



BIE Advisory Board for Exceptional Children Hybrid Meeting June 22-23, 2023 BOARD MINUTES

DAY-1, Thursday, June 22, 2023, 8:00 AM - 4:30 PM (MST)

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

Meeting Location: CHEMAWA INDIAN SCHOOL, 3700 Chemawa Rd NE, Salem, OR and online using the Zoom.Gov platform and teleconference.

IDEA and FACA Regulations: This meeting is being held under the provisions of the Public Law 108-446 Individuals with Disabilities Education Improvement Act of 2004, Part B, Sec. 611(a)(6); Sec. 612(a)(21)(A). As an Advisory Board to a federal agency, the Board is regulated and 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

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| 1. Present | Norman Shawanokasic, Chairperson |
| 2. Present | Dr. Harvey Rude, Vice-Chairperson |
| 3. Excused | Leslie Finnearty, Secretary |
| 4. Present | Dr. Robin Blitz, M.D. Board Member |
| 5. Present | Dr. Perry Graves, Ph.D. Board Member |
| 6. Excused | 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 |
| 11. Excused | Monica Cleveland, Board Member |
| 12. Present | Wendy Kroupa, Board Member |
| 13. Present | Rachel Harrison, Board Member |



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Gallery:

- **BIE Staff Members (In-person):** Jennifer Davis, Designated Federal Officer (DFO), Ronald J. Worst, Educational Specialist, and Dr. Eugene Thompson, Supervisory Education Specialist.
TAESE Contractors: Dr. Brenda Smith, Alex Langevin, and Laura Lema. **Presenters/Speakers:** Dr. Eugene Thompson, Amanda Ward, Ryan Cox, Rob Alvarez, Amy Layton, and Robbin Sanders
Others in Attendance (online): Arlene Davis, Amanda Bryant, Brooke Ratliff, John Copenhaver, Melanie Star, Nancy Ka'Won, Zonnie Sombrero, Delphina Shunkamolah, Carmelia Becenti, Eleanor Jones, Katharine Ford, Barry Eagle, Gloria Yepa, Laura Tsosie, and Cheryl Johnson

8:00 AM – 8:30 AM

Roll Call, Introduction of New Board Members, Old Business, and New Business

Start Time: 8:00 AM Pacific Daylight Time (PDT)

Welcome and Call to Order – Norman Shawanokasic, Chairperson

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

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| ○ Norman Shawanokasic | ○ Dr. Harvey Rude, Ph.D. |
| ○ Pilar Peltier | ○ Teryl Running Horse |
| ○ Rachel Harrison | ○ Dr. Perry Graves |
| ○ Wendy Kroupa | ○ Gretchen Wendell |
| ○ Brian Wagner | ○ Excused: Leslie Finnearty, Gretchen |
| ○ Dr. Robin Blitz, M.D. | Lehmann, and Monica Cleveland |

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

Chairperson Shawanokasic acknowledged this meeting was being held on land traditionally belonging to the Confederated Tribe of Warm Springs, Confederated Tribe of Grand Ronde, and the Confederated Tribe of Siletz Islands. He thanked Chemawa Indian School for hosting the Board meeting and spoke of the school's history.



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

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

Introduction of New Board Members – Rachel Harrison introduced herself as an elementary school teacher in Oklahoma. Wendy Kroupa introduced herself as a school principal in South Dakota. Chairperson Norman Shawanokasic welcomed the new Board Members, introduced himself as the Chairperson, and asked each present Board Member to introduce themselves to the new Board Members. It was noted both Dr. Harvey Rude’s and Dr. Robin Blitz’s terms were ending, and this meeting would be both members’ last meeting.

Old Business – Chairperson Norman Shawanokasic asked the BIE staff members (Dr. Eugene Thompson, Jennifer Davis, and Ron Worst) who were present to introduce themselves.

Chairperson Norman Shawanokasic observed the minutes from the April 2023 meeting had been sent to all Board members and he asked for a motion to approve the minutes. Dr. Harvey Rude made a motion to approve the minutes with edits as noted. Gretchen Wendell seconded the motion. All Board members voted in favor of approving the April 2023 meeting minutes.

Chairperson Norman Shawanokasic asked for a moment of silence in respect for the students who experienced trauma and passed away at boarding schools.

New Business – Jennifer Davis, DFO, reported three Board members have terms expiring in July 2023. With Dr. Harvey Rude leaving the Board, a new Vice Chairperson would need to be elected by the end of this meeting. Leslie Finnearty will end her term as secretary, so a new secretary would also need to be elected. Norman Shawanokasic is currently Chairperson, which is an approved position. Chairperson Norman Shawanokasic applied for another term on the Board, which has been approved. Elections for positions will



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occur during the work session of this meeting on Friday, June 23rd. The call for nominations for new Board members has closed. Three applicants are currently being reviewed.

8:30 AM – 9:15 AM | Chemawa Indian School – School leadership team, teachers, school improvement team, and parent advisory board Presenters: Amanda Ward, Ryan Cox, Rob Alvarez, and Amy Layton

Chairperson Norman Shawanokasic welcomed the leadership from Chemawa Indian School and asked them to introduce themselves.

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

1. How would you describe the successes and concerns at your school?
2. What do you see as an opportunity to improve services for children and families in the local community? What is one thing you would like to see changed?
3. What are some things you would like to share with this Board and the BIE representatives, celebrating your students and/or school?
4. What is the impact of your school on the local community?

Following are the responses given by the presenters to each of the questions.

1. How would you describe the successes and concerns at your school?

Amanda Ward noted they have an amazing group of special education teachers and staff who focus on student's voices and success. They are concerned about staffing needs and finding qualified staff for residential and special education services.

Ryan Cox explained they have worked very hard in the past few years to become compliant and are proud of that success. He reiterated recruiting staff is always a concern because of the required procedures.

Rob Alvarez noted the expertise and success of Amy Layton as a new special education teacher is a major success for the school. He explained Amy and the special education team met the needs of their special education students and provided academic support for general education students who had academic concerns. He stated one challenge is the transition paperwork from the various middle schools their students come from and understanding what services were being provided in those schools.



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Amy Layton stated they have a very collaborative team and it is one of the school's strengths. She explained they also have college interns at the school who assist with evaluations for students. She noted even though recruiting staff is a concern, their staff consistently step up to assist students.

Comment: Norman Shawanokasic, Chairperson – Observed the struggle to recruit staff affects many BIE schools.

2. What do you see as an opportunity to improve services for children and families in the local community? What is one thing you would like to see changed?

Amanda Ward stated she would like to see changes in the BIE hiring process and procedures. She stated school staff could do more to assist in the hiring process, but currently the BIE procedures require BIE staff handle those processes. She noted they have 41 open positions (about half of their total staff), and none of these positions are posted yet because of the onerous job posting system procedures.

Ryan Cox stated an area for improvement is parent involvement. They operate a parent committee, but they don't get a lot of participation. COVID provided an opportunity for families to become comfortable using Zoom, which improved participation with parents. But because their student body comes from across the country, they don't have any local parents.

Rob Alvarez elaborated that, because of the remoteness of parents, they don't hold formal parent-teacher conferences. He would like to work on formally scheduling parent-teacher conferences. He would also like to see a peer-to-peer mentoring program develop on their campus.

Amy Layton noted they set a professional goal for staff to connect with parents once a week regarding student grades. She would like to see partnerships develop with local universities to provide opportunities for students, specifically with teacher preparation programs, to encourage students to enter into education careers.

3. What are some things you would like to share with this Board and the BIE representatives, celebrating your students and/or school?

Amanda Ward stated each year their school is improving. They have amazing staff who are focused on seeing students succeed. Post-COVID, they couldn't allow all students to come back as they are limited by staff capacity on how many students they have in the classroom. They have students begging to attend the school. They have started a vocational rehabilitation program that is benefiting students.



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Comment: Brian Wagner, Board Member – Explained Board members can advocate on behalf of the school and encouraged the school staff to let the Board know what they can assist them with.

Amanda Ward noted they currently have adequate funding due to not being at student capacity because of their staffing limitations. However, their funding is allocated based on a five-day school week. Their students are on campus full-time, and if they become fully staffed (and at student capacity), they will have a funding deficiency for providing student activities on weekends. If this occurs, they will need to cap their school enrollment.

Question: Norman Shawanokasic, Chairperson – Asked how do they determine their enrollment cap.

Amanda Ward explained they decide the enrollment cap based on the number of staff they have. She noted most of their students live on campus and they only have a handful of local students who only attend school for the day.

Question: Brian Wagner, Board Member – Asked how many students they had the last year.

Amanda Ward explained they had 150 students, which is half of their capacity. She also explained their school funding and what funding will remain. They would like to increase their student body and decrease their waiting list.

Question: Dr. Harvey Rude, Vice Chairperson – Asked how many tribes are represented at the school, and how they address the language and cultural learning of each student.

Amanda Ward explained approximately 70 tribes are represented at the school. They allow the students to take a lead on sharing their individual tribal cultures during classroom activities. Last year, they provided a class that examined different tribes. Seniors do a tribal capstone project where they write an ethnographic research paper on their tribe with a presentation before a panel. The presentation includes a performance or food preparation aspect of the student's choice. They have found it difficult to assist students with tribal language. Amanda also explained they have ordered linguistic curriculum guides for languages which have curriculums available. They have also invited native language speakers to come to campus, but they have not yet found anyone willing to come to campus in person. Their staff who speak tribal languages try to connect with students who speak the same tribal language.



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Question: Dr. Harvey Rude, Vice Chairperson – Asked if they have artifacts they can share from the student capstone presentations.

Ryan Cox explained they have some artifacts they can show on the school tour.

Amy Layton explained many of the teachers try to be culturally responsive during instruction and they try to incorporate books written and films produced by Native Americans. She expressed appreciation for Pilar Peltier as their vocational rehabilitation specialist who reaches out to tribal vocational rehabilitation services to help students transition back to their community. More off-campus work experience for students would be beneficial.

Question: Brian Wagner, Board Member – Asked if they contract out any work for related services.

Amy Layton and Ryan Cox explained the past school year they contracted outside their school for speech therapist services.

4. What is the impact of your school on the local community?

Ryan Cox noted their school is well known across the country. Their staff members live in the community, and they have worked hard to build relationships throughout the community.

9:15 AM – 9:30 AM | Board Reflection for Chemawa Indian School

Comment: Norman Shawanokasic, Chairperson – Observed the original intent of boarding schools was to strip students of their culture and language, but now schools try to assist students in retaining and highlighting their individual tribal culture.

Comment: Brian Wagner, Board Member – Discussed the federal funding status. He reiterated that the Board can advocate for schools. He asked what the special education case load is.

- **Response:** Amy Layton – Noted they have approximately 30 students with an Individualized Education Program (IEP).

Question: Brian Wagner, Board Member – Asked if the work with the local college was a Memorandum of Understanding or a Contract.



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- **Response:** Ryan Cox – Replied they have a contract with the college to provide evaluation support for the school. He explained many students come to them with unidentified disabilities and there is a need for identification improvement in the schools their students attend before they transfer to Chemawa Indian School.

Comment: Pilar Peltier, Board Member – Acknowledged the team at the school and the support they provide students on many levels. She discussed the barriers to teaching students their individual tribal languages.

Question: Dr. Robin Blitz, Board Member – Asked if students with IEPs can attend the school until their 22nd birthday and requested clarification about staffing for a school nurse and mental health services.

- **Response:** Ryan Cox – Stated students can stay until their 22nd birthday, but it is difficult with the age range of students attending the school to have students who are legally adults living in the same dorms. They do have a school nurse and have an Indian Health Service (IHS) site adjacent to the campus.

Comment: Dr. Harvey Rude, Vice Chairperson – Encouraged school staff to continue promoting individual student tribal cultures.

Comment: Gretchen Wendell, Board Member (in chat) – The process of opening positions and getting staffing hired is arduous and ineffective. I believe we made the suggestions during our last report to put the hiring process back into the hands of the LEAs. Do we know if any changes are on the horizon to put the process back into the hands of the school?

9:30 AM – 9:45 AM Break

9:45 AM – 11:00 AM | BIE Off-Reservation Board Schools (ORBS), Chemawa Indian School, Flandreau Indian School, Riverside Indian School, and Sherman Indian School Presenters: Amanda Ward (Chemawa Indian School), Ryan Cox (Chemawa Indian School), and Robbin Sanders (Riverside Indian School)

Chairperson Norman Shawanokasic opened the meeting following the break. He noted Vice Chairperson Dr. Harvey Rude would facilitate the panel session.

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

1. How has COVID affected the school's ability to provide educational services to all students and specifically students with disabilities both during the COVID pandemic and post COVID?
2. Please provide data around the indicators of secondary transition, graduation, truancy, dropout rates, and staffing vacancies.
3. How did your school address parent engagement during COVID?



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4. What was the follow-up regarding students who left the school during COVID and did not return after COVID?
5. What education strategies have changed at your school post-COVID?
6. Please describe any recruitment and retention issues at your school.
7. Do you have any questions for the board?
8. Have you been made aware of the BIE Advisory Board 2022 Annual Report and have you reviewed the annual report?

Following are the responses given by the presenters to each of the questions and prompts.

1. How has COVID affected the school's ability to provide educational services to all students and specifically students with disabilities both during the COVID pandemic and post COVID? Robbin Sanders explained COVID was difficult, but they were able to provide Wi-Fi hot spots for families so students could connect to classes and services. They also started using Docusign to obtain signatures from parents.

Amanda Ward explained at the beginning of COVID, they had just purchased laptops and were able to send those to students quickly to connect from home. This was met with various successes.

Ryan Cox noted students didn't embrace technology during COVID as much as teachers thought they would. Students were reluctant to turn on their cameras and engage with teachers. They started doing IEP meetings via Zoom and this helped them understand their students better.

2. Please provide data around the indicators of secondary transition, graduation, truancy, dropout rates, and staffing vacancies.

Robbin Sanders explained for secondary transition, they set up a lot of virtual visits to college campuses. Their graduation rates stayed stable through COVID. Truancy and dropout rates were not affected during COVID. They currently have no staffing vacancies.

Amanda Ward noted truancy isn't an issue when students live on campus. During COVID, truancy was different, but many students had trouble connecting to classes timely. Drop out rates are difficult for them to determine, because students often transfer to other schools without letting the school staff know where they went, and the school often doesn't have valid contact information for parents. Their drop out count often includes students who have enrolled in other schools, but since their school staff don't know about the enrollment in other schools, they have to count them as drop outs. Graduation rates did drop during COVID, but they are moving back up.



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Ryan Cox explained they have been working with the BIE on transition services and have improved greatly in that area.

Question: Wendy Kroupa – Asked how Riverside Indian School is fully staffed?

• **Response:** Robbin Sanders explained they did not have any staff leave after the last school year. They post jobs via USA Jobs, but also advertise locally. She also explained they offered credit recovery classes after COVID for students who missed school during COVID, and this assisted many students with graduating on time.

3. How did your school address parent engagement during COVID?

Ryan Cox explained parent involvement is always a challenge for them. During COVID, if a student did not show up for an online class or appointment, their education technicians would call or text the student and their parents to check in and see why the student wasn't present.

Robbin Sanders stated they also used their education technicians to call and follow up with students who weren't attending classes. Their teachers did very well over COVID managing their caseloads and connecting with students. They do not have full-time counselors on staff, so they use counselor technicians to assist with intake forms. Their students have access to counseling at IHS.

4. What was the follow-up regarding students who left the school during COVID and did not return after COVID?

Robbin Sanders explained they did not do follow-up with their students. Their normal attrition rate is 50% and they don't have the means to track students. They had approximately 370 students before COVID. Post-COVID they had 175 students, and currently they have 270 students.

Amanda Ward noted they had similar enrollment numbers for pre-COVID, post-COVID, and current day.

5. What education strategies have changed at your school post-COVID?

Amanda Ward explained teachers have kept the blended learning model with technology and are more purposeful about the technology they use. Teachers are able to use their virtual platform to still provide instruction to students who are sick or visiting home for family events.

Robbin Sanders responded saying they continue to put more emphasis on the Response to Intervention (RtI) process to identify students who may need additional support.



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6. Please describe any recruitment and retention issues at your school.

Ryan Cox responded saying the hiring process through the BIE/USA Jobs is onerous. The length of time it takes to get a staff member hired is too long and many potential hires accept other positions while they are waiting. They also struggle to convince potential staff to move to Oregon. They do not provide staff housing. The local school districts have the capacity to hire staff quickly and the lengthy hiring process makes their school not competitive in the local hiring market. The local tribes are somewhat dispersed, which makes it difficult for them to hire local tribal staff members. An Oregon university provides incentives to Native Americans enrolling in their teacher preparation program and they have tried to hire graduates of that program. However, the lengthy hiring process prohibits them from hiring graduates who quickly accept other job offers.

Ryan Cox noted they can hire interns without a background check. However, when interns become more qualified, they often want to return to their local tribal community.

Robbin Sanders stated their local tribal college advertises job openings for them. They focused heavily on student recruitment this year. Increasing student recruitment is inhibited by their ability to hire dorm staff quickly with the lengthy hiring process.

Amanda Ward explained they have a representative who works on recruitment.

Question: Brian Wagner, Board Member – Asked for an explanation of the procedures to accept a student at a school.

- **Response:** Amanda Ward – Responded it is an open application process where the schools can decide who to accept. Their goal is to recruit students who stay at their school for four years.

Question: Wendy Kroupa, Board Member – Asked how long staff typically stay employed.

- **Response:** Amanda Ward – Responded when they hire staff, they generally stay at the school for a long time. When they lose staff, it is generally to retirement or because staff move into a new position at the school.
- **Response:** Robbin Sanders – Noted their staff also generally stay in their positions for a lengthy time. Pay is better at ORBS than it is at public schools and teachers can retire from teaching in public schools, then work for five years at an ORBS, and retire again. They offer some positions as transitional positions. They can hire a teacher with a bachelor's degree in any field with a two-year period in which they can gain teacher certification.



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7. Do you have any questions for the board?

Panelists did not have any questions for the Board.

8. Have you been made aware of the BIE Advisory Board 2022 Annual Report and have you reviewed the annual report?

Amanda Ward noted she did not know it existed, but she would review it.

Robbin Sanders stated she also did not know it existed.

Vice Chairperson Dr. Harvey Rude explained the report is available on the BIE website, and open positions are on the Board, if any of the panelists would like to apply.

Comment: Brian Wagner, Board Member – Explained the Board gathers information throughout their meetings to inform their recommendations in their annual report. He stated it was interesting to hear Chemawa Indian School describe how they calculate their drop out rate to include students who may be enrolled at other schools when they haven't been informed of the enrollment. He encouraged schools request federal reporting requirements acknowledge the successful postsecondary transition of students with disabilities.

Comment: Gretchen Wendell, Board Member – Commented that students with disabilities who attend additional programs past their senior year and graduate later skew graduation rate data.

Question: Wendy Kroupa, Board Member – Asked panelists what can make their job easier.

- **Response:** Amanda Ward – Responded they would like to be able to post their own jobs. She expounded the procedural process of having BIE staff post the jobs and be the only ones to pull applicants is time consuming. She stated she understands the BIE is understaffed and it would help if school staff could complete clerical duties to assist with speeding up the process.

- **Response:** Robbin Sanders – Explained they ask local tribes to advertise their open positions so possible hires know to look on USA Jobs for positions.

Question: Gretchen Wendell, Board Member – Asked for clarification on whether they use USA Jobs for positions.

- **Response:** Robbins Sanders – Clarified they use USA Jobs, but do a lot on their own to broadcast the opening once it is posted. They also struggle with the length of time it takes to get openings posted to USA Jobs, and they lose potential hires waiting for background checks to be completed.

Comment: Brian Wagner, Board Member – Explained he has spoken with staff at Flandreau Indian School and they have similar experiences and concerns.



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Question: Norman Shwanokasic, Chairperson – Requested panelists to repeat their responses to the first question as he was out of the room.

- **Response:** Amanda Ward – Replied they were able to quickly distribute laptops to students. They virtually operated their school for approximately one year and three months. They saw a change in grades and attendance throughout COVID.
- **Response:** Ryan Cox – Noted they also experienced many students not understanding how to be students when they returned from COVID, because they missed pivotal time in middle school learning how to organize school work and prepare for coursework. They had to navigate with IHS on how to provide in-person evaluations for students in different states during virtual learning.
- **Response:** Robbin Sanders – Explained there was substantial learning loss following COVID and academic credit recovery was necessary for many students. COVID initiated a mindset change for educators at their school about technology and many teachers returned to more traditional learning methods when students returned onsite.

Question: Brian Wagner, Board Member – Asked if the schools follow the education procedures in their state.

- **Response:** Ryan Cox – Responded they follow Oregon Department of Education guidelines when federal guidelines aren't clear.

Comment: Norman Shwanokasic, Chairperson – Stated in the last annual report the Board produced, they recommended all students with disabilities be provided supports to meet their social and emotional needs. There is a need for licensed mental health providers.

- **Response:** Robbin Sanders – Responded they recommended during COVID that students receive mental health services at their local IHS facility.

Comment: Wendy Kroupa, Board Member – Observed how difficult it was to teach social skills during COVID in a virtual learning environment.

Question: Norman Shwanokasic, Chairperson – Asked for clarification on past procedures for posting job positions.

- **Response:** Amanda Ward – Expounded they previously were allowed to enter information on job postings themselves. Now all data entry for open positions needs to go through BIE staff.

They have 41 open positions they've been waiting to have posted since April.

Comment: Brian Wagner, Board Member – Observed that 15 years ago the Board was discussing how they could advise the job posting process be streamlined. He commented on the ongoing barriers the job posting process poses to schools.

- **Response:** Amanda Ward – Reiterated how the job posting process has become more onerous in the past few years. She explained the timeliness of the job verification process has also forced her staff to be denied loans. She noted the hiring process keeps their school from being



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- fully staffed, which keeps them from enrolling their maximum capacity of students, which affects their funding allowance, which in turn, affects the services they are able to provide to existing students.

Chairperson Norman Shawanokasic thanked the ORBS representatives for attending the panel session and providing responses to the Board.

11:00 AM – 11:15 AM Public Commenting Session #1 (15 minutes)

Jennifer Davis, DFO, explained the process for providing public comments.

Comment: Dr. Eugene Thompson – Reflected it would be good for the Board to bring back a representative from the BIE Human Resources department to discuss issues with the hiring process. He also noted that several schools are undergoing corrective action for not having qualified staff. **Comment:** Brian Wagner, Board Member – Discussed hiring process concerns between ORBS, Tribally Controlled Schools (TCS), and Bureau Operated Schools (BOS). He reported qualification standards based on federal regulations.

Comment: Wendy Kroupa, Board Member – Commented on qualifications based on the best fit for duties.

11:15 AM – 11:45 AM Board Reflection for BIE ORBS

Comment: Wendy Kroupa, Board Member – Expressed concern over the amount of time it takes to have jobs posted, and noted it would help if schools were allowed to complete the clerical work to post job positions.

Comment: Gretchen Wendell, Board Member – Noted the inability of schools to increase their enrollment rates when they aren't able to post job positions and hire for open positions.

Comment: Brian Wager, Board Member – Reiterated the importance of advocating for changes in the system to increase the ability of schools to hire quickly for open job positions.

Comment: Pilar Peltier, Board Member – Explained St. Stevens BOS will not have enough staff at the beginning of the school year, which will result in education technicians from other schools being detailed to assist. If this occurs again, it leaves other schools short of staff as well.

Comment: Norman Shawanokasic, Chairperson – Suggested making the hiring process a priority item on their annual report. He observed the Board never gets a response on their recommendations in their final reports.

Comment: Dr. Harvey Rude, Vice Chairperson – Explained Tony Dearman, Director of the BIE, responded to the annual report when he presented.

11:30 AM Lunch (1.5 hours)



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1:00 PM – 2:00 PM BIE Special Education Program Presenter: Dr. Eugene Thompson, Supervisory Education Specialist

Chairperson Norman Shawanokasic welcomed everyone back from lunch.

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

1. What issues have been ongoing before COVID vs. what issues are new post-COVID?
2. Provide an update about plans to do any regional conferences.
3. What are the updates on the U.S. Government Accountability Office (GAO) 2020 report and the seven recommendations within the report?
4. Are there updates on the BIE Special Education Policy and Procedure manual?
5. Provide an update about the BIE's Interactive Data Workshop.
6. Provide an update about the BIE's Fiscal and Programmatic Monitoring for SY22-23, specifically special education findings.

Dr. Eugene Thompson introduced himself and explained his role at the BIE. He reviewed the questions the Board requested he respond to during his presentation. The following are the responses given by Dr. Eugene Thompson to each of the questions and prompts.

1. What issues have been ongoing before COVID vs. what issues are new post-COVID?

Dr. Eugene Thompson shared pre-COVID issues included staffing shortages, correction of findings of noncompliance, and school and student performance. Issues that occurred during COVID included staffing attrition due to retirement, death, and leaving the profession; the creation of the Smartsheet tracking tool for correction; school closures; virtual instruction; internet and computer issues; and students not attending virtual instruction. Issues occurring post-COVID include working with human resources at the BIE to advertise and fill vacant positions; school-level staff training; communication between the DPA and schools; verifying the correction of findings of non-compliance (over 400 noncompliance findings with 64 currently being verified as corrected); recovery for students who have missed instructional, social, and emotional opportunities in person; and Free and Appropriate Public Education (FAPE) for all students with disabilities.

2. Provide an update about plans to do any regional conferences.

Dr. Eugene Thompson explained three regional conferences are planned. An Interactive Data Workshop will be on June 27-28 in New Mexico. A second Interactive Data Workshop will be on July 11-12 in Arizona. And



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another Interactive Data Workshop is being planned for the summer of 2024. These are the first in-person workshops being planned post-COVID. They are hoping to plan additional interactive workshops during the summer of 2024.

3. What are the updates on the U.S. Government Accountability Office (GAO) 2020 report and the seven recommendations within the report?

Dr. Eugene Thompson reviewed the seven [GAO report](#) recommendations and the status of each.

1. The Director of the BIE should establish consistent requirements for schools on making up missed special education and related services and then monitor these schools to ensure they follow the requirements. This recommendation is open and under progress. This progress includes developing special education policies and procedures.
2. This recommendation directed the Director of the BIE to work with knowledgeable stakeholders in Indian education to establish a community of practice to identify and disseminate promising practices for schools on recruiting, hiring, and retaining special education teachers and contracting with providers. This recommendation is open and under progress.
3. Rescind the policy overseeing TCS that do not meet the Department of Interior's requirement to annually review all school's documentation to verify the provision of services for every special education student. This recommendation is closed.
4. Update the agency's workforce plan to include a strategy and timeframe for filling vacant staff positions responsible for overseeing and supporting schools' special education programs. This recommendation is open and under progress.
5. The Director of the BIE should fully implement the agency's high-risk monitoring policy for the Individuals with Disabilities Education Act (IDEA) and other federal education programs, including requirements for agency-wide coordination. This monitoring policy should also ensure the schools selected for monitoring receive reports and technical assistance plans within 30-days of agency onsite visits. This recommendation is open and under progress.
6. Special education training requirements should be established in the agency's Education Resource Centers for staff who are responsible for supporting and overseeing a school's special education programs. These requirements will ensure the correct staff complete those training requirements. This recommendation is open and under progress.
7. Steps should be taken to ensure all the agency's Education Resource Centers conduct outreach with schools to inform the schools of their new roles in overseeing and supporting schools' special education programs under the BIE's reorganization. This recommendation is open and under progress.



BIE Advisory Board for Exceptional Children BOARD MINUTES – Day 1, June 22, 2023

4. Are there updates on the BIE Special Education Policy and Procedure manual?

Dr. Eugene Thompson explained meetings with stakeholders were conducted over the past year. Edits suggested by the BIE Solicitors have been made. The policy and procedures manual draft has been shared with the federal Office of Special Education Programs (OSEP) and the BIE is waiting for their feedback. In October, the manual will be presented at the Native Indian Education Association (NIEA) Convention and shared with the Advisory Board in January of 2024. Following these events, final publication will proceed with trainings on the use of the manual.

Question: Brian Wagner, Board Member – Asked if the field at large would be given an opportunity to provide feedback.

- **Response:** Dr. Eugene Thompson – Clarified OSEP review would finalize the manual.

5. Provide an update about the BIE’s Interactive Data Workshop?

Dr. Eugene Thompson noted the goals of the interactive data workshops are to strengthen the focus of submitting timely, valid, and reliable data; discuss the role data plays in prioritizing student success and addressing learning gaps; learn about challenges BIE-funded schools face in submitting quality data; and develop school-level, ERC level, and ADD level data improvement plans. Currently, 102 schools are registered to attend the two planned trainings. The workshops will include general sessions, breakout sessions, school networking, and action planning.

6. Provide an update about the BIE’s Fiscal and Programmatic Monitoring for SY22-23, specifically special education findings.

Dr. Eugene Thompson explained the BIE just completed eight onsite visits to schools who had findings of non-compliance. He shared which schools had non-compliance and what they need to do to correct them.

Question: Norman Shawanokasic, Chairperson – Asked what the BIE is doing to work with human resources (HR) to fill positions.

- **Response:** Dr. Eugene Thompson – Replied they are helping schools work with HR to post job positions. He noted their office also struggles with the same issues as the schools regarding posting positions, i.e. the delay in posting positions and completing background checks.

Question: Dr. Harvey Rude, Vice Chairperson – Queried how recommendations on the GAO report get posted as closed.

- **Response:** Dr. Eugene Thompson – Explained documentation that the recommendation has been completed must be provided and Congress has an opportunity to ask for further information before it is posted as closed. It can be a lengthy process. These are recommendations and not findings, so there is not an official obligation to close out the recommendations in the report.



BIE Advisory Board for Exceptional Children BOARD MINUTES – Day 1, June 22, 2023

Chairperson Norman Shawanokasic excused the Board for a break.

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

Chairperson Norman Shawanokasic opened the public comment session and repeated the public comment guidelines.

Jennifer Davis stated she will inquire what the required time limit is for public comments. This may allow for future meeting agendas to be adjusted for more discussion time.

2:15 PM – 2:30 PM Break

2:30 PM – 2:45 PM Board Reflection for the BIE Special Education Program Update

Chairperson Norman Shawanokasic welcomed the Board back from their break and opened the reflection period

Comment: Brian Wagner, Board Member – Spoke about ensuring funding is secure for all schools to promote outcomes for students.

Comment: Pilar Peltier, Board Member – Reported one of the Chemawa Indian School graduating students will be entering the Marines this fall. They had approximately 60 graduating students this year.

Question: Wendy Kroupa, Board Member – Asked which representation categories the Board needs applicants for.

• **Response:** Jennifer Davis, DFO – Replied representation is needed on the Board for state Interagency Coordinating Councils, Native American persons with a disability, service providers, and state education officials.

2:45 PM – 3:15 PM BIE Advisory Board Work

Chairperson Norman Shawanokasic introduced the topics the Board needs to work on. The priority was electing Board members to the positions of Vice Chairperson and Secretary. The Secretary's role is to communicate with the contractors on the minutes. The role of the Vice Chairperson is to run Board meetings when the Chairperson is absent from a meeting and to assist with facilitating panel discussions. He explained voting will need to occur on the second day of the meeting.

Comment: Gretchen Wendell, Board Member – Stated she has been the Vice Chairperson previously and felt the obligations weren't too difficult. She would be willing to fill the role again, but may get pulled away during meetings to deal with student issues.



BIE Advisory Board for Exceptional Children BOARD MINUTES – Day 1, June 22, 2023

Chairperson Norman Shawanokasic explained the agenda topics for the September meeting needed to be set before the end of this meeting.

Comment: Jennifer Davis, DFO – Stated she needs to know which Board members will be onsite for the September 21-22 meeting. Board members attending in person include Norman Shawanokasic, Rachel Harrison, Wendy Kroupa, Pilar Peltier, and Brian Wagner.

Comment: Norman Shawanokasic, Chairperson – Noted a planned speaker for September is a presentation from Valerie Williams, the Director of OSEP. The Board had previously developed three questions to ask her, and some questions were copied over from a previous OSEP report to the Board. **Comment:** Wendy Kroupa, Board Member – Suggested replacing one question with one of the previous questions that was more developed.

Question: Dr. Robin Blitz, Board Member – Asked for clarification on the term “Office of Indian Education” in one of the questions.

- **Response:** Dr. Eugene Thompson – Explained the Office of Indian Education is part of the U. S. Department of Education and separate from the BIE, which is within the Department of Interior.
- **Response:** Jennifer Thompson, DFO – Added the Office of Indian Education only works with public schools and the BIE works with BIE-funded schools.

Comment: Norman Shawanokasic, Chairperson – Suggested removing a question around OSEP improving equity provisions for improved results across the BIE system.

Comment: Dr. Eugene Thompson – Noted OSEP is asking all states and the BIE to discuss equity issues on their Annual Performance Report (APR). He recommended rephrasing the question.

Comment: Jennifer Davis, DFO – Suggested asking Secretary Deb Haaland a question about resolving the challenges BIE schools face with the hiring system.

Further suggestions were made on how to phrase a question to the Secretary.

3:15 PM Recess

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

3:15 PM – 4:30 PM Campus Tour of Chemawa Indian School

The administrative staff of Chemawa Indian School provided a campus tour for BIE Advisory Board members and individuals in the gallery.



BIE Advisory Board for Exceptional Children BOARD MINUTES – Day 2, June 23, 2023

DAY-2, Friday, June 23, 2023, 8:00 AM - 4:30 PM (PDT)

Advisory Board Roster

1. Present Norman Shawanokasic, Chairperson
2. Present Dr. Harvey Rude, Vice-Chairperson
3. Excused 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. Excused Teryl Running Horse, Board Member
9. Present Brian Wagner, Board Member
10. Present Gretchen Wendell, Board Member
11. Excused Monica Cleveland, Board Member
12. Present Wendy Kroupa, Board Member
13. Present Rachel Harrison, Board Member

BIE Staff members: Jennifer Davis, Designated Federal Officer (DFO), Ronald J. Worst, Educational Specialist, and Dr. Eugene Thompson, Supervisory Education Specialist

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

Presenters/Speakers: Lynnann Yazzie and Amanda Campbell

Others in Attendance: Arlene Davis, Cheryl Johnson, Delphina Shunkamolah, Gloria Yepa, Kimberly Smith, Amanda Bryant, Barry Eagle, and Zonnie Sombrero

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

Start Time: 8:00 a.m. Pacific Daylight Time (PDT)

Welcome and Call to Order – Norman Shawanokasic, Chairperson

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



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

- Norman Shawanokasic o Dr. Harvey Rude o Dr. Robin Blitz o Dr. Perry Graves o Rachel Harrison o Wendy Kroupa
- Gretchen Lehmann o Pilar Peltier o Teryl Running Horse o Brian Wagner o Gretchen Wendell
- Excused: Leslie Finnearty and Monica Cleveland

Chairperson Norman Shawanokasic explained the previous day the Board had discussed who would be attending the September meeting. A main part of the September meeting will be drafting the Board’s annual report. Between now and September, Board members will work in groups to identify priority areas for recommendations in the annual report. He asked Board members to arrive early the day before the meeting so they could meet unofficially to work on priority areas that can be officially formalized during the meeting.

Comment: Dr. Harvey Rude, Vice Chairperson – Noted Jennifer Davis, as the DFO, would need to be present at any subcommittee meetings working on the priority areas for the annual report. **Comment:** Norman Shawanokasic, Chairperson – Stated any Board members who could arrive early could work on the priorities with the full Board reviewing the priority areas during the actual meeting. He noted work can be completed by subcommittees via Zoom before the September meeting as well. He explained the notes from the current meeting would be distributed within a few weeks. He encouraged Board members to quickly review these minutes and let Jennifer Davis know if any edits are needed for these minutes.

Question: Dr. Harvey Rude, Vice Chairperson – Requested an update on the appointment of new Board members.

- **Response:** Jennifer Davis, DFO – Replied three applications were received and they are currently being reviewed and formally approved. She reviewed the process and timeline for posting additional openings.

Question: Dr. Robin Blitz, Board Member – Asked if the notice for an opening for members representing Interagency Coordinating Councils (ICCs) was sent to states where BIE schools operate. She also clarified that ICCs deal with Part C and early intervention programs.

- **Response:** Jennifer Davis, DFO – Explained she sent the notices of the openings to all regional offices and asked them to distribute the openings further.



BIE Advisory Board for Exceptional Children BOARD MINUTES – Day 2, June 23, 2023

8:30 AM – 10:00 AM State Department’s Office of Indian Education Panel (Arizona)

Presenter: Lynnann Yazzie

Chairperson Norman Shawanokasic introduced the topic of the panel presentation and asked Lynnann Yazzie to introduce herself.

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

1. What is the relationship between your agency and BIE-funded schools within your state?
2. What services and supports does the state provide for Indian children who attend a public school within your state?
3. What services and supports does the state provide for BIE-funded schools in your state?
4. How does your agency work with tribal governments to ensure all students acquire knowledge of tribal history, economics, treaty rights, tribal sovereignty, and/or other issues related to the tribes within your state boundaries?
5. What funding does the state provide to BIE-funded schools when a student does not meet Indian

School Equalization Program (ISEP) eligibility criteria? (*Code of Federal Regulations, 25 CFR Part 39 – the Indian School Equalization Program (ISEP)* <https://www.ecfr.gov/current/title25/chapter-I/subchapter-E/part-39>)

6. How does the state collaborate with juvenile detention centers (i.e., state, tribal, etc.) and specialized residential schools (such as the Schools for the Deaf and Blind)?

Following are the responses given by Dr. Lynnann Yazzie to each of the questions.

1. What is the relationship between your agency and BIE-funded schools within your state?
Lynnann Yazzie from the Arizona Department of Education, Office of Indian Education explained her experience has allowed her to view the various educational options available to students. She encourages her staff to get to know all the school types. Her staff works to build relationships with BIE schools by assisting with funding and helping students transition between traditional/charter schools and BIE schools. Two years ago, their office received state funding allowing them to expand their number of staff members. They received additional funding the previous summer, allowing them to offer grants to promote indigenous education. She explained they left the application criteria for funding more flexible than federal student assistance. They currently have one BIE school receiving a stipend through this grant program. They announced their grant recipients later that day and will formally visit each school to bestow the grant.



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- 2. What services and supports does the state provide for Indian children who attend a public school within your state?**

Lynnann Yazzie stated they have data sharing agreements with BIE schools, which allows for student assessment results to be shared with the tribe and BIE. They are trying to facilitate the sharing of information to assist with increasing outcomes for students with disabilities. They have a dual enrollment program for native students at BIE schools and public high schools to use to gain college credit. This dual enrollment program covers tuition and supply costs, so the enrollment credit is free for students and at no cost to the participating college/university. Their office is charged with verifying enrollment with the college/university and paying the dual enrollment costs. Lynnann explained they provide additional Johnson-O'Malley funding to tribes and Local Education Agencies (LEAs). They host annual workshops to discuss allowable costs with grantees. They also provide information on how to count students so they are not double counted by both tribes and LEAs. They have a Native American computer code writing grant they administer. The funding from this grant exposes high school students to computer science and trains computer science educators. They have two higher education center partners for this grant funding and these partners provide the computer science education curriculum.

- 3. What services and supports does the state provide for BIE-funded schools in your state?**

Lynnann Yazzie explained many of their services and supports for BIE-funded schools overlap with services provided to public schools, which are detailed above. In addition, they provide extensive professional development opportunities to BIE-funded schools. These opportunities include offering curriculum support that provides Native American perspectives that can be used in the classroom. They have an online course available for educators. They administer federal funding for internet access BIE schools are eligible for. They are trying to make sure BIE schools are aware of the funding options available to them.

- 4. How does your agency work with tribal governments to ensure all students acquire knowledge of tribal history, economics, treaty rights, tribal sovereignty, and/or other issues related to the tribes within your state boundaries?**

Lynnann Yazzie stated their office oversees tribal consultation. This consultation involves working to guarantee schools complete the requirements for tribal consultation for school curriculum to ensure schools are culturally responsive and their curriculum is culturally relevant. Consultations work to help teachers understand they aren't charged with teaching culture or language, but they should connect with tribes to learn about the tribes their students represent and to consider aspects of tribal culture to support their students when creating their lesson plans. They maintain and publish a tribal leader contact list so all schools have access to it. They involved tribal leaders in their office's strategic planning process.



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5. What funding does the state provide to BIE-funded schools when a student does not meet Indian

School Equalization Program (ISEP) eligibility criteria? (*Code of Federal Regulations, 25 CFR Part 39 – the Indian School Equalization Program (ISEP)* <https://www.ecfr.gov/current/title25/chapter-I/subchapter-E/part-39>)

Lynnann Yazzie explained she discussed some funding opportunities under question two. They also offer scholarship funding for students who live within a tribal community in Arizona. This funding is a school-choice program that allows parents to select charter schools, private schools, and homeschool instead of public schools.

6. How does the state collaborate with juvenile detention centers (i.e., state, tribal, etc.) and specialized residential schools (such as the Schools for the Deaf and Blind)?

Lynnann Yazzie stated two residential schools are options for students (i.e., the Arizona School for the Deaf and Blind). She observed the state collaborates with juvenile detention centers.

Question: Norman Shawonkoscic, Chairperson – Asked Lynnann Yazzie to give examples of the professional development their office provides.

- **Response:** Lynnann Yazzie – Showcased their [website](#) including the listed professional development opportunities, their office contact information, and grant programs available for tribes. She also noted they provide topical professional development by request. **Question:** Dr. Harvey Rude, Vice Chairperson – Asked how agreements are reached between tribal/community colleges and other four-year universities.
- **Response:** Lynnann Yazzie – Stated they have participated in discussions with tribal/community colleges and four-year universities about including a native language endorsement. Their office has not continued to be part of these discussions.

Question: Dr. Harvey Rude, Vice Chairperson – Asked if high school students were incentivized to participate in concurrent enrollment or advance placement courses.

- **Response:** Lynnann Yazzie – Responded their office does not address advanced placement courses. There are programs offered by specific colleges offering concurrent enrollment classes at no cost to high school students. They do reimburse the costs for student's laptops who need them to access concurrent enrollment course work.

Question: Wendy Kroupa, Board Member – Inquired about funding for home-schooled students and how is accountability built into the funding?

- **Response:** Lynnann Yazzie – Provided the [Q&A information link](#) for Arizona school choice funding.



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Question: Brian Wagner, Board Member – Asked for more information on juvenile detention centers.

- **Response:** Lynnann Yazzie – Stated their office has not worked with students in juvenile detention centers.

Question: Brian Wagner, Board Member – Asked if they have a data tool that tracks which schools Native American children attend.

- **Response:** Lynnann Yazzie – Responded they have discovered it is difficult to track Native students when they identify as multiple races. In these cases, reporting only shows one of the races a student identifies as, making some reports not inclusive for all Native students. They have been working with the state information technology department to ensure all student demographic information is included on reports so they can identify Native students who identify as being multi-racial. They are also in the process of hiring a data coordinator who can further assist with their data collection and organization. They are working with a data foundation who created a chronic absenteeism report showing 49% of Native students in Arizona are chronically absent. This report took into consideration students who transferred between schools during one school year.

Question: Brian Wagner, Board Member – Asked if they have a memorandum of understanding (MOU) with the BIE to share this data with the schools.

- **Response:** Lynnann Yazzie – Replied they do not currently have a data sharing MOU. There is currently one tribe in Arizona with a current data sharing agreement with the Arizona Department of Education.

Question: Dr. Harvey Rude, Vice Chairperson – Inquired about staffing shortages and efforts at the state level to address teacher recruitment and retention.

- **Response:** Lynnann Yazzie – Noted teacher shortages span all school types. Incentives are available for teacher preparation programs in Arizona. They have had discussions about teacher recruitment, but she is not aware of Arizona Department of Education programs that incentivize teacher recruitment. She has heard of districts being creative with hiring incentives. The state is considering passing teacher incentive legislation.

Chairperson Norman Shawanokasic thanked Lynnann Yazzie for her time speaking with the Board.

Question: Lynnann Yazzie – Stated she was not aware of the Advisory Board before being asked to present and asked if the Board could explain their role.

- **Response:** Norman Shawanokasic, Chairperson – Explained the Board provides an annual report with recommendations to Congress.



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- **Response:** Jennifer Davis, DFO – Replied the Board is a requirement under IDEA and their role is to advise the BIE Director. Several Board positions are posted in the Federal Registrar.

10:00 AM – 10:15 AM Break

10:15 AM – 10:30 AM | Board Reflection for State Department’s Office of Indian Education

Chairperson Norman Shawanokasic welcomed the Board back from their break and opened the reflection session.

Comment: Dr. Harvey Rude, Vice Chairperson – Expressed the benefits of having a state education staff member on the Board are many. He noted having a perspective from Arizona would be beneficial.

Comment: Wendy Kroupa, Board Member – Stated many people do not know of the Board’s existence and noted more outreach needs to be completed to make folks aware of the Board and to solicit applications for Board members from states not currently represented.

Comment: Dr. Robin Blitz, Board Member – Noted she is from Arizona and was aware of many of the resources Lynnann Yazzie spoke of. She opined the school choice funding takes funding from public schools and allows students to be taught in home-schooling climates where they are taught by noncertified individuals. She noted home-schooled students are less likely to have disabilities appropriately identified and less likely to be provided with academic supports.

Comment: Brian Wagner, Board Member – Commented on the lack of accountability for students with disabilities in home schooling scenarios.

Question: Dr. Robin Blitz, Board Member – Asked if the BIE has oversight over home-schooled students.

• **Response:** Brian Wagner, Board Member – Clarified only state education agencies can determine the application process and parameters for home-schooled students.

Comment: Brian Wagner, Board Member – Noted it would have been nice to hear from more than one state today.

Comment: Gretchen Wendell, Board Member – Stated she was impressed with the information presented by Lynnann Yazzie and the opportunities and programs available for Native students.

Comment: Dr. Perry Graves, Board Member – Observed it would be helpful if presenters provided written information with their verbal reports.

Comment: Jennifer Davis, DFO – Suggested bringing in a speaker on school funding processes and the ISEP program.



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10:30 AM – 10:45 AM | Public Commenting Session #3 (15 minutes)

Chairperson Norman Shawanokasic opened the public comment session and reviewed the guidelines for public commenting.

Comment: Gloria Yepa, Education Specialist for BOS at the BIE – Stated the previous presenter had done well and provided excellent information. She will be reaching out to share more information from the presenter. She stated her agreement that a state education agency representative should be appointed to the Board. She agreed a visual presentation of materials from speakers would be valuable. She stated the Office of Indian Education Programs may be an excellent resource to partner with.

Comment: Norman Shawanokasic, Chairperson – Spoke of different grants and funding available for students and the needs for maintaining culture in education. He also asked if any members of the public had ideas for future agenda items the Board should consider.

Comment: Jennifer Davis, DFO – Suggested hearing from ADD special education coordinators on what challenges they dealt with during the previous school year.

Chairperson Norman Shawanokasic closed the public comment session.

10:45 AM – 11:30 AM Work on Next Meeting Logistics

- Work on identifying priority topics; propose next steps.
- Develop and finalize the agenda for the September 2023 board meeting (topics to be discussed, decide on presenters, and decide on their preparatory questions).

Chairperson Norman Shawanokasic introduced the workshop session to work on logistics for the September meeting, which will be held in Washington D.C. The 2022 annual report priorities were shared and reviewed.

Comment: Brian Wagner, Board Member – Stated the third priority from 2022 should be tweaked and expanded on for 2023.

Comment: Norman Shawanokasic, Chairperson – Suggested identifying priorities and designating Board members to work in subcommittees to draft each section of the annual report.

Comment: Brian Wagner, Board Member – Recommended keeping the first priority on hiring processes and recruiting/retaining staff. He emphasized the issues shared by panelists during Board meetings about the hiring process should not be forgotten. He suggested hearing from IHS about an MOU that



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should be reviewed annually and adding it as a priority.

Comment: Norman Shawanokasic, Chairperson – Explained priority subcommittees will need to work with Jennifer Davis, as the DFO, as she needs to be present at subcommittee meetings.

Comment: Dr. Robin Blitz, Board Member – Stated a priority should address transition coordination for children moving from early childhood programs to BIE-funded schools.

Comment: Dr. Eugene Thompson – Recommended including a priority on reliable and accurate data for BIE schools.

Comment: Gretchen Wendell, Board Member – Stated the priority around early childhood transition should be addressed by state education agencies and is not under the BIE.

Comment: Brian Wagner, Board Member – Clarified some tribes get Part C money to provide early childhood services. The BIE does distribute funds to the tribes who receive this funding.

Comment: Jennifer Davis, DFO – Clarified the BIE oversees funding for K-12 education and Part C early childhood funding is allocated directly to tribes.

Comment: Dr. Robin Blitz, Board Member – Noted the Board advises for Part C services as well as K-12 and felt a Part C to Part B transition priority would be appropriate. She suggested tweaks to the previously stated priority. She suggested the subcommittee working on the wellness support priority should gather data from schools to see where their students are receiving wellness support.

Comment: Brian Wager, Board Member – Observed schools who are doing well providing wellness support should be highlighted as models for other schools.

Comment: Dr. Harvey Rude, Vice Chairperson – Stated the fourth priority around reliable and accurate data needs to be further refined.

Comment: Pilar Peltier, Board Member – Stated she know a school that is not providing adequate support for student wellness.

Comment: Wendy Kroupa, Board Member – Noted the third priority includes appropriate wellness, which can help address school specific concerns regarding wellness concerns.

Comment: Jennifer Davis, DFO – Observed the BIE is hosting data workshops for the first time in eight years and the BIE plans on hosting these workshops annually.

Comment: Norman Shawanokasic, Chairperson – Suggested Board members should be assigned to the subcommittees to work on each priority.

The Board discussed who would work on each priority and which Board member would take the lead for each subcommittee.

Comment: Jennifer Davis, DFO – Reminded the subcommittee leads she will need notification of the date/time of their meetings to work on the priorities.



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Subcommittee #1 Includes: Brian Wagner (Lead), Norman Shawanokasic, Dr. Perry Graves, and Gretchen Lehmann

Subcommittee #2 Includes: Dr. Robin Blitz (Co-Lead), Leslie Finnearty (Co-Lead), and Monica Cleveland

Subcommittee #3 Includes: Wendy Kroupa (Co-Lead), Pilar Peltier (Co-Lead), and Rachel Harrison

Subcommittee #4 Includes: Norman Shawanokasic (Co-Lead), Gretchen Wendell (Co-Lead), Teryl Running Horse

11:30 AM MST Lunch (1.5 hours)

12:45 PM – 1:00 PM Public Commenting Session #4 (15 minutes)

Chairperson Norman Shawanokasic opened the public comments session and reviewed the guidelines for public commenting.

There were no public comments.

Chairperson Norman Shawanokasic closed the public comment session.

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

Chairperson Norman Shawanokasic explained the Board would continue developing and finalizing the agenda for the September meeting.

Comment: Norman Shawanokasic, Chairperson – Suggested Secretary Haaland and Tony Dearman be given an overview of the Board and what they have recently completed.

Comment: Dr. Harvey Rude, Vice Chairperson – Noted Tony Dearman is the longest serving BIE Director and may be well posed to work on some of the issues the Board has identified.

Comment: Brian Wagner, Board Member – Stated Secretary Haaland will have limited time and the Chairperson should explain to her who is on the Board and what the Board does. He suggested each Board Member introduce themselves to Tony Dearman.

Comment: Wendy Kroupa, Board Member – Agreed the Board should introduce their purpose to speakers at every meeting.

Comment: Brian Wagner, Board Member – Suggested having IHS back at the next meeting to speak to the Board.



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Comment: Norman Shawanokasic, Chairperson – Noted they needed to make sure they had enough time for all speakers and for annual report workshop time.

Comment: Jennifer Davis, DFO – Stated she couldn't request Secretary Haaland until the questions for the Secretary are ready.

Comment: Dr. Eugene Thompson – Reported he would request Valerie Williams attend and speak at the September meeting.

Comment: Norman Shawanokasic, Chairperson – Reviewed the timeline for the September meeting and requested John Copenhaver return and speak to the Board about Board responsibilities, bylaws, and procedures.

Comment: Jennifer Davis, DFO – Recommended having updates from the ADD regional coordinators on the second day of the September meeting.

Comment: Norman Shawanokasic, Chairperson – Noted they may need a lot of time on the second day to work on the annual report.

Comment: Jennifer Davis, DFO – Suggested hearing from finance officers also.

Comment: Norman Shawanokasic, Chairperson – Suggested having a working lunch while John Copenhaver presents. He asked the Board to review the questions that were drafted for each presenter.

Comment: Dr. Harvey Rude, Vice Chairperson – Recommended removing a question that was drafted for the presentation from OSEP and adding inclusion into the question about equity.

Comment: Dr. Eugene Thompson – Submitted a phrase to add to the equity question.

Comment: Brian Wagner, Board Member – Recommended removing a question about the role of OSEP-funded centers, because it was covered by another question.

Comment: Norman Shawanokasic, Chairperson – Reviewed the proposed questions for Secretary Haaland.

Comment: Dr. Harvey Rude, Vice Chairperson – Suggested moving a question about streamlining the hiring process from Secretary Haaland's questions to Tony Dearman's. He recommended the Board's annual report be sent in advance to Secretary Haaland with the prompting questions for her presentation.

Comment: Brian Wagner, Board Member – Recommended asking how current federal fiscal levels will impact schools and services for students with disabilities.

Comment: Norman Shawanokasic, Chairperson – Tweaked the wording on a question for Tony Dearman regarding rural school internet access.

Comment: Wendy Kroupa, Board Member – Suggested asking about the progress on the BIE and Department of Education collaboration.



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Comment: Jennifer Davis, DFO – Recommended asking Tony Dearman to describe concerns identified over the past year.

Comment: Brian Wagner, Board Member – Expressed the procedural barriers to posting job openings should be mentioned specifically in one of the questions.

2:00 PM – 2:15 PM Break

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

Chairperson Norman Shawanokasic welcomed the Board back from the break. He explained the Board needs to elect a new Vice Chairperson and Secretary for the Board.

Comment: Jennifer Davis, DFO – Stated Pilar Peltier and Rachel Harrison have both expressed interest in the Vice Chairperson position.

Comment: Rachel Harrison, Board Member – Explained she has worked in special education for over 40 years and works at a school with a master’s degree in psychology.

Comment: Pilar Peltier, Board Member – Explained she has worked at Chemawa Indian School for nearly 20 years and is currently a special education technician and vocational rehabilitation liaison. She is active in local tribal activities.

Comment: Rachel Harrison, Board Member – Suggested Pilar Peltier be voted as the Vice Chairperson and declined putting herself forward as a Vice Chairperson candidate.

Motion: Dr. Harvey Rude, Vice Chairperson – Made a motion to appoint Pilar Peltier as the Vice Chairperson for the Board. Rachel Harrison seconded the motion.

Comment: Jennifer Davis, DFO – Noted Pilar Peltier is a federal employee and should not heavily influence any decisions.

Comment: Brian Wagner, Board Member – Observed Pilar Peltier would be Vice Chairperson and not the Chairperson and he did not see a conflict with Pilar Peltier filling the Vice Chairperson position. He stated a unanimous vote for Pilar Peltier would justify her election.

Comment: Norman Shawanokasic, Chairperson – Noted if the Vice Chairperson is filling in the Chairperson position, they could abstain from voting.

Comment: Dr. Harvey Rude, Vice Chairperson – Stated his opinion that Board leadership positions should be filled by Native members.

Chairperson Norman Shawanokasic called for a vote. All Board members voted in favor of the motion to appoint Pilar Peltier as the Vice Chairperson.



BIE Advisory Board for Exceptional Children BOARD MINUTES – Day 2, June 23, 2023

Chairperson Norman Shawanokasic asked for recommendations for the Secretary position. He asked Teryl Running Horse if she has availability to be the Secretary.

Question: Dr. Harvey Rude, Vice Chairperson – Asked for clarification on the role of the Secretary.

• **Response:** Jennifer Davis, DFO – Explained the contractors handle the minutes for the meeting. The Secretary will work with the contractors to distribute the minutes to Board members and request edits on the minutes.

Motion: Brian Wagner, Board Member – Made a motion to appoint Teryl Running Horse as the Board Secretary.

Wendy Kroupa seconded the motion.

Chairperson Norman Shawanokasic called for a vote. All Board members voted in favor of the motion to appoint Teryl Running Horse as the Secretary.

Chairperson Norman Shawanokasic explained the remainder of the meeting would be spent finalizing the agenda for the September meeting.

Comment: Dr. Harvey Rude, Board Member – Suggested a wording change on a question for Tony Dearman.

Comment: Brian Wagner, Board Member – Recommended the name of the fiscal act be included in the fiscal question for Secretary Deb Haaland.

Comment: Dr. Harvey Rude, Board Member – Suggested asking Dr. Eugene Thompson for an update on the GAO recommendations and on the status of local school monitoring by the DPA.

Comment: Jennifer Davis, DFO – Recommended asking Dr. Eugene Thompson about findings from local determinations, the interactive data workshops, the status of Part B applications, and for an update on special education data counts and trends.

Comment: Dr. Harvey Rude, Board Member – Recommended several word changes on the questions for Dr. Eugene Thompson.

Comment: Brian Wagner, Board Member – Suggested asking Dr. Eugene Thompson about future locations for interactive data workshops.

Comment: Brian Wagner, Board Member – Wondered who could answer a question about ISEP regulation updates and requested this subject be added to the questions for Tony Dearman.

Comment: Dr. Harvey Rude, Board Member – Suggested asking about potential hiring incentives that can be employed to assist with school staffing issues.



BIE Advisory Board for Exceptional Children BOARD MINUTES – Day 2, June 23, 2023

Comment: Pilar Peltier, Vice Chairperson – Stated a question for human resources should include detailing staff between schools to cover vacant positions at other schools.

Comment: Dr. Harvey Rude, Board Member – Recommended inquiring about salary scales and equitable pay analysis.

Comment: Brian Wagner, Board Member – Suggested asking the Human Resources representative for an update on the employment process and for statistics on the length of the process to post job openings and receive background check results.

Comment: Pilar Peltier, Vice Chairperson – Recommended asking the Human Resources representative if the job application process can be streamlined.

Comment: Jennifer Davis, DFO – Suggested asking the ADD Regional Coordinators for updates on the previous school year and their challenges and successes.

Comment: Wendy Kroupa, Board Member – Recommended asking the ADD Regional Coordinators about their goals and planned activities for the upcoming school year.

Comment: Brian Wagner, Board Member – Stated a review of school facilities and compliance with the Americans with Disabilities Act would be interesting for the January meeting.

Comment: Norman Shawanokasic, Chairperson – Requested John Copenhaver review the Board bylaws during a working lunch in September.

Comment: Brian Wagner, Board Member – Requested clarification on the procedures for the priority area subcommittee meetings.

Comment: Jennifer Davis, CFO – Clarified she must be present during subcommittee meetings. The lead for each subcommittee needs to let her know when they are meeting so she can arrange to be present. She requested the Board recommend a location for the January meeting so the contractors can plan logistics for the location.

The Board recommended meeting in Albuquerque, New Mexico.

4:30 PM MST Adjourn

Dr. Harvey Rude, Board Member, made a motion to adjourn the meeting.

Brian Wagner, Board Member, seconded the motion.

All Board members voted in favor of adjourning the meeting.