ERC
Dr. Regina Betsa, Ed. Specialist - School Improvement, Crownpoint, NM ERC
Dr. Wynora Bcdis, Ed. Specialist - School Improvement, Shiprock, NM ERC
Dr. Leo Johnson, Ed. Specialist - School Improvement, Shiprock, NM ERC
Victor Benally, Ed. Specialist - School Improvement, Chinle, AZ ERC
Elissa Najlah-Salk, Ed. Specialist - School Improvement, Chinle, AZ ERC
Veronica Klain, Ed. Specialist - School Improvement, Tuba City, AZ ERC
Pamela Mason, Ed. Specialist - School Improvement, Window Rock, AZ ERC
Aundia Shorty, Ed. Specialist - School Improvement, Window Rock, AZ ERC

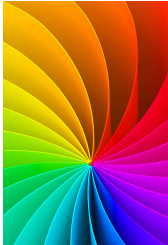


Vision

The Bureau of Indian Education is the preeminent provider of culturally relevant educational services and supports provided by highly effective educators to students at BIE - funded schools to foster lifelong learning.

Mission

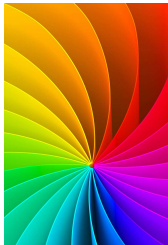
The mission of the BIE is to provide students at BIE-funded schools with a culturally relevant, high-quality education that prepares students with the knowledge, skills, and behaviors needed to flourish in the opportunities of tomorrow, become healthy and successful individuals, and lead their communities and sovereign nations to a thriving future that preserves their unique cultural identities.



Core values

BIE employees carry out the mission to achieve the vision through guiding organizational principles underpinning how the work of the BIE is successfully accomplished.

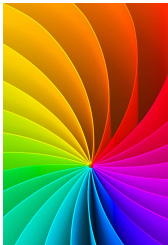
- **Excellence:** the BIE achieves success through continuous self-assessment and improvement.
- **Focus:** the BIE is student-centered, a commitment to addressing the holistic needs of students.
- **Integrity:** the BIE maintains high standards of character and professionalism as the foundation upon which the agency is built.
- **Respect:** the BIE fosters communities of support through mutual regard and collaboration.
- **Service:** the BIE supports students through proactive and responsive teamwork with schools, tribes, and communities.



Navajo Region Schools Current Status of BIE Special Education Program

Areas of Concern/Refinement:

- Refine Monitoring Process to ensure Program Compliance
- Develop or update procedures aligned to the IDEA regulations
- Ensure Resources are available for Administration, Teachers and Parents: Updated Special Education Processes and Procedure Manual; Updated guidance documents and handbooks
- Professional Development:
 - School level: Administration, Teachers, Support staff, and parents
 - District level leaders: Education Program Administrators, Education Specialist-Special Education and Education Specialist-School Improvement
 - Establish Consistency to ensure Effective Implementation of Special Education Supports and Services



Navajo Region Schools Current Status of BIE Special Education Program

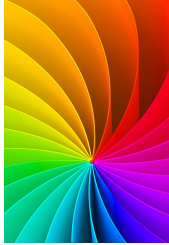
Areas of Concern/Refinement:

- Recruit and Retain Qualified and Effective Special Education staff: Teachers, Paraprofessionals and Related Service(s) Personnel
- Some Parents/Guardians prefer not to send their child to school for face-to-face instruction due to safety issues regarding COVID 19

Navajo Region Schools
Current Status - BIE Special Education Program

Strengths:

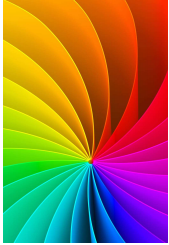
- Staff commitment
- Hard-to-fill positions are filled through contracts or a Cooperative Agreement Unit (CAU)
 - 14/17 NM BOS Schools receive CAU Services for Speech and Language Therapist, Occupational Therapist, Counseling, and others.
 - 5 AZ BOS receive CAU services for Special Education Coordinators
 - 13 NM TCS receive CAU services from Clinical Psychologists, School Psychologists, Physical Therapy Assistant, Occupational Therapist, Occupational Therapist Assistant, Adaptive Physical Education, and Speech and Language Pathologist.



Navajo Region Schools
Current State of BIE Special Education Program

Strengths:

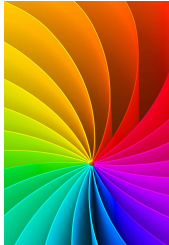
- (Continue) Hard-to-fill positions are filled through contracts or a Cooperative Agreement Unit (CAU)
 - The NM BOS and NM TCS EPAs meet with Principals re: CAU Services;
 - An EPA facilitates meetings with principals and CAU staff
 - CAU services provide documentation and submit monthly service/contact logs
- Current Staff
 - 13/17 NM BOS are fully staffed with special education teachers, paraprofessionals and related services. - Need 4 teachers
 - 13/15 AZ BOS are fully staffed, Need 2 teachers



Navajo Region Schools
Current State of BIE Special Education Program

Strengths:

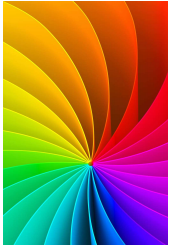
- Positive communication and rapport with EPAs, District Staff and Education Specialist-Special Education and the Acting, Education Specialist-Special Education Coordinator
- Support from EPAs, ADD as well as colleagues from ERCs: Crownpoint, Shiprock, Chinle, Tuba City and Window Rock
- Address Outstanding Corrective Action by schools through collaboration that includes support and technical assistance
- EPAs and Ed. Specialists provided TA for schools regarding the Financial Review Corrective Action Plans, (FRCAP)



Navajo Region Schools
Current State of BIE Special Education Program

Strengths:

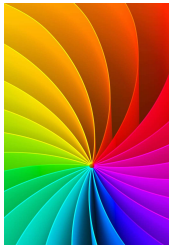
- EPAs and Acting ADD meet monthly with DPA, Dr. Thompson to network and provide updates on select schools, i.e., compensatory services
- Identify, review, and/or update existing and DRAFT guidance documents, procedures, plans, etc.



Navajo Region Schools
Current Status of BIE Special Education Program

Strengths:

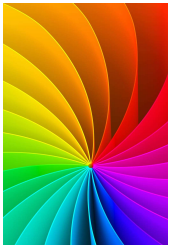
- **DRAFT** Navajo Schools – Implementation Action Plan for Special Education Program by previous Education Specialist-Special Education Coordinator and current Education Specialist-Special Education.
- Communication and collaboration with Acting Supervisory Education Specialist-DPA
- Guidance from Acting Supervisory Education Specialist-DPA on issues of concern and compliance



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

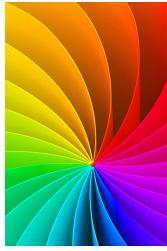
- ADD District support staff provide support, technical assistance, and collaboration with BOS and TCS within the Navajo District to develop capacity
 - Acting Education Specialist-Special Education Coordinator
 - Education Specialist-Special Education, and Education Program Administrators
 - Education Resource Center – Education Specialist-School Improvement (depending on experience, knowledge and qualifications with Special Education)



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

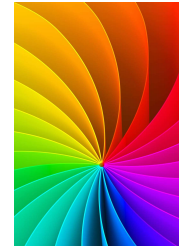
- All Special Education related information, including COVID-19 Guidance received from OSEP, DPA, CDC, ADD and Supervisory Positions are routed to the schools with Special Education Program Staff and Education Program Administrators.
- Special Education related concerns are shared and discussed with ADD then collaboratively addressed with the schools.
- The Education Specialist – Special Education is consulted and provides support to schools as needed RE: issues/concerns regarding IEP Services, Evaluations, Annual Updates and the general education services (modifications/accommodations re: instruction)



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

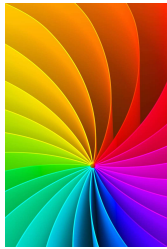
- Other agencies/Offices are consulted such as DPA in matters regarding parent complaints, concerns.
- Potential or legal concerns are addressed and may include, ADD, DPA, Solicitor and Education Specialist – Special Education, Education Specialist – Special Education Coordinator, and School Administration
- Professional Development is provided by the Education Specialist- Special Education, and if applicable Education Program Administrator upon request by schools or if it is determined there is a need.



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

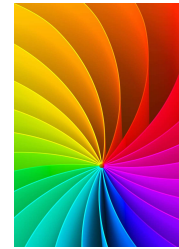
- Parent Involvement Committees at school sites have requested training regarding IEPs, Specific Services, and the timeliness in evaluations.
- On site training was provided until the pandemic occurred. Virtual Training will be developed and provided in collaboration with school leadership.
- Fiscal and budgetary support and guidance is conducted virtually with principal, business managers, and special education teachers at each school, based on weekly/monthly review of submissions in Indistar/Native Star.



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

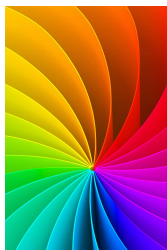
- Education Program Administrators (EPA) collaborate with BOS and TCS Principals in AZ and NM and one Utah School within the Navajo District to develop capacity
- EPAs provide support to BOS and TCS regarding schools that have a Cooperative Agreement Unit (CAU) for related service providers and ensure parent participation (contact parents), prior written notice, current IEPs, evaluations, delivery of related services per IEP, provision of resources and instructional supplies for student services.
- AZ TCS are supported by the AZ CAU and contractors for related services.
- EPAs provide information to AZ TCS on the availability of special education technical support.
- Support to the AZ TCS include updates on special education, related services, and other topics



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

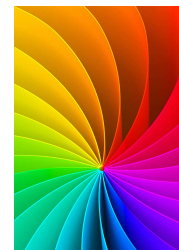
- The ISEP review process identifies and supports areas of special education. Technical Assistance (TA) is provided by EPAs.
- Each school's Needs Assessment and School Improvement Planning process identify areas regarding Special Education.
- EPAs review the School Improvement plans in coordination with the Education Specialist-School Improvement. Financial Reviews are also supported with TA.
- EPA and Principal Sessions provide discussion and coaching on Instructional Practices for all students.
- Collectively these processes provide for building capacity.



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

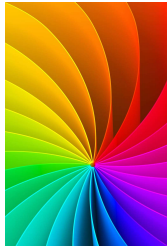
- Guidance is provided to develop the capacity for school leaders on Special Education issues such as record keeping in NANSIS, Indistar/Native Star documentation, developing IEPs, service provider contracts, Part B applications, parent notices, timelines, etc. to support program compliance.
- Resources and direction are provided to support schools regarding possible special education legal issues including state complaints, communication, documentation, and next steps to address these issues.
- Ongoing communication and support for school leaders on monitoring the school's special education program include uploading Special Education documents into Indistar/Native Star: Budgets, assurances, LSPPs, etc. to further develop the capacity of school leadership.



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

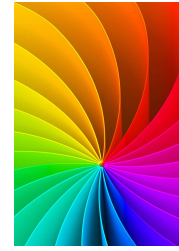
- Education Resource Specialist – School Improvement (ES-SI) provide additional support and technical assistance to TCS and BOS within the Navajo District based on their knowledge and expertise.
- Support and Technical Assistance include consultation and collaboration directly with school leadership and instructional staff and support staff on best practices.
- The Special Education staff at schools are included in educational resources shared with Principals by ES-SIs.
- ES-SI support all staff (general and special education) with school-based programs such as intervention programs to ensure effective implementation and develop capacity.



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

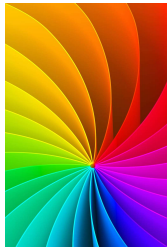
- ES-SI participate in PD provided by school program consultants in order to provide support to teachers to further develop capacity for effective program implementation.
- ES-SI provide support to SPED teachers regarding staff Social-Emotional Learning needs
- ES-SI Consult with EPAs about concerns regarding instructional delivery in face-to-face setting.
- ES-SI Develop technology skills to develop school staff capacity and provide virtual learning PD in areas such as: Google Classroom, Google Meets and refresher on PLCs that include the Special Education staff.
- ES-SI collaborate with Education Specialist-Special Education to address special education issues



Navajo Region Schools

How is the ADD developing the capacity within the ERCs in their region to ensure special education services are being adequately supported?

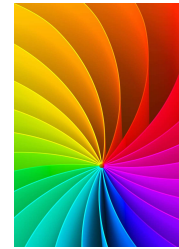
- ES-SI support School Leadership and Special Education staff to develop the capacity to use Indistar/Naive Star to complete:
 - The Local Education Agency (LEA) School's IDEA 2004 Part B Application process
 - Indicator 11 – Desk Audit Form for Special Education- Initial Evaluations
- Consult and Collaborate with Education Specialist – Special Education and Education Specialist – DPA for support and to increase their knowledge and understanding of special education processes to support schools through teleconferences, virtual meetings, and emails.



Navajo Region Schools

Provide an update about the Return-to School Plans and how are special education services supported in the plans?

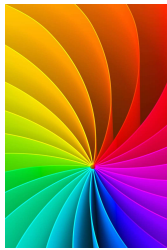
- All Return to Learn Plans were vetted by a Rubric for Model, Instruction, Safety, Communication, and Support Services with support and technical assistance provided by the EPAs.
- The special education section within Instruction identified:
 - How each school would serve students for instruction;
 - How the Learning Management System would support students, the instructional design, assessment, communication;
 - How the school would ensure timely evaluation and child-find services would be implemented.
- The Return to Learn Plans were measured against an additional rubric for the Waiver process, where revisions were required, these documents were return for revision to meet the rubric criteria.



Navajo Region Schools

Provide an update about the Return-to School Plans and how are special education services supported in the plans?

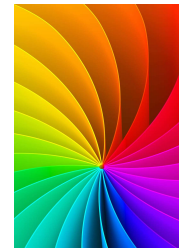
- All schools have three Return-to-Learn Plans for Distance, Hybrid, and Face to Face learning.
- In addition, the plans identified special education and vulnerable students, to provide the opportunity to receive instruction on campus with teachers with all safety protocols in place.
- The Return-to-School plans provide special education services in accordance with the child's IEP either in virtual learning or face-to-face at the school facility, if it was in the best interest of the student.
- Parents were informed of the opportunity to bring their child to the school facilities if that was their preference. Most parents preferred to keep their child at home due to safety precautions.



Navajo Region Schools

Provide an update about the Return-to School Plans and how are special education services supported in the plans?

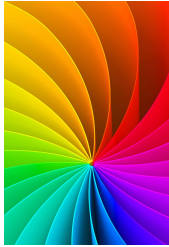
- Each plan has specific safety procedures/protocols aligned to the CDC guidelines to ensure all students and staff are safe while on campus.
- The plans have the safety procedures and protocols of how special education students will receive services on campus which includes: wearing face masks/PPE, social distancing, shields between teacher and student, walking into the school and classroom, exiting the building, etc.
- The plans also include how 504 services will be provided at the school.
- There may be slight variations of the procedures due to campus configurations.



Navajo Region Schools

Provide an update about the Return-to School Plans and how are special education services supported in the plans?

- Each plan also addresses the Special Education program and services and describes how the Special education services will be provided including:
 - Special education teacher or the General Education teacher (per the IEP) provide services through various avenues including calling the students
 - Online instruction, or face to face instruction when students come on campus is provided.
- Each plan describes how Related services such as PT, OT, etc. are also provided to the students in a similar manner.

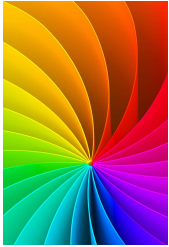


Navajo Region Schools

Provide feedback about the recommendations as listed in the 2020 Annual Report as it relates to each ADD region (ADD level, ERC's, schools).

Effective and Consistent Implementation of BIE System(s)
Workforce Plan:

- The BIE Navajo District supports the recommendations provided by the Advisory Board.
- The BIE Navajo District continues to support schools in the effective and consistent implementation of Special Education services to students implementing strategies to address student needs, such as contracting with service providers and using CAUs for hard-to-fill positions. CAU's may need to include Special Education Teachers
- Recommendation to develop recruitment and retention strategies at the school level for qualified and effective special education staff

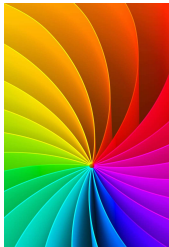


Navajo Region Schools

Provide feedback about the recommendations as listed in the 2020 Annual Report as it relates to each ADD region (ADD level, ERC's, schools).

Effective and Consistent Implementation of BIE System(s)
Workforce Plan:

- Provide support and technical assistance with TCS and BOS to develop capacity and increase special education personnel using funds that support grow-your-own programs
- Provide support and technical assistance to develop the capacity of school staff, ERCs to ensure accountability and compliance through professional growth and learning opportunities
- Establish communication with tribal and higher education entities to develop grow-your-own special educators

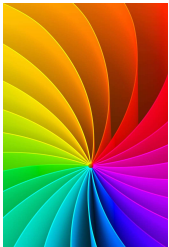


Navajo Region Schools

Provide feedback about the recommendations as listed in the 2020 Annual Report as it relates to each ADD region (ADD level, ERC's, schools).

Coordination of Special Education Services to include effective communication, collaboration, and transparency across the BIE system, other BIA divisions and tribal education departments in support of tribal sovereignty.

- Establish communication with Navajo Nation Department of Dine Education to increase collaboration to support tribal sovereignty

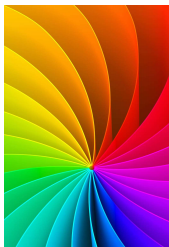


Navajo Region Schools

How has the ADD office (Navajo, BOS, TCS) addressed their areas of responsibilities as it relates to the recommendations listed within the GAO report?

Recommendation 1: The Director of BIE should establish consistent requirements for schools on making up missed special education and related services and monitor schools to ensure that they follow these requirements.

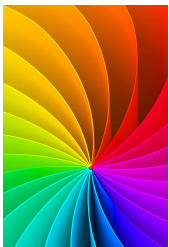
- Schools have been documenting missed special education and related services to ensure the services that are missed are addressed.
- Processes and procedures to ensure compliance will be addressed.
- A monitoring process will be developed and/or provided to ensure missed services are documented and addressed.



Navajo Region Schools

Recommendation 2: The Director of BIE should work with knowledgeable stakeholders in Indian education to establish a community of practice or other formal mechanism to identify and disseminate promising practices for schools—especially those in remote locations—on recruiting, hiring, and retaining special education teachers and contracting with providers. The Director of BIE could consider conferring with BIE's special education advisory committee, OSEP, and relevant tribal and state education officials in addressing this recommendation.

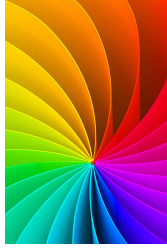
- The Navajo District has provided professional learning to to develop and effectively implement Professional Learning Communities with EPAs and ERCs and School leaders that focus evidence-based practices.



Navajo Region Schools

Recommendation 3: The Director of BIE should rescind the policy of its division overseeing tribally controlled schools that does not meet Interior's requirement to annually review all schools' documentation to verify the provision of services for every special education student and ensure that all divisions comply with this requirement.

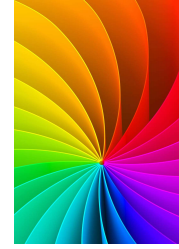
- Continue to ensure that special education services are provided at tribally controlled schools and provide support and technical assistance.



Navajo Region Schools

Recommendation 4: The Director of BIE should update the agency's workforce plan to include a strategy and timeframe for filling vacant staff positions responsible for overseeing and supporting schools' special education programs.

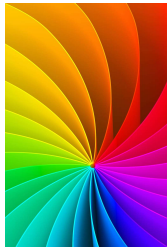
- The District supports schools and to ensure vacant positions are advertised and positions are filled with qualified and effective staff.



Navajo Region Schools

Recommendation 5: The Director of BIE should fully implement the agency's high-risk monitoring policy for IDEA and other federal education programs, including requirements for agency-wide coordination, and ensure that schools selected for such monitoring receive reports and technical assistance plans within 30 days of agency on-site visits, as required by BIE policy.

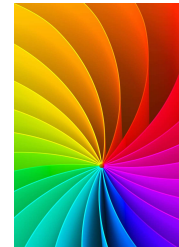
- The District provides support and technical assistance to schools that will be monitored.



Navajo Region Schools

Recommendation 6: The Director of BIE should establish special education training requirements for staff in the agency's Education Resource Centers who are responsible for supporting and overseeing schools' special education programs and ensure that staff complete those training requirements.

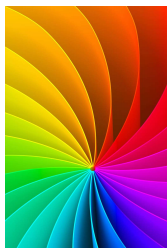
- The District currently has a DRAFT Special Education Action Plan that will be reviewed for stakeholder input and includes a special education professional development plan.



Navajo Region Schools

Recommendation 7: The Director of BIE should take steps to ensure that all of the agency's Education Resource Centers conduct outreach with schools to inform them of their new roles in overseeing and supporting schools' special education programs under BIE's reorganization.

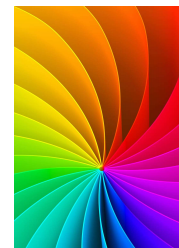
- The District will take steps to ensure that all of the agency's Education Resource Centers conduct outreach with schools to inform them of their new roles in overseeing and supporting schools' special education programs.



Navajo Region Schools



Questions are the path to learning



Bureau of Indian Education Advisory
Board for Exceptional Children
January 28, 2021

Special Education Report

Associate Deputy Director
Bureau Operated Schools
Special Education Programs

ADD Region - Bureau Operated Schools

Hankie Ortiz
Associate Deputy Director
Bureau Operated Schools

Hankie.Ortiz@bie.edu
Office: (505) 563-5257; Cell: (505) 377-5257

ADD BOS Education Specialists: Curriculum, Instruction,
and Assessment; Language, Culture and History;
Residential Life Program; Special Education Program

Education Resource Centers

Albuquerque Resource Center

Dr. Tracia Jajola – Tracia.Jajola@bie.edu

Phoenix Resource Center

Dr. Maxine Roanhorse-Dineyazhe – Maxine.Roanhorse-din@bie.edu

Belcourt Resource Center

Casey Sova – Casey.Sova@bie.edu

Pine Ridge Resource Center

Lora Braucher – Lora.Braucher@bie.edu

22 Schools (7 High Schools; 4 Off Reservation Boarding Schools; and 1 Dormitory-Only)

Request from the BIE Advisory Board
to report on the following:

- 1. How is the ADD developing the capacity within the ERCs in their region to ensure special educational services are being adequately supported?
- 2. Provide an update about *Return to Learn* plans and how are special education services supported in the plan?
- 3. Provide feedback about the recommendations as listed in the 2020 *Annual Report* as it relates to each ADD region.
- 4. How has the ADD office addressed their areas of responsibilities as it relates to the recommendations listed within the *GAO Report*?

1. How is the ADD developing the capacity within the ERCs in their region to ensure special educational services are being adequately supported?

The ADD BOS Special Education Program is organized to ensure the implementation of the IDEA

- Collaboration with the SEA/DPA, EPAs/ERCs and LEAs/Schools
 - Division of Performance and Accountability (DPA)
 - Attends all trainings provided by the DPA.
 - Provides technical assistance to school on GAO Audit Findings - Corrective Action Plan.
 - Provides technical assistance to school in litigation.
 - Presents to the BIE Advisory Board for Exceptional Children.
 - Is a team member of the BIE Strategic Direction, Goal 4 Team - All students will graduate high school ready to think globally and succeed in postsecondary study and careers.

- The Education Specialist for Special Education works in collaboration with the Education Program Administrators (EPA) and the School Improvement Specialists at the Education Resource Centers (ERCs); and the School Principals and the School Special Education Coordinators.
- Technical Assistance and Consultation
 - Weekly ADD-BOS meetings with the EPAs
 - ISEP Special Education Audit Workgroup
 - Fiscal Financial Reviews
 - Special Education Indicator Performance for BIE Schools

School Self Assessment (School Special Education Program)

- Purpose is to assist the school to evaluate their implementation of the Individuals with Disabilities Education Act (IDEA) by reviewing strengths and challenges and to utilize the strengths to improve the school special education program.
- Review of data from school financial reviews, School Part B Applications, BIE Secondary Transition Initiative (if a high school), Local School Performance Plans, School Level of Determination and ISEP Special Education Review.
- On-site review of the school special education program.
- Special Education Program Review Tool

Consultation – provide professional or technical advise

- COVID 19 and special education services
- FERPA and educational records
- IDEA/Section 504 and residential programs
- Individual Education Programs (IEPs), Free Appropriate Public Education
- Related Services
- Least Restrictive Environment
- Compensatory Services
- Parent Rights
- Disability specific information

Tiered Technical Assistance (TA)

- **Universal** Technical Assistance – Provided to all Schools
 - Information from various sources is shared with all schools
 - DPA
 - Office of Special Education Programs (OSEP)
 - OSEP Funded Technical Assistance Centers
 - Office of the Chief Academic Officer
 - Office of the 504 Program Director
 - All schools have access to the LRP Special Connections
 - Financial review follow-up with schools
 - BIE School Operations holds quarterly financial reviews with individual schools
 - Local School Performance Plans

- **Targeted** Technical Assistance -Provided when specific special education concerns develop.
 - High Risk Fiscal and Programmatic Monitoring
 - Special Education Indicator Performance for BIE Schools
 - Parent concern may develop and TA is requested
 - School needs assistance with a student's program
 - EPA requests assistance
 - DPA requests assistance with a school's special education program
 - A parent files a complaint regarding their student's special education program

- **Intensive** Technical Assistance -Provided when a school is in need of long-term assistance and often TA is provided in the context of collaborating with other agencies
 - Monitoring or audit results show school is in need of substantial assistance
 - Referral from the ADD; EPA; DPA - Special Education
 - School Level of Determination shows school is in need of substantial assistance (Level 3 or 4)

2. Provide an update about *Return to Learn* plans and how are special education services supported in the plans.

Review of Reopening Plans

The schools developed *Reopening Plans* using guidance, *Review of Reopening Plans Checklist**, provided by the Chief Academic Office and the schools provided periodic updates to their plans. Some of the indicators included the following and for this report, feedback is provided on the **Special Education** indicator included in the *Return to Learn Plans*.

*Please request a copy from Jennifer Davis she will be provided a copy of the document.

- Learning Management System
- Attendance Policy
- Social Emotional Learning
- Food Service
- Diagnostic-NWEA, Odyssey ware, I-Ready, etc.
- Homework and Intervention
- Parent Communication
- 504 Plans
- **Special Education Services**
- Cohorts
- Standards
- Personnel Support
- Grading Process
- Transition between Brick & Mortar/ Distance/Hybrid/Alternative
- Class Schedules
- Instructional Time per Grade
- Safety and Cleaning – Measures
- Bus and Transportation – Measures/Procedures
- Professional Development Days
- Residential – Measures/Procedures

Summary of items addressed in the Plans

- Schools identified virtual service delivery platforms (Google Classroom, Odyssey Ware, Zoom, Cell Phone, and, if necessary, Hard Copy Packets).
- The Plans described the implementation of the IEP including related services and secondary transition services (for students 16+ years of age).
- A description of identifying or providing Compensatory Services was included.
- Schools described how they will continue special education meetings (IEP, meetings with parents, annual reviews)
- Schools described how they are providing parent support.
- Schools mentioned Child Find activities (Student Assistant Team, Child Find).
- Included were description of both, appropriate staff support and Service Logs.

Not Mentioned or Mentioned in a few of the Plans:

- Progress Monitoring
- Evaluations
- Attendance
- Assessment
- Accommodations
- Amended IEPs
- Extended School Year Services

Supports provided:

- It was apparent that one ERC developed a template that was used by the schools and as a group they included descriptions on meeting Free Appropriate Public Education and other statutory requirements via distance learning.
- Technology (laptops, chrome books, jet packs, hot spots) were made available to students with disabilities. Majority of the schools are using Google Classroom, Google Meets, Zoom, Teleconference Calls to deliver instruction, services and conduct meetings.
- School special education staff were included in the school-wide training on learning platforms and the school's learning management system.
- ADD-BOS and EPA meetings held one to two times a week to provide and discuss guidance including guidance from Senior Leaders.
- Provided to the schools were: US Department of Education guidance documents; and the Dear School Leader Letter dated June 11, 2020 from the Acting ADD-DPA.
- To ensure school questions will be addressed, questions were solicited to share with DPA – Special Education prior to their technical assistance webinar on Compensatory Education/Services.

3. Provide feedback about the recommendations as listed in the *2020 Annual Report* as it relates to each ADD region.

Recommendation 1: Effective and consistent implementation of BIE system(s) workforce plan.

- In response to the recommendations, there are two major BIE systems that address the recommendations and the alignment of the two systems should improve the BIE special education program:
 - **BIE Strategic Direction** – Based on Tribal Consultation and has BIE-wide input in development (document available at: www.bie.edu)
 - Before July 1 of each year, the BIE evaluates its previous year's progress and adjusts the Strategic Direction. The adjustment could include adjusted planned milestones for upcoming year, as necessary; identify necessary additional actions to complete milestones; and establish subsequent yearly milestones to support and expand existing work and identify new initiatives where necessary.
 - The mid-cycle status update during Year Three is an opportune time to align the Strategic Direction and BIE Special Education General Supervision system.

- State Education Agency for Special Education is the Division of Performance and Accountability that has the charge of development and implementation of a **General Supervision** system.
- Excellent resources, please request the following documents from the DPA Acting Supervisory Education Specialist, Special Education:
 - *Leveraging General Supervisions to Improve Student Outcomes: A Process Guide for IDEA Part B (2018 WestEd)*
 - *Developing and Implementing an Effective System of General Supervision: Part B (January 2007)*

- It is critical that all DPA-Special Education vacancies are filled to ensure the effective implementation of a general supervision system based on the eight components of general supervision*. The eight components include the following:
 - State Performance Plan
 - Policies, Procedures and Effective Practices
 - Effective Dispute Resolution
 - Data on Processes and Results
 - Integrated Monitoring Activities
 - Targeted Technical Assistance and Professional Development
 - Improvement, Correction, Incentives, and Sanctions
 - Fiscal Management and Accountability
- *Developing and Implementing an Effective System of General Supervision: Part B (January 2007)

Specific recommendations:

- A. Initiate timely processes for recruitment, employment and retention of qualified personnel aligning with the school calendar to ensure positions are filled at the start of the school year across the BIE system, including expanded utilization of virtual delivery systems.
 - BIE Strategic Direction: Goal 3 – All students will develop the knowledge, skills, and behaviors necessary to progress successfully through schools and be prepared for postsecondary education and/or career opportunities.
 - Strategy 3.1 – Recruitment for Principals, Teachers, and Staff
 - Strategy 3.2 – Develop and mentor Principals, Teachers and Staff
 - *Footnote – Requires identifying funding source and coordination with BIE Human Resources.

- BIE Strategic Direction: Goal 6 – All students will benefit from an education system that is effective efficient, transparent, and accountable.
 - Strategy 6.1 – Employee System of Support
 - Strategy 6.2 – Data-Driven Decision-Making
 - Strategy 6.3 – Communication
 - Strategy 6.4 – Accountability

- Of the eight components of the DPA General Supervision system, several are not developed or if developed are minimally implemented:
- As an example, the component directly impacting this recommendation is:
 - Policies, Procedures, and Effective Practices (in draft since 2012)
 - The LEAs (schools) have policies and procedures that align with DPA-Special Education Policies and Procedures, such as, personnel are adequately and appropriately prepared could be addressed in the document.

B. Ensure the BIE works to implement effective and efficient recruitment and training of special educators and related service providers. To assist in this effort, the BIE is asked to work with existing Native American educator preparation programs that can be leveraged to increase the number of special education professionals. We also recommend that school personnel have opportunities to participate in relevant, high quality professional development programming.

- BIE Strategic Direction: Goal 3
 - Strategy 3.6 -Personal Competencies
 - Strategy 3.8 -School Improvement
- BIE Strategic Direction: Goal 5 -All students will develop the knowledge, skills, and behaviors needed to lead their sovereign nations to a thriving future through self-determination
 - Strategy 5.1 -Native Language and Culture
 - Strategy 5.2 -Educational Self-Determination
 - Strategy 5.3 -Support Tribal Education Capacity Building
 - Strategy 5.4 -Student Sovereignty
- BIE Strategic Direction: Goal 6

General Supervision Components

- As an example, the components directly impacting this recommendation are:
 - State Performance Plan (SPP) – Indicators address compliance and positive outcome for students with disabilities; schools have the opportunity to address in their Local School Performance Plans that are developed yearly to align with the BIE SPP yearly indicator goals and could include actions addressing training and TA needs.
 - Policies, Procedures, and Effective Practices
 - Targeted Technical Assistance and Professional Development: TA can be implemented at various levels via webinars; guidance documents; coaching; mentoring; trainer of trainers; local, regional, and/or BIE-wide meetings and conferences. Direct training and/or utilizing other resources (OSEP funded TA Centers).
 - Fiscal Management and Accountability: Schools have opportunity to develop school budgets to include professional development and training appropriate for the school.

C. Develop an equitable system for funding, staffing and procurement across Bureau Operated, Tribally Control, and Navajo schools to fill the support positions (ADD level, ERC level, etc.) needed to provide focused and meaningful special education technical assistance to all schools as reflected in the reorganization.

- BIE Strategic Direction: Goal 3
 - Strategy 3.2: Develop and mentor Principals, Teachers and Staff.
 - Strategy 3.6: Personal Competencies
- BIE Strategic Direction: Goal 6
 - Strategy 6.1 -Employee System of Support
 - Strategy 6.2 -Data-Driven Decision-Making
 - Strategy 6.3 -Communication
 - Strategy 6.4 -Accountability

Fill vacancies at the DPA – Special Education to ensure the effective implementation of a general supervision system. ADDs, ERCs and schools are not benefiting from the general supervision system that is currently in place at the DPA. Develop and implement the general supervision system to align with the reorganization.

- State Performance Plan
- Policies, Procedures and Effective Implementation
- Effective Dispute Resolution
- Data on Processes and Results
- Integrated Monitoring Activities
- Targeted Technical Assistance and Professional Development
- Improvement, Correction, Incentives and Sanctions
- Fiscal Management and Accountability

D. Build the capacity of special education personnel at the Division of Performance and Accountability, ERC and school levels to facilitate compliance and performance accountability. Personnel hired at those levels need to be fully certified/licensed and experienced in special education.

- BIE Strategic Direction
 - Goal 3
 - Goal 5
 - Goal 6
- Fill vacancies at the DPA – Special Education to ensure the effective implementation of a general supervision system. ADDs, ERCs, and schools are not benefiting from the DPA general supervision system that is currently in place.

E. Develop and update job categories, standards and descriptions for all special education and related service positions to ensure that personnel hired are full certified/licensed and experienced in special education and/or related service fields.

- BIE Strategic Direction
 - Goal 3
 - Goal 5
 - Goal 6
- Fill vacancies at the DPA – Special Education to ensure the effective implementation of a general supervision system. ADDs, ERCs, and schools are not benefiting from the current DPA general supervision system.

Recommendation II: Coordination of Special Education Services to include effective communication, collaboration, and transparency across the BIE System, other BIA divisions and tribal education departments in support of tribal sovereignty.

Specific recommendations:

- A. Encourage and support interagency communication and collaboration between the BIE special education system and Tribal Education Departments.
- B. Clarify roles and responsibilities of BIE staff, departments and regions to ensure appropriate special education programs and services for students with disabilities.
- C. Increase direct community participation from all stakeholders across the BIE system.
- D. Develop/revise and implement the plan of coordination of the IDEA statute.
- E. Finalize and adopt the BIE Special Education Policy and Procedures.

- In response to recommendation II including the specific recommendations, there are two major BIE systems that address the recommendations, it is imperative to align the two systems:
 - **BIE Strategic Direction**
 - State Education Agency for Special Education is the DPA – Special Education that has the charge of development and implementation of an effective **General Supervision System** based on eight components.

4. How has the ADD office addressed their areas of responsibilities as it relates to the recommendations listed within the GAO Report.

GAO Report, GAO-20-358
Actions Needed to Ensure Students with Disabilities Receive Special Education Services – Seven Recommendations and BIE's Response:
 Concur

Recommendation 1: The Director of BIE should establish consistent requirements for schools on making up missed special education and related services and monitor programs including ISEP and IDEA.

BIE Response: Concur

High-Risk Oversight Policy and Handbook: oversight and management of its federal programs including ISEP and IDEA

- Refine the guidance provided by its special education subject matter experts in a manner that ensures consistent guidance is provided regarding missed special education related services. The BIE anticipates that it will fully implement such reforms in the near future in the form of formally published guidance to its special education procedures

ADD BOS Actions

- Under the leadership of DPA – Special Education, Education Specialist has assisted the schools with correction, schools developed and implemented plan to compensate students for missed services inclusive of ensuring related services contracts are awarded.
- Meetings are held with school leadership and special education coordinator to ensure all compensatory services are provided and documented.
- ERC staff ensure all school related services contracts for special education are current and students are provided the related services identified on their IEPs
- Requested IA from DPA to recommend a process to identify, document compensatory services resulting from school closure due to the prevention of COVID-19 and ensure process is available for schools to demonstrate accountability that services are made up.

- Recommendation 2: The Director of BIE should work with knowledgeable stakeholders in Indian Education to establish a community of practice or other formal mechanism to identify and disseminate promising practices for schools. Especially those in remote locations, on recruiting, hiring, and retaining special education teachers and contracting with providers. The Director of BIE could consider conferring with BIE's special education advisory committee, OSEP, and relevant tribal and state education officials in addressing this recommendation.
- BIE Response: Concur
- The BIE has published a Strategic Workforce Plan. In the last three years, the BIE has successfully increased its internal human capital capabilities in terms of recruitment, retention and professional development. BIE will work collaboratively with all of its special education stakeholders as it continues to build upon these and other human capital improvements.

ADD BOS Actions

- ADD BOS staff are BIE Strategic Direction team members on Goal 2, Goal 3, Goal 4, and Goal 6. Various BOS staff attend the monthly meetings to provide updates and are informed of the information presented on each of the goals, strategies, and milestones.
- On July 7, 2019, Education Specialist, Special Education presented at the 2019 BIE Regional Training (last regional training held) on BIE Special Education Recruitment and Retention.
- Education Specialist, Special Education attended the OSEP Symposia Series, 2020 OSEP National Summit on Attract, Prepare, Retain. These symposia highlighted current research on this topic and explored promising practices that are making a difference in programs, districts, and States.

- Recommendation 3: The Director of BIE should rescind the policy of its division overseeing tribal-controlled schools that does not meet Interior's requirement to annually review all schools' documentation to verify the provision of services for every special education student, and ensure that all divisions comply with this requirement.
- BIE Response: Concur
- BIE is currently reviewing all its current special education policies and procedures. The BIE anticipates to have an updated, comprehensive special education policy and handbook in the coming months. Draft is expected in early Summer.

ADD BOS Actions

- ADD BOS annually reviews all schools' documentation to verify the provision of services for every special education student.
- ADD BOS staff are in process of redesigning the ISEP Audit. The outcome is to have a consistent format and training throughout the BOS Region.
 - The Education Specialist, Special Education facilitates the ISEP Special Education Certification Workgroup.

- Recommendation 4: The Director of BIE should update the agency's workforce plan to include a strategy and timeframe for filling vacant staff positions responsible for overseeing and supporting schools' special education program.
- BIE Response: Concur
- Strategic Workforce Plan to include special education and Johnson O'Malley functions to its update.
- ADD BOS Actions
- ADD BOS adds an Education Specialist, Special Education position to increase support for the school special education programs.
- BIE, ADD, ERC and school levels are in dire need of support from an effective system of general supervision, ADD BOS supports filling vacant DPA positions.

- Recommendation 5: The Director of BIE should fully implement the agency's high-risk monitoring policy for IDEA and other federal programs, including requirements for agency-wide coordination, and ensure that schools selected for such monitoring receive reports and technical assistance plans within 30 days of agency on-site visits, as required by BIE policy.
- BIE Response: Concur
- February 2020, the BIE has established its first Performance Office. This newly established office will be tasked with assuming the administrative management and oversight of the high-risk fiscal monitoring policy and handbook including the timely delivery of monitoring reports and technical assistance plans.

ADD BOS Actions

- For SY 2020-2021, one BOS school is identified to have a High Risk Monitoring.
 - Performance Office staff is assigned to the ADD BOS monitoring team.
 - The ADD BOS monitoring team is meeting to coordinate and plan the monitoring.
 - ADD emphasizes compliance with the High Risk Monitoring Plan and Handbook, including the monitoring report is developed and finalized within the 30-day requirement.

- Recommendation 6: The Director of BIE should establish special education training requirements for staff in the agency's ERCs who are responsible for supporting and overseeing school's special education programs, and ensure that staff complete those training requirements.
- BIE Response: Concur
- The BIE will ensure that special education and professional development requirements are identified as part of its planned Strategic Workforce Plan update and expansion.

ADD BOS Actions

- The Education Specialist, Special Education will draft special education training requirements for staff in the agency's ERCs who are responsible for supporting and overseeing schools' special education programs by March 2021.
- ADD BOS has required ADD BOS Education Specialists to submit school training and technical assistance plans for the remainder of 2020-2021 school year.
 - Education Specialist, Special Education has submitted a proposed plan for training and technical assistance; revisions can be made to incorporate recommendations made by the ADD, ERCs and schools.

- Recommendation 7: The Director of BIE should take steps to ensure that all of the agency's ERCs conduct outreach with schools to inform them of their new rules in overseeing and supporting schools' special education programs under BIE reorganization.
- BIE Response: Concur
- The BIE continues to refine and improve its management and oversight of its special education programs. As the BIE makes targeted reforms designed to improve the delivery of special education services, it will ensure that the roles and responsibilities of ERCs are clearly identified and communicated to responsible BIE personnel. Specifically, within the framework of the planned update and expansion of the Strategic Workforce Plan the BIE will clearly and directly define the role of ERC personnel with respect to special education programs and services. Moreover, as the new Performance Office establishes timely and routine technical assistance plans, the BIE will work to operationalize the day-to-day engagement and outreach between ERC and school level personnel regarding special education related technical assistance.

ADD BOS Actions

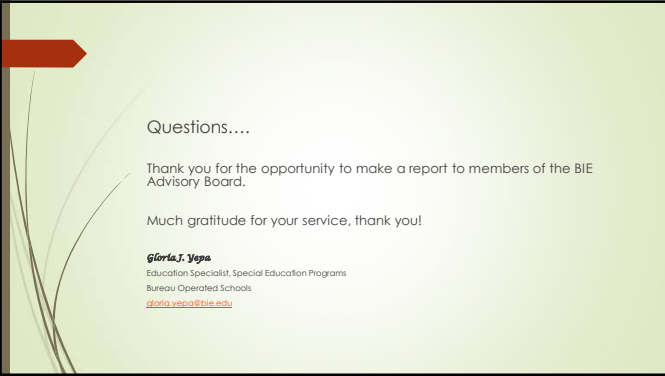
- The ADD BOS and EPA meetings are held weekly and the Education Specialist, Special Education will request time on the agenda to gain input on developing guidance on role and responsibilities of ERC personnel with respect to special education programs and services.
- Recommend to BIE Leadership to formulate a workgroup with representation from the Performance Office, DPA - Special Education, ADD, EPA, and school special education coordinators to draft policy on role and responsibilities of ERC personnel relative to special education program and services.

BIE Special Education: Improvements are needed to ensure positive outcomes for students with disabilities.

- BIE's implementation of the IDEA is documented by the Department of Education (ED) to be in need of improvement; the Office of Special Education Programs (OSEP) has identified the BIE to be in "needs intervention" status for eight years.
- July 2019, OSEP withheld about \$780,000 of BIE's fiscal year 2019 IDEA Part B funds reserved for administrative cost of which some is used to fund the BIE's DPA general supervision system.
- A GAO audit was completed May 2020 and it was found that the BIE did not provide or did not account for 38% of special education and related services for students with disabilities. Also it was documented there was inconsistent practices among schools to make up the services.
- It was noted in the GAO report that under the BIE Director there are multiple offices that are responsible for overseeing and supporting schools' special education programs to ensure compliance with IDEA and other federal requirements for special education. The alignment of the BIE Strategic Direction and DPA General Supervision system could address improving collaboration among the multiple offices to meet their oversight responsibilities.
- The DPA - Special Education responsible for development and implementation of a general supervision system is minimally meeting its responsibilities for oversight of IDEA implementation and there is minimal support of the school special education programs due to long-standing vacancies of several positions.

Bureau of Indian Education Highlights:

- Continued work on the BIE Strategic Direction
- The 504 Program Coordinator was hired
- BIE-wide COVID 19 Collaboration
- Schools developed *Return to Learn Plans*
- ISEP Redesign Work Group including ISEP Special Education Certification
- BIE ELA and Math Spring 2021 Assessment
- BIE Behavioral Health and Wellness Program
 - Roll out training of Youth Mental Health First Aid – February 2021
- Increased hiring of school principals and special education teachers (HES, 3 special education teachers).
- BIE Advisory Board of Exceptional Children includes reports from BIE Special Education Programs during their meetings



Questions....

Thank you for the opportunity to make a report to members of the BIE Advisory Board.

Much gratitude for your service, thank you!

Gloria J. Vega
Education Specialist, Special Education Programs
Bureau Operated Schools
gloria.vega@bie.edu

Cover Slide - Slide 1

TRIBALLY CONTROLLED SCHOOLS SPECIAL EDUCATION UPDATES

By: Dr. Cherie Poitra, Acting ADD-TCS

Slide 2

OFFICE OF TRIBALLY CONTROLLED SCHOOLS

1. How is the ADD TCS developing the capacity within the ERC's in their region to ensure special education services are being adequately supported?

Tentative Offers:

- Special Education Specialist: Bismarck, ND ERC
- Student Behavioral Health Specialist

Title V Employee Trainings

- Federal Special Ed Regulations 34 CFR
- Section 504
- Virtual Training (Sped, Mental Health)
- LRP' National Institution on Legal Issues of Educating Individuals with Disabilities (April)

TCS Webpage

- Live HR TCS links

Goal 5

- All students will develop the knowledge, skills, and behaviors needed to lead their sovereign nations to a thriving future through self-determination.
- website
- School task force team

Slide 3

1. Provide an update about the Return-To-School Plans and how are special education services supported in the plans?
 - School Leader Calls to support "Return-to-School Plans"
 - School Trainings
 - Resources
 - Technical Assistance/TCS/DPA
 - NASIS (Documentation)
 - Ensuring Special Education services are included and supported.
 - State Assessments/Alternative Assessments "How are we planning for state and alternative assessments"
 - Plans are reviews and supported by TCS Administrative Team
 - Continuous Learning Plans
 - TCS Administrative team attends State Department of Edu, Department of Indian Education, Tribal Committees

Slide 4

Provide feedback about the recommendations as listed in the 2020 Annual Report as it relates to each ADD region (ADD level, ERC's, schools)

1. Encourage and support interagency communication and collaboration between the BIE special education system and Tribal Education Departments.
 1. ERC Monthly School Leader Calls
 2. Residential School Leader Calls
 3. School Board Trainings
 4. Special Education Trainings/Individual TA
 5. Unifying supports within the BIE
 6. TCS Webpage
 7. Legal Reviews
 8. Audit Reviews
 9. Private sessions/board/Budget Reviews (oversight)
 10. 4 TCS will be receiving a School Programmatic and Fiscal Monitoring for SY20/21

Slide 5

1. Clarify roles and responsibilities of BIE staff, departments and regions to ensure appropriate special education programs and services for students with disabilities.
 - * TCS purchased Achieve3000 for 28 schools, which is a literacy program.
 - Special Education Professional Development (Provided to all TCS)
 - a. writing IEP's, measurable goals, progress monitoring, transition
 - b. upcoming leadership training for School and Teacher Leaders
2. Increase direct community participation from all stakeholders across the BIE system.
 - * BIE Leadership Collaboration
 - Senior Leader calls 2x/week
 - ADD weekly report

Slide 6

POLICY & REGULATION

1. Develop/revise and implement the plan of coordination of the IDEA statute.
2. Finalize and adopt the BIE Special Education Policy and Procedures.
 - Special Education Policy Handbook.....is coming very soon!