

**MINUTES**

BIE Advisory Board for Exceptional Children Meeting  
January 13-14, 2011  
National Indian Programs Training Center  
1011 Indian School Road NW, Room 270  
Albuquerque, New Mexico 87104

January 13, 2011

**Attendees**

**Advisory Board**

Sharon Belanger  
Josephine Brewer  
Arlene Davis  
Dr. Susan Faircloth (excused 1/13-14))  
Delores Childs-Fullen  
Dr. Marilyn Johnson, Chair  
Dr. Billie Jo Kipp  
Sergio Maldonado, Sr.  
Dianne T. Owens  
Dr. Juan Portley  
Norman Shawanokasic  
Dr. Jonathan Stout, Vice-Chair  
Dr. Eugene Thompson, Secretary  
Brian Wagner  
Judy Wiley

**Division of Performance & Accountability**

Gloria Yepa  
Sue Bement, Designated Federal Official  
Sally Hollow Horn  
Donald Griffin  
Laura Tsosie  
Narcy Kawon  
Dr. Fern Diamond  
Debbie Lente-Jojola

**Guests**

Wayne Ball, MPRRC

**Call to Order and Approve Agenda**

The meeting was called to order at 8:35 a.m. by Dr. Billie Jo Kipp, Chair. Dr. Eugene Thompson opened the meeting with prayer. Dr. Kipp welcomed the new members—Delores Childs-Fullen (Hia Ced Tohono O’odham), Sergio Maldonado, Sr. (Northern Arapaho), Dr. Juan Portley (Three-Affiliated Tribes), and Norman Shawanokasic (Menominee). Dr. Susan Faircloth, Brian Wagner, and Arlene Davis are continuing to serve on the Advisory Board. With no conflicts of interest, the agenda was approved (*motion—Dr. Jonathan Stout; second—Sharon Belanger; motion passed*). The full Board, DPA staff, and guests introduced themselves. Ms. Sue Bement served as the Designated Federal Official (DFO) for today’s meeting.

**Old Business**

The September 2010 minutes was approved through e-mail with the Advisory Board.

**New Business**

Dr. Jonathan Stout was elected as the Vice-Chair of the Advisory Board effective today.

**Other**

- 1. A comment was presented on what happens to students after high school? The other comments revolved around NASIS—orientation for new members; an overview at next meeting;

considering students in an RTI model; including general education teachers' access to training and IEPs; parent access to electronic IEPs from their home which will require conversation with Infinite Campus; sensitivity to confidentiality regarding access; and the DPA special education staff access to read-only rights to review electronic files. In general, schools are happy with NASIS and the training provided. The school administrator has the responsibility to provide rights for NASIS access at their schools. The hard copy of the IEP is the official copy.

2. The Advisory Board provided a brief update on the priorities from 2010—Bridging the Achieving Gap, Parent Involvement, Positive Behavior Supports, Data, and Recruitment/Retention.
3. Mr. Jack Edmo, BIE Education Specialist, reported that a contractor performed a three-year analysis of the NASIS data on behavior.

### **Presentation and Panel**

1. **The Four Tier Model of Instruction**—Mr. Casey Sovo, Education Line Officer, New Mexico South, presented on *Closing the Achievement Gap using the Four-tier model of instruction* with an emphasis on special education data and research. A handout was presented.
2. **Sky City Community School Panel**—A panel of teachers, reading coaches, and principal presented on how they established the foundation for an effective literacy reading program utilizing their reading achievement data.

### **Public Comment**

The Sherman Indian High School in Riverside, California provided public comment. The school is proud of their reading/language intervention and literacy programs. The school also partners with Cal Baptist University for a second opportunity program where university students working on teaching credentials are paired with students for one hour two nights per week. Transition includes home and college programs (e.g., Haskell, California universities where they pay in-state tuition). Parent involvement includes TV conferencing, weekend conferences, school board representation from various tribes, and powwows. Seventy-five percent of students who graduate from the high school have been at the school all four years. The school enrolls more than 300 students from California, North Dakota, South Dakota, Alaska, Montana, Oregon, Utah, Arizona, New Mexico, and Nevada. Every freshman student chooses one of five career pathways—health/safety, medical, hospitality, green energy, and agriculture. Students have access to colleges/universities, cultural activities, film festivals, and Noli Indian School.

### **DPA Updates—Dr. Jeffrey Hamley, Associate Deputy Director, DPA**

1. **BIE Summer Institute**—June 20-24, 2011. A save-the-date flyer will be available as soon as the venue is identified. The institute will be more inclusive to include special education and other DPA programs. A planning committee is being established.
2. **Title programs**—An on-site visit to the BIE and three schools locations will be conducted during 2011 by the U.S. Department of Education. The monitoring system will be discussed. The intent is to have a unified special education/title monitoring system.
3. **Staffing**—Two individuals have been hired for the data unit—Jeffrey White and Maureen Lesky, one of whom will be dedicated to special education. There's another research and analyst position opening. Advisory Board concerns of staffing/data are being addressed. Three applications are in the certification process for special education which still leaves one vacancy. Mr. Stanley Holder is the special assistant to the DPA Associate Deputy Director and available to help special education. Although challenges remain, a breakthrough is being made with the BIE human resources department.
4. **Fiscal monitoring in special education.** The fiscal monitoring is a work in progress with a reliance on internal staff to know about fiscal matters. One of the issues is to determine if a

position should be in special education or administration. Ms. Yepa commented that she was advised that monitoring was an inherent responsibility; then IDEA reauthorized with a reliance on data and analysis. Pilot on-site school visits have been scheduled for fiscal accountability. Special Education is continuously monitoring; however, the Title program is not equipped to implement a monitoring process.

5. **Contracts**—There's a new relationship with the BIA contracts/acquisition office. They're availing their staff for technical assistance in developing the Performance-Based Work Statements (PWS). A training on writing the PWS is scheduled for February 23-25, 2011 and Federal Acquisition Regulation (FAR) is scheduled for May 2011—both in Albuquerque, New Mexico.
6. **Reporting Deadline Calendar and Activities Calendar**—Both calendars list major BIE meetings. The calendars will be completed every year and posted on the BIE website.
7. **Native Star**—This is an online school improvement initiative. Technical assistance has been provided to the schools with some positive results. However, the BIE thinks language and culture can be incorporated that will be more reflective of academic achievement. The DPA is looking at developing indicators in this area. A demo can be presented at a future meeting.

**BIE Director and Chief of Staff**—Brian Drapeaux, Chief of Staff

1. **Attendance**—Mr. Keith Moore or Mr. Brian Drapeaux will attend the Advisory Board meetings.
2. **Human Resources**—Security and hiring concerns are being addressed. It's a top priority to provide services and supports to students.
3. **Contracts**—There are fundamental needs for the Bureau to correct. The Indian Affairs has three systems and the BIE is asking for a reconfiguration to be more effective. A study on the reconfiguring of Indian Affairs will be commissioned so activities can be reconnected to the Bureau as a top priority. There are holes to fix regarding deliverables. Another goal is a three week hiring timeline in human resources.
4. **Education**—The BIE Director is moving the education message up the line. The DPA is a mechanism that the Director will take more interest in. Work has started in aligning policy with the organization—how can Indian Education be aligned with current administration policy. Perhaps the Advisory Board can review and support this. The BIE issued a Request for Proposal (RFP) for a study that would affect BIE. The RFP closes January 17, 2011 and will join the activity with the BIA study.
5. **Moving the BIE Forward**—The Director is interested in changing the face of BIE. What can be done better? Where do we want to go? What services do we want to deliver? There is a framework in place but how will services be delivered to BIE-Operated and Tribally Controlled schools? The BIE organization has been poorly put together. A collaborative message is needed to answer these questions. The BIE wants to expand conversation with tribal leadership, councils, and empower people with information. A structure needs to be created to move the BIE forward and the BIE has a responsibility to have a sound system. A deadline of October 1, 2011 has been set to make fundamental change.
6. **Elementary and Secondary Education Act**—A list of laws has been put together that need amendments. The BIE has fundamental issues that need to be resolved. What should the language say and what should be put in it that will affect BIEs ability to move forward. Perhaps, the Advisory Board should consider some of these legislative changes.

**Annual Performance Report and State Performance Plan**—Dr. Pat Abeyta

Mr. Wayne Ball, MPRRC, reported that IDEA will not be authorized this year. There is one-year left in the current six-year State Performance Plan (SPP). OSEP is extending the SPP and Annual Performance Report (APR) by two additional years (SY 2011-2012 and SY 2012-2013); therefore new SPP indicator

targets and improvement activities will be developed. The focus is changing from compliance to results. Verification visits to States now include results. The BIE will be submitting their APR FFY 2009 on February 1, 2011.

Dr. Pat Abeyta, Supervisory Education Research Analyst, provided a draft of the SPP which provided information on specific indicators. Changes were made to the indicator targets and the Advisory Board comments will be incorporated. The SPP and the APR are due to OSEP by February 1, 2011. Dr. Abeyta presented a brief synopsis on each SPP indicator as follows:

- Indicator 1 (dropout rate)—Each state holds a different target so the BIE doesn't do 23 different targets. The BIE compares to determine if the gap is being closed.
- Indicator 2 (graduation rate)—The BIE is a school of choice and not mandatory. The BIE does not have access to State and BIE tracking systems relative to student transfers between various school systems. The Advisory Board recommended rewording in the discussion of baseline data.
- Indicator 3 (statewide assessment)—Only 22 schools met the "n" size.
- Indicator 4 (suspension/expulsion)—The BIE did not respond to "4b"—significant discrepancy by race or ethnicity. The Advisory Board suggested administrative training in this area.
- Indicator 5 (LRE)—3 targets.
- Indicator 14 (post secondary outcomes)—Activity should provide collaboration with tribal vocational rehabilitation programs.

With no additional discussion items for the day, the meeting recessed at 4:30 pm (*motion—Dianne T. Owens; second—Arlene Davis; motion passed*).

Friday, January 14, 2011

#### **Call to Order**

The meeting was called to order by Dr. Billie Jo Kipp at 8:30 a.m. Ms. Sue Bement is the Designated Federal Office (DFO) for today.

Ms. Gloria Yepa provided a brief summary of Native Star, SPP, and the APR. The Native Star is an electronic tracking system for school improvement which is required for BIE-Operated schools and optional for Grant schools. OSEP requires the BIE to keep data on certain SPP indicators. Indicators 6 (preschool LRE setting), 7 (preschool outcomes), 9 (disproportionality--disability), 10 (disproportionality—category), and 12 (early childhood transition) don't apply to the BIE. The APR is due to OSEP every February 1. A week is set aside to clarify the BIE data. Schools annually develop/amend their Local School Performance Plans (LSPPs). Ms. Yepa suggested that the Advisory Board consider identification and assessment as a possible priority. The rationale for principal training is to provide them with critical special education information so they can provide services and supports to students with disabilities. Funding is attached to the schools the special education programs.

#### **BIE Special Education Director's Report**

The Board's role is to provide advice and comment on the SPP and APR. The BIE chose to keep the measurements and targets low key so that the standards can be achieved. The 2010-2011 is the only school year we can add language showing annual growth where applicable. Dr. Pat Abeyta provided the following preliminary results on the APR which reports on any given SPP indicator targets. An incomplete APR was provided to the Advisory Board but the following information was provided:

- Indicator 1 (graduate rate)—Target met. The BIE is showing growth every year.
- Indicator 2 (dropout rate)—Target met.
- Indicator 3 (statewide assessment)—No information
- Indicator 4 (suspension/expulsion)—No information
- Indicator 5 (LRE)—The BIE percentage is above the national average (children intermingle with their nondisabled peers).
- Indicator 8 (parental involvement)—The BIE has a high response rate compared to other states.
- Indicator 11 (child find)—The BIE percentage is approximately 98-99 percent.
- Indicator 13 (secondary transition)—The BIE percentage rate is about 60% which is too low and not good.
- Indicator 14 (postsecondary outcomes)—There is a baseline as in the SPP.
- Indicator 15 (compliance 1 year)—No final figures on the correction of noncompliance within one-year and subsequent correction.
- Indicator 16 (complaints)—One was withdrawn. Another didn't get recorded within timeline.

The BIE has made progress. The Advisory Board will be provided an updated list of BIE-Operated and Tribally Controlled schools.

#### **Board Work on Priorities**

The Advisory Board established the following five priorities on which to focus their attention for 2011:

- **Transition and Drop Out** (Indicators 13 and 2)  
(Members: Dr. Juan Portley, Chair; Dr. Marilyn Johnson; Dr. Billie Jo Kipp; Dr. Susan Faircloth)
- **Closing the Achievement Gap (reading and math, AYP)**  
(Members: Dianne T. Owens; Sharon Belanger; Jody Brewer)
- **Parent Involvement** (Indicator 8)  
(Members: Judy Wiley, Norman Shawanokasic, Dr. Susan Faircloth)
- **Communication and Collaboration with tribes**  
(Members: Sergio Maldonado, Sr., Chair, Arlene Davis, Dolores Childs-Fullen, Dr. Billie Jo Kipp, Dr. Eugene Thompson)
- **Tiered Instruction/RTI**  
(Members: Dr. Jonathan Stout, Brian Wagner, Sharon Belanger, Dr. Juan Portley)

By the next meeting, each workgroup should complete the priority sheet and identify a chair. A DPA staff will be assigned each workgroup as a resource to provide clarification/information as needed.

#### **Part C and B Updates, IDEA, Issues, Challenges, Data**

Ms. Angela Martinez (Navajo/Shoshone), Education Specialist at DPA provided a brief overview of the BIE Early Childhood program. Handouts on child count, legal requirements, and funding were provided in the binder.

#### **Announcements and Updates**

- BIE Special Education Data Summit—April 26-28, 2011 in Albuquerque, New Mexico.
- BIE Summer Institute—June 20-24, 2011; location to be determined.
- BIE Special Education Academy—September 12-15, 2011; location to be determined.

#### **Next Steps**

1. Advice/Recommendations—acknowledge to the response of Advisory Board letter.

2. Ensure that school administrators are provided training in special education and maintain as a focus (*motion: Dianne T. Owens; second: Dr. Juan Portley; motion passed*).
3. Send the FFY 2009 Annual Performance Report (APR) to Dr. Marilyn Johnson, Dr. Juan Portley, Dolores Childs-Fullen, and Arlene Davis for their review.
4. Advice—Send complete meeting materials in advance of the meeting; separate SPP and APR.
5. Advice—Revisit the ESEA recommendations. Ms. Sue Bement to have conversation with Dr. Jeffrey Hamley on the previous recommendations submitted from the Advisory Board.
6. Acknowledge—The Board acknowledges Sue Bement’s efforts to plan and organize the meetings and serve as the DFO.
7. Recommendation—include new special education innovations in the BIE (*motion: Dolores Childs-Fullen; second: Brian Wagner*). A Native Star presentation should also be included at the next Advisory Board meeting

**Place of next meeting**

The next Advisory Board meeting is scheduled for May 5-6, 2011 at Sherman Indian High School in Riverside, California.

**Closing Prayer and Adjourn**

The meeting adjourned at 3:30 pm (*motion: Brian Wagner; second: Dianne T. Owens; motion passed*).

Respectfully



Dr. Eugene R. Thompson  
Secretary

CERTIFICATION



Dr. Billie Jo Kipp  
President