

Minutes
BIE Advisory Board for Exceptional Children
Hyatt Place Albuquerque
Albuquerque, New Mexico
March 29-30, 2012

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Attendees:

Advisory Board:

Dr. Jonathan Stout
Dr. Susan Faircloth (excused 2/29-30)
Norman Shawanokasic
Dr. Billie Jo Kipp
Brian Wagner
Dolores Childs-Fullen (excused 2/29-30)
Arlene Davis (excused 2/29-30)
Dr. Juan Portley
Judy Wiley
Dr. Marilyn Johnson (excused 2/29-30)
Sergio Maldonado, Sr.
Paula Sorrell Seanez
Rosemarie Smith Dugi
Beth Ann Tepper
Luvette Russell

Division of Performance & Accountability

Sue Bement, Designated Federal Officer
Gloria Yepa-Supervisory Ed. Specialist
Stanley Holder-Acting Associate Director

Alternates:

Morgan James Peters
Rozalyn Hoff

Call to Order and Approval of Agenda

- Meeting called to order by Dr. Jonathan Stout (chair) at 8.35 am; opening prayer by Norman Shawanokasic.
- Introductions to new members-Morgan James Peters, Luvette Russell, Rosemarie Smith Dugi, Beth Ann Tepper. The full Board, DPA staff and guest introduced themselves.
- Minutes had been approved prior to posting
- Agenda approved (*motion: Billie Jo; second by unnoted board member; motion passed*).
- Nominations: Juan Portley vice chair, Judy Wiley secretary.

Charter

The Board Charter was reviewed. Charter will be sent to DC office for Secretary of the Interior for signature and filing.

By-Laws

Changes: “we are composed of 15 members”, would like to change the language to say “approximately 15 members”. In case the membership falls below that number.

By-laws approved with changes (*motion – Dr. Billie Jo Kipp; second Sergio Maldonado; motion passed*)

Old Business

- None

BIE update-Stanley Holder, Acting Associate Deputy Director

- Mr. Holder summarized the evolution of the BIE. He discussed the Bonner Report, tribal consultation, communication with tribes, the Cobell Settlement, the transient habits of our students (moving from public schools to BIE schools), and transportation issues.
- Question and Answer session with Mr. Holder. Mr. Holder answered several questions regarding the streamlining of BIE.

Recommendations by Mr. Holder

- Advisory Board participates in policy making.
- Communications with tribes is strongly encouraged.
- Connect with other agencies – NIEA, NCAI in setting up goals and objects for tribes about special education issues.
- Facility management – correlation between facility buildings and academic achievement levels. Seven million dollars for facility improvement which is flat funded this year.
- Juvenile Justice; services and identification for special education services. Support for native youth in the Juvenile Justice System.
- Advisory Board presentation at the BIE Summer Institute.

Discussion Regarding Juvenile Justice/REPP

Dr. Billie Jo Kipp reported that a UNM study showed 80 % of the young adults in the Juvenile Justice System had special education in their background. Dr. Kipp also reported that first time, minority youth offenders’, are receiving longer sentences. Brian Wagner also voiced concern regarding the unfunded mandate. Mr. Stan Holder expressed the necessity of using data to track what is happening to our young people experiencing this type of need. He is also concerned about the violation of their rights for services. Mr. Sergio Maldonado expressed his concern about children being violated and being pushed out of the education system. There was discussion regarding the process of policy changing.

Public Comment:

1. Early childhood teachers from the Fort Hall Reservation in Idaho voiced concern regarding Early Childhood Special Education (ECSE) services. The local school district has refused to provide related services for the ECSE children. Gloria Yepa, BIE, reported

that states have the responsibility to provide direct services. The district is questioning the responsibility of who provides ECSE services for children who live on the reservation. The District is using an interagency agreement to say that the tribe agrees to provide services. Mr. Wayne Ball, Mountain Plains Regional Resource Center (MPRRC), will organize a meeting with all the stakeholders for clarification of roles and responsibilities for early childhood special education services.

BIE Due Process

Narcy Ka'Won, BIE, reported on the BIE Due Process.

The Procedural Safeguards have been approved by OSEP. BIE is developing a checklist to ensure the steps in filing a Due Process complaint are followed. The BIE is also designing a Flow Chart of the process. Ms. Ka'Won reported the BIE has had five complaints this year.

BIE Special Education Supervisor's Update-Gloria Yepa

1. **Policy and Procedures** - DPA has been working on our mission statement and the responsibilities of the BIE employees. Ms. Yepa discussed the BIE Special Education Unit's role in monitoring and accountability.
2. **Monitoring Activities** -57 schools will be involved in the Focused Monitoring, Desk Audits for indicator 11 (60 high schools).
3. **Data summit**-To be held in April, and include a stakeholders group.
4. **BIE Summer institute**- Will be open to all BIE staff. Special Education Staff included on the planning are: Marilyn Johnson, Jeffry White and Gloria Yepa. Dates of event are June 11 – 13 in Denver, Colorado. 1,500 BIE participants are expected attend.
5. **Special Education Academy** – The Special Education Academy is set for September 10, 11, and 12, 2012 with a pre-conference workshop on September 10. The Location has not been decided. Meeting approval has not been received. Dr. Eugene Thompson is working on the Academy.
6. **Annual Report**-The Annual Report was submitted to the Office of Special Education Programs (OSEP) on February 1, 2012.
7. **Staff introductions:**
 - Dr. Fern Diamond – Dr. Diamond is assigned: Residential Educational Placement Program (REPP), the Special Education Integrated Monitoring Process (SEIMP), Indian Student Equalization Program (ISEP) and correction of non-compliance for school years 08 – 09.
 - Don Griffin–Mr. Griffin is assigned: Behavior/Discipline, COTR for Parent Involvement Contract, desk audits for corrections of non- compliance and Indicators 4, 5, 8, 13 and Special Education Data.
 - Connie Albert – Ms. Albert is assigned: Part B – LEA documents, desk audits for Indicator 11, Fiscal Accountability monitoring and correction of non-compliance.
 - Marcie Oliver–Ms. Oliver is assigned: assisting with monitoring, correction of non-compliance.
 - Dewayne Myers-Mr. Myers is assigned: 504 Plan.

- Dr. Marilyn Johnson-Dr. Johnson is assigned: Dropout Prevention, Transition and COTR for TA Contract
 - Dr. Eugene Thompson-Dr. Thompson is assigned: Special Education Academy planning, Data Summit planning, Lead Monitor and Indicators 15 and 2.
 - Sue Bement-Ms. Bement is assigned: Designated Federal Officer for Advisory Board, COTR for Advisory Board contract, Monitoring, Policies and Procedures, Coordinated Services Plan, Memorandum of Agreement with Indian Health Services, Dropout Prevention, and Team Lead on Correction of Non-Compliance.
 - Laura Tsosie-Ms. Tsosie is assigned Part B Application Process, Fiscal Accountability monitoring.
 - Nancy Ka'Won-Ms. Ka'Won is assigned to: Dispute Resolution, APR Indicators 11, 16, 17, 18 & 19.
 - Staff changes: Dr. Pat Abeyta retired in February, 2011. Sally Hollow Horn will retire in June, 2012.
8. **Fiscally Accountability** – Fiscal Accountability Self-Assessment (FASA) is a tool used by the Fiscal Accountability Team, comprised of BIE Special Education staff and BIE Administration staff. The FASA is used to determine if schools are using Part B funds appropriately.

Adjourn for the day.

March 30, 2012

Dr. Jonathan Stout called the meeting to order at 8:30 am

Core Standards

Jeffrey White and Maureen Lesky presented on core standards.
www.corestandard.com

Waiver (No Child Left Behind)

The BIE is applying for the NCLB waiver. Dr. Jeff Hamley has been assigned as the lead.

Annual Performance Report

Jeffrey White from the BIE Data Unit, presented on the Annual Performance Report (APR).

Levels of Determination

Dr. Eugene Thompson presented on the Levels of Determination. Dr. Thompson also reported on the upcoming Data Summit.

Priority Work Group

Priority areas:

The Board established the following three priorities on which to focus their attention for 2012 – 2013. Workgroups gathered to discuss appointing a chair for the group and timelines for activities.

Priority areas are identified as the following:

1. Achievement Gap/Results-Outcomes:

Members: Dr. Jonathan Stout, Luvette Russell, Rosemarie, Dr. Susan Faircloth, and Delores Childs-Fullen.

2. Communication with Tribes:

Members: Sergio Maldonado, Norman Shawanokasic, Paula Seanez, Arlene Davis and Judy Wiley.

3. Transition:

Members: Juan Portley, Beth Tepper, Brian Wagner, Dr. Billie Jo Kipp, and Dr. Marilyn Johnson.

Recommendations:

- Retain a contractor to assist in the operations of the Advisory Board.
- Board involvement in development of the flexibility waiver – for the goals in No Child Left Behind. Development of a unitary standards, curriculum, and assessment tools. Standards that lead to the development of curriculum.
- A suggestion to offer CEUs for attending the BIE Webinar trainings. More incentives to attend, also prior notification of date, time and topic of webinar in a timely manner.
- Letter to the Secretary of the Interior or BIE Director regarding streamlining of the Division of Performance and Accountability (DPA).

Next Meeting:

The next Advisory Board meeting is scheduled for June 3 - 4, 2012, at Albuquerque, New Mexico. The meeting will be held at the Hyatt Place Uptown.

Adjourn

The meeting was adjourned at 4:00 p.m. Motion to adjourn made by Dr. Juan Portley; Second by Dr. Billie Jo Kipp. Motion Passed. Meeting Adjourned.

Respectfully,



Judy Wiley

CERTIFICATION



Dr. Jonathan Stout
President