

BIE Advisory Board for Exceptional Children
DAY-1, Thursday, April 25, 2024, 8:00 AM - 4:30 PM (MDT)



BIE Advisory Board for Exceptional Children
BOARD MINUTES - Day 1

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

Meeting Location: SHERATON UPTOWN

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

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

Advisory Board Roster

1. Present Norman Shawanokasic, Chairperson
2. Present Pilar Peltier, Vice Chairperson
3. Present Leon Reval, Secretary
4. Present Gretchen Lehmann, Board Member
5. Present Leslie Finnearty, Board Member
6. Present Brian Wagner, Board Member
7. Present Gretchen Wendell, Board Member
8. Excused Monica Cleveland, Board Member
9. Present Wendy Kroupa, Board Member
10. Present Rachel Harrison, Board Member
11. Present Dr. Elizabeth Younce, Board Member, Ed.D
12. Present Dr. Janet Slowman-Chee, Board Member, Ed.D

BIE Staff Members: Jennifer Davis, Designated Federal Officer (DFO)
Ronald J. Worst, Educational Specialist
Dr. Eugene Thompson, Supervisory Education Specialist
Margo DeLaune, Associate Deputy Director

BIE Advisory Board for Exceptional Children: Hybrid Meeting April 25-26, 2024

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TAESE Contractors: Dr. Brenda Smith, Kristen Perez-Rickels, and Laura Lema

Presenters/Speakers: Dr. Eugene Thompson, Ron Worst, Joann Fields, Valerie Jones, Catherine Renfield, Rebecca Manymules, Lawrence Palmer, Anthony Mukuna, and Jen Thompson

Others in Attendance:

Melanie Star	Cheryl Johnson	Gloria Yepa
Heather Bainbridge	Jordan Suttle	Karen Etsitty
Raina Killspotted	Melissa Wassana	Esther Bedoni
Jacqueline Chischillie	Zonnie Sombrero	Varlene Johnson
John Copenhaver	Alyssa Yeppa	Arlene Davis
Delphina Dayish	Bernice Desiderio	Andrea Nez
Eleanor Francis-Jones	Deborah Holgate	Frankie Chretien
Tanner Rabbithead	Pamela Speaks	Kimberly Smith
Lolita B	Phil Knife	Evangeline Bradley-Wilkinson
Julie Casey	Roxanne Arthur	Douglas Ward
Angela Salazar	Patrice Henderson	Kara German
Laura Tsosie	Mary Ruth James-Goy	Clarina Boyd
Marcy Starr	Katharine Ford	Barbara Brewer
Narcy Ka'Won	Scott Norton	Gloria Ghost
Shilo Krolikowski	Tracia Jojola	Monica Whirlwind Horse
Jennifer Eller	Geneva Begay	

8:00 AM – 8:30 AM

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 this meeting.

Roll Call, Old Business, and New Business

Start Time: 8:00 AM Mountain Daylight Time (MDT)

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,
Chairperson
- Wendy Kroupa
- Dr. Elizabeth Younce
- Leon Reval, Secretary
- Dr. Janet Slowman-Chee
- Gretchen Wendell
- Leslie Finnearty
- Pilar Peltier, Vice Chairperson
- Rachel Harrison
- Gretchen Lehmann
- Brian Wagner
- Excused: Monica Cleveland

New Business – Chairperson Shawanokasic explained the National Indian Training Center in Albuquerque has been reopened for business, and the Board could choose to hold future meetings in the space. Chairperson Shawanokasic explained the Board would be working on the annual report during the meeting by finalizing priorities.

Jennifer Davis shared that two applicants met the requirements for Advisory Board membership, and their appointment letters are waiting for signature. Once appointed, the new board members will join the next meeting.

Old Business – Chairperson Shawanokasic asked if any Board members had questions or clarifications from previous meetings. Wendy Kroupa made a motion to approve the minutes from the previous meeting. The motion was seconded by Dr. Younce. Rachel Harrison abstained. The motion passed.

8:30 AM – 9:30 AM

Division of Performance and Accountability (DPA)/BIE Special Education Program

Presenter: Dr. Eugene Thompson, Supervisory Education Specialist

Chairperson Norman Shawanokasic welcomed Dr. Eugene Thompson to the Board meeting. Dr. Thompson introduced himself.

The presenter was asked to provide an update on the following items for this report and discussion.

1. BIE FFY2022 State Performance Plan/Annual Performance Report (SPP/APR) and the Assessment data.
2. BIE Special Education Policy & Procedures Handbook.
3. SY2023-2024 Fiscal and Programmatic monitoring activities; and DPA/IDEA Program plan to work with schools to correct the findings.
4. SY2023-2024 Transition activities.
5. Indian Health Services MOU.

Following are the responses given by the presenter to each of the requested items above.

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1. BIE FFY2022 State Performance Plan/Annual Performance Report (SPP/APR) and the Assessment data.

Dr. Thompson explained the FFY 2022 SPP/APR was submitted on time to OSEP. A “Clarification Call” with OSEP occurred on April 15, 2024 with the OSEP State Lead for the BIE and the Associate Division Director. Typos and inconsistencies between the data and the narrative were corrected and the FFY 2022 SPP/APR was resubmitted on April 22, 2024. Dr. Thompson discussed the in-progress and upcoming work of the BIE to issue school special education determinations by the end of April.

Dr. Thompson shared the progress made in indicator data for the BIE. He explained Indicator 1 measures the percent of youth with individualized education programs (IEPs) who exit special education due to graduating with a regular high school diploma. Although the percentage for Indicator 1 increased from 61.04% in school year 2020-2021 to 67.9% in school year 2021-2022, the target of 75.67% was not met.

Dr. Thompson explained Indicator 2 measures the percent of youth with IEPs who exited special education due to dropping out. For school year 2021-2022 the percentage of students who dropped out decreased from the previous school year from 37.66% to 28.82%. Although there was improvement on this indicator, the target of 22.0% was not met.

Question: Norman Shawanokasic, Chairperson – Asked about the impact of COVID on dropout rates.

Response: Dr. Thompson – Explained the data is lag data and could have been impacted by COVID.

Question: Leon Reval, Secretary– Asked what other factors have impacted dropout rates.

Response: Dr. Thompson – Explained that students who received a certificate or reached the maximum age of services were not included in Indicator 1 or Indicator 2 data.

Question: Dr. Janet Slowman-Chee, Board Member – Asked what the difference in data is from pre-COVID versus during COVID.

Response: Dr. Thompson – Explained the data for SY2020-2021 reflects closed campuses and virtual instruction due to COVID, data from SY2021-22 reflects hybrid instruction. A variety of factors may have contributed to the data, including students not returning to school following COVID closures.

Dr. Thompson explained that Indicator 3 data, which measures participation and proficiency assessment data for math and reading/language arts, was submitted via EDPass. However, the data was submitted late and, therefore, not populated into the data fields. Once determinations are made by the Office of Special Education Programs (OSEP), the BIE will have the data available for the Board. Dr. Thompson noted several BIE schools utilize “waivers,” meaning students within that BIE school take the assessment from the state in which they are geographically located, rather than the BIE

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assessment.

Dr. Thompson explained Indicator 4a measures the percentage of LEAs/schools that have a significant discrepancy, as defined by the BIE, in the rate of suspensions and expulsions, beyond ten (10) days in a school year, for students with IEPs. He stated students with disabilities were three (3) times more likely to be suspended or expelled than their peers in general education. Dr. Thompson noted a significant drop in suspension and expulsion rates happened from SY2021-2022 to SY2022-2203, which may be attributed to a reduction in the overall student population. At 3.41%, the target of 7.01%, or lower, for this indicator was met.

Dr. Thompson explained Indicator 5a reviews the percentage of children with IEPs, aged 5 who are enrolled in kindergarten, and aged 6 through 21 served inside the regular classroom 80% or more of the day. At 79.17%, the target of 78.39% or greater was met. Dr. Thompson explained Indicator 5b measures the percentage of children with IEPs, aged 5 who are enrolled in kindergarten, and aged 6 through 21 served inside the regular classroom less than 40% of the day. The target of 5.31% or less was not met, but at 5.45% for SY2022-2023, there was no slippage. For Indicator 5c, Dr. Thompson explained this is the percentage of children with IEPs, aged 5 who are enrolled in kindergarten, and aged 6 through 21 enrolled in separate schools, residential facilities, or homebound/hospital placements. The target for this indicator was 0.99% or less, and it was met with 0.53%.

Dr. Thompson explained Indicator 8 measures the percent of parents of a child receiving special education services who report their child's school facilitated parent involvement as a means of improving special education services. This indicator is measured by responses to the parent involvement survey. In addition to progress made on this indicator, Dr. Thompson noted the BIE has one of the highest parent involvement rates in the country, as compared to other states. For the 2022-2023 school year, 95.75% of parents responded saying their child's school facilitated their involvement. The target of 93.87% or more was met, and 3,274 surveys were completed/recorded. However, at least 24 schools did not submit any Parent Survey data. For SY2024-2025, the Parent Survey will be revised for the next three school years in coordination with the Department of the Interior.

Dr. Thompson explained Indicator 11 measures the percent of children who were evaluated within 60 days of their school receiving a parental consent for evaluation. For the 2022-2023 school year, 79.18% of children were evaluated within the 60-day timeline. The target for Indicator 11 was 100%. Dr. Thompson asked for input from the Board on what variables may have contributed to evaluations not being completed on time. The Board suggested issues with student attendance, availability of qualified evaluators, and weather may contribute to the issue. Dr. Thompson shared the only

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exceptions to this evaluation requirement are a student moving out of the BIE system or a parent failing to produce the child for assessment.

Question: Dr. Elizabeth Younce, Board Member – Asked about the possibility of the BIE adjusting the “state-established timeline” from 60 calendar days to 60 school days.

Response: Dr. Thompson – Shared this is an area of consideration for the current revision of BIE policies.

Dr. Thompson explained Indicator 13 measures if IEPs include appropriate, measurable, postsecondary goals based on age-appropriate transition assessments. This indicator also reviews if each student was invited to their IEP team meeting where their transition goals were discussed. This indicator is measured through desk audits to ensure all eight required components are met. For the 2022-2023 school year, 53.79% of IEPs were compliant with secondary transition requirements, an increase from 46.75% in the 2021-2022 school year and 20.56% in the 2020-2021 school year. Although there has been significant progress, the target for this indicator is 100%. The BIE will continue to support its sixty (60) high schools through training to improve this indicator.

Dr. Thompson explained Indicator 14 measures postsecondary outcomes for students with disabilities, which includes the following three categories:

- a. Percent of youth enrolled in higher education within one year of leaving high school.
- b. Percent of youth enrolled in higher education or competitively employed within one year of leaving high school.
- c. Percent of youth enrolled in higher education, or in some other postsecondary education or training program, or competitively employed, or in some other employment within one year of leaving high school.

For the 2022-2023 school year, 16.73% of youth were enrolled in higher education within one year of leaving high school, and the target of 19.78% was not met. However, Dr. Thompson noted the increase in this percentage from the prior year. The target for Indicator 14b was 46.35%, and it was met with 48.40% of youth in SY2022-2023 enrolled in higher education or competitively employed within one year of leaving high school. For Indicator 14c, 72.01% of youth were enrolled in higher education, or in some other postsecondary education or training program, or were competitively employed, or in some other employment within one year of leaving high school; the target of 72.45% was not met. Dr. Thompson noted the BIE is working toward better postsecondary outcomes for students with disabilities.

Dr. Thompson shared the FFY 2022 SPP/APR timelines. SEA determinations will be issued by June 21,

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2024.

- February 1, 2024: SPP/APR Due Date
- April 11-25, 2024: SPP/APR Clarification Period
- April 22, 2024: Resubmitted SPP/APR
- June 1, 2024: LEA Determinations are Issued
- June 21, 2024: SEA Determinations are Issued

Question: Norman Shawanokasic, Chairperson – Asked about what training and support is provided to schools and parents, particularly for those schools that did not submit data from the Parent Survey.

Response: Dr. Eugene Thompson, Supervisory Education Specialist – Stated a Dear Colleague Letter was sent to schools with recommendations for increasing parent involvement. It is likely school staff have improved supports for families. The Parent Survey is recently available online for parents and the paper version is still made available to increase survey access. Some schools include incentives for their students to return parent surveys, and the BIE provides a weekly update showing all the schools and the number of surveys they have received.

Question: Norman Shawanokasic, Chairperson – Asked who determines the targets for each area of Indicator 14.

Response: Dr. Eugene Thompson, Supervisory Education Specialist – Shared that the Advisory Board supported the development of the initial targets. But the Advisory Board can revise the targets, if needed, using stakeholder input and current data.

Comment: Gretchen Wendell, Board Member – Provided recommendations for schools to send out Parent Surveys a second time after the initial distribution, and calling parents allowing them to complete the survey via phone could increase response rates. Boarding school environments increase barriers to accessing parents and their input.

Comment: Leon Reval, Secretary – Noted the turnover rate in communities is an issue which may be supported by a shortened survey.

2. BIE Special Education Policy & Procedures Handbook.

Dr. Thompson provided an update on the Special Education Policies revision process. Tribal Consultations were held and comments from stakeholders were received. For the Reconciliation Process and Roll-Out, all comments have been reviewed and a summary table was developed. The BIE has responded to input and either made updates or provided reasoning for any instance in which the suggestions were not incorporated. The BIE will consult with BIE Solicitors and will collaborate across BIE offices to address areas of need. The goal is to have Policies completed by summer of 2024 for use in the 2024-2025 school year.

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3. SY2023-2024 Fiscal and Programmatic monitoring activities; and DPA/IDEA Program plan to work with schools to correct the findings.

Dr. Thompson stated onsite monitoring visits have been conducted for six schools for this school year with no more scheduled for the year. The plan to correct noncompliance includes some corrections at the time of the visit, monitoring reports that include corrective actions and corresponding timelines, and technical assistance plans. From the date a monitoring report is issued, the school has one year to correct findings of noncompliance.

4. SY2023-2024 Transition activities.

Dr. Thompson explained findings of noncompliance for transition plans within IEPs are identified through a sample of desk audits from data in NASIS. Activities provided within the last year include an Interactive Data Workshop and ongoing technical assistance. To support professional development and improvement in the area of transition, during the BIE Summer Training on June 24 - 26 in Phoenix, AZ, the BIE will offer three transition-focused breakout sessions, a high school panel, and DPA Office hours. In ongoing activities, the BIE provides asynchronous training to high school staff.

5. Indian Health Services MOU.

Dr. Thompson explained guidance from the BIE Central Office was requested in March 2024 regarding the process to update the MOU. BIE solicitors recommended the DPA determine if any provision or issue needs revision.

Chairperson Shawanokasic thanked Dr. Thompson for his presentation and solicited any questions from the Board. Chairperson Shawanokasic excused the Board for a break.

9:30 AM – 9:45 AM Break

9:45 AM – 10:45 AM

Native American Student Information System (NASIS) Infinite Campus Update

Presenter: DPA/IDEA Team and NASIS Team

Chairperson Norman Shawanokasic opened the meeting following the break.

The presenters were asked to prepare updates on the following items for this report and discussion.

1. Provide an overview of the various types of Ad Hoc reports used to produce special education data reports.
2. Provide an update about the recent special education issues/glitches and the corrections for the issues/glitches.
3. What are the different special education reports used in the ISEP review? How can the reports be

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accessed to verify the data and to see what the viewers are seeing?

4. What is the purpose of the data health checks? If there are questions about the data health checks, who can be contacted to assist?

Ron Worst introduced himself as an Educational Specialist with DPA.

Following are the responses given by the presenter to each of the requested items above.

1. Provide an overview of the various types of Ad Hoc reports used to produce special education data reports.

Ron Worst explained the Ad Hoc reports include Student SPED Receiving Services, Student Indicator 11 - Initial Evaluations, Student Extended School Year, Student DPA-IDEA Child Count Test Report, Student Behavior Count, and Student Discipline. All Ad Hoc Reports are in the "BIE Published" report section.

2. Provide an update about the recent special education issues/glitches and the corrections for the issues/glitches.

Ron Worst provided an update on the recent glitches and their corresponding corrections. There was an update to the IEP module in August 2023, and schools were very open to piloting the update and providing feedback. Issues were noted in Accommodation and Modification (session and frequency, minutes per session, and service area codes); Goal Objectives (not populating on the printed IEP); Meeting Invitation (not populating the Case Manager's phone number); Supplementary Services Editor (box not populating); Assistive Technology Editor (box not populating); Demographics (school and grade not populating); Prior Written Notice (all fields need to be completed); and IEP (evaluation date not populating). Recently, sections of the IEP (Plan Amendments, Goal Monitoring, Education Services, Related Services, Accommodations and Modifications, and Supplementary Services) were not printing on the hard copy IEP document. Currently, Infinite Campus has updated and provided fixes for all issues related to the IEP modules in NASIS. Ron Worst encouraged people to reach out to the DPA or NASIS and submit support tickets if something is not working properly. It could be a system-wide error or something at the school level. NASIS' purpose is to help staff reduce time spent on paperwork and increase time providing direct support to students. To this end, the BIE is working to make NASIS easy for staff use.

Question: Dr. Elizabeth Younce, Board Member – Asked if Infinite Campus will continue to be the program used for IEPs.

Response: Rebecca Manymules – Explained there is currently a six-month contract with Infinite Campus. It is unclear if the BIE will set up a new solicitation for an IEP system.

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Question: Gretchen Lehmann, Board Member – Noted an error her school has experienced and they have submitted a support case.

Response: Ron Worst, Education Specialist – Noted the support case would be worked on.

Chairperson Shawanokasic thanked Ron Worst for his report.

3. What are the different special education reports used in the ISEP review? How can the reports be accessed to verify the data and to see what the viewers are seeing?

Joann Fields introduced herself as a DPA staff member. She noted individual student files are reviewed to identify areas of noncompliance. There are 5,000 files for tribally controlled schools (TCS), 930 files for Bureau Operated Schools (BOS), and 1,200 for Navajo BOS/TCS. Special Education ISEP reports for schools are accessed via each Associate Deputy Director (ADD) office. To verify data on the monitoring form, each data point must be verified by accessing student files from the school's NASIS portal.

4. What is the purpose of the data health checks? If there are questions about the data health checks, who can be contacted to assist?

Rebecca Manymules thanked the Board for inviting the NASIS staff. Valerie Jones and Catherine Renfield introduced themselves as NASIS specialists. Valerie Jones explained NASIS is the centralized system for supporting school administrators and it meets federal reporting requirements. Schools can use BIE reports to make needed corrections for funding, to support school improvement planning, improve data quality for reporting, and correct data symptoms. The reports in NASIS include the BIE Validation Report, Data Integrity Tools, and the BIE ISEP Instructional Verification/Certification Report.

Catherine Renfield explained the reports available in NASIS. She noted the BIE Validation Report can be pulled just for special education and it will provide a list of errors or warnings in the data system to assist people with correction. The BIE Validation Report allows users to validate reporting fields for data integrity. The Data Validation report shows areas to be reviewed to ensure accuracy and increase overall data quality, provides an audit of the NASIS modules and lists symptoms that may need to be corrected, and identifies typical situations where inaccurate data may have occurred. The Data Validation Report also provides a summary data health check. Catherine gave examples of how to edit inconsistencies in school-level data. The BIE ISEP Instructional Verification Report will show special education data for the year. This report needs to be reviewed and verified by school special education staff. Once this information is verified, the certification report is generated and signed by school leadership. Questions regarding the validation check can be sent to ask-nasis@bie.edu.

Comment: Rachel Harrison, Board Member – Thanked Valerie Jones and Catherine Renfield for

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presenting to the Board.

Question: Gretchen Wendell, Board Member – Asked if enrollment information would automatically update and if information needs to be deleted when a student leaves the school.

Response: Catherine Renfield – Explained it doesn't automatically update and schools should check all their tables. She noted that when a student leaves the school, the data entry depends on how the student exited the school.

Question: Gretchen Wendell, Board Member – Queried about transitioning students using an outside, alternate placement for transition support and if there is an area to track the students in NASIS.

Response: Catherine Renfield – Directed the scenario should be checked with DPA to see how they recommend tracking transition services.

Chairperson Shawankasic expressed appreciation to NASIS staff for presenting to the Board. He asked the Board if they had comments for discussion and then excused them for a break.

10:45 AM – 11:00 AM

Public Commenting Session #1 (15 minutes)

Chairperson Shawanokasic opened the first public commenting session.

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

Comment: Jennifer Davis, DFO – Solicited public comment and provided examples of topics open for public comment, including the special education updates, NASIS updates or concerns, or training needs. Jennifer shared the Public Comment period is a requirement that cannot be eliminated from the agenda. Jennifer explained a second Public Comment period will be provided following the next two presentations as well.

Jennifer Davis, DFO, closed the public commenting session.

11:00 AM – 12:00 AM

Indian School Equalization Program (ISEP) Training (Part 39, Authority: 25 U.S.C. 13, 2008; Public Law 107-110, 115 Stat. 1425)

Presenters: Lawrence Palmer, BIE Supervisory Budget Officer and Douglas Ward, BIE Supervisory Budget Analyst

Jennifer Davis, DFO, introduced the agenda topic and invited Lawrence Palmer to begin his presentation. Lawrence Palmer introduced himself as a BIE Budget Officer.

The BIE uses the Indian School Equalization Formula (ISEF) to distribute ISEP appropriations equitably to Bureau-funded schools.

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The presenters were asked to prepare updates on the following items for this report and discussion.

1. Provide an overview on the funding process and student eligibility requirements.
2. What is the ISEP student enrollment data for SY 2023-2024?
3. What is the process for identifying schools with infrastructure needs?

Following are the responses given by the presenter to each of the requested items above.

1. Provide an overview on the funding process and student eligibility requirements.

Lawrence Palmer explained he would review the Indian School Equalization Formula (ISEF), highlight base academic and special cost factors, present potential recommendations for updates, and solicit recommendations from the Board. He explained the ISEF was last updated in 2005 and applies to all day and residential schools. The BIE have been conducting consultations to gather feedback on their funding formulas. The ISEF was established to allocate Indian School Equalization Program (ISEP) funds. The Office of Indian Education Programs (OIEP) applies to ISEF to determine funding allocation for K-12 Bureau-funded schools. The allocation formula is applied uniformly to all K-12 Bureau-funded schools. Formula funding factors are eligible students, base and supplemental funding factors, program participation weighted factors, and school size or location adjustments. The overall value of individual school allocations is based upon their funding factors and Congressional appropriations. Lawrence Palmer showed the increase in ISEP funding over the past four fiscal years.

Lawrence Palmer stated funding factors reflect the cost of providing services, and varied base factors introduce complexity into the formula. Recommendations from the listening sessions include evaluating base funding factors by grade level, evaluating current educational service cost factors, and considering current priorities for kindergarten and early childhood development programs.

Lawrence Palmer explained each school must provide for students with disabilities by reserving 15% of its academic base funding to support special education programs and by providing resources through its residential base funding to meet the needs of students with disabilities under the National Criteria for Home-Living Situations. A school may spend all or part of its 15% on school-wide programs to benefit all students (including those without disabilities) only if the school can document that it has met all the needs of students with disabilities with such funds. Schools may supplement the 15%. To obtain Part B funds, the school must submit an application to OIEP and demonstrate additional funding is needed. Schools are allotted supplemental funding for special student and/or special school costs. ISEF provides additional funds to schools through add-on weights (special cost factors). Cost factors include: gifted and talented students, students with language development needs, small school size, and geographic isolation of the school. The special cost factors provided an additional \$45 million

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in funding last school year. There is no limit to the number of students a school can classify as gifted and talented. However, if more than 13% of a student's population is identified as gifted and talented, the BIE will perform an audit. Nearly 67% of BIE-funded schools report gifted and talented students and they receive nearly \$14 million in gifted and talented funding. Recommendations include considering the funding weight for gifted and talented students, considering the impact of special cost factors on overall resource allocations, adjusting special cost factors by grade, and raising the base academic weight to provide more stable funding.

Lawrence Palmer noted ISEF funds can be used to implement language development programs that demonstrate the positive effects of Native language programs on students' academic success and English proficiency. The BIE provides more than \$31.5 million in ISEF language program funding and nearly 100% of BIE-funded schools offer language development programs. Recommendations include reviewing the language development program guidelines for funding eligibility, comparing language development to other special cost factors, and considering the impact of special cost factors on overall resource allocations.

Lawrence Palmer noted schools with less than 50 students receive small school adjustments. Nearly 50 BIE-funded schools receive small school adjustments, totaling over \$2 million in additional funding. Small high schools can receive both a small school and small high school adjustment. Recommendations include considering the value for small school adjustments, considering the limited students eligible for overall cost factors, considering the decreasing value of the small school adjustment, considering the impact of special cost factors on overall resource allocations, and considering national trends on student enrollment.

Lawrence Palmer observed there is an adjustment for small residential programs. Recommendations include considering the value for residential programs. There is also supplemental funding for extraordinary costs related to a school's geographic location. Currently, Havasupai Elementary School is the only school receiving this funding. However, other schools are likely eligible. Recommendations include considering extraordinary costs related to additional isolated areas, considering isolated schools and services impacted by weather and transportation, and considering the impact of costs related to challenging teacher retention and unsatisfactory housing.

2. What is the ISEP student enrollment data for SY 2023-2024?

This item was not addressed by the presenter.

3. What is the process for identifying schools with infrastructure needs?

This item was not addressed by the presenter.

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Question: Dr. Elizabeth Younce, Board Member – Inquired if there discussion about expanding student eligibility for ISEP funding, in support of teacher recruitment and retention efforts by allowing a teacher’s children to attend BIE schools as fully-funded students.

Response: Lawrence Palmer – Replied interpretation has been requested on this matter to the BIE solicitors, and their response is anticipated soon.

Question: Brian Wagner, Board Member – Asked Mr. Palmer to clarify ISEP eligibility.

Response: Lawrence Palmer – Thanked Brian Wagner for his participation in the listening session in Rapid City, South Dakota. He explained ISEP eligibility is determined by descendency and by tribal membership status as established in law. School leadership establishes eligibility for their students.

Comment: Brian Wagner, Board Member – Stated he heard descendency has been increased to lineage to a great grandparent.

Comment: Margo DeLaune, DPA – Confirmed the lineage change to a great grandparent.

Question: Brian Wagner, Board Member – Asked about a discrepancy between actual funding numbers and what has been submitted to Congress.

Response: Lawrence Palmer – Explained the FY24 budget was not increased from FY23. Because of the flat funding and the increase in inflation and pay parity increases, budgets effectively were cut. Issued funding is the most accurate funding available based on the Congressionally approved budget.

Jennifer Davis, DFO, thanked Lawrence Palmer for his presentation and the Board was excused for lunch.

12:30 PM Lunch (1.5 hours)

1:30 PM – 2:30 PM

Federal Fiscal Grants Management/IDEA Part B Awards

Presenters: Anthony Mukuna, Senior Program Associate, Special Education and School Finance, WestEd Technical Assistance Center and Jen Thompson, Program Associate & Content Expert, Special Education Policy & Practice, WestEd Technical Assistance Center

Chairperson Norman Shawanokasic opened the meeting following lunch and introduced the session topic. Anthony Mukuna and Jen Thompson introduced themselves as employees from WestEd.

The presenters were asked to prepare updates on the following item for this report and discussion.

- 1.** Focusing on ISEP and IDEA programs and activities, what are the allowable costs and/or how to determine allowable costs?

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Following are the responses given by the presenter to the requested item above.

1. Focusing on ISEP and IDEA programs and activities, what are the allowable costs and/or how to determine allowable costs?

Jen Thompson reviewed the regulations governing allowable use of federal funds from IDEA Part B. She explained federal regulations begin with statutes, which are the laws passed by Congress giving authority to agencies. Statutes are then implemented by regulations from agencies, and are legally enforceable. Guidance is provided by agencies to support interpretation and understanding of the regulations. BIE-specific laws and regulations include 25 CFR Part 39 ISEP and PL 100-297 Tribally Controlled Schools Act.

Question: Brian Wagner, Board Member – Asked for clarification on where BIE policies fall within the organization of regulations.

Response: Anthony Mukuna – Explained as a federal agency, the BIE is responsible for implementing policies so long as they do not conflict with federal laws and regulations.

Anthony Mukuna provided a program overview of IDEA Part B and ISEP. He explained BIE-funded schools are required to provide a free appropriate public education (FAPE) for children with disabilities as a condition to receive IDEA Part B federal funds. The BIE may reserve up to five percent of its IDEA Part B allocation, or \$500,000 (whichever is greater), for administrative costs for the DPA. Remaining funds are then distributed to schools via a formula that contains a small and large school funding component and a disability weight.

Anthony Mukuna explained IDEA Part B funds set aside for administrative costs may be used for activities to ensure the requirements of Part B are implemented and for monitoring and oversight. For schools, Part B funds may be used to pay for the excess costs of providing special education and related services to students with disabilities. Funds become available to schools only after establishing the 15% set-aside ISEP funds are insufficient to cover the costs of services required by all eligible ISEP students with disabilities. Schools must submit an IDEA Part B school application to the BIE.

Jen Thompson explained factors for determining allowability of cost under the IDEA and Uniform Grant Guidance. Criteria requires costs are necessary, reasonable, and allocatable to the special education program. All allowable costs must be consistent with policies and procedures, consistently treated or charged across all administered grants, may not be used to meet other cost sharing or matching requirements, must be adequately documented, and must be incurred during the approved budget period. Anthony Mukuna clarified TCS may expend the funds beyond the 27-month grant period, whereas BOS must expend funds within the 27-month award period.

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Jen Thompson shared an *Allowable Cost Decision Trees* diagram to support the decision-making of expending IDEA funds. The first *Decision Tree* relates to IDEA regulations, the second *Decision Tree* relates to Uniform Grant Guidance requirements, and the third *Decision Tree* addresses additional restrictions placed by the federal agency and allowability under BIE rules and policies.

Question: Brian Wagner, Board Member – Asked for clarification on whether items purchased under ISEP funds could also be purchased using IDEA funds.

Response: Anthony Mukuna – Clarified the materials can be purchased with IDEA funds if the materials are directly related to the provision of the special education program. Jen Thompson added that some documentation demonstrating the need for the materials is also needed.

Question: Brian Wagner, Board Member – Asked about using funds to pay for a meal to ensure parent participation.

Response: Anthony Mukuna – Explained there would need to be evidence of the need for a meal. For instance, there is no availability of food during the activity. Both Jen Thompson and Anthony Mukuna reiterated context matters and is important in determining whether an expenditure is necessary.

Anthony Mukuna shared some common expenditures for IDEA Part B funds. Allowable activities include those associated with the provision of special education and related services within a regular education class or other education-related setting. Additionally, up to 15% of IDEA Part B funds can be set aside for early intervening services provided to students who are not yet on an IEP.

Question: Brian Wagner, Board Member – Asked for clarification on whether ESSA funds can be combined with CEIS funds.

Response: Anthony Mukuna – Explained CEIS funds would be restricted to students not yet identified for special education services and schools would need to look at allowability rules through ESSA.

Jennifer Davis, DFO, thanked Anthony Mukuna and Jen Thompson for their presentation.

2:30 PM – 2:45 PM

Public Commenting Session #2 (15 minutes)

Chairperson Norman Shawanokasic opened the public comment session.

Question: Leon Reval, Secretary – Asked for clarification on how large-scale expenditures impact the annual budget and the allowability of sharing a resource with other students. For instance, the

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example of a vehicle being purchased for a necessary transportation expenditure.

Response: Jen Thompson – Explained there may be some incidental benefit for other students, such as siblings. Anthony Mukuna reiterated the importance of the reasonableness of an expenditure and the importance of context in determining whether an expenditure is necessary and a reasonable use of funds. Anthony Mukuna also explained expenditures cannot be denied based on the cost, if the IEP team has deemed the expenditures are necessary and reasonable.

Question: Leon Reval, Secretary – Asked about the use of funds to pay for other devices that improve accessibility of the educational environment.

Response: Jen Thompson – Explained it depends on the necessity of the device and whether not having access to the device limits the student’s ability to receive FAPE.

Comment: Marsha Dano, Pueblo Public Education Director – Noted the BIE is also sending out a newsletter each month with special education updates.

Question: Brian Wagner, Board Member – Asked for clarification on how carryover funds might be used to fund CEIS.

Response: Anthony Mukuna – Explained the DPA has oversight responsibility for approval of the CEIS plan. Ron Worst explained the DPA has to report to OSEP the funds set aside for CEIS and the use of carryover funds for CEIS may inflate the allowable set aside funds above the 15% allocation.

Comment (chat): Gloria Yepa, Ed Specialist-Specialist Education, ADD BOS – Consider establishing a position-Education Tech as a related service/Parent Counseling and Training and Part B funding to assist students in the BIE Residential (boarding) Schools (particularly the Off Reservation Boarding Schools/ORBS) under the supervision of certified special education teacher to support students in the dorm with IEP goals/secondary transition goals. IDEA requires parent input & engagement throughout the special education process. There can be a barrier to FAPE for SWD residing in the dorm and not residing with their parent/guardian/family. The proposed Ed Tech position would receive specially-designed training to support the students with IEP and/or secondary transition goals as a SWD would receive from their parent/guardian/family if they were residing with them; and to provide supports to the student's biological parent/guardian to ensure the IDEA requirement of parent input and engagement is achieved. The need for the RS has to be documented on student's IEP.

Question: Brian Wagner, Board Member – Asked for clarification from the DPA on whether Part B funds could be used for this activity.

Response: Ron Worst, BIE Education Specialist – Recommended the BIE solicitors and financial department be consulted.

2:45 PM – 3:00 PM Break

3:00 PM – 4:30 PM

Advisory Board Work – Finish any new business or old business; priority setting; work on next

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meeting agenda and logistics.

Chairperson Norman Shawanokasic introduced the priority setting activity as a continuation from the last meeting. Brenda Smith from the Center for Technical Assistance for Excellence in Special Education (TAESE) at Utah State University shared the draft priorities developed at the last meeting. Board members reviewed the draft document and made recommendations for additions, revisions, and consolidations.

The Board decided to remove staffing issues and concerns as a priority, but they will note it as an ongoing concern of the Board within the opening of the report.

The Board established consensus for the final priority groupings of:

- I. Stakeholder Learning and Leadership: School Personnel & Parent/Guardian Empowerment
- II. BIE Responsibilities and Accountability
- III. Transition and Post-Graduation

4:30 PM

Recess

Chairperson Norman Shawanokasic thanked everyone and released the Board until the following morning at 8:30 a.m. MDT.

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BOARD MINUTES - Day 2

Advisory Board Roster

1. Present Norman Shawanokasic, Chairperson
2. Present Pilar Peltier, Vice Chairperson
3. Present Leon Reval, Secretary
4. Present Gretchen Lehmann, Board Member
5. Present Leslie Finnearty, Board Member
6. Present Brian Wagner, Board Member
7. Present Gretchen Wendell, Board Member
8. Excused Monica Cleveland, Board Member
9. Present Wendy Kroupa, Board Member
10. Present Rachel Harrison, Board Member
11. Present Dr. Elizabeth Younce, Board Member, Ed.D
12. Present Dr. Janet Slowman-Chee, Board Member, Ed.D

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

TAESE Contractors: Dr. Brenda Smith, Kristen Perez-Rickels, and Laura Lema

Presenters/Speakers: Donald R. Griffin and Melissa Wassana

Others in Attendance:

Arlene Davis	Narcy Ka'Won	Kara German
Clarina Boyd	Laura Tsosie	Emmaline Tallman
Delphina Dayish	Alyssa Yeppa	Katharine Ford
Eleanor Francis-Jones	Bernice Desiderio	Mary Roanhorse
Gloria Yepa	Frankie Chretien	Spencer Churchill
Melanie Star	Kara German	Savanah Six
Zonnie Sombrero	Scott Norton	Joy Van Est
Joann Fields	John Copenhagen	Cheryl Johnson

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Carmelia Becenti
Margo DeLaune

Barbra Brewer
Lourie Gloria Ghost

Monica Whirlwind Horse
Rebecca Manymules

8:30 AM – 8:45 AM

Roll Call

Start Time: 8:30 AM Mountain Daylight Time (MDT)

Welcome and Call to Order – Norman Shawanokasic, Chairperson

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

- Norman Shawanokasic
- Pilar Peltier
- Leslie Finnearty
- Wendy Kroupa
- Brian Wagner
- Gretchen Wendell
- Dr. Elizabeth Younce
- Dr. Janet Slowman-Chee
- Leon Reval
- Rachel Harrison
- Excused: Monica Cleveland

8:45 AM – 10:00 AM

What is Section 504 of the Rehabilitation Act of 1973?

Presenter: Donald Griffin, 504 Program Coordinator

Chairperson Norman Shawanokasic introduced the session and welcomed the presenter.

Donald Griffin introduced himself as the BIE 504 Program Coordinator.

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

1. Provide an overview of the BIE’s 504 Program.
2. Understanding Section 504: Explained and Summarized.
3. What are Core Concepts of Section 504?
4. What is the difference between an Individualized Education Program (IEP) and a 504 Plan?
5. IEP and 504 Accommodations: Explained and Summarized.
6. Provide a comparison of student data for SY2022-23 and SY2023-24 regarding Section 504 plans.

The following are the responses given by the presenter to each of the questions.

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1. Provide an overview of the BIE's 504 Program.

Donald Griffin stated the purpose of Section 504 as a Federal Civil Rights Law is to provide equal access to general education and the program seeks to provide equity. He shared the steps in the BIE Section 504 process from referral to plan development and periodic re-evaluation. The Office of Civil Rights (OCR) is responsible for enforcing Section 504 programs for TCS.

2. Understanding Section 504: Explained and Summarized.

Donald Griffin outlined similarities between Section 504 and IDEA. These similarities include the intent to support students with disabilities, requirement of evaluation for eligibility and team decision-making, allowance for both parents and teachers to refer, placement in the least restrictive environment to the maximum extent possible, and services provided at no cost to families. Mr. Griffin also provided information on the differences between the two programs related to eligibility and protections with Section 504 eligibility both broader and more inclusive.

3. What are Core Concepts of Section 504?

Donald Griffin emphasized Section 504 is not special education, but is a general education service to provide accommodations and supports. All students with a disability, including those served under IDEA, are protected by Section 504. Eligibility for Section 504 requires a student to have an impairment that substantially limits one or more major life activity. Donald Griffin explained the determination of a substantial limitation is made by the Section 504 team on a case-by-case basis. In discussing the BIE Section 504 Program Process Flowchart, he emphasized the importance of strong Student Assistance Teams and processes for identifying students eligible for both special education services through an IEP and through Section 504 services.

4. What is the difference between an Individualized Education Program (IEP) and a 504 Plan?

Donald Griffin explained the differences between an IEP and 504 Plan. Both documents are legal agreements between the school, student, and parents that end at the conclusion of high school. Although 504 Plans are not continued in post-secondary education, the Section 504 law still requires accommodations be made for people with disabilities in post-secondary education and employment settings. Section 504 plans describe accommodations to provide access to the general education curriculum, whereas IEPs provide specially designed instruction and related services. IEPs include changes to curriculum, goals, and objectives, which constitutes special education, whereas Section 504 Plans do not.

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5. IEP and 504 Accommodations: Explained and Summarized.

Donald Griffin said Section 504 plans include: accommodations, services, supplementary aids, and potentially a health care plan. Accommodations for the general education environment are the responsibility of the general educator, but other school personnel may also be responsible for accommodations, such as counselors or nurses.

6. Provide a comparison of student data for SY2022-23 and SY2023-24 regarding Section 504 plans.

Donald Griffin stated the NASIS Section 504 Plan module was made available in SY2022-23. Roughly 8% of students enrolled in a BIE school have a Section 504 plan. He stated the NASIS data may not be entirely accurate, particularly as it relates to TCS. The number of Section 504 plans decreased from 398 in SY2022-23 to 332 in SY2023-24. Donald Griffin introduced concerns about the potential overidentification of students for services under IDEA who may be better suited for Section 504. He stated continued training on Section 504 program requirements and the implementation and use of the NASIS Section 504 Module is a priority for the SY2024-25.

Question: Leon Reval, Secretary – Stated there still seems to be a disconnect between the written plan and the implementation in schools, and the importance of Section 504 Plans in providing increased opportunities for students. He inquired about budget considerations and funding for students identified for Section 504 Plans.

Response: Donald Griffin, Section 504 Coordinator – Stated Section 504 is required by every organization that receives federal funding, but the program itself is not funded. He reiterated the importance of considering the need for an IEP versus a Section 504 plan and how Section 504 impacts the needs of students in residential schools.

Question: Dr. Elizabeth Younce, Board Member – Asked for clarification on whether other related services could be provided under a Section 504 Plan, such as occupational (OT) or physical therapy (PT).

Response: Donald Griffin, Section 504 Coordinator – Stated Section 504 Plans could include services such as OT and PT, if the student qualifies for Section 504 to improve access to the general education curriculum, but does not need specially designed instruction through an IEP.

Question: Gretchen Lehmann, Board Member – Asked about supports provided to schools following the monitoring of Section 504.

Response: Donald Griffin, Section 504 Coordinator – Stated the BIE office has a responsibility to respect team decisions, but they would consider increased training for school staff on Section 504.

Question: Audience Member – Asked about the appropriateness for a student with a severe physical injury from a car crash to receive Section 504 services or IEP services.

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Response: Donald Griffin, Section 504 Coordinator – Stated the difference will be whether or not the student will need specially designed instruction.

Comment: Jennifer Davis, DFO – Shared LRP resources have been purchased by the BIE for school staff, and the BIE has encouraged educators to utilize the LRP resources and modules regarding Section 504.

Comment: Donald Griffin, Section 504 Coordinator – Stated a main difference in policies for Section 504 are related to complaint processes. Complaints made under Section 504 are referred to the Regional OCR office.

Question: Jennifer Davis, DFO – Asked if Donald Griffin would be participating as a presenter in the BIE summer trainings, and invited Mr. Griffin to participate as a collaborator for the DPA office hours held during the summer training.

Response: Donald Griffin, Section 504 Coordinator – Stated that he will be presenting at the summer training and would like to collaborate to get the information out there.

Question: Jennifer Davis, DFO – Asked about current plans for providing training regionally or to schools.

Response: Donald Griffin, Section 504 Coordinator – Stated Section 504 is important to him and agreed if schools want information or training, he can attempt to organize it.

Chairperson Norman Shawanokasic thanked Donald Griffin for his time and presentation.

9:45 AM – 10:00 AM

Public Commenting Session #3 (15 minutes)

Chairperson Norman Shawanokasic opened the public comment session and Jennifer Davis, DFO, reviewed the guidelines for public commenting.

Comment (chat): Gloria Yepa, Education Specialist, Special Education, ADD BOS – BIE-funded schools hold dual roles as both the Local Educational Agency (LEA) and the school providing special education program/services to identified students with a disability (SWD). IDEA identifies local education agency (LEA) responsibilities. In public school systems, the school district is the LEA and district-level staff manage the IDEA responsibilities. In BIE schools, however, the school itself is the LEA and is responsible for the IDEA's LEA requirements. Proposed to allow IDEA Part B funds to pay for a special education coordinator to manage LEA responsibilities, with DPA providing training on those responsibilities at each school. It has been the practice that small schools are not approved to fund a special education coordinator and oftentimes these duties are delegated to the school special education teacher, in addition to their teaching/case management responsibilities. This practice

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extensively burdens the special education teacher, perhaps contributing to teacher attrition. Referenced IDEA requirements and responsibilities for LEAs and noted they are extensive for a teacher who already has full-time teaching and case management responsibilities.

Comment (chat): Joy Van Est, Audience Member – Agreed and stated funding special education teacher positions and special education coordinator positions separately allows each individual to fully focus on one aspect of the department in order to best serve students and to support the school's adherence to policies and laws.

Comment: Leon Reval, Secretary – Asked about Section 504 Team decision-making standards and criteria, and whether medical diagnoses are necessary for eligibility and service decisions or if parental interpretation of a student's needs is sufficient.

Response: Dr. Eugene Thompson, Supervisory Educational Specialist – Stated any information that a family has access to would be helpful in making decisions.

Response: Jennifer Davis, DFO – Stated she would forward this question onto the Section 504 Coordinator, Donald Griffin.

Chairperson Norman Shawanokasic closed the public comment session.

10:00 AM – 10:15 AM Break

10:30 AM – 11:30 AM

Education for Parents of Indian Children with Special Needs (EPICS)

EPICS is a community parent resource center for families of Native American children with disabilities from birth to 26 years old.

Presenter: Melissa Wassana, Executive Director

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

Melissa Wassana introduced herself as the Director of EPICS and explained they are located in New Mexico and provide services to the entire state.

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

1. Provide an overview about EPICS.
2. How many children from BIE-funded schools are referred to EPICS for services?
3. How are EPICS services coordinated with the BIE?
4. How are BIE students supported once they are admitted into the EPICS services? If so, what

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supports are provided?

5. If a student leaves EPICS services, is there an exit interview?
6. What is the student success rate when a student accesses EPICS services?

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

1. Provide an overview about EPICS.

Melissa Wassana explained the mission of EPICS is to assist families to influence change in their communities to maximize positive outcomes for children with disabilities and special health care needs. EPICS originally started in response to a need expressed by Native American parents concerned about their children with disabilities entering BIE and New Mexico school systems' special education programs and the lack of representation there. Parents wanted to learn how to advocate for their children from a Native American organization that understood their issues and culture. All staff and their Board of Directors are Native American, and most of the staff and Board have children or family members with disabilities and/or special healthcare needs. Their target population is birth to 26 years old, and they serve all 23 tribes in New Mexico.

EPICS was awarded Nonprofit 501(c)(3) status in 2009, and their programs have multiple funders including the Children Medical Services; Community Parent Resource Center; Family, Infant and Toddler Program; the New Mexico Developmental Disabilities Council; Region D PEAK Center; and the New Mexico Public Education Department. Services include the promotion of parent support and family-centered practice, parent to parent support, parent advocacy, parent leadership, a Native American Annual Special Education Conference, early intervention services, early hearing and detection intervention, parent ambassador training, employment services, advocacy, outreach and referral, social media, and youth self-advocacy skills building. Their services are provided completely free to families and students.

Melissa Wassana detailed their Parent Ambassadors training, which is available to 10 parents each quarter and provides 20 hours of training on the topics of special education law, Native American history, serving groups, record-keeping, leadership skills, soft skills, technology platforms, transition services, and self-care. A stipend is provided to parents who complete the training, along with paid travel to the EPICS annual conference. Melissa Wassana also outlined the outreach events and workshops held by EPICS every two weeks on topics such as an IDEA overview, Part B and Part C, procedural safeguards, the IEP process, special education factors in IEPs, and reviewing and revising IEPs. The next Native American Annual Special Education Conference hosted by EPICS will be held

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November 18-20 in Albuquerque.

2. How many children from BIE-funded schools are referred to EPICS for services?

Melissa Wassana stated children aren't referred for services. Parents and special education personnel reach out directly to EPICS for services and supports.

3. How are EPICS services coordinated with the BIE?

Melissa Wassana explained BIE schools can request trainings and resources from EPICS for their parents through the EPICS website.

4. How are BIE students supported once they are admitted into the EPICS services? If so, what supports are provided?

Melissa Wassana noted they serve BIE parents and students with support, guidance, IEP meeting support, information on special education laws, record-keeping, referrals, and information on additional resources available within their communities.

5. If a student leaves EPICS services, is there an exit interview?

Melissa Wassana explained there is no exit interview. There is open communication with EPICS and families throughout the duration of individualized support and training provided by EPICS.

6. What is the student success rate when a student accesses EPICS services?

Melissa Wassana explained student success rates with EPICS services are high based on family feedback throughout the support process and during informal conversations at the EPICS conference. Families share many success stories on how EPICS has helped them communicate with their schools.

Melissa Wassana stated as the EPICS Director, she sits on many New Mexico committees, including the Special Education Advisory Panel, Interagency Coordinating Council, Tribal Early Childhood Advisory Coalition, Children Medical Services, Early Hearing Detection and Intervention Stakeholders, Early Childhood Comprehensive Systems Advisory Council, Prenatal to 3 Advisory Council System Planning Steering Committee, the National Center on Deaf-Blindness Parent Center Workgroup, Developmental Disabilities Planning Council, and Native American Disability Law Center. More information can be found on the EPICS website www.epicsnm.org.

Chairperson Shawanokasic thanked Melissa Wassana for her presentation and acknowledged the wonderful work EPICS is doing for Native American families of children with disabilities in New Mexico.

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Question: Pilar Peltier, Vice Chairperson – Inquired about the questions and concerns EPICS hears from parents regarding IEP meetings.

Response: Melissa Wassana – Replied they hear parents say they are given directives by the school and don't feel they are partners in the IEP process. They also hear from school staff the parents aren't always provided student's IEPs. EPICS tries to work with schools so they understand what information they need to provide to parents and teachers. They encourage parents to think of their family goals for their student and to make sure those goals are reflected in the IEP.

Comment: Pilar Peltier, Vice Chairperson – Explained her school completes IEP meetings virtually and parents often don't ask questions and just agree with the school's suggestions.

Response: Melissa Wassana – Noted parents need to understand their rights under IDEA so they can participate in the IEP process.

Melissa Wassanna thanked the Board for inviting her to the Board meeting.

11:15 AM – 11:30 AM

Public Commenting Session #4 (15 minutes)

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

No comments were submitted.

Chairperson Norman Shawanokasic closed the public comment session.

11:30 AM

Lunch (1.5 hours)

1:00 PM – 4:30 PM

Advisory Board Work

- Work on next meeting's logistics, discuss next steps.
- Recommendations for future projects or meetings.
- Wrap-up important decisions, discuss outstanding tasks, share working folder with Board members for future meetings.

Chairperson Norman Shawanokasic introduced this agenda item. He explained the objectives of the Board workshopping session.

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The Board discussed the option of holding a virtual Board meeting in June or July. The BIE is holding trainings in Phoenix, Arizona on June 25-27 and in Albuquerque, New Mexico on July 16-18. The Board agreed it was necessary to work around these dates. The Board confirmed a one-day Zoom meeting for June 18, 2024. The Board confirmed the agenda for the 18th with a Board training and by-laws review from John Copenhaver of TAESE, updates from Dr. Eugene Thompson of the BIE, and four hours for Board work on their annual report. The Board agreed to allow Public Comment to occur at any time during the June 18th Board meeting.

Chairperson Norman Shawanokasic confirmed September 26-27 at Cherokee Community School in North Carolina will be the last Board meeting of the year. The Board annual report will be finalized at this meeting for October 1 submission. Board Member Dr. Elizabeth Younce has coordinated all transportation for Board members, required BIE staff, and TAESE contractors between the airport, lodging, and meeting location. The Board meeting will be held onsite in the conference room of Cherokee Community School.

The Board worked on the agenda for the September Board meeting.

Comment: Dr. Slowman-Chee, Board Member – Commented on the importance of identifying the alignment of topic presentations with the BIE Special Education Policies and Procedures.

Comment: Dr. Eugene Thompson, Supervisory Educational Specialist – Shared the BIE is in the process of revising its policies with embedded flexibility for TCS, as these schools adhere to the Tribally-Controlled School Act.

The Board agreed to add an update on these policies from Dr. Thompson for the September meeting.

Comment: Leon Reval, Secretary – Commented on the need for dialogue that occurs during the school tour to be recorded in some way.

The Board decided to meet with Cherokee Community School staff following the school tour, so conversations with the school staff can be entered into the record.

Comment: Norman Shawanokasic, Chairperson – Proposed the January 2025 Board meeting be held in Albuquerque, New Mexico.

Comment: Dr. Janet Slowman-Chee, Board Member – Proposed the January 2025 Board meeting be held in Phoenix, Arizona.

No decisions for the January 2025 Board meeting were made.

4:02 PM MST Adjourn

Gretchen Wendell, Board Member, made a motion to adjourn the meeting.

Dr. Janet Slowman-Chee, Board Member, seconded the motion.

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All Board members voted in favor of adjourning the meeting.

Minutes were chair certified for accuracy on June 18, 2024.