



BIE Advisory Board for Exceptional Children

Hybrid Meeting January 19-20, 2023

BOARD MINUTES

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

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

Meeting Location: HYATT PLACE HOTEL

3535 W Chandler Blvd, Chandler, AZ 85226 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. Present Dr. Robin Blitz, M.D. Board Member
5. Present Dr. Perry Graves, Ph.D. Board Member
6. Present Gretchen Lehmann, Board Member
7. Present Pilar Peltier, Board Member
8. Present Teryl Running Horse, Board Member
9. Present Brian Wagner, Board Member
10. Present Gretchen Wendell, Board Member

BIE Staff members: Jennifer Davis, Designated Federal Officer (DFO) and Ronald J. Worst, Education Specialist, Division of Performance and Accountability (DPA)

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

Presenters/Speakers: Dr. Eugene Thompson, Supervisory Education Specialist; Cheryl Johnson; Carrie Watahomigie; Gloria Yepa; Katharine Ford; Joann Fields; Dr. Cheri Poitra; Tony Dearman, BIE Director; and Juanita Mendoza



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

Others in Attendance: Zonnie Sombrero, Arlene Davis, Frances Chretien, Sherri Elbert, Leslie Crow, Eleanor Jones, Karen Etsitty, Tanatane Latala, Marcy Starr, Roxanne Arthur, Laura Tsosie, Carmelia Becenti, Claudette Gourneau, Connie Albert, Nancy Ka'Won, Babette Howe, Lisa Keller, Margo DeLaune, Tamarah Pfeiffer, Frances Chretien, Kimberly Smith, and Victoria Wind.

8:00 a.m. – 8:30 a.m.

Roll Call, Introduction of New Board Member, Old Business, 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 current Board members were reviewed, and it was noted there are currently five vacant positions. A call for nominations will be issued in February 2023. The open positions will represent parents/guardians of students with disabilities, individuals with disabilities, State Education Officials, and State Interagency Coordinating Councils. Three Board member terms will end in July of 2023. A review of the agenda was provided. A review was given of the Bureau of Indian Education, Division of Performance and Accountability (DPA), Special Education Team.

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

- Dr. Harvey Rude
- Leslie Finnearty
- Dr. Perry Graves
- Gretchen Lehmann
- Pilar Peltier
- Teryl Running Horse
- Brian Wagner
- Gretchen Wendell
- Dr. Robin Blitz

Introduction of New Board Members – Brian Wagner was introduced as a new Board Member. He is a tribal education staff director in South Dakota and represents Crow Creek and Lower Brule Tribes through his Board nomination and shares the concerns of all tribes in South Dakota. He has worked with programs where student's built homes in their community as part of their



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

classes. He has worked to help build online IEP processes. All other Board members introduced themselves to Brian Wagner.

Old Business – It was noted there was a revision completed to the 2022 Annual Report. A paragraph was moved. The revised report was sent to all Board members and will be reposted. The minutes from the September 2022 meeting were sent to all Board members. A motion was made by Gretchen Wendell to approve the minutes. The motion was seconded by Dr. Harvey Rude. Brian Wagner abstained from voting on the minutes as a new member who was not in attendance at the previous meeting. All other members voted in favor of the motion to approve the minutes.

New Business – The charter for the Board has been approved as of January 9, 2023. All Board members received the new charter, and it has been signed by the Secretary of the Interior and filed. The 2022 Annual Report has been filed on the [BIE website](#). As previously noted in the meeting logistics, a call for nominations will be issued in February of 2023. All information regarding open positions are posted on the [BIE website](#). One nomination is currently undergoing the approval process.

- **Question:** Dr. Robin Blitz – asked about eligibility for membership.
 - **Response:** Jennifer Davis, DFO, will follow up with Dr. Robin Blitz regarding the eligibility of the person she was considering suggesting for nomination.

8:30 a.m. – 9:30 a.m. Work on Next Meeting Logistics

Norman Shawanokasic, Chairperson – explained the April 2023 meeting is scheduled to be held in Albuquerque, New Mexico. The June 2023 meeting is scheduled in Portland, Oregon. And the September 2023 meeting is scheduled in Washington, D.C. An update was given on possible locations in Albuquerque. The federal building in Albuquerque won't be available for the April meeting due to the unavailability of internet services for the meeting.

Comment: Brian Wagner, Board Member – noted that in the past, the Board has tried to meet at BIE schools in the location.

Comment: Jennifer Davis, DFO – asked for suggested schools the Board would like to meet at and explained some of the logistical considerations for holding a meeting at a school. Jennifer Davis can connect with some of the schools in Albuquerque and inquire about meeting at the schools. It was noted that very few members of the public attend Board meetings in person and having a virtual option for the meeting has been helpful to foster attendance by the public.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – make sure that schools allow outside visitors; there are some schools that don't allow anyone in their building except students & staff due to COVID protocols.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Pilar Peltier, Board Member – suggested the June meeting location be changed to Salem, Oregon because of the community changes occurring in Portland.

Comment: Dr. Harvey Rude, Vice Chairperson – noted that the purpose of meeting in Oregon was to visit Chemawa Indian School and meeting in Salem would allow access to the school.

Comment: Pilar Peltier, Board Member – explained that in June, students wouldn't be at the school and noted its proximity to airports.

Comment: Jennifer Davis, DFO – reminded the Board that their primary purpose at the current meeting is to work on logistics, including proposed speakers, for the April meeting. The proposed speakers and agenda items should focus on the priorities identified for the Board in the 2022 Annual Report.

Comment: Dr. Harvey Rude, Vice Chairperson – suggested the Secretary of Interior be invited to the April meeting. He requested a panel of local school directors be put together. He also suggested that Tony Dearman be invited to speak.

Comment: Dr. Robin Blitz, Board Member – reviewed the priority in the Annual Report regarding recruitment and retention of special education personnel in schools and asked who would be the appropriate person to discuss the current status of that area.

- **Response:** Jennifer Davis, DFO – explained the BIE Human Resources would present the following day to update the Board on the current status of recruitment and retention efforts in relation to the priority established by the Board in its annual report.
- **Response:** Dr. Harvey Rude, Vice Chairperson – also noted that the ADD regional reports in the afternoon may also speak to this issue.

Comment: Brian Wagner, Board Member – stated he would like to see discussion during the April meeting on resources for students on mental health topics at schools, particularly personnel recruitment and adequacy of qualifications. This is not an identified annual report priority, but Brian Wagner would like to see it addressed by the Board.

Comment: Gretchen Lehmann, Board Member – noted school superintendents from both tribally controlled schools (TCS) and Bureau Operated Schools (BOS) would be valuable speakers on special education personnel recruitment to hear the perspectives of those in charge of hiring at the school level.

Comment: Dr. Robin Blitz, Board Member – asked if someone will present at the current meeting on mental health supports.

- **Response:** Norman Shawanokasic, Chairperson – responded it was not on the current meeting agenda.

Comment: Dr. Robin Blitz, Board Member – suggested a speaker on mental health supports be obtained for the April meeting.

Comment: Gretchen Lehmann, Board Member – recommended school level staff be brought in to speak to the current efforts on providing mental health supports in schools.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Brian Wagner, Board Member – advocated for having a speaker from Indian Health Services (IHS) who can speak to the barriers for providing mental health supports and how the community can work together.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – a resource for Behavior Health & Wellness Program: Teresia Paul (Oglala Lakota) Student Health Program Specialist, Central Office: BIE Lead, Behavioral Health and Wellness Program (BHWP).

Comment: Dr. Robin Blitz, Board Member – stated there may be memorandums of understanding in place that allow for interagency cooperation to provide supports. **Comment:** Brian Wagner, Board Member – noted memorandums of understanding may need to be updated because there are barriers to providing services.

Comment: Dr. Robin Blitz, Board Member – explained priority number three for the Board addresses wellness and that a speaker for the April meeting is needed to address this issue.

Comment: Norman Shawanokasic, Chairperson – asked Jennifer Davis, DFO, how the Board could get suggestions for speakers on this topic.

● **Response:** Jennifer Davis, DFO, noted she can follow up with Dr. Eugene Thompson for references on who could speak on the topic. Following which, she can provide the speaker with a list of questions the Board would like the speaker to address. **Comment:** Norman Shawanokasic, Chairperson – noted during the COVID pandemic, mental health and wellness was a prevalent topic that the Board addressed. He noted that internet access is also a barrier to students receiving mental health and wellness supports. **Comment:** Dr. Eugene Thompson, Supervisory Education Specialist (chat) – added several possible resources (Behavior Health & Wellness Program: Teresia Paul, Oglala Lakota, Student Health Program Specialist, Central). He noted several schools still will not allow outside visitors due to their COVID protocols.

Comment: Brian Wagner, Board Member – advocated for a speaker from IHS to increase collaboration between them and the BIE.

Comment: Dr. Robin Blitz, Board Member – stated approval of the suggestion for a representative from IHS. She discussed the need to have qualified health staff at each school.

Comment: Norman Shawanokasic, Chairperson – reiterated that the April meeting agenda should include someone from IHS who can develop responses to questions the Board has.

Comment: Dr. Robin Blitz, Board Member – noted priority three of the annual report (3.D- Provide training and resources to BIE funded schools on evidenced based behavioral interventions for students with disabilities.) includes a provision to provide training for schools on mental health and wellness. She would like a report on how widespread resources are being distributed to schools. Dr. Blitz added in the chat – Letter D, Priority #3 - How are all of the BIE and TCS providing training and resources on evidence-based behavioral interventions for students with disabilities and for the staff? Seeking data to determine if this is available in each and every school. How can IHS and BIE work together to assure wellness supports in all of our schools?



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Norman Shawanokasic, Chairperson – requested Board members attending virtually put questions for the potential speakers at the April meeting in the chat so they can be captured. He stated the quality of conversation on topics was excellent.

Comment: Brian Wagner, Board Member – requested a speaker also be present in April to represent school psychologists to discuss identification of students with disabilities in relation to mental health advocacy and potential overidentification.

Comment: Gretchen Wendell, Board Member – stated she has seen an influx of students being recommended for evaluation of special education services when mental health resources could meet their needs instead.

Comment: Gretchen Lehmann, Board Member – also noted an increase in requests for evaluations for students who have been homeschooled for several years since COVID.

Comment: Dr. Harvey Rude, Vice Chairperson – explained many schools have moved to a four-day school week to increase recruitment and retention of staff. He requested that information be provided on how many schools have moved to shorter school weeks.

Question: Dr. Robin Blitz, Board Member – asked if the shorter school week increased the number of hours students spent in schools daily and about how working parents handled childcare on the extra day off.

- **Response:** Dr. Harvey Rude, Vice Chairperson – explained school day length is increased and childcare for the extra day off of school varied across communities.

Question: Brian Wagner, Board Member – noted four-day school weeks affect free and reduced lunch availability for students who rely upon it for meals.

Comment: Leslie Crow (chat) – good morning, I am Leslie Crow, new Student Behavioral Health Program Specialist for ADD-BOS. The Youth Mental Health First Aid and other trainings, as well as monthly Wellness Wednesdays are available at biebhwp.com. (BIE Behavioral Health and Wellness Program).

9:20 a.m. – 9:30 a.m. Break

9:30 a.m. – 10:45 a.m. | BIE’s State Performance Plan/Annual Performance Report (SPP/APR). Presenter: Dr. Eugene Thompson, Supervisory Education Specialist

Dr. Eugene Thompson, Supervisory Education Specialist – The Annual Performance Report (APR) is due on February 1st. They are getting ready for monitoring activities, so it’s been a busy time. Gloria Yepa joined the team and she’ll be offering a lot of administrative support. They’re looking to hire additional staff in the upcoming months. They’ve been working with Office of Special Education Programs (OSEP) technical assistance centers, including the National Center on Systemic Improvement (NCSI).



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

The focus for the current presentation is on SPP/APR indicator 3. SPP/APR Indicator 3 covers performance of children with Individualized Education Programs (IEPs) on statewide assessments. This is a results indicator in the APR, and there are four areas addressed by this indicator.

- A.** Participation rates.
- B.** Proficiency rate against grade level academic achievement standards.
- C.** Proficiency rate against alternate academic achievement standards.
- D.** Gaps in proficiency rates for children with IEPs and all students against grade level academic standards.

Required reporting for this indicator occurs in grades 4 and 8, and in grades 9-12.

The BIE worked to set targets with stakeholders in 2020-2025, but OSEP did not accept the targets because they were below 95%, which are inconsistent with section 11-11 requirements. With that, the BIE established new targets this year. They worked closely with the Native American Student Information System (NASIS) to make sure they collected all necessary data from TCS and BOS. They successfully submitted all assessment data, although some inaccuracies were found in participation data. OSEP advised the BIE to provide the accurate data in the APR comment box since the populated data could not be changed.

New targets for math sit at 95% for 4th and 8th grades and at 100% for high school (due to 100% baseline data). These targets were established with guidance from OSEP. The targets are the same for language arts.

Math participation scores for SY2021-2022 met the target for 4th grade but did not meet the target for 8th grade (92.4%). However, there was no slippage from the previous year. The high school target was also met. Math proficiency scores met the target for 4th grade but did not meet the target for 8th grade or high school. There was however no slippage from the previous year. Looking at proficiency from grades 3-8 showed higher percentages. However, those scores are not reported to OSEP. In math proficiency in the alternate assessment, the target was met for 4th grade and high school but not for 8th grade. Eighth grade scores did show slippage from the previous year. The math proficiency gap scores show that targets were not met for 4th or 8th grades, and the scores showed slippage from previous years. High school scores met the target. They want to think of some activities that can address the gaps.

Reading/language arts participation scores met targets for 4th grade, 8th grade, and high school. Proficiency scores showed that 4th graders met the target, but 8th grade, and high school did not meet the target. Both scores showed slippage from the previous year. COVID impacts some of this data. Proficiency on alternate assessment scores met the target for 4th grade and high school but did not meet the target for 8th grade. There was slippage for 8th grade students



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

compared to previous years' data. Looking at grades 3-8 (not reported to OSEP), percentages went up, which may suggest variables that need to be reviewed are on the 8th grade level. The proficiency gap for all students shows unmet targets for 4th grade, 8th grade, and high school. There was slippage for all three categories of students.

Some potential reasons for not meeting targets include unstable and incomplete data, as only approximately one third of BIE schools submitted assessment data. There have been waivers for TCS that may have not been accepted. This increased the number of testers, which significantly impacted percentages. COVID and learning losses also impacted data.

Alternate assessment timelines were provided to the Board with the assessment window running through March and April.

Below are comments and questions between the presenter and the Board members.

Question: Norman Shawanokasic, Chairperson – you talk about state assessments vs. BIE assessments, what stands out to you more? Was COVID the largest impact?

- **Response:** Dr. Eugene Thompson, Supervisory Education Specialist – noted COVID played a huge role, and many schools are not open full-time. Another impact was on personnel as a lot of teachers were lost. Schools are working hard to try to get new staff, but there are gen-ed teachers teaching special education now and other staff who need training.

Question: Norman Shawanokasic, Chairperson – is there any way the Advisory Board can assist with that process?

Question: Brian Wagner, Board Member – observed the BIE took over the state assessment and the new assessment is a lot more difficult to administer and more confusing for the students who are taking that assessment. He suggested this played a role for students and administrators who were accustomed to the older assessment and its administration. The new test is administered on two separate platforms, which is confusing for students. He asked that a staff person be assigned to determine the impact. The alternate assessment is also fairly new, and training has not been done.

- **Response:** Dr. Eugene Thompson, Supervisory Education Specialist – stated the BIE can do some comparisons on data from the old assessment vs. the new one. He will find information on training dates and send it out.

Comment: Dr. Harvey Rude, Vice Chairperson – observed it's important to keep an eye on the trendline from year to year on academic achievement.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist – noted they will get another opportunity in April to get more data. When the link to the APR is available on the OSEP website, they will send a link so the Board can look at individual state data.

Question: Dr. Harvey Rude, Vice Chairperson – wondered if parent involvement data could be summarized for the group.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** Dr. Eugene Thompson, Supervisory Education Specialist – noted the data was more conservative this year.

Comment: Brian Wagner, Board Member – thanked Dr. Thompson for improving the parent survey and making it more parent friendly.

- **Response:** Dr. Eugene Thompson, Supervisory Education Specialist – there will be more customized training in the future on the use of the survey.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist – they want to do a better job of sharing information with schools, so they understand the APR and where the data comes from.

Dr. Eugene Thompson, Supervisory Education Specialist, shared the SPP/APR cover page found on EMAPS. It showed that most of the work is done. Only indicators 11 and 17 are unfinished at this time. The cover page shows which indicators have unmet targets and which indicators show slippage from the previous year.

10:45 a.m. – 11:00 a.m. Board Reflection – for SPP/APR Discussion Norman

Shawanokasic, Chairperson, opened the floor for comments.

Comment: Dr. Robin Blitz, Board Member – what stands out is that many targets were not met, and there was slippage most of the time in 8th graders as compared to 4th graders. She wondered if 4th graders, being younger and getting more parental guidance and involvement, might be part of the reason for the discrepancy.

- **Response:** Dr. Eugene Thompson, Supervisory Education Specialist – clarified that it could be. It could also be attendance, which has a large effect on not meeting the targets. How can participation be increased? They need to look at interventions at that level. Dropouts might be another factor. Graduation, transition, drop out, and post school outcomes all largely affect each other.

The Board had extra time before their break and returned to the discussion on logistics for the next meeting. Norman Shawanokasic, Chairperson, gave a summary of the suggested meeting topics for April.

Suggested April Meeting Speakers and Topics

1. Request for an IHS representative with questions on working with the BIE and IHS, concerns about COVID, addiction, and mental health.
2. Request for a panel of school psychologists to discuss roadblocks specifically caused by the COVID pandemic including lack of instruction due to COVID and how it affects eligibility, specifically for Specific Learning Disabilities (SLD) and Emotional Behavioral Disabilities (EBD).



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

3. Panel of special education directors and school representatives with questions about workforce planning.
4. Deb Haaland, Secretary of Interior, invitation for updates.
5. Tony Dearman, Director of the BIE, invitation for updates.
6. Internet access and its effect on learning and services.
7. Data on a four-day school week regarding retention of staff and effects on students (free lunch, childcare, mental health, and stability).
8. Onsite visit and tour of a BIE school.

Comment: Dr. Harvey Rude, Vice Chairperson – reiterated the possibility of meeting at a BIE school.

Comment: Brian Wagner, Board Member – suggested either a quick tour of a school occur during the meeting, or the entire meeting be held at the school so that time isn't taken out of the meeting for commuting.

Comment: Dr. Harvey Rude, Vice Chairperson – noted in-person attendance from the public increases when the meetings are held at a school.

Comment: Norman Shawanokasic, Chairperson – suggested Southwest Indian Polytechnic Institute (SIPI) as a possible location.

Comment: Dr. Robin Blitz, Board Member (chat) – The IHS rep needs to be someone who represents the pediatric medical and/or pediatric mental health providers, not adult providers.

Discussion occurred on the timeline for submitting questions to be given to speakers for the April meeting. It was decided that all questions should be submitted by the end of January.

11:00 a.m. – 11:15 a.m. Break

11:15 a.m. – 11:30 a.m. Public Commenting Session #1 - (15 minutes) No public comments were received during this session.

Comment: Brian Wagner, Board Member – discussed eligibility evaluation requirements for developmental delays and variances between states. He asked when official policy and procedures would be issued.

There was also discussion regarding hiring school personnel from outside of the country.

Comment: Dr. Cheri Poitra (chat) – BIE doesn't approve J1 visas. BIE has provided letters of support, but that is a State Department process. This is entirely a State Department function.

11:30 a.m. MST Lunch (1.5 hours)

1:00 p.m. – 1:15 p.m. Public Commenting Session #2 - (15 minutes)

Comment: Katharine Ford (chat read by the Board following lunch) – To Dr. Poitra's point. This means that schools in the BIE that have Cooperative Agreements with state districts have the



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

option of hiring teachers abroad. Schools that do not have the district/state connection cannot access that pool of candidates.

There was some discussion amongst the Board regarding rates of identification for students with autism.

1:15 p.m. – 3:45 p.m. Associate Deputy Director (ADD) Regions

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

1. Describe the challenges and needs your school have in delivering quality special education services. What is working and not working?
2. What open/vacant positions do you have in your region? (i.e., related services, special education teachers, special education paraprofessionals)
3. What activities are being planned in your region for SY22-23 to ensure special education and related services are being adequately supported? How will the Education Resource Center's within your region be involved with projects and activities?
4. Comment on the 2022 Annual Report. Provide input on priorities and recommendations within the report.

1:15 p.m. – 2:00 p.m. | ADD Navajo Region 2:00 p.m. – 2:15 p.m. | Break 2:15 p.m. – 3:00 p.m. | ADD BOS Region 3:00 p.m. – 3:45 p.m. – ADD TCS Region

ADD Navajo Region – Cheryl Johnson and Carrie Watahomigie

Cheryl Johnson introduced herself. She has been in her position since September 2022.

1. Describe the challenges and needs your schools have in delivering quality special education services. What is working and not working?

Challenges include teacher experience, staffing, appropriate certification, timely submissions, on-going training, proficient use of technology, background checks, and student discipline protocols. They are currently tracking novice teachers who are using technical assistance. They have been attracting new teachers, but they still have staffing shortages and are trying to make sure all staff are properly certified. They are very mindful of schools that still require masks and social distancing. Most staff trainings they provide are virtual. They are trying to utilize online platforms for document and resource sharing. They are working on reminding novice teachers about student discipline protocols.

What is working is increased communication and transparency and a growing comfort toward utilizing their shared drive. They are working on increasing communication and transparency, and they are meeting weekly to discuss how they are communicating and increasing transparency. What is not working is timely acceptance into the NASIS District portal,



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

technology needs, and bandwidth and connectivity. They are struggling with timely acceptance into the NASIS District portal. Their rural schools have technology needs, and those schools struggle with bandwidth and connectivity for virtual learning.

2. What open/vacant positions do you have in your region? (i.e., related services, special education teachers, special education paraprofessionals.)

Their region currently has 18 special education teacher positions open across 66 schools.

3. What activities are being planned in your region for SY22-23 to ensure special education and related services are being adequately supported? How will the Education Resource Centers within your region be involved with projects and activities?

They are currently working on meeting a goal to complete special education file reviews for all schools on the Navajo Nation (~1,200 files). They are also surveying all schools to see what kind of technical assistance they need to provide micro trainings. Their Education Resource Center is sharing and participating in the conversation on activities related to special education.

4. Comment on the 2022 Annual Report. Provide input on priorities and recommendations within the report.

They had no comments on the 2022 Annual Report.

Below are comments and questions between the presenters and Advisory Board members.

Question: Brian Wagner, Board Member – How are you addressing the services when there are so many unfilled positions? Are background requirements hindering the hiring process?

- **Response:** The principals have tried various means to attract prospective candidates to rural schools. One barrier to hiring is the availability of housing for new teachers. For the open positions, they have been using staff from neighboring schools to help fill the gap. They have been actively attempting to assist schools with open positions. **Question:**

Dr. Harvey Rude, Vice-Chairperson – Do you have any sense of the shortage of related service providers?

- **Response:** They have not received timely data from schools to generate a number of unfilled positions for related service providers. They are aware of upcoming retirements of some related service providers.

Question: Norman Shawanokasic, Chairperson – Are there any comments from the Navajo Nation on the 2022 Annual Report?

- **Response:** They did have time to review the 2022 Annual Report and felt the priorities were adequate, and they are ready to help support and address the priorities.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

Cheryl Johnson shared a form survey she created for their schools to gather information on needed special education technical assistance. Results included the dates, times, and format of training that would be most beneficial to participants. They have also used form surveys to collect contact information for special education staff at each of their schools. They also created a dashboard where school level special education coordinator contact information is listed. The dashboard is assisting them with increasing transparency.

2:00 p.m. – 2:15 p.m. – Break

ADD BOS Region – Presenters: Gloria Yepa and Katharine Ford

Gloria provided names and contact information for the ADD-BOS team members.

- 1. Describe the challenges and needs your schools have in delivering quality special education services. What is working and not working?**

There have been ongoing challenges regarding the educator shortage as well as related service providers. They work with schools individually across different states as they present different challenges. They help those schools access local resources and supports. What is not working is there have been significant delays in finalizing the BIE special education policies and procedures. They asked the solicitors office to review information before disseminating information to schools, because when there is a complaint, it goes through the solicitor's office. Another struggle has been the coordinated services plan and Indian Health Service Memorandum of Agreement need to be updated. There have been issues with collaboration between the bureau and entities outside the bureau due to lack of knowledge of shared responsibilities. There needs to be increased training and information sharing.

The BIE needs a BIE-wide professional development plan to provide training, guidance, and supports for special education staff, ADDs, ERCs, and schools. This professional development plan would help in terms of bringing current research, best practices, and current information on activities going on throughout the country. A potential solution is a tiered system in which there is a universal level of training that everyone needs (such as a newsletter) as well as ADD special education specialists giving presentations. There would also be a targeted level and an intensive level as needed. There are currently three or four schools in the intensive category who get a lot of targeted training and assistance.

Many success stories are out there due to the hard work and dedication of the staff. However, OSEP has determined the BIE needs assistance for the second consecutive year. The BIE would benefit from purposeful, cohesive cooperation in which all systems work together at all levels.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

They are looking forward to more cohesive data from the BIE assessment instead of comparing assessments from many states across the country.

- 2. What open/vacant positions do you have in your region? (i.e., related services, special education teachers, special education paraprofessionals.)**

They are short five special education teachers and three special education technicians. Pine Ridge recently came back under their jurisdiction, which accounts for three vacancies for special education teachers and two special education technicians. Despite vacancies, there are still services where possible and compensatory services are being tracked where services are not currently available. Pine Ridge is also short a few service provider positions including one school psychologist, a speech language pathologist, a physical therapist, and a counselor. Generally speaking, the vacancies are not too bad.

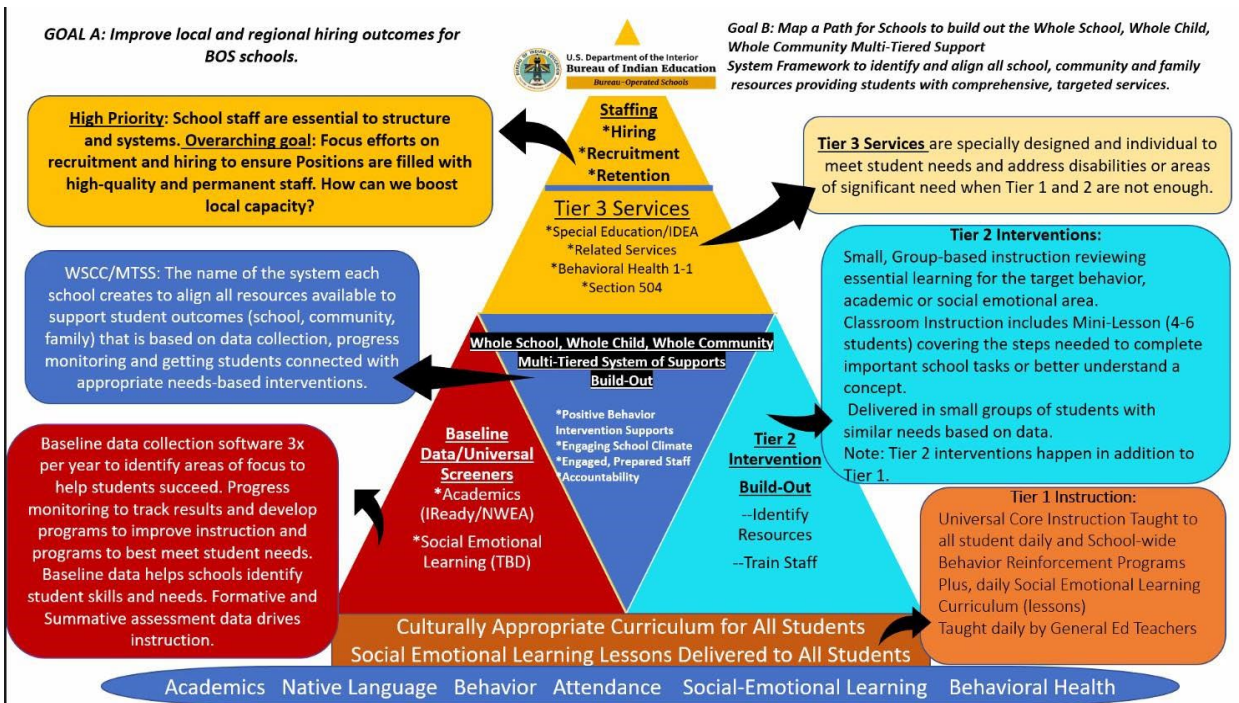
- 3. What activities are being planned in your region for SY22-23 to ensure special education and related services are being adequately supported? How will the Education Resource Centers within your region be involved with projects and activities?**

There has been continued collaboration with the ADD Education Specialists of the Navajo TCS, and there has been a focus on sharing ideas and expertise. There have been monthly professional development sessions with individual schools, and there potentially may be micro trainings in the future. They also want to continue the ADD BOS tiered system of technical assistance and professional development as mentioned earlier in the presentation. The ADD BOS also provides direct guidance to schools on Multi-Tiered Systems of Support (MTSS), Child Find, etc. Some of the MTSS work addresses the COVID-based learning gaps and the relationship between that and eligibility. There is a focus on building up Tier 1 supports and a recognition of special education students as general education students first. The following graphic was shared to illustrate their tiered services.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)



Question: Dr. Robin Blitz – is there a difference between your Tier 2 and Response to Intervention (RTI)?

- **Response:** RTI is mainly focused on academic intervention whereas this model is more focused on the whole child but yes, they are the same in many ways.

There has been an increase in knowledge regarding Positive Behavioral Intervention Supports (PBIS) and writing better Behavior Improvement Plans (BIPs) as well as increased knowledge of resources and services in the area. There has also been an increased focus on meaningful parent involvement and making sure their input is heard and understood, because they continue to be involved with their students through their school career. Staffing shortages continue to be the biggest obstacle, so they have been working with local resources to get community members into the profession. They have been working with institutions of higher education in Wyoming to create a two-year teacher certification program that takes place outside of school hours allowing people to work while also obtaining a master’s degree. They are also exploring a pilot program of cash bonuses for recruitment and retention. There is also increased focus on improving the use of specialized instruction in the classroom and collaboration between paraprofessionals and teachers.

Comment: Norman Shawanokasic, Chairperson – the BIE also has vocational rehabilitation that can be helpful.

The presenters ran out of time to comment on the 2022 Annual Report. Their presentation will be included on the [BIE website](#) with the meeting minutes.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

TCS Navajo Region – Presenters: Joann Fields and Dr. Cheri Poitra

Joann Fields was introduced as the new Education Specialist for Tribally Controlled Schools (TCS).

- 1. Describe the challenges and needs your schools have in delivering quality special education services. What is working and not working?**

Currently, teacher housing, construction, partnerships with grants management and facilities, virtual ISEP pre-reviews, special education trainings for school boards, and recruiting international teacher professionals are going and working. Many schools have been petitioning for housing so they can provide placement for recruited educators. TCS has partnered with grants management and facilities to assist schools in both of these areas. Grants management and facilities assist with facility inspections and repairs. Increased grant management and the Indian School Equalization Program (ISEP) reviews is assisting with monitoring at schools. They are trying to virtually review IEP paperwork before onsite visits, so more time is spent touring the school and seeing programs. They have been increasing special education training for school board members and providing special education training for school administrators. Training topics include various sections of the Individuals with Disabilities Education Act (IDEA). They have been assisting schools to recruit special education professionals internationally to find qualified teachers and staff. They have been diligently working to build partnerships and trust with TCS.

Challenges include recruitment and retention of certified special education personnel, timely background checks for virtual service providers, continuum of alternative placements, discipline of students with disabilities, monitoring school spending, and teacher pay parody. Many schools do not have alternative placement options to meet the needs of students with disabilities within a reasonable distance from the student's home. They are working on providing guidance to school administrators on discipline options for students with disabilities. It is difficult for them to monitor school spending because of the lack of access to individual school fiscal systems. The teacher pay parody was increased recently, however, TCS chooses how they spend the additional funding, and there is difficulty tracking the allocation of funds. It would be very helpful to have BIE policies and procedures to reference and provide cohesion.

- 2. What open/vacant positions do you have in your region? (i.e., related services, special education teachers, special education paraprofessionals.)**

TCS does not track statistics for open/vacant positions. Part B applications do indicate estimates of vacancies, however last school year there were no indications of vacancies listed on applications.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

3. What activities are being planned in your region for SY22-23 to ensure special education and related services are being adequately supported? How will the Education Resource Centers within your region be involved with projects and activities?

They are participating in weekly collaborative meetings with BOS and NAV to discuss special education topics. They are also working on hiring new Education Specialists to their team. They have updated their standard operating procedures. They are working toward reviewing all special education files and providing onsite reviews to meet with teachers and provide targeted technical assistance. They are also meeting with individual schools to close out state complaints. Their priorities for the upcoming year include targeting training and awareness by providing regional trainings, prioritizing mental health and suicide prevention, and building relationships with TCS. When they provide reviews of schools, they are ensuring that schools have mental health plans in place to assist students.

4. Comment on the 2022 Annual Report. Provide input on priorities and recommendations within the report.

For the 2022 Annual Report priorities, TCS is encouraging schools that can't locate service providers to collaborate with schools who have those personnel. They are posting vacant positions as being virtual or remote for some personnel. They have noted that offering housing at the school site aids in retention of staff. Mental health has been a top priority for TCS, and they have been trying to assist schools with developing procedures and processes. They have also been meeting with IHS and law enforcement to ensure there are additional resources for schools to utilize for mental health. They are also involving school board members and tribal councils when discussing mental health procedures and resources available at each school.

4:00 p.m. – 4:30 p.m. | BIE Central Office Updates. Presenters: Director Tony Dearman and Juanita Mendoza

Currently, one vacancy is open for a chief academic officer position. Through the pandemic, one of the most challenging aspects has been hiring people and expecting them to relocate, so they've started to hire remotely so the staff can really understand the communities they work with. Secretary Haaland will be doing two upcoming healing sessions. There has been a weekly meeting established with IHS as well as making sure that MOUs are in place. In the beginning, it was one large blanket MOU instead of individualized MOUs based on the individual student's needs. The first ever contract is off the ground to cover all 183 schools for behavior health support collaborations. There will be a 24-hour hotline service as well as counseling service.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

They have been providing youth mental health first aid training and have trained 672 staff so far, which includes teachers, janitors, bus drivers, and other positions throughout the school

system. They are hoping for mental health first aid training will mean fewer students are brought directly to counselors and more students receive timely intervention. They were able to show Congress how large the gap is in internet connectivity, and revamping has started on infrastructure for internet connectivity in schools. They envision students will have laptops and everything they need to submit assignments with them as they would in college. There will be a report out regarding this meeting and regarding the annual report with the assistant secretary. Two states are paying more to teachers than the BIE: Oregon and California.

The BIE has also started recruiting outside of USA Jobs, and they have started utilizing Handshake. The one thing that hurts the most with recruiting staff is they get teachers at the beginning of their career or at the end because of the retirement system. The human resources department has started sending jobs out to potential employees. They are working with Native Forward to provide scholarships for indigenous students, particularly those who are going into education. They are looking at loan repayment incentives and are working with leadership to use those tools to recruit. During the pandemic, there were students who did not receive services and who needed compensatory services, so they are working with the Government Accountability Office (GAO) to figure that out. They are doing a good job with Child Find. The DPA does a great job, but there is an effort to make monitoring a BIE-wide effort. They are making efforts to change the way corrective action is completed and how findings from monitoring are handled, which includes technical assistance. The next five-year strategic direction will involve going to stakeholders this summer for input. They are going to write a document that holds everyone accountable to the same strategic direction. A workforce plan is very much needed; 638 contract specialists were struggling to get funding. Many areas were not included in the reorganization, and they want to make sure every area is covered now. For example, there's no line item for school safety. There are 83 schools listed as "in poor condition," and there are 69 schools with no funding, so the BIE is pushing to go beyond deferred maintenance.

Below are comments and questions between the presenter and the Advisory Board members.

Question: Dr. Harvey Rude – there seems to be a very passive level of support for BIE on grants programs. Where is the accountability for the outcome of those projects?

- **Response:** It is unsure if that will be part of the strategic direction as that will come from stakeholders. They can get with Spike Bighorn to get an accurate report. Some tribes want guidance and assistance, and others want freedom to do what they think is best. Accountability will fall under sovereignty.



BIE Advisory Board for Exceptional Children

DAY-1, Thursday, January 19, 2023, 8:00 AM - 4:30 PM (MST)

Question: Norman Shawanokasic, Chairperson – please plan to meet with us in September in Washington, D.C. The Board would appreciate Tony Dearman being there along with Secretary Haaland.

- **Response:** A meeting request for secretary Haaland and the assistant secretary will need to be submitted. Jennifer Davis, DFO, will submit the request.

- **Question:** Brian Wagner – asked about input on ISEP.

- **Response:** This went out for comment. Very few comments were received, so it will be going out again shortly for public comment. This will require negotiated rule making, and there is a need for people who understand ISEP to sit on the committee. **Comment:** Brian Wagner – many schools don't have three BIE funded schools within their boundaries.

4:30 p.m. MST | Recess

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



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

BOARD MINUTES

DAY-2, Friday, January 20, 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. Present Dr. Robin Blitz, M.D. Board Member
5. Present Dr. Perry Graves, Ph.D. Board Member
6. Present Gretchen Lehmann, Board Member
7. Present Pilar Peltier, Board Member
8. Present Teryl Running Horse, Board Member
9. Present Brian Wagner, Board Member
10. Present Gretchen Wendell, Board Member

Gallery: BIE Staff members: Jennifer Davis, DFO; Margo DeLaune, Associate Deputy Director; and Ronald J. Worst, Education Specialist. **TAESE Contractors:** Dr. Brenda Smith, Alex Langevin, and Laura Lema. **Presenters/Speakers:** Dr. Eugene R. Thompson, Tamarah Pfeiffer, Dr. Francis Arpan, and Audrey Duran. **Others in Attendance:** Arlene Davis, Carrie Watahomigie, Laura Tsosie, John Copenhaver, Joann Fields, Zonnie Sombrero, Nancy Ka'Won, Karen Etsitty, Francis Arpan, Eleanor Jones, Cheryl Johnson, Carmelia Becenti, Gloria Yepa, and Katharine Ford

8:00 a.m. – 8:30 a.m. | Roll Call, Meeting Logistics, Old Business, 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 about the meeting purpose, objectives, Board authorizations, public commenting sessions, and meeting reminders.

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

- Dr. Harvey Rude
- Leslie Finnearty
- Dr. Perry Graves
- Gretchen Lehmann
- Pilar Peltier
- Teryl Running Horse



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

- Brian Wagner
- Dr. Robin Blitz

The following Board member was absent:

- Gretchen Wendell

Old Business – none.

New Business – the contractor has been given all the potential speakers and questions for the April meeting. More time will be allotted later in the meeting to finish drafting the April meeting agenda.

The Board had extra time before the first presentation to reflect on the previous day and work on the logistics for the next meeting.

Comment: Brian Wagner, Board Member – some of the potential topics that were suggested for April’s meeting were discussed in afternoon sessions which may be cause for revision of potential topics.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – stay away from questions that will only provide a yes or no answer.

Comment: Dr. Robin Blitz, Board Member – suggested the wording of “please describe” regarding the IDEA requirement for the BIE and IHS to have an MOU to support services at all levels.

Comment: Dr. Robin Blitz, Board Member – recommended wording on a question regarding funding for a nurse at each BIE funded school.

Comment: Dr. Harvey Rude, Vice Chairperson – added a request for progress on the distribution of funding for school nurses.

Comment: Brian Wagner, Board Member – suggested the draft questions be sent out to all Board members with the opportunity to make more edits before January 31st.

Comment: Dr. Robin Blitz, Board Member – requested all acronyms be described in the questions.

Comment: Brian Wagner, Board Member – discussed who was allowed to form an IEP for a student and what role IHS could take in stating a students’ physical and mental health, which could be used by an IEP team in their process to determine services for a student.

Comment: Dr. Robin Blitz, Board Member – asked for clarification on a potential question regarding Child Protection Teams and IHS participation.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Brian Wagner, Board Member – explained the confidentiality process Child Protection Teams undergo and the inability of IHS to participate because of the Health Insurance Portability and Accountability Act (HIPAA).

8:30 a.m. – 9:30 a.m. | BIE Special Education Updates. Presenter: Dr. Eugene Thompson, Supervisory Education Specialist

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

1. Provide an update about the BIE’s Special Education.
 - a. Coordination of Service Plan (CSP). What activities in the current plan have been implemented?
 - b. SY2022-2023 Monitoring activities.
 - c. Policy and Procedures Handbook.
2. Comment on the 2022 Annual Report. Provide input about the listed priorities and recommendations with the report.
3. Provide an update about the BIE’s Special Education.
 - a. Coordination of Service Plan (CSP). What activities in the current plan have been implemented?

Update: Dr. Eugene Thompson – currently they are in the process of updating the CSP, inviting vocational rehabilitation to IEP meetings, and providing parents contact information to parent training programs. They are working on a continuing education unit (CEU) webinar series about motivational interviewing, youth mental health first aid, and virtual talking circles. There is a memorandum of agreement with IHS. They are working with solicitors on updating the memorandum with IHS. Dr. Thompson provided a draft of the CSP cover page and the requirements under 300.713-Plan for coordination of services. Plans are in place to put more updated data into the system and into the plan.

Question: Dr. Harvey Rude, Vice Chairperson – can you describe what tribal tech entails?

- **Response:** Dr. Eugene Thompson – it is for BIE behavioral health and mental health and is in collaboration with IHS. It’s just one of the listed resources.

Comment: Dr. Robin Blitz, Board Member – the website listed on the slide goes to two different websites, so it’s a little confusing.

- **Response:** Dr. Eugene Thompson – we’ll look at the website and potentially update it.
- Comment:** Dr. Robin Blitz – stated the update is very positive considering that this is a priority the Board has been discussing.

Update: Dr. Eugene Thompson – in prior years, the office of accountability did a lot of the monitoring, but there has been a new office called the performance office that has taken over much of the monitoring. Throughout the year they do data collection throughout the



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

monitoring cycle in regard to the SPP/APR indicators. They have a tiered accountability and support system that includes universal, targeted, and intensive support. Some of the activities they are doing are desk audits in preparation for in-person visits. They do IEP file reviews in

advance of the onsite visits so they can share the results of the review with the school when they visit. The IEP file review is very comprehensive and uses a 6-7-page checklist. They also do classroom observations that are meant to monitor modifications and accommodations that are being used in the classroom. The observations are no more than 10 minutes. They do interviews with paraeducators, educators, parents of students with disabilities, and administrators. Monitoring was primarily virtual over the past few years but is now shifting back to in-person. After the monitoring visit, a technical assistance plan is developed that identifies what kind of technical assistance the school will get and what further monitoring is needed. There is also an official monitoring report that is sent to the school within 90 days of the onsite visit.

Question: Brian Wagner, Board Member – am I understanding you to say the ISEP qualification and monitoring process have been combined?

Response: Dr. Eugene Thompson – we don't look at the ISEP expenses, but we do look at the monitoring indicators for ISEP. Those findings do go into the complete monitoring report, but there is a separate ISEP monitoring activity we are not involved with.

Question: Why the extension of 90 days? Can that be addressed or is that locked in?

- **Response:** Dr. Eugene Thompson – i will check on that and follow up with you.
- **Response:** Margo DeLaune – the 90 days came from the CPO office, because the school needed longer to compile data.

Comment: Brian Wagner – the extension of the timeline can cause extra anxiety over waiting for results in the report.

- **Response:** Margo DeLaune – we have no authority over the other two offices, but our office gets the report out as quickly as possible. I'm assuming that as soon as everyone gets their reports in, it will get sent to the school, but they could theoretically hold it for the full 90 days.

- **Response:** Dr. Eugene Thompson – the school has one year from the date of the monitoring report to correct issues of non-compliance. We work with the schools to make sure the non-compliance is corrected, and we verify it has been corrected.

Update: Dr. Eugene Thompson – shared data on the 2022-2023 schools selected for monitoring. The team includes an IDEA monitoring team member as well as monitoring team members and ISEP. Timelines were provided for the policies and procedures handbook. They met 5-6 times last year and received input from stakeholders. The final draft was submitted in August 2022 to the solicitors, and it has moved on to another



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

level of review. This final draft is being addressed as a finding in the OSEP monitoring report. Once solicitors have made recommendations, it will go to stakeholders for input and then out for tribal council input.

2. Comment on the 2022 Annual Report. Provide input about the listed priorities and recommendations with the report.

Update: Dr. Eugene Thompson – special education has been working on filling current vacant positions and is working with human resources to advertise the GS-14 Education Program Specialist position and the GS-13 Education Program Specialist position. DPA filled the IDEA Program Support Assistant position. DPA is working on updating the coordinated services document and updating policies for mental health and behavioral supports. DPA concurred with all the recommendations listed in the annual report. Some recommendations were listed that DPA views as shared responsibilities with other organizations such as IHS, CSP, and NASIS. DPA is currently reviewing forms with NASIS in an effort to update the forms. One of the goals has been to increase the dissemination of information and resources.

Some of the major achievements the program has made this year include progress on the implementation of IDEA, increased stakeholder engagement, timely submission of IDEA reporting requirements, completion of the special education policy and handbook, and the monthly meetings held with the U.S. Department of Education and OSEP. OSEP is going to do a webinar for all BIE funded schools on discipline. Some of the major challenges have been recovery from the pandemic, staffing shortages, school level staff training, communication from DPA to schools and vice-versa due to remote learning, internet access, communication platforms, etc. Another challenge has been recovery of students who missed in-person instructional opportunities, their social emotional learning, and generally ensuring FAPE. The BIE special education program hopes to take the necessary steps to support children with disabilities and looks forward to providing support to those they work with.

Below are comments and questions between the presenter and Advisory Board.

Question: Norman Shawanokasic, Chairperson – you mentioned five positions in the Albuquerque area, and I'm wondering if that's something you're addressing with your group in Albuquerque.

- **Response:** Dr. Eugene Thompson – we're not always aware of those things, because we aren't updated on a daily or weekly basis. But schools are working on that and bringing educators from overseas, bringing educators out of retirement, or moving educators from general education into special education. It's a system-wide problem and needs to be addressed by all offices.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Norman Shawanokasic, Chairperson – hopefully, the Board can get a better picture this afternoon from the report by Human Resources including trends. Some teachers are leaving because they can negotiate better benefits and pay. Thank you for your continued efforts on this issue.

- **Response:** Dr. Eugene Thompson – if there’s a school that needs teachers, they need to communicate that with their administrators.

Question: Brian Wagner, Board Member – have you put together timelines for fiscal responsibilities?

- **Response:** Dr. Eugene Thompson – yes and no. Over the course of the pandemic, we extended a lot of timelines, but now we’re moving back to the standard timelines. We’ll probably stick with the timelines that the applications will be due June 2023. We will be getting information out to schools shortly.

Question: Brian Wagner, Board Member – asked for a clarification on timelines.

- **Response:** In the new policy, the recommendation is for the BIE to be flexible in the timelines for evaluations, so they can follow the timeline in their state. There also needs to be flexibility in the transition planning timelines as well.

Question: Brian Wagner, Board Member – can a draft be made available for review by this Board?

- **Response:** Dr. Eugene Thompson – right now the draft is internal and being reviewed by appropriate stakeholders.

Question: Brian Wagner, Board Member – in the past we were able to use funds to develop transition programs with vocational rehabilitation. Can you make financial resources available to us?

- **Response:** Dr. Eugene Thompson – we do offer some financial resources, and we can provide more information on the resources.

9:30 a.m. – 10:45 a.m. | Haskell Indian Nations University (HINU) and Southwest Indian Polytechnic Institute (SIPI).

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

1. What are the challenges of preparing educators for schools serving significant numbers of Native American students in BIE funded schools?
2. Provide an overview of the educator and related service provider preparation programs at the post-secondary institutions of higher education, Haskell Indian Nations University (HINU) and the Southwestern Indian Polytechnic Institute (SIPI).



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

3. As written in the 2022 Annual Report for the BIE's Advisory Board for Exceptional Children, "The Board continues to have significant and ongoing concerns regarding the need for qualified special educators and related services personnel for Tribally Controlled Schools and Bureau Operated Schools." Please comment on the 2022 Annual Report by providing input about recommendation #1: "Effective and Consistent Implementation of BIE Systems Workforce Plan," and focusing on items C, F, and I.

SIPI Presentation: Tamarah Pfeiffer

Tamarah Pfeiffer introduced herself and thanked the Board for allowing her to present.

1. What are the challenges of preparing educators for schools serving significant numbers of Native American students in BIE funded schools?

The first challenge is providing direct services to students because of the need for educational diagnosticians within the BIE funded systems to work with teachers on serving students served under BIE funded schools. They try to be culturally responsive to their students. Other challenges include exploring community-based teacher preparation models, a career-ladder teacher preparation model, and 2+2 teacher preparation and articulation partnerships. They are looking for funding to provide training for community members to obtain teacher certification and stay in their communities. They are trying to establish programs so that local two-year college work transfers to other four-year colleges. SIPI students represent a variety of tribal communities, and they are trying to offer indigenous science, early childhood, and land development courses.

2. Provide an overview of the educator and related service provider preparation programs at the post-secondary institutions of higher education, Haskell Indian Nations University (HINU) and the Southwestern Indian Polytechnic Institute (SIPI).

The SIPI early childhood programs are unique. They have an on-campus teaching lab. The lab services students, staff, and community members. The early childhood curriculum is an intricate part of their early childhood program.

3. As written in the 2022 Annual Report for the BIE's Advisory Board for Exceptional Children, "The Board continues to have significant and ongoing concerns regarding the need for qualified special educators and related services personnel for Tribally Controlled Schools and Bureau Operated Schools." Please comment on the 2022 Annual Report by providing input about recommendation #1: "Effective and Consistent Implementation of BIE Systems Workforce Plan," and focusing on items C, F, and I.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Their recruitment efforts come from their students. Their most successful program for recruitment is their early childhood program and its practicum programs. Practicum opportunities are on campus and BOS. They are trying to foster better outreach to BIE schools to make students aware of SIPI and recruit them as potential students. They facilitate school tours and attend recruitment fairs. They have one of the most active GIS programs in the country. They are looking at Summer Bridge Sessions to allow students to experience their curriculum and to enroll them for upcoming fall courses. They have tribal listening sessions each quarter. They are working on moving from a trimester program to a semester program to

align with other surrounding schools. They would like to see a public relations branding campaign for the BIE, SIPI, and Haskell. A program allowing students to complete practicums at BIE schools, linking the student to human resources to place them as a permanent employee, would be ideal.

Below are comments and questions between the presenter and the Board members. **Question:** Norman Shawanokasic, Chairperson – as the Board prepares for their April meeting, they discussed visiting and meeting at SIPI. Would the school have adequate meeting space and internet?

- **Response:** They have a hogan venue that would be able to accommodate the meeting, including technology. The culinary students would enjoy providing meals for the Board. However, their space is not available during the meeting dates.

Comment: Dr. Robin Blitz, Board Member – the early childhood teaching lab and program is impressive.

Haskell Indian Nations University (HINU) Presentation: Dr. Francis Arpan

Dr. Francis Arpan introduced himself and thanked the Board for allowing him to present.

1. What are the challenges of preparing educators for schools serving significant numbers of Native American students in BIE funded schools?

Challenges include candidate preparation for their paraprofessional program and their deficiency in foundational knowledge and basic academic skills, getting teacher candidates to pass the Praxis, and recruiting candidates who are committed to the process of the education major and becoming an educator. The lack of student preparation in pre-higher education transfers into bachelor programs for teacher preparation programs. There is a correlation between student preparation for higher education and passing scores on the Praxis. They are looking at initial Praxis scores that are required to enter the education program and adjusting them to allow students to come into the program and grow as educators. There is a strong correlation between scores on the initial Praxis exam and the follow up Praxis CKT and PLT



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

exams. This could also speak to some students who don't perform well on standardized tests, and the tests' ability to measure the knowledge of teacher prep program teachers. They are working on programs to assist with Praxis preparation, including the Praxis Prep exam. They are gauging what different states require as far as Praxis scores for teacher certification. They are struggling with the issue of recruiting teacher candidates when the field of education is struggling to retain certified teachers. Haskell is analyzing what geographic areas struggle to attract teachers, and Haskell is talking about how to attract potential teacher prep program teachers from those areas.

Comment: Eleanor Jones (chat) – it is good to hear how students are getting support through teacher text prep and other resources.

2. Provide an overview of the educator and related service provider preparation programs at the post-secondary institutions of higher education, Haskell Indian Nations University (HINU) and the Southwestern Indian Polytechnic Institute (SIPI).

They offer an associate degree for paraprofessionals and a bachelor's in elementary education. Their programs have several transition points: admission to the teacher education program, entry to student teaching, exit from student teaching, and program completion and licensure. Their coursework aligns with the Kansas Educator Standards and Early Childhood-Late Childhood Standards. They have a relatively small number of students in their school of education. They have a very low student to faculty ratio.

3. As written in the 2022 Annual Report for the BIE's Advisory Board for Exceptional Children, "The Board continues to have significant and ongoing concerns regarding the need for qualified special educators and related services personnel for Tribally Controlled Schools and Bureau Operated Schools." Please comment on the 2022 Annual Report by providing input about recommendation #1: "Effective and Consistent Implementation of BIE Systems Workforce Plan," and focusing on items C, F, and I.

They are expanding programming to include distance program opportunities in their school of education. They have been analyzing what they can do to increase and enhance distance education programs and offer their early education program as both an in-person and online program. This will open up opportunities for students to complete the program outside of Kansas. They are also partnering with Nebraska Indian College to allow Haskell students to participate in some of their courses. They are working with other colleges to provide education programs for their students at a distance. Haskell does not have a marketing plan or recruitment resources, but they are starting to develop recruitment materials for each program and to bring on personnel dedicated to attending recruitment fairs and seeing additional students. As they market Haskell as a whole, they will increase enrollment in all



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

programs, including education. Additionally, they are working with the BIE to facilitate pathways from completion of programs to employment by the BIE.

Below are comments and questions between the presenter and the Board members.

Comment: Norman Shawanokasic, Chairperson – he has had the opportunity to visit Haskell where his daughter graduated. Haskell is a very historical education facility.

Question: Norman Shawanokasic, Chairperson – are the education programs currently online?

- **Response:** The bachelor's program is online for a few students who are finishing their programs. They are finishing up developing a more formal online bachelor's program that meets academic standards. They are setting up the course scheduling plan. It will be a synchronous online program with classes that require attendance being held in the late afternoon and evening. It will begin fall of 2023. After the online bachelor's

program is up and running, they will begin setting up the online paraprofessional's program.

Question: Norman Shawanokasic, Chairperson – asked about the process for the Praxis and providing student support.

- **Response:** When a student requests accommodations for the Praxis, Haskell does everything they can to meet their needs. They do run into issues when a student has an undiagnosed need or has not requested an accommodation.

Comment: Norman Shawanokasic, Chairperson – it sounds like Haskell is doing everything possible to accommodate students so they can pass the Praxis. There is often over protection of students by families that can sometimes hinder their progress.

- **Response:** Haskell uses the capabilities approach to provide students with optimal resources to increase their success. They try to understand students and get to know their needs so that they can offer the best possible resources.

Comment: Norman Shawanokasic, Chairperson – in 2017 the Board held a meeting at Haskell. They may send a request again to hold a meeting there.

Comment: Eleanor Jones (chat) – Dr. Arpan, you are doing a great job to support our students at Haskell. ahe shee (Thank you).

Question: Dr. Harvey Rude, Vice-Chairperson – have there been any conversations about creating a bachelor's degree in special education? Have you pursued any 2+2 agreements in special education related fields?

- **Response:** They are working on strategic planning to determine the needs of the communities they serve. With that, they haven't identified special education as a degree that is needed. However, they have a new hire with a degree in special education, and it is a potential. Dr. Arpan is knowledgeable about getting new programs



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

started in higher education. They are going to focus on market needs, their existing resources that can support new programs, and their ability to sustain a new program. They may also add emphasis areas in their education program before they begin new bachelor's programs. They haven't started any 2+2 programs with Kansas University yet, but they are in the process of reviewing a current MOU with them and the possibility of an articulation agreement. They are also looking at partnering with other tribal colleges to create more pathways for their students. Haskell is an inter-tribal university, and they should prioritize pathways with other tribal colleges to facilitate student movement between tribal colleges. Haskell hasn't opened a new degree program in 25 years, and they are taking a good look at their programs and mission.

Comment: Norman Shawanokasic, Chairperson – articulation agreements with other tribal colleges can assist with credit transfers for students and can increase the completion of degree requirements.

- **Response:** They have also been looking at students who leave a program for many years and return with depreciated math and writing skills. They are trying to see what they can do to decrease the amount of time students step away from programs, so they don't see a decrease in their skill levels.

Question: Dr. Harvey Rude, Vice-Chairperson – asked SIPI about the possibility of them starting a bachelor's program. Tamarah Pfeiffer had left this meeting and was unable to respond.

10:45 a.m. – 11:00 a.m. Break

11:00 a.m. – 11:15 a.m. Board Reflection – for Haskell and SIPI Norman

Shawanokasic, Chairperson opened the floor for comments.

Comment: Norman Shawanokasic, Chairperson – liked the articulation agreement discussion and emphasized the importance of providing pathways for students to obtain certifications.

Comment: Dr. Robin Blitz, Board Member – was really impressed with both presentations from SIPI and Haskell. It was encouraging to see their work on the priorities the Board has identified. She wondered if this is something the Board would like to have updates on during their September meeting or in January of 2024.

Comment: Norman Shawanokasic, Chairperson – explained the September meeting is usually reserved for working on the Annual Report, and there may not be time on the agenda for presentations.

Comment: Gretchen Lehmann, Board Member – stated the next January meeting would be a better time, so Haskell and SIPI have more time to get their programs started.

Comment: Dr. Harvey Rude, Vice-Chairperson – noted that cultural inclusion should be encouraged at SIPI and Haskell, and he would like to hear at a later date how they are included in their curriculum.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Pilar Peltier, Board Member – wondered if SIPI and Haskell do outreach to individual schools to increase recruitment.

Comment: Dr. Robin Blitz, Board Member – expressed concern about a comment made during Dr. Eugene Thompson’s presentation regarding local school districts luring away BIE teachers because of their financial resources. There should be some cooperation between the U.S. Department of Education and the BIE where they discourage local schools from luring students away.

Comment: Brian Wagner, Board Member – expressed that the teacher shortage is at a point where local schools are also stealing staff from each other. There is a difference between salaries at BIE schools and other schools. This should be explored and reduced. Finances have been driving school decisions on the number of personnel they employ and how they are able to utilize those personnel.

Comment: Dr. Harvey Rude, Vice-Chairperson – added that it used to be supposed that teachers would stay in the field because of retirement pensions and plans. That long term focus is no longer the norm. There needs to be other pathways to allow people to become teachers mid-career. Multiple solutions and encouragement need to be directed to institutions of higher education to consider different pathways.

Comment: Pilar Peltier, Board Member – noted there are a few teachers who have been retained until retirement. A lot of retention deals with job satisfaction.

11:15 a.m. – 11:30 a.m. Public Commenting Session #3 - (15 minutes)

- No comments were received during this session.

11:30 a.m. MST Lunch (1.5 hours)

1:00 p.m. – 1:15 p.m. Public Commenting Session #4 - (15 minutes)

- No comments were received during this session.

1:15 p.m. – 2:15 p.m. BIE Human Resources. Presenter: Audrey Duran

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

1. What are the challenges of recruiting and retaining qualified special educators and related services personnel for schools serving students with disabilities in BIE funded schools?
2. As written in the 2022 Annual Report for the BIE’s Advisory Board for Exceptional Children, “The Board continues to have significant and ongoing concerns regarding the need for qualified special educators and related services personnel for Tribally Controlled Schools and Bureau Operated Schools.” Please comment on the 2022 Annual Report by providing input about recommendation #1: “Effective and Consistent



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Implementation of BIE Systems Workforce Plan,” and focusing on items C, F, and I.

Audrey Duran thanked the Board for the opportunity to present and introduced the Human Resources Team. There are currently 714 teacher, 100 special education teacher, three specialized therapist, and 14 education technician for special education positions that have been filled. All job announcements are posted online at USAJOBS for global distribution. All applications are submitted online. They have two talent recruiters who attend job fairs. They also have a basic recruitment request packet and a timeline for posting a position once the packet is received.

- 1.** What are the challenges of recruiting and retaining qualified special educators and related services personnel for schools serving students with disabilities in BIE funded schools?

The BIE is experiencing the same teacher recruitment issues as the rest of the nation. There is a lack of education for planning and use of staffing differentials. There are also outdated pay setting provisions and job category standards. Adequate housing for new hires is also a challenge for recruiting and retaining qualified special educators and related services personnel. They are updating the policy and field training for staffing differentials. The private sector is providing sign-on bonuses. The staffing differentials are similar, but they are paid out over the course of one year instead of as a lump sum. They are drafting policy memos to update the pay provisions. They have issued a waiver on the maximum amount of experience a new hire can apply to the pay scale. They are looking at more flexibility for all types of positions. They are evaluating the Pathways program for application to Title 25 positions to see if it is applicable and to see how they can draft standard operating procedures. They are also providing training for staff on how to monitor paperwork for the Pathways program. They are looking at how to develop their standard operating procedures to issue notices of qualified candidates for open positions. They are updating their job category standards which have not been updated since 1998.

- 2.** As written in the 2022 Annual Report for the BIE’s Advisory Board for Exceptional Children, “The Board continues to have significant and ongoing concerns regarding the need for qualified special educators and related services personnel for Tribally Controlled Schools and Bureau Operated Schools.” Please comment on the 2022 Annual Report by providing input about recommendation #1: “Effective and Consistent Implementation of BIE Systems Workforce Plan,” and focusing on items C, F, and I.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Human Resources provides virtual training for school business offices and potential applicants as part of their technical assistance. They provide topical training on staff differentials, applying for a federal job, federal benefits, and the recruitment process. They are trying to standardize processes for all types of positions and the timeline for posting positions in order to facilitate positions being filled by the start of each school year. They are collaborating with special education teacher preparation programs serving Native Americans, and they are developing agreements with colleges and universities. They are also researching requirements for posting internships. They are looking at a new policy for posting continuously open jobs. They are also posting positions to additional websites (Handshake and the National Indian Education Association).

They are collaborating with facilities and finance teams to assist with finding housing at BIE locations. Their talent recruiters are partnering with SIPI, Haskell, and tribal colleges to identify teacher preparation programs. They are evaluating the Department of Interior's policy to learn if they can apply the student loan repayment program to Title 25 positions. To review salary and benefits for comparability and competitiveness, they are drafting a policy for applying parental leave to Title 25 positions. They are also reviewing recruitment documents, so they

better emphasize federal benefits. Their talent recruiters collaborate with Public Affairs for advertising and social media campaigns.

Below are comments and questions between the presenter and Board members.

Question: Brian Wagner, Board Member – one of the largest roadblocks for schools in the hiring process is the length of time for background checks. What is being done to change that?

- **Response:** They are aware of the delays in background checks, and they understand that part of the delay is the requirement for local law enforcement to provide input in the process and the backlog at the local law enforcement level. They understand the delay and are trying to create agreements with local law enforcement agencies that are causing the delays. The paperwork itself is also a barrier to the timeliness of the process. They try to work with applicants to ensure the forms are completed accurately so further delay does not occur.

Question: Brian Wagner, Board Member – is there anything the Board can do to support Human Resources?

- **Response:** Continue helping people understand the process.

Question: Dr. Harvey Rude, Vice-Chairperson – please help the Board understand the requirements and restrictions in posting positions. The guidelines should involve equity for all applicants.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** The BIE is required to post all positions at USAJOBS which isn't a system that is controlled by the BIE. After a position has been posted for 30 days, they can analyze each applicant for completion of the process and qualifications for the position. Applicants need to understand how the system works for continuously open positions and understand they need to select the geographic location where they want to be considered. A lot of moving parts are in the system with complications for those creating the position.

Question: Dr. Harvey Rude, Vice-Chairperson – can positions be posted with a review date with a note that it is open until filled?

- **Response:** Yes, the system allows for positions to be listed as open until filled. However, there is debate on when notification of the position being filled should be issued. **Question:** Dr. Harvey Rude, Vice-Chairperson – can a qualified candidate be considered the day after a position is posted?
- **Response:** Candidates can't be considered until the review date has passed.
- **Question:** Brian Wagner, Board Member – can TCS have their positions posted?
- **Response:** No. The current system does not allow for courtesy postings. They also don't have the personnel to manage postings for TCSs. Before a position can be posted, staff need to ensure it is 508 compliant.

2:15 p.m. – 2:30 p.m. | Board Reflection – for BIE Human Resources Norman

Shawanokasic, Chairperson opened the floor for comments.

Comment: Norman Shawanokasic, Chairperson – noted previous conversations regarding recruitment and retention challenges for special education personnel.

Comment: Dr. Harvey Rude, Vice-Chairperson – stated it is difficult for the BIE to keep up with other schools who can post a position and hire as soon as there is a qualified candidate. The days of posting a position for 30 days and then reviewing candidates is gone. Local school districts have more flexibility and can be nimbler in the hiring process.

Brian Wagner, Board Member – discussed the issue with some candidates not being incentivized by federal retirement benefits. BOS are only one third of the BIE schools, and the rest are responsible for their own job postings.

Comment: Dr. Robin Blitz, Board Member – did the presenter state that teachers are contract employees or salaried employees?

Comment: Brian Wagner, Board Member – explained there is a contract process.

Question: Dr. Robin Blitz, Board Member – do Title 25 employees have access to all federal benefits?



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

- **Response:** Audrey Duran (chat) – they are Federal employees and eligible for Federal benefits.

Comment: Dr. Robin Blitz, Board Member – noted the presentation stated the Title 25 status makes loan forgiveness and parental leave non-eligible. She also questioned the number of open positions listed during the presentation.

- **Response:** Audrey Duran – the numbers provided in the presentation referred to the number of positions filled. They currently only have six positions open for special education teachers. They have several other positions that are filled, pending a background check.

Question: Dr. Robin Blitz, Board Member – asked about the low number of specialized therapists who are employees.

- **Response:** Ronald Worst, Education Specialist – explained that most schools contract for specialized therapists, so there are very few who are actual employees.
- **Comment:** Brian Wagner, Board Member – discussed how schools often pay more for contracted specialists than if they actually hired someone to fill the role, and he advocated for changes in the system.

Comment: Dr. Robin Blitz, Board Member – expressed that, with the lack of adequate housing, there should be discussion about providing teletherapy and teleservices where it is difficult to hire staff.

Comment: Brian Wagner, Board Member – commented that some students do better with virtual instruction, but it can be difficult to find qualified personnel to provide the teleservices. However, a paraprofessional is still needed to be in the room with the student.

Comment: Gretchen Lehmann, Board Member – stated some schools are contracting with universities for personnel to provide services such as school psychologist evaluations.

Question: Brian Wagner, Board Member – is there a BIE-wide report on personnel?

- **Response:** Dr. Eugene Thompson, Supervisory Education Specialist – there is data that is turned in to the Office of Special Education Programs. However, that report is not entirely accurate as schools do not provide recent/current information for the report.
Question: Brian Wagner, Board Member – is there a way to come up with better data? If the data isn't reliable, why is it still being gathered? Reliable data is needed to justify decisions.
- **Response:** Dr. Eugene Thompson, Supervisory Education Specialist – most schools are using NASIS to submit data.
- **Response:** Ronald Worst, Education Specialist – data is collected each year on all certified staff and paraprofessionals. All the data comes in through NASIS. The data they look at is certifications. The data is getting better each year due to webinars for schools about what needs to be submitted.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Question: Brian Wagner, Board Member – is the data still sent out for verification? Not everyone does NASIS correctly.

- **Response:** Ronald Worst, Education Specialist – there is a verification process piece, but it is cumbersome, and they are trying to train staff on how to use NASIS to increase the quality of data that is entered into the system.

Question: Brian Wagner, Board Member – does the NASIS data include open positions?

- **Response:** Jennifer Davis, DFO – the data is collected on the same day that data is gathered for Child Find. The report shows who was employed and if they were certified on the day the data was collected. Because of high turnover rates in school staff, they are constantly providing training on NASIS data entry. They have a lot of other data that is collected. Contractor data is also collected in NASIS. They also have a technical service provider who helps them spot errors and follow up with schools.

Comment: Gretchen Lehmann, Board Member – observed schools still get data verification checks in NASIS when data is not entered correctly, and they always receive assistance on how to correct the data.

Comment: Brian Wagner, Board Member – recognized the work of Ron Worst in preparing data.

2:30 a.m. – 2:45 a.m. Break

2:45 p.m. – 4:30 p.m. Work on Next Meeting's Logistics

Norman Shawanokasic, Chairperson, explained the remainder of the meeting would be spent forming the agenda for the April meeting. Progress for possible speakers and questions were reviewed.

Comment: Dr. Robin Blitz, Board Member – asked what kind of statistical data BIE funded schools need from IHS.

Comment: Brian Wagner, Board Member – explained that applications are now required by IHS for information from service providers, and the turnaround time is extensive. The information being requested is general statistical information and does not include student level data.

Question: Dr. Robin Blitz, Board Member – asked if this an issue regarding HIPPA and the Family Education Rights and Privacy Act (FERPA) and the MOU between the BIE and IHS?

- **Response:** Brian Wagner, Board Member – stated his belief that it is a result of the MOU, but it is hindering local services.

Question: Brian Wagner, Board Member – asked if Office Reservation Boarding Schools (ORBS) are within tribal communities.

- **Response:** Dr. Eugene Thompson, Supervisory Education Specialist – knows of two ORBS that are located off of reservations.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Dr. Robin Blitz, Board Member – suggested asking if Freedom of Information Act (FOIA) forms were needed to gather general statistical information.

Gretchen Lehmann, Board Member – observed the request to the IHS presenter is for them to explain the FOIA process, the reasoning behind it, and then follow up questions could be asked by the Board.

Comment: Dr. Harvey Rule, Vice Chairperson – agreed with the request to be regarding the process.

Question: Dr. Robin Blitz, Board Member – asked for clarification on what statistical information is being requested.

- **Response:** Brian Wagner, Board Member – noted it is population data on children birth3 to assist with Child Find counts.

Comment: Dr. Robin Blitz, Board Member – clarified that IHS doesn't have jurisdiction for Part C services because it stays at the state level. The exception is the Navajo Nation as it spans three states.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – there is an annual report issued by the IHS with data.

Comment: Dr. Harvey Rule, Vice Chairperson – asked if the draft question met the needs of the Board and received agreement that it did.

Comment: Dr. Robin Blitz, Board Member – stated the question needs to clarify who local service providers are.

Comment: Brian Wagner, Board Member – observed Child Protection Team is not a title universally used by all tribes and needs to be changed in the question.

Comment: Dr. Robin Blitz, Board Member – explained mandatory reporting for child safety concerns goes to the state department of child safety and not to tribes.

Comment: Brian Wagner, Board Member – expounded that Child Protection Teams go above and beyond the mandatory reporting requirements to state departments, and they work on a community level.

Comment: Gretchen Lehmann, Board Member – stated the question is very specific to one locale and can't be applied to all schools and their interactions with IHS. It was suggested that the question be removed.

Comment: Dr. Harvey Rule, Vice Chairperson – suggested asking how IHS can support individual schools and what services are provided.

Comment: Dr. Robin Blitz, Board Member – clarified that some schools provide hearing and vision screening processes.

Comment: Pilar Peltier, Board Member – stated IHS provides health screening services for Chemawa Boarding School.

Comment: Brian Wagner, Board Member – observed IHS is not providing screening services for day schools, and it requires parents/guardians to have basic health screenings completed.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Gretchen Lehmann, Board Member – clarified parental rights need to be maintained in the screening process.

Comment: Dr. Robin Blitz, Board Member – stated that if a child is getting their wellness child checks, they should already be screened, and parents could sign a release of information for the screening results to be sent from IHS to the school.

Comment: Dr. Harvey Rule, Vice Chairperson – suggested asking if a BIE funded school can request a basic screening be completed for hearing and vision screening.

Dr. Robin Blitz, Board Member – recommended asking the IHS representative to explain the process for BIE funded schools to obtain medical information necessary for education services, and she suggested asking a question about IHS medical personnel being encouraged to attend IEP meetings.

Comment: Gretchen Lehmann, Board Member – noted the request for an IHS provider to attend an IEP meeting is completed by the parent.

Comment: Brian Wagner, Board Member – suggested having a school psychologist, employed by the BIE, attend the school psychologist panel requested for the April meeting. It was also noted that requirements for school psychologists vary across states and having psychologists from multiple states would be beneficial. He asked if the Board wanted to hear from school psychologists. Another suggested topic was to have a review of the data the BIE submits to OSEP.

Comment: Dr. Harvey Rule, Vice Chairperson – observed that the Board has received copies of the BIE's federal determination in the past, but it would be helpful to receive data on personnel across the BIEs. He stated he would find it insightful to hear from a panel of school psychologists.

Comment: Gretchen Lehmann, Board Member – noted school psychologists often travel between schools to do assessments, and they have varying degrees of input at the school level. Having a mixed panel of school psychologists and special education coordinators was suggested.

Comment: Pilar Peltier, Board Member – stated school psychologists at her school complete assessments and follow ups with students. She thought it would be good to hear from school psychologists.

Comment: Dr. Robin Blitz, Board Member – asked what personnel would be the best to respond to the drafted questions on the mis-identification of students and possible services.

Comment: Gretchen Lehmann, Board Member – stated the questions identified by the Board should drive who is on the Panel.

Comment: Brian Wagner, Board Member – noted the topic of learning loss from COVID should be continually visited.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – perhaps consider school principals.

Comment: Dr. Harvey Rule, Vice Chairperson – observed most panelists generally appreciate being invited to share their experiences with the Board.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Gretchen Lehmann, Board Member – suggested having a panel of special education directors/coordinators who will also have information that school psychologists could provide.

Comment: Leslie Finnearty, Board Member – agreed that special education directors/coordinators would be the best for a panel.

The Board agreed to have two panels, one for special education directors/coordinators and another for school leadership.

Comment: Jennifer Davis, DFP – asked the Board to suggest possible schools they would like to have panelists from.

Comment: Dr. Robin Blitz, Board Member – stated she would like special education coordinators to be asked about how RtI is being implemented.

Pilar Peltier, Board Member – recommended Chemawa as a school for potential speakers.

Comment: Brian Wagner, Board Member – suggested the Board have until January 31st to recommend names to Jennifer Davis of potential panelists.

Comment: Gretchen Lehmann, Board Member – stated the first proposed question for special education coordinators was adequate as it was.

Comment: Brian Wagner, Board Member – suggested asking special education coordinators what additional supports their schools need to help address educational loss that has been identified.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – suggested the prompt for special education coordinators: “Describe how your school builds trust between general and special education teachers for positive student outcomes.”

Comment: Brian Wagner, Board Member – observed each school has different needs based on the state they are located in and their individual communities. The Board’s job is to make sure the BIE is seeing all issues the schools are dealing with. He suggested a question around complications with over identification of SLD and EBD.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – describe how your school is facilitating parent involvement to improve services and results for students with disabilities.

Comment: Dr. Harvey Rule, Vice Chairperson – suggested revising the question to ask about complications that have arisen from COVID for children with disabilities.

Comment: Jennifer Davis, DFO – suggested asking a question about successes.

Comment: Dr. Robin Blitz, Board Member – recommended asking about creative solutions.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – what strategies have been effective to educate students with disabilities post COVID?

Comment: Dr. Robin Blitz, Board Member – recommended asking about parent and child involvement in improving services.

Comment: Gretchen Lehmann, Board Member – suggested moving a question from special education coordinators to school leadership.



BIE Advisory Board for Exceptional Children

DAY-2, Friday, January 20, 2023, 8:00 AM - 4:30 PM (MST)

Comment: Brian Wagner, Board Member – recommended keeping all drafted questions and allowing the Board to vote on prioritizing the questions to be asked during the allotted agenda time. He reminded Board members to provide Jennifer Davis with recommendations on school leadership personnel they would like to hear from.

Comment: Dr. Robin Blitz, Board Member – stated that the first two questions for school leaders could be combined.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – suggested the question, “How does your school use data to inform practice for transition services, instruction, activities, and collaboration?”

Comment: Dr. Robin Blitz, Board Member – suggested deleting a question in order to consolidate the questions.

Comment: Brian Wagner, Board Member – stated he could look into which schools are operating on a four-day school week. Loneman, Dunseith, and Takini were suggested.

Dr. Robin Blitz, Board Member – stated she favored all of the questions regarding four-day school weeks.

Comment: Jennifer Davis, DFO – suggested asking, “How has the four-day work week affected the students?”

Comment: Dr. Robin Blitz, Board Member – recommended adding specifications to the third question to eliminate the last questions.

Comment: Dr. Eugene Thompson, Supervisory Education Specialist (chat) – recommended the question, “Has there been any impacts on the student's receiving IEP services from 5 days to 4 days. What changes were made?”

Comment: Dr. Harvey Rude, Vice Chairperson – noted that there shouldn't be any changes, but the question may assist with finding additional information.

The Board discussed holding the June meeting at Chemawa for both days of the meeting. No students will be at the school during the meeting time.

4:30 p.m. MST | Adjourned

Dr. Harvey Rude, Vice Chairperson, made a motion to adjourn the meeting. Dr. Robin Blitz, Board Member, seconded the motion. All Board members voted in favor of adjourning the meeting.