

Minutes

BIE Advisory Board for Exceptional Children Meeting
November 16–17, 2009
Miccosukee (Florida) Indian School

November 16, 2009

Attendees

Advisory Board

Tom Albano
Sharon Belanger
Josephine Brewer
Arlene Davis
Dr. Susan Faircloth
Matthew Franklin (excused 11/16-17)
Betty Groos
Dr. Marilyn Johnson
Dr. Billie Jo Kipp
Dianne T. Owens (excused 11/16-17)
Dr. Jonathan E. Stout
Dr. Eugene R. Thompson
Dr. Valann Valdason
Brian Wagner
Judy Wiley (excused 11/16-17)

DPA Staff

Sue Bement (DFO)
Gloria Yepa

Guests

John Copenhaver, TAESE
Marisa Speziani, MIS
Veronika Ramirez, MIS
Johanna Madrigal, MIS
Daniel Mayalde, MIS
Cynthia Sotiriadis, MIS
Gwen Urena, MIS
Melissa Garcia, MIS
Joy Scott, MIS
Marge Arce, MIS
Deanna Osceola, MIS
Jennie O. Billie, MIS

Welcome, Prayer, and Introduction

The Bureau of Indian Education (BIE) Advisory Board for Exceptional Children meeting was called to order at 10:15 a.m. by Dr. Billie Jo Kipp, President. Dr. Kipp is officially the appointed the president by the Secretary of the Interior. Sue Bement served as the Designated Federal Official (DFO) for today's meeting. Each Advisory Board member and guests from Miccosukee Indian School introduced themselves.

Old Business

1. Agenda—With no conflicts of interest, the agenda was accepted (*motion: Tom Albano; second: Sharon Belanger; motion passed*). There will be a working lunch today.
2. Minutes—The April/May 2009 minutes from Albuquerque, New Mexico, were accepted (*motion: Brian Wagner; second: Dr. Valann Valdason; motion passed*); the September 2009 minutes from San Diego, California, were accepted (*motion: Tom Albano; second: Brian Wagner; motion passed*).
3. Follow-Up items
 - a. Advice 1—As a result of the Office of Special Education Programs (OSEP) Verification visit and exit meeting, the acting BIE Director has added Gloria Yepa to the Senior Management Team monthly meetings. Ms. Yepa will discuss special education issues at

these monthly meetings and provide advice to the senior management team and help provide guidance to the schools.

- b. Advice 2—The motion by Dr. Valann Valdason to have TAESE present different parent survey options that have already been formalized and ensure that the Advisory Board recommends to the BIE works on changing form in a timely manner before the next SPP life was tabled until the end of the meeting tomorrow.
4. OSEP Verification Visit—The Division of Performance and Accountability (DPA) was pleased with the Advisory Board’s involvement during the recent conference call. Ms. Yepa will be sharing a copy of the post-verification visit letter.
5. Annual Report—Will be discussed tomorrow, November 17, 2009.

New Business

None

Advisory Board Ethics Training

Mr. John Copenhaver, TAESE, provided the Advisory Board Members ethics training. The ethics training consisted of a PowerPoint presentation on serving with honor—a guide on the ethics rules that apply to advisory committee members serving as special government employees. A brochure on “Serving with Honor” was read and provided to each Advisory Board member.

Sue Bement, DFO, provided additional information: federal employees serving as advisory members will have their travel arrangements made separately; if a meeting needs to be a closed meeting, it has to be so stated in advance in the federal register. This is referred to as the Sunshine Act. Two questions were posed by the members: could you close a meeting and have everyone leave and what about closing a public comment session? Ms. Bement’s role as the DFO is to help organize the meeting sites and meeting and approve the agenda. There has to be a DFO at every Advisory Board meeting.

Advisory Board Orientation

Mr. John Copenhaver provided an overview with a PowerPoint presentation that addressed roles and responsibilities of the Advisory Board. The orientation included introduction/overview, membership/responsibilities, duties, advocacy v. advisory/assist, procedures, and Advisory Board and Federal initiatives.

Public Comment

A public comment session was conducted from 1:00 to 1:30 p.m. Two comments were provided from two schools:

1. The ISEP special education Certification (audit) for SY 2009–2010 for Bogue Chitto Elementary was very favorable; parent survey is a good survey; and the school has a great program for students with disabilities. The school was advised that they can contact the BIE or other schools in their region relative to NASIS special education forms (testing, referrals, etc.).
2. School is going very well for students this year at Choctaw Central Middle School. There are 17 inclusion students.

Panel Discussion—Miccosukee Indian School

A panel discussion comprised of eight general and special education teachers and related services staff from Miccosukee Indian School presented various special education issues. These issues included the appropriateness of the parent survey and other processes that are universal in nature across all BIE-funded schools. Some of the process issues included early intervening services, student

achievement/attendance problems, inclusion for students at an earlier stage, IEP meeting with parent support, parent workshops, accommodations training for general education teachers, block scheduling, life skills curriculum, technology proficiency, drug/alcohol use by students, placement in specialized schools, home follow-up, use of data for making decisions, training on behavior modifications, alternative grade level assessments, etc. relative to special education. The panel discussion allowed for the exchange of ideas and resources between the school staff, advisory board, and the BIE.

The advisory board members provided some resources to the school staff—parent workshops for the school, including special education; having trainers come into the school; WebEx training; training at the Academy (e.g., best practices on IEP meetings); role of general educator/related services that address some of these issues presented.

BIE Special Education Director's Report

Ms. Gloria Yepa provided a report on the following:

1. OSEP Verification Visit—The OSEP verification visit occurred during November 2–5, 2009. In addition to OSEP, the Risk Management, Data Accountability Center, and Mountain Plains Regional Resource Center participated in the verification visit. A customized version of the Critical Elements Analysis Guide (CrEAG) guided OSEP in evaluating how the BIE uses its general supervision, data collection, and fiscal management systems to assess and improvement performance, student outcomes, and the protection of child and family rights. During the visit, OSEP observed a lot of progress made since the last visit.

Four issues were identified for substantial improvement:

- a. Reporting noncompliance and clarification of a finding
- b. Public reporting of local performance—how schools are performing on SPP indicators
- c. Determination criteria needs to be aligned with IDEA and develop enforcement
- d. Dispute resolution—align with IDEA regulations and disseminate to parents

In addition, four additional areas need extensive work, and technical assistance providers can help with this.

- a. Creation of a well-developed general integrated system (e.g., monitoring manual that will ensure regulations are being followed, correcting noncompliance, and how they will work together).
- b. Correction of noncompliance—clearly identifying them that also looks at the root cause, includes training and verification that noncompliance is corrected
- c. Data Systems—reliable, accurate; increased training, use of NASIS to improve programs
- d. Fiscal Accountability—ensuring that Part B funds are being used appropriately

A planning session was held with the Data Accountability Center (DAC), and they isolated eight items with timelines by December and a follow-up visit during December 9–10, 2009.

2. Office of Inspector General Audit—The BIE will respond to OSEP within 60 days (December 26, 2009) with a primary emphasis on addressing service logs.

With no additional business items for the day, the meeting recessed at 4:00 p.m. (*motion: Tom Albano; second: Sharon Belanger; motion passed*).

November 17, 2009

Dr. Billie Jo Kipp, President, reconvened the Advisory Board meeting at 8:33 a.m. Ms. Sue Bement was the DFO for today's meeting. Sharon Belanger left the meeting at 10:15 a.m.

Final Report and Recommendations from Priority Teams

1. Data—Dr. Valann Valdason reported that the three activities for the priority goal and final advice will be reworded.
2. Achievement Gap—Tom Albano reported that there are seven recommendations to the BIE. Although the BIE's effort is moving in the right direction, it's not significant. Ms. Yepa recommended that schools develop the special education committee—we have to have a working knowledge of special education; committee should know their roles and responsibilities.
3. Communication—Dr. Marilyn Johnson reported that the timelines will be amended. There are five recommendations.
4. Transition—Dr. Billie Jo Kipp reported that building the capacity to respond to transition is important. Many students are transitioning and part of the activities is to link the schools with tribal programs in their communities as highlighted in the final advice to the BIE.

Motions

The Advisory Board took action on the following motions:

1. BIE will work with Advisory Board to select a parent-friendly survey (indicator 8), acquire approval of the selected survey prior to the IDEA reauthorization (2011), and implement the selected tool for BIEs next State Performance Plan (*motion: Brian Wagner; second: Dr. Valann Valdason; motion passed*).
2. TAESE will gather current parent survey information from Arizona, New Mexico, South Dakota, and North Dakota and, based on review, determine which would be the most parent friendly for the BIE and submit to Advisory Board at next meeting (*motion: Brian Wagner; second: Dr. Valann Valdason; motion passed*).
3. The BIE-DPA Special Education will increase workshops and training for administrators, general education teachers, and teaching assistants on special education topics (*motion: Tom Albano; second: Sharon Belanger; motion passed*).
4. The Advisory Board will develop recommendations on IDEA/NCLB reauthorization that deals with special education topics on Native students (*motion: Tom Albano; Second; Sharon Belanger; motion passed*).
5. ISEP reviewers will have training on special education data collection (*motion: Arlene Davis; second: Tom Albano; motion passed*).
6. The BIE-DPA will contact line offices relative to all students with disabilities being counted during the student count week by October 30 (*motion withdrawn; no further action due to lack of second*).
7. Accept and approve reports and recommendations within each priority area (*motion: Brian Wagner; second: Tom Albano; motion approved*).

Review Advisory Board Final Report

The Annual Report is due to the U.S. Department of Education by November 30, 2009. A motion was made to approve the submittal of the annual report as prepared by the annual report work group (*motion: Tom Albano; second: Dr. Valann Valdason; motion passed*).

Setting Advisory Board Priorities for SY 2010–2011

The following was considered and discussed in preparation for the development for 2010–2011 priorities at the next Advisory Board meeting:

1. How parents get their voices heard and work collaboratively with the school
2. Mechanism/models that can be recommended to the BIE (Indicator 8—duty on emerging/promising practices) for children with disabilities
3. IEP training/workshops for best IEPs (e.g., Academy, webinars, website links, etc.)
4. How to work with general education staff (principals, teachers, etc.) identifying root causes so resources can be provided to the schools; schools have limited resources.
5. Reauthorization for special education—the BIE is not receiving State Professional Development Grant (SPDG) like other states; perhaps have a session on IEPs in the first 1.5 days of the next Academy (e.g., using data to develop IEPs and drive instruction). Perhaps school staff can help plan.

Next Advisory Board meeting

The Advisory Board will provide input on the Annual Performance Report at the next meeting. Two dates are considered pending everyone's availability: January 8–9, 2010, or January 11–12, 2010. The sites will be one of the following places: California (Noli or Sherman Indian Schools), Nevada (Pyramid Lake), or Albuquerque, New Mexico.

Special Education Academy

Dr. Eugene Thompson reported on the results of the Academy outcome evaluation of September 15–17, 2009, in San Diego, California. The average score for each of the meeting items ranged from 4.59 to 5.69 with 6 = highly effective. The evaluations were positive with many recommendations for further improvement in topic areas. The 2010 site will be determined soon with some proposals from hotel properties already coming in. A planning committee will be formed to plan the next Academy.

Next Steps

A Letter from the Advisory Board will be sent to Billy Cypress, Chairman, Miccosukee Tribe of Indians of Florida for the good work the school and staff are doing for the exceptional hospitality extended to the Advisory Board to have their meeting hosted at the Miccosukee Indian School.

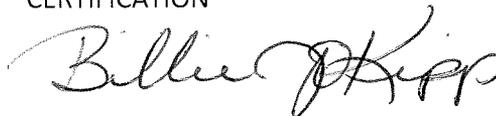
With no further business items, the meeting adjourned at 1:00 p.m. (*motion: Tom Albano; second: Brian Wagner; motion passed*).

Respectfully Submitted,



Eugene R. Thompson, Ed.D.
Advisory Board Interim Secretary

CERTIFICATION



Billie Jo Kipp, Ph.D.
Advisory Board President