

Minutes

BIE Advisory Board for Exceptional Children
Hyatt Regency Tampa
201 Tampa Street
Tampa, Florida
September 11-12, 2011

September 11, 2011

Attendees

Advisory Board

Sharon Belanger
Josephine Brewer
Arlene Davis
Dr. Susan Faircloth
Dolores Childs-Fullen
Dr. Marilyn Johnson
Dr. Billie Jo Kipp (excused 9/11-12))
Sergio Maldonado (excused 9/11-12)
Dr. Juan Portley
Norman Shawanokasic
Dr. Jonathan Stout
Dr. Eugene R. Thompson (excused 9/12)
Brian Wagner
Judy Wiley

Division of Performance & Accountability

Sue Bement, Designated Federal Officer
Connie Albert
Sally Hollow Horn
Laura Tsosie
Gloria Yepa
Gay Leia King (9/12)
Stanley Holder

Call to Order and Approval of Agenda

- Meeting called to order by Dr. Jonathan Stout (acting chair) at 6:00 pm.; opening prayer by Dr. Marilyn Johnson.
- Agenda approved (*motion: Sharon Belanger; second: Dr. Juan Portley; motion passed*).
- Advisory Board nomination form will be posted on BIE website within the next 10-15 days

Old Business

- Advisory Board should be diligent in responding to draft of minutes.
- Advisory Board letter to Larry Echo Hawk--Advisory Board should be apprised before it's sent so it reflects the board's position.
- Training for school administrators was addressed at the Summer Institute and 2011 Academy.
- Letter from BIE Director to the Institute of Education Science needs to be revisited.
- The Advisory Board appreciate advisory packet being received in advance.
- A presentation on Native State was made to the Advisory Board at the May 2011 meeting.
- Annual Report--Each committee must submit their final priority to Sue Bement. A motion was made to delay action on Priority 4 (communication and collaboration with Tribes) and make it a number one priority next year (*motion: Brian Wagner; second--Sharon Belanger; motion passed 9-1*). Board will provide input on emerging issues.

Special Education Director's Report --Gloria Yepa

1. The State Performance Plan (SPP) was submitted to OSEP. BIE received a Needs Assistance (2 consecutive years) level of determination. The BIE must access technical assistance and demonstrate changes as a result of accessing technical assistance for Indicator 3c--proficiency rate, Indicator 15--timely correction of noncompliance; and Indicator 20--timely submission of data. Workgroups for the APR have started and the APR will be submitted by February 1, 2012.
2. Correction of Noncompliance--Schools must correct individual student findings and correctly implement the specific regulatory requirements of IDEA.
3. Indicator 2, 3b, 3c, 5a, 5b, 8, targets were met. The following indicator targets were not met: 4, 11, 13, 14, 15, 16, and 20.
4. Jeffry White, Eugene Thompson, and Donald Griffin have been working on proposed changes to State Performance Plan (SPP) as follows:
 - Indicator 1 (graduation rate)--a recommendation is to change the measurable and rigorous target from reducing the gap between non-disabled and disabled peers to increasing the graduation rate.
 - Indicator 3a (AYP)--Change the target from having 8 more schools than the baseline achieve AYP for the students with disability subgroup to increasing the percent of the students with disability subgroup at each school who make AYP. The current percentage will be calculated for this next APR and will be used as a baseline for the following years. The BIE will set a goal of increasing the percent by 3% yearly based upon the previous year's percentage.
 - Indicator 3b (participation rate)--this should be left alone.
 - Indicator 3c (proficiency rate)--Change the target from reducing the gap between students to increasing the percentage of students with disabilities achieving at the proficient or advanced level by .5% based upon the previous year's percentage. The current percentage will be calculated for this next APR and will be used as a baseline for the following years.
 - Indicator 5 (LRE Placement)--Change the target for the percent of children with IEPs served in separate school, residential facilities or homebound/hospital placements to .75%.
5. Due Process hearings adjudicated--one complaint was remediated; 4 mediations were resolved. The major challenge is trying to get a contract through acquisitions. The BIE is not meeting the required timelines.
6. SEIMP focused monitoring--58 schools have been selected for on-site visits with a focus on academic performance. Schools are not uploading required signature/date documents so verification of correction can be done for SY 2008-2009 and SY 2009-2010 findings.

Fiscal Accountability

- Laura Tsosie and Sally Hollow Horn reported that 8 schools (5 BIE and 3 grant schools) were monitored from February to July 2011.

The meeting recessed at 8:05 pm.

September 12, 2011

Dr. Jonathan Stout presided over the meeting in the absence of Dr. Billie Jo Kipp.

Residential Education Placement Program (REPP)--The funding has been taken out of 2012 budget. The Advisory Board can advise for the restoration of funds for the 2013 budget.

Striving Readers--The BIE has applied for a Striving Readers grant. A literacy plan will be developed that will include baby FACE and other programs.

BIE Reads – The funding from the Interior has ended.

Math Counts--The Education Enhancement plans with instruction, tutoring and other activities keep students on grade level.

No Child Left Behind (NCLB) Waiver--If the Special Education Advisory Board hasn't made comment on the NCLB, it is recommended they do so since the BIE is not really involved in the dialogue with the U.S. Department of Education relative to educational delivery and funding. T

Parent involvement and engagement--There should not be a sense of hopelessness.

Early Childhood funds--The fund go directly to the Tribes.

Monitoring Process--The role of Section 504 and Section 121 for vocational rehabilitation services needs to be recognized. There is also a need to address transition from high school and juvenile detention centers to post-secondary options.

Acquisitions. There is a need to streamline the acquisition process so that services for students are delayed and denied. The BIE does not currently have its own Human Resources or Acquisition services. The Advisory Board did advise for services previously, however, do not know what has happened since.

Northwest Evaluation Association (NWEA) – Gaye Leia King

- All BIE-operated schools are required to use NWEA (MAPS-Measures of Academic Progress) and Tribally Controlled Schools are recommended to use it. The BIE pays for professional development and schools pay for the use of the MAPS. If schools are participating in BIE reading or math programs, they are required to use NWEA.
- The NWEA MAPS is a way for schools to maintain their data.
- Growth measures are used to inform instruction, adjust curriculum, and evaluate programs.
- The RIT (Rasch Unit) Scale characteristics include achievement scale, equal intervals, measures longitudinal growth, grade independent, and children measured individually.
- Class RIT scores are obtained along with area of instructional needs; the Des Cartes feature of NWEA addresses instructional needs.
- Pivot tables can be used to identify areas of need by school and ELOs. When students are aware of the measures, they are more likely to be engaged in their own learning.
- The national norm is 70% and the BIE norm is 45%

Public Comment (Teleconference)

1. **Choctaw School District** has 8 schools with an enrollment of 2000 students. Inclusion is implemented and tutoring is provided for all students. A transition specialist provides support for transition from elementary school to High School. Occupational training programs include

culinary arts, carpentry and collaboration with Choctaw VR program to train and place students. Three types of diplomas are awarded--regular diploma, Occupational, and certificate of attendance.

2. **Lower Brule Alcohol & Drug Program**--no comment
3. **Crow Creek area**--their query surrounded whether the REPP was going to be funded. The DPA special education director responded that her office will continue to work closely with the two REPP staff in North Dakota and New Mexico.
4. **South Dakota Indian Education Director**--the Director commented that funding is also a challenge at the state level; however, working collaboratively with various agencies will be key.
5. **South Dakota Protection and Advocacy**--Recommend efforts to advocate for the funds. Children have intense needs (e.g., behavioral challenges).

Dropout Prevention Initiative --A PowerPoint presentation on the BIE Dropout Prevention Initiative was delivered by Dr. Covington-Smith.

Fiscal Accountability--Sally Hollow Horn and Laura Tsosie

- The BIE's website has information on Part B allowable costs and a guide was adapted from University of Wisconsin.
- Guidelines should be checked or vetted by the fiscal staff.
- There is concern that some practices may violate the fiscal practices.
- Schools need to recognize that Special Education funds are supplemental.
- Recommendation: Request tribal support for restoration of REPP funds.

Advisory Board travel--In view of professional, personal, and family responsibilities, Board members requested that they be consulted before travel arrangements are finalized.

Data Collection--Data collection and analysis is an ongoing issue.

BIE Director's Report--Keith Moore, Director and Brian Drapeaux, BIE Chief of Staff

1. **REPP**--Concerned about the educational funding of students with needs. Some programs in North Dakota will not contract with the BIE for educational services due to delay in funding.
2. **Contracts and Acquisitions**--Impacts constituent groups of: (a) students/services, (b) staff, (c) Advisory board members have had to fund their travel costs to attend meetings.
3. **Evaluation of BIE**--The BIE needs to have control of its own administrative functions. Currently working on resolving issues by raising the education issues and to eliminate doing it the same way. Tiger Teams have been established to support development of contracts.
4. **Hiring**--Meeting have been held with the security teams to expedite the hiring process to two weeks and reduce impact on schools. Unfortunately, education is not a priority although it comprises 40% of the BIA. The DASEM comprises of Human Resources, Personnel, and Information Technology, which is not controlled by BIE and does not answer to the BIE Director. There may be some restructuring after the report is done.
5. **Fiscal Accountability**--14 schools owe the federal government \$20 million and may have to use other funds to pay back. A concern in the Senate was about culture and language. \$21 million was allocated to schools this past year. A greater question should be what was done with the money. Number 1 issue is whether funding should be available for Tribal Departments of Education.

Next Meeting--The next meeting will be January 11-12, 2012 in Albuquerque, New Mexico.

The meeting adjourned at 5:04 pm (*motion: Judy Wiley; second: Norman Shawanokasic ; motion passed unanimously*).

Respectfully submitted



Eugene R. Thompson, Ed.D.

Secretary

CERTIFICATION



Billie Jo Kipp, Ph.D.

Chair