



BIE Advisory Board for Exceptional Children BOARD MINUTES

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

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

Meeting Location: SHERATON ALBUQUERQUE UPTOWN HOTEL

2600 Louisiana Blvd. NE Albuquerque, NM and online using the Zoom.Gov platform and teleconference.

FACA Regulations: As an advisory board to a federal agency, the Board falls under the requirements of the Federal Advisory Committee Act (FACA; 5 U.S.C., Appendix 2). FACA aims to ensure the advice of federal advisory committees is objective and available to the public, and the committee complies with cost control and recordkeeping requirements. The BIE Advisory Board ensures all their Board meetings are open to the public, all meeting notices are published in advance, and Board meetings are advertised using the Federal Register and posted on the BIE website at www.bie.edu. The BIE has provided a Designated Federal Officer (DFO) who is assigned to support the Advisory Board, and the BIE ensures each Board member avoids conflicts of interest and limits their membership terms.

Advisory Board Roster

1. Present Norman Shawanokasic, Chairperson
2. Present Dr. Harvey Rude, Vice-Chairperson
3. Present Leslie Finnearty, Secretary
4. Excused Dr. Robin Blitz, M.D. Board Member
5. Present Dr. Perry Graves, Ph.D. Board Member
6. Present Gretchen Lehmann, Board Member
7. Excused Pilar Peltier, Board Member
8. Present Teryl Running Horse, Board Member
9. Present Brian Wagner, Board Member
10. Excused Gretchen Wendell, Board Member
11. Present Monica Cleveland, Board Member

BIE Staff members: Jennifer Davis, Designated Federal Officer (DFO), Ronald J. Worst, Educational Specialist, Dr. Eugene Thompson, Supervisory Education Specialist, Margo Delaune, ADD-DPA, Laura Tsosie, Educational Specialist, and Marcy D. Starr, Educational Specialist

TAESE Contractors: Dr. Brenda Smith, Alex Langevin, and Laura Lema



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Presenters/Speakers: Dr. Eugene Thompson, Captain Carol Lincoln, Jay B. Twitchell, Bessie Horseherder, Lianne Hemstreet, Dr. Elizabeth S. Younce, Dr. Marilou Areno, Arlene M. Atencio, Jennifer Blackbear, Lillian Kim Franklin, and Olivia Penaloza

Others in Attendance: Crista Davis, Gloria Yepa, Eleanor Jones, John Copenhaver, Tim Begaye, Nancy Ka'Won, Zonnie Sombrero, Alyssa Yeppa, Laura Tsosie, Eleanor F. Jones, Carmelia Becenti, Amanda Bryant, Fred Osborn, Delphina Skunkamolah, Angel Lee, Berdine Largo, Romancita Adams, Raetava Godinez, Joann Fields, David Flute, Arlene Davis, Katherine Ford, David Nikolaus, Reanna Albert, Melanie Star, Shilo Krolikowski, Tamera Pulver, Nikole Cheskey, Nora Sehnert, Emily Castillo, Brian Korber, Wendy Kroupa, Shaye Comanche, Angela Moreno, Candace Sherwood, Seatha Pacheco, Brooke Ratliff, Ryan Bajan, Lianne Hemstreet, Angela Moreno, Brooke Ratliff, Delphina Shunkamolah, Norma Brown Bull, Shilo Krolikowski, Lisa Keller, Jill Miller, Allan Del Rosario, Tricia Jojola, Judito P. Camacho, and Marilyn Frank

8:00 AM – 8:30 AM | Roll Call, Introduction of New Board Member, Old Business, and New Business

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

Welcome and Call to Order – Norman Shawanokasic, Chairperson

Meeting Logistics – Jennifer Davis, DFO, provided an overview of the meeting's purpose and objectives, Board authorizations, public commenting sessions, and meeting reminders. Questions regarding the purpose of the Board can be directed to [Jennifer Davis](#). The meeting agenda was reviewed for both days of the meeting.

Roll Call – Chairperson Norman Shawanokasic completed roll call. The following were present constituting a quorum: ○ Norman Shawanokasic ○ Dr. Harvey Rude ○ Leslie Finnearly ○ Dr. Perry Graves ○ Gretchen Lehmann ○ Teryl Running Horse ○ Brian Wagner ○ Monica Cleveland

○ Excused: Dr. Robin Blitz, Pilar Peltier, and Gretchen Wendell

Introduction of New Board Members – Monica Cleveland has been appointed as a new Board Member but was unable to join until later in the meeting. She is from Arizona. She will be introduced when she joins the meeting.

Old Business – The minutes from the previous meeting will be sent out by the DFO and Board members will be given time to review them for approval.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

New Business – Chairperson Shawanokasic introduced the purpose of the Board and explained the Board prepares a report of what occurs at meetings each year.

Chairperson Shawanokasic encouraged Board members and attendees from the public to ask speakers questions during their presentations.

Jennifer Davis, DFO, reported the BIE is currently advertising to fill two more Board positions. The notice has been out since February 2023 and is set to close soon. No new applications have been received. The posting has also been sent out to various groups/schools within the BIE. Please encourage people to apply for the open positions. If no applications are received, the Federal notice for applications will be posted again. The categories of vacant Board memberships are listed in the Federal notice. Questions about applications can be directed to [Jennifer Davis](#).

Question: Norman Shawanokasic, Chairperson – How is the decision made as to who will be appointed?

- **Response:** Jennifer Davis, DFO – Explained she reviews the applications to see if the applicant is qualified. After that, there is an approval process.

Comment: Dr. Harvey Rude, Vice-Chairperson – Suggested the Board spend some of its work time to develop a plan for recruiting new Board members.

Comment: Brian Wagner, Board Member – Noted that serving on the Board can be intimidating and a high time demand for potential candidates. He has reached out to several school administrators and encouraged them to apply.

Comment: Jennifer Davis, DFO – Explained she has tried various avenues of sending information about the openings out to schools. She noted that Dr. Robin Blitz, Board Member, has also reached out to many potential candidates.

Comment: Dr. Harvey Rude, Vice-Chairperson – Stated that having Board members reach out to individuals encouraging them to apply may be the most effective avenue.

Comment: Norman Shawanokasic, Chairperson – Reminded everyone the current notice is open until the following Monday (April 17), and a few applications may yet be submitted.

Comment: Jennifer Davis, DFO – Noted filling the Board membership categories of parents of students with disabilities and of individuals with disabilities, are of high importance.

Chairperson Shawanokasic reminded Board members and guests to introduce themselves when they comment to help with clarification in the meeting minutes.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

8:30 AM – 10:00 AM | The Memorandum of Understanding (MOU) between the Bureau of Indian Education (BIE) and Indian Health Services (IHS) Presenters: Dr. Eugene Thompson, Supervisory Education Specialist and Captain Carol Lincoln, Director

The following questions were provided to presenters to prepare for this report and discussion.

1. Please describe the Individuals with Disabilities Education Act (IDEA) requirement for a Memorandum of Understanding between the Bureau of Indian Education and Indian Health Services to support services at all levels for students attending BIE funded schools and provide an update on the progress of the MOU.
2. What progress has been made toward distributing funds to employ a nurse at each BIE Funded School? (See attached letter from IHS Deputy Director dated December 5, 2022).
3. Describe what services IHS can provide to the schools.
4. Explain the process for the Bureau Operated Schools (BOS) and Tribally Controlled Schools (TCS) to obtain medical information necessary for educational services.

Dr. Eugene Thompson introduced himself as a member of the Navajo Nation and Supervisory Education Specialist from the BIE. He introduced the other BIE staff members who were present at the meeting. He noted the tribes native to New Mexico at the onsite location of the Board meeting.

Captain Carol Lincoln introduced herself as co presenter and a member of the Navajo Nation. She thanked the Board for the opportunity to discuss the MOU between the BIE and IHS.

Dr. Thompson reviewed the questions the Board provided for them to answer during their presentation. Below are the responses to each question.

1. Please describe the Individuals with Disabilities Education Act (IDEA) requirement for a Memorandum of Understanding between the Bureau of Indian Education and Indian Health Services to support services at all levels for students attending BIE funded schools and provide an update on the progress of the MOU.

Dr. Thompson provided copies of the MOU to members of the Board who were present onsite. The MOU coordinates services, resources, and personnel between IHS' and the BIE's national and local offices, with state and local education agencies, and with other entities to facilitate Free Appropriate Public Education (FAPE) to Indian children with disabilities residing on or near reservations. The MOU



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

also establishes a partnership between the IHS and BIE. The current MOU was signed June 20, 2012 and is posted on the [BIE website](#). Dr. Thompson reviewed the contents of the MOU.

Question: Norman Shawanokasic, Chairperson – Asked about the wording, “children with disabilities residing on or near a reservation” and how it is determined.

- **Response:** Dr. Thompson – Explained the wording is defined by statute.

Dr. Thompson noted the Coordinated Service Plan (CSP) mentioned in the MOU is being developed and should be ready soon. Once the CSP is developed, it will address other agencies that collaborate with the BIE. Under the MOU, the BIE is required to ensure FAPE for children enrolled in Bureau-funded schools, to participate in local Child Find efforts, and to refer children suspected of being eligible for IDEA Part B services to local education agencies (LEAs). IHS is required, under the MOU, to coordinate with the BIE to provide Child Find efforts and services to students with disabilities. The IHS is also tasked with exploring a performance indicator using their resource/patient management system and pilot data to screen children with special health care needs. The MOU is in effect until legislative changes happen or until one of the parties notifies the other of their intent to not meet the specifications of the MOU. The MOU also requires IHS and BIE to meet on an annual basis to review activities supported by the agreement, share information, report on progress, and identify new areas for collaboration.

Comment: Brian Wagner, Board Member – Explained that he is not aware of any services listed in the MOU occurring at the school level by IHS. He attends community meetings with various local agencies (social services, law enforcement, etc.) to discuss children who need additional support. They have been told that IHS is not allowed to attend these meetings because of HIPPA. IHS staff have historically attended these meetings and are vital to the meetings. He stated the MOU supports the IHS’ attendance at community meetings, all participants undergo background checks, and confidentiality is maintained during the meetings.

- **Response:** Captain Lincoln – Noted she did not have direct information on why IHS staff are not attending the meetings in Board Member Wagner’s location. She requested the specific tribal information on where the community meetings are occurring so she could research why IHS members are not attending the community meetings there and how HIPPA may play a role in that decision. Captain Lincoln provided Board Member Wagner with her email address (carol.lincoln@ihs.gov) so they could follow up on his question.

Comment: Brian Wagner, Board Member – Explained the Freedom of Information Act (FOIA) has stopped IHS officials from sharing statistical information that is required for school officials to



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

complete required reports. The statistical information being requested is not student specific information.

- **Response:** Captain Lincoln – Explained she would need to research this information as well and asked Board Member Wagner to email her the specific statistical information required for school officials.

Question: Norman Shawanokasic, Chairperson – Asked who are the BIE staff referenced in the MOU. He stated this may need to be regularly clarified.

- **Response:** Dr. Thompson – The staff referenced in the MOU refers to various levels of BIE staff. Dr. Thompson intends to have the BIE solicitors review the document and suggest updates to the BIE and IHS.
- **Response:** Captain Lincoln – During the pandemic, a workgroup was assembled between the BIE and IHS to ensure the MOU stipulations were met. This workgroup focused heavily on clinical care. She noted none of the people participating in today’s Board meeting were involved in that assembled workgroup. She also stated communication needs to be improved between the two groups of BIE and IHS.
- **Response:** Dr. Thompson – Noted the point of contact should be Tony Dearman, Director of the BIE and the acting Chief Academic Officer.

Comment: Brian Wagner, Board Member – Recognized the efforts of IHS during the pandemic and their work to distribute vaccinations. He noted the MOU is a requirement under IDEA and is a different issue than what the workgroup worked on throughout the pandemic.

2. What progress has been made toward distributing funds to employ a nurse at each BIE Funded School? (See attached letter from IHS Deputy Director dated December 5, 2022).

Captain Lincoln explained IHS recently published a notification of the decision on the distribution of \$120 million in American Rescue Plan Act (ARPA) funding for various public health workforce activities. This distribution includes \$92 million for nurses in BIE-funded schools. The funds will provide nursing support to 181 BIE-funded schools for five years. The IHS Division of Nursing Services is working on adding a Nurse Consultant to their team. The Nurse Consultant and school level nurse position descriptions are currently being reviewed for approval before being posted to USA Jobs. The Nurse Consultant position will provide support and be a subject matter expert for the school level nurses.

Question: Norman Shawanokasic, Chairperson – Are there currently any schools with nurses?

- **Response:** Captain Lincoln – Some schools may have nurses funded by the BIE. This program will include additional nursing staff that will be overseen and funded by IHS. The IHS is also looking at ways to continue funding school nurses after their current funding is expended.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Question: Brian Wagner, Board Member – Can tribes add the position themselves and have more control over the placement and personnel at their school?

- **Response:** Captain Lincoln – Stated she will follow up on this question. Because it is ARPA funding, there is an expiration date and certain guidelines that will need to be followed.

Comment: Norman Shawanokasic, Chairperson – Explained it would take internal work by tribes to renegotiate funding.

Question: Brian Wagner, Board Member – Will the nurses be housed at schools or at IHS and what authority will the school administration have with the nurses?

- **Response:** Captain Lincoln – Explained the nurses will be housed by IHS and school administration will not have authority over the nurses as they will be IHS personnel.

3. Describe what services IHS can provide to the schools.

Captain Lincoln explained national guidance is available for the IHS that dictates the IHS provide general information for tribal leaders and stakeholders on the process of getting assistance from agencies to help stop suicide clusters and to address mental health crises in communities. IHS also has a MOU with the great plains area to provide services to tribal schools on the Oglala Lakota Reservation and to provide services on site at BIE schools. They are drafting a MOU with the Navajo BOS. They have also been providing telehealth services to specific tribes. The Division of Nursing Services and the Division of Behavioral Health actively participate on regularly scheduled calls with the BIE to provide subject matter expertise on clinical and behavioral health matters for students and staff. They have been working with the BIE to determine how best to implement resources for maximum success. They have three new position requests currently pending that will benefit collaboration with the BIE. IHS is focusing on boosting the number of childhood immunizations being administered.

Question: Brian Wagner, Board Member – Asked if a nurse will be hired for each BIE-funded school or hired per tribe.

- **Response:** Captain Lincoln – The nursing positions will be housed at each clinic. Ideally, each clinic will hire one nurse per school.

Comment: Brian Wagner, Board Member – Suggested the nurses have offices on site at schools and not at the clinics. He strongly advised each school supervisor have some authority over the nurse to ensure the nurse is present at the school during assigned work hours.

4. Explain the process for Bureau Operated Schools (BOS) and Tribally Controlled Schools (TCS) to follow to obtain medical information necessary for educational services.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Dr. Thompson explained BIE-funded schools work with local IHS services or clinics within their communities, and those who support children and families within the region. This could include home visits for medically fragile children, vision and hearing screenings, counseling and mental health services, and medication administration.

Comment: Norman Shawanokasic, Chairperson – Thanked the presenters and noted the benefits IHS brings to communities. He observed funding comes and goes, and leaders need to plan for how services will be continued when funding diminishes.

Comment: Brian Wagner, Board Member – Advised nursing funding be moved under school funding so services aren't contingent on ARPA funding. He encouraged the BIE and IHS to petition Congress to solidify the funding as a continuous resource.

Comment: Dr. Harvey Rude, Vice Chairperson – Suggested a monthly convening between educators and health care providers to bolster collaboration between the two groups. He noted this collaboration could also include discussions about ensuring qualified education and health care staff are recruited. **Comment:** Dr. Eugene Thompson – Reiterated the BIE will work to update the current MOU with IHS. **Comment:** Norman Shawanokasic, Chairperson – Observed how beneficial IHS staff are to tribal communities. He stated a position needs to be developed to enhance collaboration between agencies.

He emphasized the focus should be on students, families, and communities.

Comment: Brian Wagner, Board Member – Stated Board members need to be aware of the communities they represent and be their voice in meetings. He noted many of the services outlined in the BIE/IHS MOU are not happening in communities. A lot of services defined in the MOU are not actually available. This lacking availability needs to be taken into consideration and addressed. It is understood that some of these deficiencies are due to lack of staff and funding, but these services still need to be provided.

10:00 AM – 10:15 AM Break

10:15 AM – 10:30 AM Board Reflection (MOU between the BIE and IHS)

Dr. Harvey Rude, Vice Chairperson – Started the meeting off in place of Chairperson Norman Shawanokasic and suggested the Board take time for reflection.

Comment: Brian Wagner, Board Member – Shared an experience about a counselor he worked with as an educator who would not reliably show up to work, and it was difficult to plan around her erratic schedule. For this reason, he stated it makes sense to place nurses on site so each school has some



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

control over their schedule and employment. He also advised the funding be used so the nurses are provided continuously.

Question: Dr. Harvey Rude, Vice Chairperson – How do we ensure there’s an adequate supply of service providers who we know are in high demand and who are expensive to employ? He explained some schools are doing creative things to provide pipelines to ensure providers are available to do the work.

Comment: Norman Shawanokasic, Chairperson – Stated students are subjected to social issues and community social ills. He asked how do we address family and community needs? He explained counseling and communication is critical. We learned a lot by being on the campus of a BIE-funded school with the students. It’s important to note the promise of money doesn’t always mean the money will be there. It’s vital that teachers understand the needs of students, their culture, traditions, and environment.

10:30 AM – 11:30 AM | Panel Discussion – BIE Special Education Coordinators Panelists: Jay B. Twitchell, Bessie Horseherder, Ylandra Wimmer, and Dr. Elizabeth S. Younce

The following questions were provided to presenters to prepare for this report and discussion.

1. The pandemic resulted in multiple years where a substantial percentage of students lost instruction partially or completely for multiple reasons. How are schools going to ensure that children are not mis-identified as students with disabilities?
2. What are the complications resulting from COVID for children with disabilities? What strategies have been effective to educate children with disabilities post COVID?
3. What additional supports or resources do you need to help address student educational loss where it’s been identified?
4. Describe how your school is facilitating student and parent involvement to improve services and results for children with disabilities.

Dr. Harvey Rude, Vice Chairperson, introduced the panelists for the upcoming discussion. Lianne Hemstreet took the place of Ylandra Wimmer who was unable to attend. Bessie Horseherder was not present for the panel discussion.

Dr. Rude asked the panelist to share their background and experience.

- **Response:** Dr. Elizabeth Younce – Explained her background in special education, Title I, counseling, the North Carolina Department of Education, and her position at Cherokee Central Schools.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** Jay Twitchell – Explained his work history in special education and his current role as a special education director at Gila Crossing Community School.
- **Response:** Lianne Hemstreet – Explained she started as a special education teacher and currently works at Tuba City Boarding School.

Comment: Dr. Harvey Rude, Vice Chairperson – Explained his job is to facilitate a conversation between the three panel members. He began leading the panelists through the discussion questions. Below are the responses to each question.

1. The pandemic resulted in multiple years where a substantial percentage of students lost instruction partially or completely for multiple reasons. How are schools going to ensure that children are not mis-identified as students with disabilities?

Dr. Elizabeth Younce – Explained they started strengthening their multi-tiered system of support (MTSS) even before COVID, and they are working to ensure students who are behind due to COVID aren't identified as needing special education services.

Jay Twitchell – Noted they also enhanced their MTSS. Other work they did was to triage their bottom tier of students. They're attempting to stick to the standard 10-12% of students who should have IEPs. They also looked at the evaluations that were normed based on pre-COVID numbers. When using those standardized evaluations/tests, they readjusted to new, post-COVID norms.

Lianne Hemstreet – Observed her school is doing the same thing. They put their special education teachers into professional learning teams, so they had access to additional information.

Question: Brian Wagner, Board Member – Are you able to fill all the positions for intervention specialists? He noted interventionists are often used to fill open teacher slots.

- **Response:** Jay Twitchell – Yes, we had the same problem.

Comment: Dr. Harvey Rude, Vice Chairperson – Are you close to a university? Does that help?

- **Response:** Dr. Elizabeth Younce – Yes, but the university takes in many out of state students and students often leave the state after they complete their degree.
- **Response:** Lianne Hemstreet – Our school has nine special education teachers, so they've been lucky and able to carry heavy caseloads and provide MTSS. The real need is finding specialists to provide related services.

2. What are the complications resulting from COVID for children with disabilities? What strategies have been effective to educate children with disabilities post COVID?



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Jay Twitchell – Observed many students only interacted with their parents during COVID, so the students have very little social interaction experience. Physical therapy had to be done online, which wasn't ideal. Students had too much screen time, which has led to addiction. Students had poor sleep hygiene and were staying up late at night, so they would fall asleep during school.

Lianne Hemstreet – Noted their school struggled in the same way. There was a lot of student regression. Students had poor Wi-Fi connections, and we had a hard time getting students access to school. Because they were so rural, students didn't get the time they needed for services. Even when they did have Wi-Fi, students still didn't get enough time to really receive their services. One good thing during COVID is more parent interactions and involvement happened.

Dr. Younce – Continued explaining they had the same issues mentioned by Jay Twitchell combined with internet connectivity issues for students.

3. What additional supports or resources do you need to help address student educational loss where it's been identified?

Question: Dr. Harvey Rude, Vice Chairperson – What are some strategies you've used to address these issues?

- **Response:** Dr. Younce – Mentioned everyone forgot how to be in school including the staff. A lot of work had to be done getting staff back into their responsibilities as well as the students.
- **Response:** Jay Twitchell – Stated he reviewed 4,789 books that were recommended and almost none had Native American representation.
- **Response:** Lianne Hemstreet – Explained they have morning meetings and professional learning development focused on getting parents involved and also working with students with the highest needs. They've been reevaluating strategies they've been using with struggling students and the required resources. They've become tech savvy enough to identify additional resources and how to implement them.

Question: Dr. Harvey Rude, Vice Chairperson – Asked do any other Board members have questions?

Question: Brian Wagner, Board Member – Asked does anyone see any statistically significant increases in disability identification? If so, which disabilities?

- **Response:** Jay Twitchell – Yes, more identification in Specific Learning Disabilities.
- **Response:** Lianne Hemstreet – Explained they actually had referrals decrease.
- **Response:** Dr. Elizabeth Younce – Explained students who were being looked at before COVID, and who were going through the identification process before COVID, all had to be reevaluated after COVID.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Question: Dr. Harvey Rude, Vice Chairperson – Asked how has your experience been with teletherapy and teleservices?

- **Response:** Jay Twitchell – Explained they used teletherapy during COVID, but they are now back to in-person services.
- **Response:** Lianne Hemstreet – Noted they had the same experience as Jay Twitchell. Their issue has been finding people to provide those services.

Question: Brian Wagner, Board Member – How are general ed teachers handling not evaluating under grade level students?

- **Response:** Dr. Elizabeth Younce – Stated some are okay with it and some are not. It's not accurate to say a lot of students are below grade level and they all qualify for special education services.
- **Response:** Lianne Hemstreet – Mentioned at their boarding school, they're very fortunate to sit down with their professional learning teams every week and discuss scores and data so everyone understands the decisions to evaluate or not evaluate.
- **Response:** Jay Twitchell – Noted there is pressure among general ed teachers to perform well on statewide assessments which adds pressure to evaluate students based on assessment scores.
- **Response:** Dr. Younce – Observed special education teachers are also feeling those pressures. She observed they implemented an assessment tool to assess strengths. Doing the assessment allowed for better communication/understanding, and it met the needs of their leadership team.
- **Response:** Jay Twitchell – Stated they do parent engagement nights and cultural nights. They did a presentation to parents about ideas on how students in tribal schools should be taught, and then they asked parents how they felt about the ideas.
- **Response:** Lianne Hemstreet – Agreed with Dr. Younce, because there is a lot of pressure to do all these things, and provide all these services, and educators need support from administration.

Question: Brian Wagner, Board Member – Has anyone had a hard time hiring paraprofessionals?

- **Response:** Jay Twitchell – Replied they've had trouble.
- **Response:** Lianne Hemstreet – Replied they have openings all the time, and it's difficult to find someone qualified to be a paraprofessional. They have increased behavior needs and more students who need one-on-one assistance.

Question: Dr. Harvey Rude, Vice Chairperson – Observed he wanted to address the idea of a professional learning community. It can be difficult to make connections in rural areas. How do you develop a professional learning community? How do you make that work in your communities?

-



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** Dr. Elizabeth Younce – Responded it requires lots of time, so it takes a lot of intentional planning.
- **Response:** Lianne Hemstreet – Replied they had contractors come in and provide professional development. They struggled after the pandemic to get back to where they were before.
- **Response:** Jay Twitchell – Explained their professional learning communities are driven by general education, but it's always an issue of time. It's difficult to find the time especially during testing time and vacation time.

4. Describe how your school is facilitating student and parent involvement to improve services and results for children with disabilities.

Dr. Elizabeth Younce – Observed they hired a professional parent support liaison who contacts parents and facilitates parent interactions and meetings.

Jay Twitchell – Explained they are listening more. They ask parents what's important to them.

Lianne Hemstreet – Detailed they have implemented parent surveys and asked parents what they need from the school. Someone came in and provided trainings to parents, which they offered via Zoom. They have a parent academy where they cover topics parents want to hear about each month or topics teachers identified as being helpful to parents.

Question: Dr. Harvey Rude, Vice Chairperson – Do you work with the parent satisfaction survey from the BIE?

- **Response:** Jay Twitchell – Replied, yes. They do every year because it's required. It doesn't feel anonymous because it asks for the child's disability and grade level, so it makes parents hesitant because their child can be identified.
- **Response:** Lianne Hemstreet – Explained they have the same thing. This year they emailed the survey instead. They've thought about distributing it three times: email, mail, and in person.
- **Response:** Dr. Elizabeth Younce – Noted they've both mailed it and handed it out at events. They never get all the parents to return them.

Question: Brian Wagner, Board Member – Is there anything else you want to share with us?

- **Response:** Lianne Hemstreet – Explained she had a question. On IEPs, it states how many minutes a student needs of a service and the frequency the student needs a service. As long as they meet the number of service minutes, are we okay? Or do we need to meet the frequency of service as well?



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** Dr. Elizabeth Younce – Responded as long as they can get the minutes of service in, sometimes the frequency of the service doesn't reflect what they're able to do.
- **Response:** Brian Wagner, Board Member – Responded as a Board, they can't legally answer that question. As an educator, he would say the remedy for missing services is compensatory education, but as long as they're making up the services, they're already doing that.
- **Response:** Elizabeth Younce – Asked can we get a group together to update the paperwork?
- **Response:** Dr. Harvey Rude, Vice Chairperson – Responded this is the type of suggestion the Board really needs to hear. They have positions open on the Board right now, so he suggested submitting an application so the BIE can hear voices on these issues.

Comment: Dr. Thompson – Observed the BIE has been working with NASIS updating forms. Only three forms have been released, but more are being updated. The forms are on Infinite Campus as they get released. The BIE wanted to make them more user friendly for new special education teachers.

Comment: Brian Wagner, Board Member – Commented the prior written notice should be a separate document, because the prior written notice needs to be done even if the school is refusing to evaluate.

Comment: Dr. Harvey Rude, Vice Chairperson – Thanked the panelists for joining the Board meeting.

11:30 AM – 11:45 AM | Public Commenting Session #1 (15 minutes)

Comment: Olivia Penalosa, – Explained she is from a small rural community where sometimes they don't have internet. They created a strong communication bond with parents, because they couldn't rely on an internet connection.

Chat Comment: In Special Ed we need to "Grow Our Own" and begin to recruit students in HS to serve as teachers, school social workers, speech pathologists, occupational therapists to serve the community.

Jam Board Comment: The panel with the Special Education directors/coordinators was very helpful and informative.

Jam Board Comment: ONSITE SPED staff that are available as issues with our children arise is important. Authentic IEP's rather than canned comments for goals, objectives, activities.

11:45 AM Lunch (1.25 hours)

1:00 PM – 1:15 PM Board Reflection for Special Education Coordinator Panel Discussion



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Norman Shawanokasic, Chairperson, welcomed the Board back from lunch and opened the meeting for comments on the Special Education Coordinator Panel.

Comment: Dr. Harvey Rude, Vice Chairperson – Stated the need to support staff on many levels stuck out to him from the Panel discussion.

Comment: Brian Wagner, Board Member – Noted he has the opportunity to visit many schools onsite and visit with school administrators. The past two years have been the most challenging as he spoke with school administrators about their experiences since the pandemic. Every community lost elders and family members. This has affected every student and staff member. The mental health toll at the local level has been significant with everyone just working on getting through the day-to-day processes at their schools. There is a great need to provide more support to school staff and to ensure students have access to the services they need.

Comment: Norman Shawanokasic, Chairperson – Expressed appreciation for the special education coordinator panelists. He noted that parent involvement, teacher/staff communication and support, and contractors were all topics that were brought up. The pandemic became a great learning experience at all levels of the education system. The Board has the opportunity to provide recommendations and advice in the annual report which goes to Congress. He reminded all Board members they are an advisory committee.

Comment: Leslie Finnearty, Secretary – Noted even though the coordinators were from different geographic areas, they were all experiencing similar challenges.

1:15 PM – 2:30 PM | Panel Discussion – BIE School Leadership Panelists: Dr. Marilou Areno, Arlene M. Atencio, Jennifer Blackbear, Lillian Kim Franklin, and Olivia Penalzoa

Norman Shawanokasic, Chairperson, introduced the panel discussion with BIE school leaders. The panelists represent BIE schools from across the country. He asked each panelist to introduce themselves. Arlene M. Atencio and Olivia Penalzoa were not present.

Dr. Marilou Areno introduced herself as the School Superintendent from Dishchii’bikoh Community School in Cibecue, Arizona.

Jennifer Blackbear introduced herself as the Assistant Principal at Sequoyah High School in Tahlequah, Oklahoma.

Lillian Kim Franklin introduced herself as the Principal at Casa Blanca Community School in Bapchule, Arizona.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Norman Shawanokasic, Chairperson, read the questions aloud that were provided to the panelists in preparation for this session.

1. What concerns do you have related to the provision of special education services at your school?
How has the BIE assisted you with the provision of those services?
2. Describe how your school builds trust between general and special education teachers for positive student outcomes.
3. How does your school use data to inform practice for transition services, instruction/interventions, activities, and collaboration?

Below are the responses to each question.

1. What concerns do you have related to the provision of special education services at your school?
How has the BIE assisted you with the provision of those services?

Dr. Arenó explained before she became a superintendent, she worked in special education transition. Her community school is very similar to other BIE schools. They do struggle to find related service providers. They are located in a remote location, which makes it difficult to recruit. They do partner with another school to share related service providers. They have an agreement with a school psychologist who works at their school. However, the school psychologist is located in Phoenix and has a four-hour-long commute to the school. They also struggle to retain highly qualified teachers. Currently, they have hired international teachers who have visas that expire after five years. They are trying to get an extension on their visas through a government waiver on the expiration. They also struggle with having enough classroom space for programs and job preparation courses. They have sufficient funding, but the funding can't be spent on physical space.

Lillian Kim Franklin explained they are closer to the Phoenix metropolitan area, but they also struggle with recruiting qualified teachers. They have implemented hiring bonuses and have increased pay scales. Particularly, they have difficulty finding qualified special education teachers. She recognized the importance of relationships between school personnel and families. They have a high number of students being raised by their grandparents or guardians instead of their parents. They focus on building trusting relationships between school personnel and these families. High staff turnover is detrimental to building trust with families. They are very grateful for the training provided by the BIE. They are working with staff to make sure children who have experienced trauma aren't identified as needing special education when their difficulties are due to past trauma and not due to a disability.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Jennifer Blackbear explained their school has a dorm with 85 students, and they are working to fully staff the dorm, including providing special education services within the dorm. It is difficult to find qualified staff after hours at the dorm.

Comment: Brian Wagner, Board Member – Noted that Jared Hautamaki can assist with visa extensions, and he has assisted the schools that he works with.

Comment: Norman Shawanokasic, Chairperson – Stated it is not uncommon for schools to have a high number of students being raised by grandparents, when compared with the national average.

Olivia Penaloza arrived and introduced herself as the principal at Mariano Lake Community School in Crownpoint, New Mexico. The BIE supports their school by helping them meet reporting requirements under Part B of IDEA. One of their school missions is to build up the students' self-confidence and help them realize their potential. They are given the opportunity to promote self-identity for students and allow students to promote cultural and family values. They experience frustration with the hiring process because of the length of time to secure required background checks for new hires. They are in a rural location and do their best to work through the challenges involved with that setting. They do their best to foster good working relationships across their schools, the BIE, and other agencies they collaborate with. They are doing their best to fulfill their Child Find obligations.

2. Describe how your school builds trust between general and special education teachers for positive student outcomes.

Dr. Areno stated they have a very strong collaboration between general and special education teachers. They annually review special education services with general education teachers to help those general ed. teachers understand what accommodations are needed for each student. This annual review also includes other school staff (bus drivers, etc.). They promote one-on-one communication between their special education teachers and general education teachers. They have a weekly consultation meeting between special education teachers and general education teachers regarding IEP requirements for each student.

Lillian Kim Franklin explained they build time into teachers' schedules for collaborative meetings between special education and general education teachers. They always invite general education teachers to special education training sessions. They try not to label students as "special education students" so they aren't identified separately from their peers, and so there's a mindset they "belong" to the general education teachers.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Olivia Penaloza stated their school works to build a culture promoting general education teachers to take equal ownership of their special education students. Their school culture also builds on the individuality of each student. They focus heavily on relationship building between all teachers and students. They haven't had the opportunity to meet as a district in person. The lack of in-person conversations across the district is a hindrance. Their school still has a mask requirement. Most meetings with parents are conducted via Zoom or over the phone. They are doing the best they can to build foundational skills in their students. She gave an example of a positive meeting with a student about their related service needs.

3. How does your school use data to inform practice for transition services, instruction/interventions, activities, and collaboration?

Dr. Areno stated they use several data management systems. They also conduct individual interviews with students and use the interview data, coupled with data from their management system, to write IEP transition goals. They also partner with a local college to provide transition planning activities. Student progress (grades, course completion, etc.) is tracked to ensure students are on track for graduation and meeting their transition goals. This data is used to provide interventions, as necessary, for students who are not meeting their goals.

Lillian Kim Franklin explained their school provides K-5 education. For them, transition involves students moving to the next school level. They use classroom data and end of school year data, which they share as students move to middle school. They use a child study team process to identify students who may be falling behind and to develop interventions to assist those students. The child study team regularly checks in to see if interventions are working or need to be tweaked. If interventions don't work, and no alternatives are available, the team may make a referral to special education services. The child study team has helped them not "over-refer" students for special education services. They have seen an increase in their community in the number of students being referred for evaluation of autism and developmental delays. They have been working to ensure there is a disability classification, and that referrals aren't due to another factor (virtual learning during COVID, etc.).

Olivia Penaloza explained this is their first year fully back to in-person learning without virtual/hybrid learning. They have worked hard to ensure students are comfortable and ready to learn. They have been collaborating with other nearby schools. They are a K-6 school and set up visits for their 6th graders with many intermediate schools to make sure they are ready to transition to the school that is best for them. They have been bolstering communication with families. They have seen a decrease in



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

referrals for special education evaluations. They are working on setting up support systems in their school to ensure all students have support to re-engage in onsite learning. They are struggling with chronic absenteeism, partially due to parents keeping students' home to ensure they don't get sick. They are slowly building their data back up to assist with informing their services and activities.

Dr. Areno added their transition meetings include the tribal rehabilitation office. This assists students build a relationship with the rehabilitation staff they will work with after graduation. They also try to implement student-led IEP meetings. This implementation was disrupted during the pandemic, and they are getting back to implementing it now.

Question: Dr. Harvey Rude, Vice Chairperson – Asked how many educators schools currently have on visa programs?

- **Response:** Dr. Areno – They have 15 teachers, 14 of which will have their visas expire at the end of June. Their waiver request is in process with the U.S. State Department. All the teachers are highly qualified.

Question: Brian Wagner, Board Member – Queried what percentage of their teachers are on the visa program?

- **Response:** Dr. Areno – It is 25% of their teaching staff. They started the process to waive the visa expiration back in January 2023.

Question: Brian Wagner, Board Member – Asked how data informs instruction, activities, and collaboration at each school?

- **Response:** Olivia Penalosa – They have not participated in assessments for several years because of COVID, and they used 2019 data for several years. It is difficult for them to say their strategies are based on data. They just started collecting data again this year.

2:30 PM – 2:45 PM Break

2:45 PM – 3:00 PM Public Commenting Session #2 (15 minutes)

Jam Board Comment: Teachers and admin. need to have a better view of the SPED Dept. Teachers think just b/c they are on an IEP that SPED staff have to help them as if they aren't capable. Admin overlook SPED Dept. a lot. There needs to be more collaboration, and teachers need to realize that SPED staff can help with co-teaching & differentiated instruction.

Jam Board Comment: I would like to see a change in the way we address the program. Special Ed has so much negativity in its name within the school system throughout history.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Judito P. Camacho – Self-directed learning needs to be promoted and developed for reading, writing, and math. He is developing an instrument for self-directed learning allowing a student to follow instructions and examples to learn a principle themselves.

Comment: Dr. Arenó – Agreed a push needs to be made for scholarship programs to encourage students to enter education and social work fields. This would help grow your own initiatives.

Jam Board Comment: I think there should be expanded discussion about the importance of Culture and Community Language to support all but especially our Special Needs Learners.

Jam Board Comment: What does the Board see as the role of Indigenous Language?

3:00 PM – 3:15 PM Board Reflection for the School Leader Panel Discussion

Brian Wagner, Board Member – Stated it is comforting and frightening to see schools across the nation are encountering the same challenges.

Comment: Norman Shawanokasic, Chairperson – Observed he liked the format of the panel sessions during the Board meeting and suggested using these panel formats at future meetings. He also thanked the school leadership panelists for speaking with the Board.

Comment: Jennifer Davis, DFO – Noted the Jam Board comments about the role of Indigenous Languages and the importance of culture and community and suggested it as part of the next meeting's agenda.

Comment: Dr. Harvey Rude, Vice Chairperson – Spoke about the repeated need during the panel discussions on recruiting qualified school staff. There is no uniform solution to personnel recruitment, and it can be addressed at many different levels. Some areas in the world have a surplus of educators.

3:15 PM – 4:30 PM BIE Advisory Board Work

Norman Shawanokasic, Chairperson, requested Monica Cleveland introduce herself as a new Board Member. Some audio difficulties prevented Monica Cleveland from introducing herself. She was able to post her introduction in the chat: My name is Monica Cleveland, and I am a member of the Tohono O'odham Nation located in Southern Arizona. I live about 15 mins. from the US/Mexico border. I am a mother of 11 and have two children with IEPs who currently attend a BIE school. I work with the Native American Advancement Foundation as a Director of Student Support Services. During the pandemic, my husband and I started a remote learning center for students in our area. Since then, it has grown to offer an O'odham language Headstart school, which I oversee, as well as an afterschool program. I hope to be in person at the next meeting so I can formally introduce myself. Thank you.

The Board determined they would work on developing agenda items for their June 2023 meeting scheduled at Chemawa Indian School in Oregon.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Question: Dr. Harvey Rude, Vice Chairperson – Asked what data would be available for the June 2023 meeting?

- **Response:** Dr. Eugene Thompson – Explained the BIE Annual Performance Report would be available for review at the June meeting.

Comment: Brian Wagner, Board Member – Stated a conversation about issues that COVID promoted would be helpful.

Comment: Dr. Harvey Rude, Vice Chairperson – Noted it would be interesting to see if COVID issues affect students with disabilities differently than students without disabilities.

Comment: Brian Wagner, Board Member – Suggested regional trainings be supported by the BIE, because it is difficult for school staff to always travel to the southwest.

Dr. Harvey Rude, Vice Chairperson – Mentioned he would like to see a follow up on the Government Accountability Office (GAO) report that was presented several years ago.

Comment: Dr. Eugene Thompson – Explained the GAO report includes seven recommendations, and an update can be given on those recommendations.

Comment: Brian Wagner, Board Member – Noted a lack of funding can contribute to compliance failures. He stated he would also like to hear from previous presenters to hear what progress has been made since their previous reports. Specifically, he mentioned having back human resources personnel about recruitment issues.

Comment: Jennifer Davis, DFO – Mentioned previous special education coordinators who have spoken in the past could be invited back along with Dr. Thompson for a report on BIE policies and procedures and the Annual Performance Report (APR).

Comment: Dr. Eugene Thompson – Explained stakeholders are reconvening to have a final look at the policies and procedures document, following which, it will be finalized and approved for public posting.

Comment: Brian Wagner, Board Member – Stated having a report on the policies and procedures during the June 2023 meeting would be beneficial.

Comment: Margo Delaune, ADD-DFA – Explained the process for publicly releasing the policies and procedures document after tribal comments are gathered. Tribal comments may dictate changes in the final version of the document. She suggested the update on the policies and procedures occur during the September meeting.

Comment: Dr. Harvey Rude, Vice Chairperson – Noted the Board previously heard from tribes on their grantee programs and funding, but there has not been any messaging from the Central Office allowing tribes to have authority and responsibility over their local education. He suggested bringing back tribal grantees to see their progression in the program. He would like to see the Central Office and tribal grantees both speak on this issue in June.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Jennifer Davis, DFO – Explained past grantees that spoke included the Hopi Tribe, Navajo Nation, and the Mississippi Band of Choctaw Indians. She also suggested the Board consider having Tony Dearman speak at the June and September meetings.

Comment: Norman Shawanokasic, Chairperson – Suggested having Tony Dearman provide updates.

Comment: Dr. Harvey Rude, Vice Chairperson – Suggested having Tony Dearman provide an overview of the collaboration between the BIE and the U.S Department of Education.

Comment: Brian Wagner, Board Member – Noted it would be useful to have the U.S Department of Education (Valerie Williams from the Office of Special Education Programs) speak to the Board at the September meeting.

Comment: Dr. Harvey Rude, Vice Chairperson – Requested Spike BigHorn be present when tribal grantees speak.

Question: Jennifer Davis, DFO – Asked if the Board wanted special education coordinators from the ADD regions to present.

Brian Wagner, Board Member – Agreed the ADD special education coordinators would be valuable speakers. It would be helpful for large level coordinators to hear from local special education teachers about their daily experiences. He suggested having the coordinators speak and stay on to hear from local teachers.

Question: Jennifer Davis, DFO – Asked if the Board would like to hear from human resources again on recruitment and from IHS again?

Comment: Brian Wagner, Board Member – Agreed hearing from human resources again would be beneficial. It would be good if more Board members could attend the June meeting in person and if more members of the public could be encouraged to attend. Activities to visit the Oregon school be held in the evening, so time is not taken from the meeting agenda.

The Board agreed they would like a tour of Chemawa Indian School in Oregon while they are attending their meeting there in June.

Comment: Dr. Harvey Rude, Vice Chairperson – Suggested meeting with Chemawa school leadership and community members in the area.

Comment: Ron Worst, Educational Specialist – Noted two tribes are in the area who could be approached to see if they are interested in attending the meeting. He also noted some staff at the Oregon Department of Education work with tribal schools who may be interested in attending.

Question: Norman Shawanokasic, Chairperson – Asked if the local tribes could talk about tribal vocational rehabilitation?

Comment: Ron Worst, Educational Specialist – Detailed that Chemawa's student body has 5% of local students. The rest are from out of state.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Brian Wagner, Board Member – Stated speakers should be informed the Board wants to hear their concerns and not just successes. This will help the Board develop more meaningful advice. **Comment:** Jennifer Davis, DFO – Noted Chemawa is an off-reservation boarding school and has very unique concerns.

Comment: Brian Wagner, Board Member – Stated it would be good for the Board to hear specific local issues.

Question: Jennifer Davis, DFO – Asked the Board to develop questions that can be passed on to the leadership team at Chemawa?

Comment: Brian Wagner, Board Member – Recommended asking Chemawa leadership to discuss their school-level concerns. He also suggested inviting school leaders/teachers and community members from local tribes to speak to the Board separately. It was recommended the Board's role be explained to the speakers in June by Chairperson Shawanokasic.

Comment: Norman Shawanokasic, Chairperson – Stated his desire to hear from a state employee about how they also work with the same population. It would be beneficial if this speaker is the liaison between the state department of education and the tribes.

Dr. Eugene Thompson – Clarified he would have enough information to present on monitoring during the June meeting.

Comment: Dr. Harvey Rude, Vice Chairperson – Recommended a question for school leaders on opportunities for improving services for students with disabilities and their families.

Comment: Brian Wagner, Board Member – Asked if Tony Dearman should speak at both the June and September meetings. It was decided he should give an update at the September meeting.

Comment: Jennifer Davis, DFO – Explained the BIE will be hosting its first interactive data workshop this summer, and it may be helpful to have an update on the workshop at the September meeting.

Comment: Brian Wagner, Board Member – Reiterated that most BIE trainings are hosted in the southwest, making it difficult to attend for staff who don't live there.

Comment: Norman Shawanokasic, Chairperson – Stated he submitted an application to be on the Board for another term, and he is waiting to hear if he is confirmed. He also reminded Board members to review the working list of potential speakers for the June meeting during this evening and come prepared to finalize the agenda tomorrow.

Comment: Dr. Harvey Rude, Vice Chairperson – Noted he would be stepping off the Board after three terms, and he encouraged all Board members to proactively identify individuals to apply for the Board. Names can be sent to Jennifer Davis who can reach out to identified people, explain what the Board is, and how to apply.

Comment: Jennifer Davis, DFO – Challenged each Board member to provide comments and input on all agenda items and become more active participants in Board meetings.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, April 13, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Norman Shawanokasic, Chairperson – Thanked Dr. Harvey Rude, Vice Chairperson, for his years of service as a Board member.

4:30 PM | Recess

Norman Shawanokasic, Chairperson, initiated a recess for the Board until the following day.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

BOARD MINUTES

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Advisory Board Roster

1. Present Norman Shawanokasic, Chairperson
2. Present Dr. Harvey Rude, Vice-Chairperson
3. Present Leslie Finnearty, Secretary
4. Excused Dr. Robin Blitz, M.D. Board Member
5. Present Dr. Perry Graves, Ph.D. Board Member
6. Present Gretchen Lehmann, Board Member
7. Excused Pilar Peltier, Board Member
8. Present Teryl Running Horse, Board Member
9. Present Brian Wagner, Board Member
10. Excused Gretchen Wendell, Board Member
11. Present Monica Cleveland, Board Member

BIE Staff members: Jennifer Davis, Designated Federal Officer (DFO), Ronald J. Worst, Educational Specialist, Dr. Eugene Thompson, Supervisory Education Specialist, Margo Delaune ADD-DPA, and Marcy D. Oliver-Starr, Educational Specialist

TAESE Contractors: Dr. Brenda Smith, Alex Langevin, and Laura Lema

Presenters/Speakers: Dr. Eric Gutierrez and Dr. Michelle Thomas,

Others in Attendance: Kim Franklin, Laura Tsosie, Zonnie Sombrero, John Copenhaver, Gloria Yepa, Alyssa Yepa, Reanna Albert, Bessie Horseherder, Karen Bramlett, Katharine Form, Narcy Ka'Won, Raetava Godinez, Seatha Pacheco, Arlene Davis, Berdine Largo, Joann Fields, Melanie Star, Frances Chretien, Delphina Shunkamolah, Tim Begaye, Marilou Areno, Trachea Jojola, Angela Moreno, Amanda Bryant, Carmelia Becenti, Eleanor Jones, Marilyn Frank, Judito P. Camacho

8:00 AM – 8:30 AM | Roll Call, Meeting Logistics, Old Business, and New Business

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

Welcome and Call to Order – Norman Shawanokasic, Chairperson

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Meeting Logistics – Jennifer Davis, DFO, provided an overview about the meeting purpose, objectives, Board authorizations, public commenting sessions, and meeting reminders. She reviewed the agenda for the meeting for the day.

Roll Call – Chairperson Shawanokasic completed roll call. The following were present constituting a quorum:

- Norman Shawanokasic
- Dr. Harvey Rude
- Leslie Finnearty
- Dr. Perry Graves
- Gretchen Lehmann
- Teryl Running Horse
- Brian Wagner
- Monica Cleveland
- Excused: Dr. Robin Blitz,
- Pilar Peltier,
- Gretchen Wendell

Norman Shawanokasic, Chairperson, thanked everyone for their participation in the meeting the previous day. He reminded everyone of the open positions on the Board currently posted on the Federal Register. All Board members were encouraged to actively solicit candidates for Board positions. Chairperson Shawanokasic asked if any Board members had followed up from items discussed the previous day. The Board opted to continue working on the agenda for the June meeting.

Comment: Norman Shawanokasic, Chairperson – Explained he added possible questions to the agenda items for June. He noted Secretary Haaland will be invited to the September meeting and would like to request she speak on her initiative about healing past trauma for tribal populations and how it relates to education. He reminded the Board they represent the BIE across the country. Board members are not present to represent local issues but to advise on issues that affect the entire BIE. He asked Board members to be specific on future agenda items that will meet the needs of the Board and their functions. The Board often gets very focused on conversation, but it forgets to narrow down agenda items to meet the priorities of the Board. He reminded everyone the Board is advisory, and their annual report is sent to Congress to represent the BIE and its traditional, cultural values.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Brian Wagner, Board Member – Suggested leadership who are present at the September meeting be provided with the priorities the Board has developed and the questions the Board has asked previous speakers. He noted since the Board is asking previous speakers for updates, they should also ask those speakers to provide their supervisors with the same update.

Comment: Norman Shawanokasic, Chairperson – Explained how the Board developed the process of drafting questions for speakers so they get the information they need from speakers. He expressed satisfaction with the panel style of presentation utilized during the meeting.

Question: Jennifer Davis, DFO – Asked the Board to prepare questions for the Department of Education and Secretary Haaland at the September meeting as she requires the questions when she requests Secretary Haaland’s attendance at the meeting.

Comment: Norman Shawanokasic, Chairperson – Encouraged all Board members to access the Google document with drafted questions for future meetings and add their edits. He reminded the Board that questions should be related to services for students with disabilities.

Question: Jennifer Davis, DFO – Asked if Secretary Haaland is not available, if the Board would like to hear from the Assistant Secretary?

Comment: Norman Shawanokasic, Chairperson – Stated the Assistant Secretary would be fine if Secretary Haaland is not available.

Comment: Dr. Harvey Rude, Vice Chairperson – Talked about how the institutionalization of individuals with disabilities parallels and aligns with how boarding school education occurred for tribal members. He stated ideals of self-determination for tribal communities and for individuals with disabilities are similar. He noted a desire to hear from Secretary Haaland on how Department of Interior initiatives align with special education concerns.

8:30 AM – 8:45 AM Public Commenting Session #3 (15 minutes)

No public comments were received during this session.

8:45 AM – 10:00 AM Panel Discussion – BIE School Leadership

Panelists: Dr. Eric Gutierrez and Dr. Michelle Thomas

Norman Shawanokasic, Chairperson, introduced the panel session and reviewed the questions that were sent to the panelists.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

The following questions were provided to presenters to prepare for this report and discussion.

1. How has the four-day school schedule affected teacher recruitment and retention?
2. What has been the effect of the four-day week on working parents? What are some of the childcare options utilized by parents who have always worked weekends?
3. What has been the impact on schools? (E.g., students on free and reduced lunch, unstable home environments, special education, and related services, etc.)
4. Has there been any impacts on the student's IEP receiving services from five days to four days? What changes were made?

Norman Shawanokasic, Chairperson, asked the panelists to introduce themselves.

Dr. Eric Gutierrez is the Superintendent at Mescalero Apache School in Mescalero, New Mexico. They are in their second year of having a four-day school week.

Dr. Michelle Thomas is the Superintendent of Turtle Mountain Community High School in Belcourt, North Dakota. Previously she was a BIE principal. Their high school has been operating on a four-day school week since 2015.

1. How has the four-day school schedule affected teacher recruitment and retention?

Dr. Gutierrez stated they transitioned to a four-day school schedule to assist with teacher recruitment and retention. They were struggling with recruiting certified teachers. Several other schools in their area were operating on a four-day school week. When they began the four-day school week, they were able to hire teachers who left the local school district. Last year, they only lost two teachers at the end of the school year. They currently have several teachers interested in coming to their school, but they don't have any open positions. The four-day week has been very beneficial for hiring.

Dr. Thomas noted 95% of their staff are local tribal members, and their move to a four-day school week was not motivated by recruitment. They received feedback from staff that they wanted to move to a four-day school week, and that motivated their shift.

Question: Brian Wagner, Board Member – Asked if salary had more to do with retention than the fourday school week?

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** Dr. Gutierrez – They have had several salary increases in the past years but do not feel that recruitment is due to salary.
- **Response:** Dr. Thomas – Noted they have the second highest salary level in North Dakota, and they consistently hear that staff like the four-day work week.

2. What has been the effect of the four-day week on working parents? What are some of the childcare options utilized by parents who have always worked weekends?

Dr. Gutierrez hears parents say they enjoy having one less day in the week to prepare their children for school. The reservation operates several options for childcare, including the Boys and Girls Club, so parents have many options.

Dr. Thomas observed childcare is not an issue at their school, because the four-day schedule only affects high school students. However, because their district also has elementary and middle schools operating on a five-day week, they found younger children often miss school to stay home with high school students who are already home on Fridays. She would recommend if other schools switch their weekly schedule, they follow the same schedule for all schools in their district. Their younger grades are BOS, and their high school is a TCS, so they didn't have control over switching the elementary and high school grades to the same schedule.

Question: Brian Wagner, Board Member – Asked if they have pursued changing the other grades' schedule with the BIE?

- **Response:** Dr. Thomas – They have not pursued changing the schedule at this time.

Dr. Gutierrez noted they no longer have snow days. If snow prohibits attendance on a certain day, they have students attend school on Friday to make up the missed day.

Question: Dr. Harvey Rude, Vice Chairperson – Asked if they have considered setting up enrichment activities at the school on Fridays when no school is held?

- **Response:** Dr. Gutierrez – Replied yes, they have a STEM program operating on Fridays.
- **Response:** Dr. Thomas – Responded their school has an identified hour every other Friday where students who need additional support can attend one-on-one or small group support. Students who are above proficiency can attend other activities on those Fridays as well. With this, teachers only get every other Friday off, when these additional hours are not offered.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

3. What has been the impact on schools? (E.g., students on free and reduced lunch, unstable home environments, special education, and related services, etc.)

Dr. Gutierrez explained they are only in their second year of the four-day school week schedule and do not have a lot of data. They have not noticed a decrease in test scores during this time. For students with IEPs, they have made adjustments to ensure students are receiving their proper amount of services. They do have a program to send food home with students on weekends.

Dr. Thomas observed they have transition meetings with incoming students from middle school to adjust their IEPs to the new four-day schedule. This does add additional meetings for their special education staff to make sure the adjustments meet the student's needs. All their students receive free and reduced lunch. They have constant monitoring, and they work with social services to ensure students receive proper nutrition over the weekend. They have not heard any concerns about this.

Question: Norman Shawanokasic, Chairperson – Asked for clarification on the number of special education students served at the schools.

- **Response:** Dr. Thomas – Noted 33% of their students have a special education classification.
- **Response:** Dr. Gutierrez – Stated they have 22% of their student body on IEPs.

Question: Brian Wagner, Board Member – Asked if they have any shortages in special education staff?

- **Response:** Dr. Gutierrez – Explained they are fully staffed for special education with eight teachers.
- **Response:** Dr. Thomas – Also noted they are fully staffed for special education services and recently instituted a salary increase for them. They are launching a “grow your own” program for special education staff with the Elementary and Secondary School Emergency Relief (ESSER) funds they received. They are helping current staff achieve additional certifications. They do contract out for Occupational Therapist/Physical Therapist services, but they are able to fill the needs their students have. They have a full-time speech pathologist and have several specialists for students with learning disabilities. They are currently advertising for a school psychologist and previously shared one with other schools.
- **Response:** Dr. Gutierrez – Added their school also contracts with specialists and they have a school psychologist onsite one day a week to meet their student's needs.

Question: Norman Shawanokasic, Chairperson – Has the four-day week affected their proficiency scores?

- **Response:** Dr. Gutierrez – Explained for their first year on the four-day schedule, their scores have not changed from pre-COVID levels.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** Dr. Thomas – Stated they don't have evidence to tie proficiency scores to the school schedule. Their graduation rates have increased and their dropout rates have decreased. They have also seen an increase in the number of students on the honor role. They only have proficiency scores for 10th graders, who have only been doing the four-day school week for a year and a half.

4. Has there been any impacts on the student's IEP receiving services from five days to four days? What changes were made?

Dr. Gutierrez explained the big change for them was adjusting IEPs to the four-day schedule. It is a struggle when a student misses one day of school because they miss a longer day. They do sometimes need to pull students out of art or PE to make up services when they miss a day of school.

Dr. Thomas observed their teachers try to work closely with students to ensure their IEP needs are met during the school week. Because the IEP is based on individual needs, they can tailor the student's schedule to ensure they receive the level of support they need. They have a great special education staff who adjusts accordingly to ensure their students' needs are met.

Question: Brian Wagner, Board Member – Asked the panelists to elaborate on the process to transition to the four-day school week?

- **Response:** Dr. Gutierrez – Responded they conducted a survey of parents and didn't hear many concerns. The school board considered the process and took it to their community council.
- **Response:** Dr. Thomas – Replied they went through very stringent protocols through the North Dakota Department of Public Instruction. The North Dakota process requires them to consistently provide data from their school and meet standards to maintain approval for the four-day school week.

Question: Dr. Harvey Rude, Vice Chairperson – Asked if other BIE schools or public schools have connected with them to ask about the four-day school week?

- **Response:** Dr. Gutierrez – Responded they have three other schools within 40 miles of them that operate on a four-day school week. They are all public schools and they reached out to those schools before they made the switch. The state of New Mexico is no longer allowing public schools to apply and gain approval for four-day school weeks. The schools Dr. Gutierrez is aware of on the four-day week are smaller, rural schools.
- **Response:** Dr. Thomas – Replied many other schools in North Dakota that have a four-day school week. Because the North Dakota Department of Public Instruction has standards and

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

- protocols for switching schedules, they don't get many questions. The four-day school week is based on cost savings for school districts. Dr. Thomas would like to see long term studies about the academic effects of the four-day school week on students. They also have several schools in their area operating on the four-day school week.

Question: Brian Wagner, Board Member – Queried what is your school schedule?

- **Response:** Dr. Gutierrez – Explained they stagger release times between elementary and older grades to accommodate their bus schedules. Elementary school gets out at 2:45, but teachers stay at school longer to assist students who need additional help. Childcare options are also at the school for teachers' children and others who need childcare after school ends. High school and middle school go from 8:00 AM - 3:30 PM. Their school year extends 25 hours more than required.
- **Response:** Dr. Thomas – Responded they extended school hours when they switched schedules, which brought their school more in alignment with the hours requirement from North Dakota. Before the switch, they had more school hours than required. Their school goes from 8:00 AM - 3:45 PM. They intentionally considered additional time as well, but they need to accommodate various snow days.

Question: Brian Wagner, Board Member – Requested the panelists discuss meeting the needs of students who need additional support?

- **Response:** Dr. Thomas – Stated services for students are strong if the school's program is strong, regardless of what the school schedule is. They have strategically rescheduled student athletic events to occur on Fridays and weekends so students don't miss academic time. They have noticed an increase in teachers and students taking time off for appointments on Thursdays instead of their Fridays off.
- **Response:** Dr. Gutierrez – Explained they also try to schedule long travel for athletic events on Fridays.

Question: Brian Wagner, Board Member – Asked how they provide personnel hours for extra hours on Fridays?

- **Response:** Dr. Gutierrez – Noted they handle it like extra hours for coaches or other specialists. Holding special programs on Fridays allows more space in the school for programs like robotics.
- **Response:** Dr. Thomas – Explained their Friday activities are for students who need extra support or want to participate in additional activities. They use specialists for these activities. They are using state ESSER funds to build a learning center that will open in two years. It will be a technology-based center to help students connect with outside resources via virtual reality. When ESSER funds go away, they will continue to rely on title funds, because all of their students receive free and reduced lunch.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** Dr. Gutierrez – Expounded they receive 99% of their funding from the BIE, but there is also state funding they can apply for.

Question: Dr. Harvey Rude, Vice Chairperson – Asked for their recommendations on recruitment strategies for other BIE schools that are struggling?

- **Response:** Dr. Gutierrez – Observed they have used ESSER funds to offer signing bonuses and they offer extra incentives for special education staff. They find their staff like the four-day week. They struggled for years to recruit staff, but feel the incentives and schedule have helped.
- **Response:** Dr. Thomas – Stated schools should not move to a four-day school week unless they are structured to support it and provide the best instruction to students. She explained special education staff need to have time built into their schedules to handle IEP paperwork and adequately meet reporting requirements. Retention is bolstered when teachers have time to complete tasks without burning out.
- **Response:** Dr. Gutierrez – Added the four-day school week is intense, but the longer weekend allows teachers and staff to recuperate and return on Monday ready for the week. **Question:** Norman Shawanokasic, Chairperson – Noted teacher retention is affected by the quality of school leadership and the school’s relationship with the community. He asked the panelists to comment on the impacts on students who have unstable home environments.
- **Response:** Dr. Gutierrez – Responded they are fully staffed with counselors, and they work to address issues as they arise. They do perform home visits and they work to stay on top of issues so they can provide support to their students.
- **Response:** Dr. Thomas – Replied they run bus routes on Fridays when activities are at schools, so students who want to be away from home can partake in those activities. They work hard to provide opportunities for students to connect with staff. Their staff are trained to watch for signs when a student needs assistance, and their staff understand they are mandated reporters. She stressed the importance of relationships between students and teachers.

Norman Shawanokasic, Chairperson, thanked the panelists for their participation in the Board meeting.

Dr. Gutierrez encouraged the Board to visit his school.

Dr. Thomas thanked the Board and other attendees for helping BIE schools move forward with improvements.

Comment: Norman Shawanokasic, Chairperson – Appreciated the report from BIE school leadership. He acknowledged the different issues schools face.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Dr. Harvey Rude, Vice Chairperson – Noted he has seen a similar move to four-day school weeks by rural schools in Colorado. The move to a four-day school week has many considerations and may assist with staff recruitment and retention. He would not be surprised if additional BIE schools move to a four-day school week.

Question: Brian Wagner, Board Member – Wondered if barriers are in the BIE for BOS moving to a four-day school week?

- **Response:** Dr. Thomas – Explained when she was a BIE principal, there wasn't enough data about the benefits of a four-day school week and there were many questions about time coding for staff. She recommended the procedures the North Dakota Department of Instruction uses to approve schools to move to the four-day week.

Comment: Brian Wagner, Board Member – Noted the Board could make recommendations to remove roadblocks for BIE schools that would like to move to a four-day school week. He recommended the BIE reduce roadblocks for schools to move to a four-day school week to increase recruitment and retention of personnel/staff.

Comment: Dr. Harvey Rude, Vice Chairperson – Explained today's overall climate of flexibility for workers leans toward supporting four-day school weeks.

10:00 AM – 10:15 AM | Public Commenting Session #4 (15 minutes)

Margo Delaune: Asked if there were any concerns of parents regarding childcare when going to a four day school week?

Dr. Thomas: Stated they operate at the high school level and there were no concerns.

Chat Comment, Karen Bramlett (curriculum specialist at Alamo Navajo Community School): Alamo Navajo Community School has had a four-day school week for the past five years. We compete with the local public school for students. Alamo has increased enrollment with a four-day school week. The local public school 40 years of a four-day school week. The families and staff of Alamo appreciate a four-day school week, due to the ability to travel for groceries. The nearest grocery store and laundry is 60 miles away. Some families still need to haul water for their homes. The longer weekends allow families to take care of their family needs (appointments, errands, etc.) When they were able to switch to the four-day school week, they increased their student body by 30 students. They still have issues recruiting and retaining staff because of their rural location. They contract for services, but the tribe is building a new clinic that will offer those services through an MOU. She thanked the Board for their time and work.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Marcy Oliver Star (Education Specialist, DPA): Would like to see how schools are using telehealth for their related service providers. How is it working? Can it be replicated?

Jennifer Davis (DFO): Noted rural schools often struggle to get related service providers and she asked about the avenues schools have to provide related services. She also wondered about the effectiveness of teletherapy services and the data surrounding it. She also mentioned schools may be able to work together or with local institutions of higher education to develop “grow your own” programs. **Dr. Harvey Rude, Vice Chairperson:** Noted it’s important for the Board to hear from institutions of higher education to learn how they promote teacher education programs and work with local schools.

Jam Board Comment: “Grow your own for Alamo Navajo” Success and Challenges. Native Language Teachers success: three paraprofessionals have obtained licenses. Recent graduate working as paraprofessional and attending university for math degree. Special Education challenge: No interest in the community to become special education teacher or service providers.

10:15 AM – 10:30 AM | Board Reflection for the School Leadership Four-Day Week Schedule

Comment: Norman Shawanokasic, Chairperson – Enjoyed the panelists and the format that was used. This will help the Board shape future agendas. It sounds like the four-day school week is a viable option for other schools. The safety and security of students and staff is of utmost importance for schools making schedule decisions.

Comment: Dr. Harvey Rude, Vice Chairperson – Expressed the panel discussion reinforced what he knows as best practice. The four-day school week, combined with other good practices, can increase teacher recruitment and retention.

Comment: Dr. Perry Graves, Board Member – Stated five-day school weeks are preferable so students are in the schools more and can benefit from that contact.

Comment: Leslie Finnearty, Secretary – Appreciated the panel format. She expressed concern with the four-day school week and the need for repetition in seeing students. She would be interested in seeing data on special education outcomes between schools on four-day weeks and five-day weeks.

Comment: Gretchen Lehmann, Board Member – Appreciated the panel format on both days of this meeting. She found value in hearing how schools are thinking outside the box to address recruitment issues while still providing services to students with disabilities.

Comment: Brian Wagner, Board Member – Echoed the comments of other Board members and noted that leadership is key to any schedule changes. He reiterated four-day school weeks assist staff with their mental health and bolsters staff retention. Burnout is a reality for school staff and needs to be addressed. He thanked leadership across the BIE for contributions to increase outcomes for students with disabilities.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Norman Shawanokasic, Chairperson – Added a presentation on teletherapy services versus onsite services would be a valuable topic for the Board to consider. Financial considerations play a role in what services schools can offer. He reiterated comments that a four-day school week may not be a complete solution to recruitment issues.

10:30 AM – 10:45 AM | Break

10:45 AM – 11:30 AM | Continue Working on the Next Meeting’s Logistics

Norman Shawanokasic, Chairperson – Welcomed the Board back from the break and noted the Board would spend the rest of the day working on logistics for the Board meeting in June at Chemawa Indian School in Oregon and the September meeting in Washington D.C. He reminded the Board time will be needed at the September meeting for the annual report. The Board reviewed the priority areas identified in the previous annual report.

Question: Brian Wagner, Board Member – Asked who would be invited to the June meeting to speak as a tribal-state liaison?

- **Response:** Norman Shawanokasic, Chairperson – It was not decided and noted questions were added in for this potential speaker.

Comment: Gretchen Lehmann, Board Member – Requested a question be added about funding for schools that are not part of the Indian School Equalization Program (ISEP).

Comment: Dr. Harvey Rude, Vice Chairperson – Identified April Campbell on the Oregon Department of Education website as a potential tribal-state liaison speaker.

Comment: Brian Wagner, Board Member – Suggested having a panel of tribal-state liaison personnel at the June meeting. He could provide information for Fred Osborne from South Dakota.

Question: Gretchen Lehmann, Board Member – Asked for clarification on who would be on the panel.

Comment: Norman Shawanokasic, Chairperson – Stated he would like to hear from a panel of tribal state liaisons.

Comment: Jennifer Davis, DFO – Observed a lot of students at Chemawa Indian School are from outside of Oregon and it may be beneficial to have panelists from those other states. She could look up information for the Arizona and New Mexico liaisons. She asked if the Board wanted the June meeting to start at 8:00 PDT or 8:00 MDT?

Comment: Brian Wagner, Board Member – Stated the schedule needs to be based on what time schedule Chemawa can accommodate. For the September meeting, the schedule should also be based on the needs of the speakers. He also suggested tours of the school occur in the evening, so it doesn’t take up time during the official meeting time.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Jennifer Davis, DFO – Suggested having a working lunch so the Board can spend the last hour of the meeting touring the school.

Comment: Ron Worst, Educational Specialist – Suggested scheduling the tour later in the afternoon so online attendees can adjourn earlier in the afternoon.

Comment: Jennifer Davis, DFO – Confirmed Chemawa has reserved space for the meeting and will host the Board.

Comment: Brian Wagner, Board Member – Noted the Board hasn't seen a lot of participation from school staff at Board meetings and he isn't sure if the meeting needed to be held later to accommodate EDT zone participants. He suggested if any speakers are from the eastern time zone, they could be scheduled earlier on the agenda.

Comment: Leslie Finnearty, Secretary – Stated her agreement for using pacific time.

Comment: Gretchen Lehmann, Board Member – Stated her agreement for using PDT. **Comment:** Dr. Perry Graves, Board Member – Stated his agreement for using PDT.

The Board agreed to hold the June meeting on Pacific time.

Question: Jennifer Davis, DFO – Suggested holding a working lunch so the Board has more time for a site tour. She asked if the Board wanted time for reflection after each presentation.

- **Response:** Norman Shawanokasic, Chairperson – Stated the reflection time is important, and 15 minutes should be scheduled.
- **Response:** Brian Wagner, Board Member – Recommended the reflection time for speaker sessions be combined with the public comment period and increase the time to 20 minutes. This will give participants an opportunity to ask questions and comment on the speakers in collaboration with the Board.

Comment: Jennifer Davis, DFO – Explained Federal regulations require a set time on the agenda for public comments. The Board could use that time to reflect on speakers, provided there are no comments from the public.

Comment: Norman Shawanokasic, Chairperson – Clarified the public comment session is not a question and comment period. The speakers could leave if they wanted and not respond to questions.

Comment: Jennifer Davis, DFO – Suggested leaving the public comment and reflection period to 15 minutes.

11:30 AM MST | Lunch (1.5 hours)

1:00 PM – 2:30 PM | Continue Working on the Next Meeting's Logistics

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Dr Harvey Rude, Vice Chairperson – Welcomed the Board back from the break. He noted the Chairperson would be returning from lunch a little late due to another meeting.

Comment: Jennifer Davis, DFO – Shared a document showing what states students at Chemawa come from. A lot of Chemawa students come from Arizona and Montana.

Comment: Dr. Harvey Rude, Vice Chairperson – Observed many students also come from the Dakotas and California. He suggested inviting leadership and community members from Chemawa to do a session during the June meeting.

Comment: Jennifer Davis, DFO – Suggested transition may be a good topic for discussion with Chemawa leadership. It could be a panel discussion, involving several other schools.

Comment: Dr. Thompson – Suggested a panel discussion with Off Reservation Boarding (ORB) schools.

Comment: Brian Wagner, Board Member – Observed that ORB school boards are comprised of tribal members representing the tribes who comprise the student body.

Comment: Dr. Harvey Rude, Vice Chairperson – Directed the Board back to developing the agenda for the June meeting.

The Board suggested soliciting tribal-liaison panelists from Arizona, Oregon, Montana, South Dakota, and North Dakota.

Comment: Brian Wagner, Board Member – Recommended adding a panel discussion with representatives from ORB schools – Chemawa Indian School in Oregon, Sherman Indian High School in California, Riverside Indian School in Oklahoma, and Flandreau Indian School in South Dakota. All ORBs are BOS.

Comment: Dr. Harvey Rude, Vice Chairperson – Suggested moving around the drafted questions for the tribal-liaison panel.

Comment: Brian Wagner, Board Member – Suggested focusing the questions on supports for BIE funded schools.

Comment: Dr. Harvey Rude, Vice Chairperson – Noted the Board should ask about the relationship between state agencies and BIE-funded schools.

Comment: Brian Wagner, Board Member – Requested asking how states are ensuring all students acquire knowledge of tribal history, economics, treaty rights, tribal sovereignty, and other issues related to tribes.

Question: Dr. Thompson – Suggested asking how states work with tribal governments. He asked if schools in South Dakota receive funding from the state.

- **Response:** Brian Wagner, Board Member – Responded BOS in South Dakota do not get Part B funding from the South Dakota Department of Education.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Leslie Finnearty, Secretary – Clarified the drafted question about funding from the state for students not participating in ISEP.

Comment: Dr. Thompson – Recommended adding a question about BIE schools referring students to juvenile justice facilities or residential treatment facilities and how states collaborate with the school.

Comment: Brian Wagner, Board Member – Stated enough questions had been developed for the state tribal liaison panel and recommended the Board move on to the next suggested topic for the June meeting. He suggested a question about how COVID has affected ORBs.

Comment: Ron Worst, DFO – Talked about the difficulties ORBs experienced during COVID with students participating in virtual education.

Comment: Dr. Thompson – Suggested a question about parent engagement for ORBs.

Comment: Jennifer Davis, DFO – Stated it would be good to know how ORBs dealt with students who didn't return to school when schools opened after the pandemic.

Comment: Dr. Thompson – Suggested a question about how education strategies have changed at boarding schools post-COVID.

Comment: Dr. Harvey Rude, Vice Chairperson – Requested a question for ORBs about staff recruitment and retention.

Comment: Jennifer Davis, DFO – Suggested asking if the Board can assist ORBs or answer any questions for them. She noted there are also several tribally controlled boarding schools.

Comment: Dr. Harvey Rude, Vice Chairperson – Recommended moving to the next topic for June meeting.

Comment: Brian Wagner, Board Member – Asked if the discussion with Chemawa Indian School leadership be an open discussion or more structured.

The Board agreed to move on to the next topic for the June agenda.

Comment: Norman Shawanokasic, Chairperson – Clarified when Chemawa Indian School leadership speaks with the Board, they shouldn't be encouraged to ask questions requiring the Board to respond on behalf of the BIE. He suggested asking school leadership to share their school successes and concerns with the Board.

Comment: Brian Wagner, Board Member – Suggested each presentation be prefaced with the role of the Board so speakers are aware the Board is an advisory body and does not make decisions. He requested the DFO ask Chemawa to assign their leadership to attend the meeting to provide answers to the Board's questions or provide background on how presenters were selected.

Comment: Jennifer Davis, DFO – Explained she will communicate with the principal. She will provide the questions and request the school leadership team be available to discuss the issues.

Ron Worst, Educational Specialist – Noted Chemawa currently has one special education teacher and has been understaffed.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Dr. Harvey Rude, Vice Chairperson – Suggested wording changes to shorten the questions the Board drafted for Chemawa Indian School leadership. He clarified Chemawa leadership should include administrators, teacher leaders, the school improvement team, and possibly the parent advisory board.

Comment: Brian Wagner, Board Member – Asked if there were additional edits to the questions for Chemawa school leadership.

Comment: Dr. Harvey Rude, Vice Chairperson – Recommended a question about the impact of Chemawa on the local community. He then recommended moving on to the next topic.

Comment: Norman Shawanokasic, Chairperson – Suggested talking with tribal vocational rehabilitation directors, if there is room on the agenda.

Comment: Ron Worst, Educational Specialist – Explained there are two local tribes, the Confederated Tribes of Grand Ronde and the Confederated Tribes of Siletz Indians, who provide offsite activities for Chemawa students, specifically services for employment transition.

Comment: Dr. Harvey Rude, Vice Chairperson – Suggested a question for the tribal vocational rehabilitation (TVR) directors prompting a description of the services they provide.

Comment: Brian Wagner, Board Member – Asked if the Board wanted to solicit TVR directors from outside the immediate geographic area of the June meeting. If so, he has a contact he could reach out to if no one is available from the two local tribes.

Comment: Dr. Harvey Rude, Vice Chairperson – Recommended a question about what data is collected by TVR units.

Comment: Ron Worst, Educational Specialist – Explained neither of the two local tribes have bureau or tribally-operated schools.

Comment: Norman Shawanokasic, Chairperson – Explained the process of transitioning an IEP to a plan with vocational rehabilitation.

2:30 PM – 2:45 PM | Break

2:45 PM – 4:30 PM | Continue Working on the Next Meeting's Logistics

Norman Shawanokasic, Chairperson – Welcomed the Board back from the break.

Question: Dr. Thompson – Asked for clarification and a change on one of the TVR questions?

Comment: Dr. Harvey Rude, Vice Chairperson – Asked to review all planned sessions for the June meeting, which included panel discussions with ORBs, tribal/state liaisons, Chemawa leadership, and TVR directors. He suggested having Dr. Thompson and Tony Dearman as speakers during the June meeting. He added updates from the ADDs would also be helpful.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Question: Brian Wagner, Board Member – Asked if the Board wanted to wait to hear from Tony Dearman until the September meeting?

- **Response:** Norman Shawanokasic, Chairperson – Reminded the Board the majority of September’s meeting will consist of drafting the annual report. He suggested the Board only hear presentations from Tony Dearman, the Department of Education, and Secretary Haaland in September.

Comment: Dr. Harvey Rude, Vice Chairperson – Explained previously, sub-committees were organized to establish priorities for the Board. Sub-committee meetings must include the DFO. He suggested using sub-committees, so the Board has more time to hear from speakers during the meetings in June and September. He asked if any other agenda items needed to be added for the June meeting?

Comment: Norman Shawanokasic, Chairperson – Stated the agenda looked full for the June meeting.

Comment: Jennifer Davis, DFO – Requested the Board prioritize the June agenda items for her to organize.

Comment: Brian Wagner, Board Member – Requested the questions be reused when speakers/panelists are invited back for updates.

Comment: Norman Shawanokasic, Chairperson – Noted one of the potential questions for Tony Dearman addresses job vacancies and the potential topic for vacancy data experts can be removed for a potential future meeting.

Comment: Brian Wagner, Board Member – Suggested moving updates from past speakers to a later meeting date. He also recommended moving the Central Office and tribal education grantee discussion to a future meeting date.

Comment: Dr. Harvey Rude, Vice Chairperson – Explained the value of hearing from the Central Office and tribal education grantees, and the need to ensure accountability is maintained. He noted the conversion from a BOS to a TCS is most taxing when ensuring special education services are maintained.

Comment: Dr. Thompson – Suggested a future panel discussion be held with schools who cooperatively pay for and share related service providers.

Comment: Jennifer Davis, DFO – Reviewed all the speakers from the January 2023 Board meeting.

Comment: Dr. Thompson – Recommended the ADD regional representatives present again at the January 2024 meeting.

Comment: Dr. Harvey Rude, Vice Chairperson – Recommended the Board focus on identifying priorities for the annual report.

Comment: Jennifer Davis, DFO – Asked the Board to make decisions about who should speak at the September meeting so she can request Secretary Haaland and the Department of Education as speakers.

Brian Wagner, Board Member – Suggested prioritizing all speakers in June who are local.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Norman Shawanokasic, Chairperson – Stated Tony Dearman should be invited to the June meeting, but his attendance should be prioritized for the September meeting.

Comment: Dr. Thompson – Noted if Tony Dearman is working from the Washington D.C. office, then his attendance is more likely at the September 2023 meeting.

The Board ranked and prioritized topics for the June meeting and moved to the proposed questions for the September meeting for the Department of Education and Secretary Haaland.

Question: Norman Shawanokasic, Chairperson – Asked how long it would take for the DFO to confirm if Secretary Haaland is available for the September meeting?

- **Response:** Jennifer Davis, DFO – Explained she would need to submit an application requesting Secretary Haaland’s presence at the September Board meeting and then she would need to call the Department of Interior monthly to see if it would be possible. The Assistant Secretary may be sent in Secretary Haaland’s place.

Comment: Dr. Thompson – Recommended adding “equitable” into the questions for Secretary Haaland as equity is a priority topic for the Department of Education.

Comment: Jennifer Davis, DFO – Stated it is likely Secretary Haaland will be able to speak with the Board for an hour.

Comment: Norman Shawanokasic, Chairperson – Noted the Board should be prepared to answer questions from Secretary Haaland.

Comment: Brian Wagner, Board Member – Recommended asking Secretary Haaland about how recommendations from the Board are addressed after the Board’s annual report is submitted.

Comment: Norman Shawanokasic, Chairperson – Noted the question should be asked strategically and the phrasing was tweaked.

The Board finalized the questions for Secretary Haaland and moved on to questions for the U.S. Department of Education, Office of Special Education Programs (OSEP).

Question: Brian Wagner, Board Member – Asked if OSEP has a different relationship with the BIE than they do with other states?

- **Response:** Dr. Thompson – Replied the BIE and OSEP have a very good relationship. He has a monthly call with staff at OSEP and the OSEP Director, Valerie Williams, has met with the BIE and is interested in assisting them.
- **Response:** Margo Delaune, ADD-DFA – Explained OSEP assists the BIE differently because the state requirements don’t exactly match the parameters of the BIE and OSEP and the BIE must work together to fit what the BIE does within the required compliance indicators.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Jennifer Davis, DFO – Shared the questions that were asked to OSEP the last time they addressed the Board.

Comment: Dr. Harvey Rude, Vice Chairperson – Reminded the Board when Valerie Williams from OSEP last spoke to the Board, she genuinely expressed a desire to learn more about the BIE’s needs and to promote equity.

Comment: Brian Wagner, Board Member – Requested a list or report of all of the OSEP-funded technical assistance centers be provided to the Board.

Comment: Norman Shawanokasic, Chairperson – Redirected the conversation back to editing the questions for Valerie Williams.

Comment: Dr. Thompson – Volunteered to assist the Chairperson revise questions for Valerie Williams.

Comment: Brian Wagner, Board Member – Suggested Dr. Thompson report on data at the September meeting.

Comment: Jennifer Davis, DFO – Suggested Margo Delaune provide a DPA update from the special education perspective and the Every Student Succeeds Act (ESSA).

Comment: Dr. Harvey Rude, Vice Chairperson – Reminded the Board priority topics needed to be set.

Comment: Norman Shawanokasic, Chairperson – Suggested all Board members review last year’s priority areas and meet separately to draft new priorities. He recommended sub-committees be formed to review the priorities.

Comment: Jennifer Davis, DFO – Reminded the Board at the previous September meeting, half the meeting included an orientation, which won’t be necessary again. She stated the June meeting will need to include an election of a Chairperson, Vice Chairperson, and Secretary.

Comment: Dr. Harvey Rude, Vice Chairperson – Noted the Board charter states the Secretary appoints the Chairperson with recommendations from the Board.

Comment: Jennifer Davis, DFO – Reiterated the importance of Board members attending meetings in person. She asked Board members to stress to new Board members the importance of attending meetings in person.

Comment: Norman Shawanokasic, Chairperson – Suggested the Board make in-person attendance mandatory or at least strongly recommended. He noted virtual attendees should have their cameras on at all times. The BIE pays money for meeting space and for staff to attend. With that, Board members should do their best to attend meetings in person.

Comment: Brian Wagner, Board Member – Noted it is more difficult for Board members to be engaged in the meeting topics when they aren’t onsite.

Comment: Jennifer Davis, DFO – Explained when the majority of Board members are offsite, she is required to constantly check attendance to ensure the Board has a quorum to make decisions. She reminded members during the application process, they stated they were available to attend meetings.

Comment: Norman Shawanokasic, Chairperson – Suggested setting a timeline when Board members can no longer attend virtually.

BIE Advisory Board for Exceptional Children

DAY-2, Friday, April 14, 2023, 8:00 AM - 4:30 PM (MST)

Jennifer Davis, DFO – Explained the original intent of holding meetings virtually was to allow school staff, who can't travel, to attend meetings to listen to content and gather public comment.

Comment: Norman Shawanokasic, Chairperson – Solicited input from the Board members who were attending virtually.

Comment: Leslie Finnearty, Secretary – Stated she would like to have the option to attend virtually.

Comment: Teryl Running Horse, Board Member – Observed she could attend in person or virtually.

Comment: Dr. Perry Graves, Board Member – Stated in-person participation would work for him.

Comment: Norman Shawanokasic, Chairperson – Clarified he would work with Jennifer Davis and Dr. Harvey Rude to set up the sub-committees to work on priority items.

Comment: Dr. Harvey Rude, Vice Chairperson – Reminded Board members to reach out to individuals who would make good Board members and encourage them to apply.

4:30 PM MST | Adjourn

Brian Wagner, Board Member, made a motion to adjourn the meeting.

Dr. Harvey Rude, Vice Chairperson, seconded the motion.

All Board members voted in favor of adjourning the meeting.