



**Havasupai Elementary School
Initial 90-Day Work Plan
March-June 2024**

Background and Overview

In February 2024, the Department of the Interior, Bureau of Indian Education (DOI, BIE) conducted and submitted an [initial assessment](#) of the educational programming at the Havasupai Elementary School (HES) to determine programmatic compliance with 13 regulatory requirements in direct response to requirements of the Stephen C. Remand Settlement (Stephen C., et al. v. Bureau of Indian Education, et al., No. 3:17-cv-08004-SPL (D. Ariz.)) (hereinafter “Settlement Agreement”). Those regulations include 25 C.F.R. §§ 36.11, 36.20, 36.21, 36.22, 36.23, 36.30, 36.31, 36.40, 36.41, 36.42, 36.43, 36.50, 36.51.

Under Section B of the [Settlement Agreement](#), the DOI, BIE was responsible for the creation of a Compliance Specialist Position. The responsibilities of the Compliance Specialist include overseeing implementation of new or existing measures at HES that are related to compliance with the 13 regulations at issue (Section B-1). Additionally, the Compliance Specialist is responsible for issuing an initial assessment of BIE’s compliance with the 13 regulations within three months of the date on which the Compliance Officer assumed the position (Section B-2). The [initial assessment](#) was completed on February 12, 2024 and is available at <https://www.bie.edu/landing-page/havasupai-elementary-school>.

Under section B-2-b, of the Settlement agreement, within thirty (30) days of the initial assessment, the Compliance Specialist will draft a written work plan for complying with the 13 regulations at issue. The completion date for the initial written work plan is March 13, 2024.

Havasupai Elementary School 90-Day Work Plan

The intent of this initial 90-day work plan is to foster transparency and accountability by setting forth a timeline and identifying deliverables, responsible parties, and stakeholders integral in the development of future compliance plans. These work plans will be informed by meaningful consultation with HES students, families, staff, community members, and the Tribal Council. The Compliance Specialist will be responsible for updating the work plan to further the goal of the HES’ compliance with the 13 regulations. This will include recommendations regarding any expenditures outside of the existing HES budget that would be necessary to bring HES into full compliance with the 13 regulations. The Compliance Specialist will exercise professional judgment to integrate technical assistance into the work plan. The work plan will be updated on an ongoing basis and posted on the BIE website every 90 days from the date this initial work plan is posted. The work plan, in tandem with the initial assessment, will provide details of the scope of work for BIE to ensure compliance with the 13 regulations. The work plan will be revisited and updated every 90 days. The next 90-day work plan, to be published in July 2024, will include specific priorities, key performance indicators, roles and responsibilities, and resources needed to ensure success of the work. Our vision is to go beyond compliance to ensure that each student experiences a high-quality education, so they are prepared for high school, college, career, and community life. Following are key dates and activities of the work plan and progress reports from spring 2024 to spring 2025.

To inquire about this work plan please contact Ms. Frances Chretien at frances.chretien@bie.edu or (771) 233-7521.

HES Work Plan Timeline and Activities

TIMELINE	ACTIVITY	RESPONSIBILITY
March 13, 2024	Draft initial 90-day work plan	Compliance Specialist, BIE
March 22 - 29, 2024	Opportunity to review and comment on initial 90-day work plan	Assistant Secretary-Indian Affairs, BIE Director, Facilitator, Plaintiffs, Havasupai Tribal Council
March 30 – April 5, 2024	Incorporate reviewer edits	Compliance Specialist, BIE
April 12, 2024	Post initial 90-day work plan at Havasupai Elementary School Bureau of Indian Education (bie.edu)	Compliance Specialist, BIE, and BIE Communications Director
June 10, 2024 September 5, 2024 December 5, 2024	Update work plan following consultation with HES staff, parents, community members	Compliance Specialist, BIE
June 19 – June 26, 2024 September 12 – September 19, 2024 December 12 – 19, 2024	Opportunity to review and comment on 90-day work plan	Assistant Secretary-Indian Affairs, BIE Director, Facilitator, Plaintiffs, Havasupai Tribal Council
June 27 – July 5, 2024 September 20 – September 27, 2024 December 20 – December 27, 2024	Incorporate reviewer edits	Compliance Specialist, BIE
July 11, 2024 October 9, 2024 January 7, 2025	Post 90-day work plan at Havasupai Elementary School Bureau of Indian Education (bie.edu)	Compliance Specialist, BIE, and BIE Communications Director

February 11, 2025	Issue draft annual report on the status of BIE's compliance with 13 regulations at issue	Compliance Specialist, BIE
February 14 – February 21, 2025	Opportunity to review and comment on the annual report	Assistant Secretary-Indian Affairs, BIE Director
February 21- February 28, 2025	Opportunity to review and comment on the annual report	Facilitator, Plaintiffs, Havasupai Tribal Council
March 3 – March 7, 2025	Incorporate reviewer edits	Compliance Specialist, BIE
March 13, 2025	Post annual report at Havasupai Elementary School Bureau of Indian Education (bie.edu)	Compliance Specialist, BIE, and BIE Communications Director

Havasupai Elementary School Work Plan Timeline

The following table outlines the work of the first 90 days in the HES work plan:

Task	Objective	Deliverables	Timeline
Phase I			
Review Initial Assessment Identify Needs, Priorities, Assets, and Resources	Identify the short, medium, and long-term needs and priorities to be addressed to come into full compliance with the 13 regulations. Identify root causes and barriers. Identify assets and resources to meet needs.	Conduct in-person and virtual meetings with Tribal Council, HES principal, BIE Compliance Specialist, and BIE Facilitator. Interviews/focus groups with Tribal Council, Havasupai students and families, HES staff, and ADD-BOS Education Specialists.	30-60 days
Analysis		Community questionnaires.	60-90 days
Define short, medium, and long-term strategic priorities	Co-develop an action plan for addressing needs related to compliance with the 13 regulations that includes specific priorities, deadlines, resources, and responsible parties.	90-day action plan for addressing needs related to compliance with the 13 regulations that includes specific priorities, deadlines, resources, and responsible parties.	60-90 days

Ongoing			
Community Engagement	Engagement between HES staff, student families, Tribal Council, tribal community members, and BIE staff to improve relationships that benefit students.	Weekly (HES status with BIE). Monthly site visits. Quarterly (BIE, HES staff, and volunteers).	Ongoing
Evaluation and Reporting	Ensure that relationships are productive and modify approaches as needed.	Work plan (90 days) Annual report	Ongoing

Summary of HES Initial Assessment Report

Following is a summary of the results of the Havasupai Elementary School Initial Assessment Report. The work plan will focus on the areas of non-compliance. The full report can be found at [HES Initial Assessment Report](#).

25 CFR § 36.11, Standard II for Administrative Requirements falls under Subpart B – Educational Management.			
	Requirement Met	Non-Compliance	Not Applicable
§36.11(a)(1) – Student to Staffing Ratio in Self-Contained Classrooms			X
§36.11(a)(2) – Student to Staffing Ratio in Multi-Grade Classrooms		X	
§36.11(a)(3) – Daily Teaching Load in Departmentalized Classrooms			X
§36.11(a)(4) – Waiver for Exceeding the Student to Staff Ratio		X	
§36.11(a)(5) – Substitute Teacher or Non-Certified Teacher Requirements		X	
§36.11(b) – School Enrollment and Attendance Policy		X	
§36.11(c) – Immunization		X	

25 CFR § 36.20, Standard V for Minimum Academic Programs/ School Calendar falls under Subpart C – Minimum Program of Instruction.			
	Requirement Met	Non-Compliance	Not Applicable
§36.20(a) – Early Dismissal Procedures for Counting School Day	X		
§36.20(b) – Multi-culture and multi-ethnic dimensions within the educational program		X	
§36.20(b)(1) – Assessment of the English & Native Language ability of students		X	
§36.20(b)(2) – Native culture in all curriculum areas		X	
§36.20(b)(3) – Assessment of student learning styles to inform instruction		X	
§36.20(b)(4) – Minimum field trip per child per year	X		
§36.20(c) – Intraschool programs from beginning to end of School Year		X	

25 CFR § 36.21, Standard VI - Kindergarten Instructional Program falls under Subpart C – Minimum Program of Instruction.			
	Requirement Met	Non-Compliance	Not Applicable
§36.21(a) – Kindergarten Curriculum emphasize language development, native language, and requirements of Paragraph b & assisting children in developing positive feelings		X	
§36.21(a) – Kindergarten Curriculum assists children in developing positive feelings towards self	X		

§36.21(b)(1) – Kindergarten Instructional Program includes: Language (observing, listening, speaking).	X		
§36.21(b)(2) - Kindergarten Instructional Program includes: (2) Exploration of the environment (number, space and time relationships, natural science).		X	
§36.21(b)(3) - Kindergarten Instructional Program includes: (3) Psychomotor and socialization development.		X	
§36.21(b)(4) – Kindergarten Instruction Program includes: (4) Development of imaginative and creative tendencies.		X	
§36.21(b)(5) - – Kindergarten Instruction Program includes: (5) Health education inclusive of the requirements contained in the Act of May 20, 1886, <u>24 Stat. 69</u>		X	

25 CFR § 36.22, Standard VII – Elementary Instructional Program falls under Subpart C – Minimum Program of Instruction.

	Requirement Met	Non-Compliance	Not Applicable
§36.22(a)(1) – Elementary Instruction Program shall include: (1) Language arts.	X		
36.22(a)(2) – Elementary Instruction Program shall include: (2) Mathematics.		X	
§36.22(a)(3) – Elementary Instruction Program shall include: (3) Social Studies.		X	
§36.22(a)(4) – Elementary Instruction Program shall include: (4) Sciences.		X	
§36.22(a)(5) – Elementary Instruction Program shall include: (5) Fine Arts		X	
§36.22(a)(6) – Elementary Instruction Program shall include: (6) Physical Education.	X		
§36.22(b)(1) – School shall integrate content area into curriculum: (1) Career.		X	
§36.22(b)(2) – School shall integrate content area into curriculum: (2) Environmental and Safety Education.		X	
§36.22(b)(3) – School shall integrate content area into curriculum: (3) Health Education.		X	
§36.22(b)(4) – School shall integrate content area into curriculum: (4) Metric Education.		X	
§36.22(b)(5) – School shall integrate content area into curriculum: (3) Computer Literacy.		X	

25 CFR § 36.23, Standard VIII – Junior High/Middle School Instructional Program falls under Subpart C – Minimum Program of Instruction.

	Requirement Met	Non-Compliance	Not Applicable
§36.23(a) – Instruction Program Philosophy and a progressive development from elementary program to the secondary program.		X	
§36.23(b)(1) – Curriculum shall include required instruction content: (1) Language Arts.	X		
§36.23(b)(2) – Curriculum shall include required instruction content: (2) Social Studies.		X	
§36.23(b)(3) – Curriculum shall include required instruction content: (3) Mathematics.		X	
§36.23(b)(4) – Curriculum shall include required instruction content: (4) Science.		X	

§36.23(b)(5) – Curriculum shall include required instruction content: (5) Fine Arts and Practical Arts.		X	
§36.23(b)(6) – Curriculum shall include required instruction content: (6) Computer Literacy.		X	
§36.23(b)(7) – Curriculum shall include required instruction content: (7) Physical Education.	X		
§36.23(c)(1) – Content area shall be integrated into curriculum: (1) Career Exploration and Orientation.		X	
§36.23(c)(2) – Content area shall be integrated into curriculum: (2) Environmental and Safety Education.		X	
§36.23(c)(3) – Content area shall be integrated into curriculum: (3) Metric Education.		X	
§36.23(c)(4) – Content area shall be integrated into curriculum: (4) Consumer Economics.		X	
§36.23(c)(5) – Content area shall be integrated into curriculum: (5) Health Education.		X	
§36.23(d) - Languages other than English are encouraged to be offered as a content area.	X		
§36.23(e) - Laboratory or vocational exploration class.			X

25 CFR § 36.30, Standard X – Grading Requirements falls under Subpart D – Student Instruction Evaluation.

	Requirement Met	Non-Compliance	Not Applicable
§36.30(a) – Uniform Grading System assesses student’s mastery of prescribed objectives.		X	
§36.30(b) – Information derived from student instructional evaluations shall be shared with the student and with the parents.		X	
§36.30(c) – Parent/Teacher conferences focused on student’s instructional progress shall be held.	X		
§36.30(d)(1-3) – Report card shall (1) Recommendations and probable promotion status; (2) Appropriate signatures and request for return of report cards; and (3) Student attendance record.		X	
§36.30(e) - A summary of each year's final card shall become part of the student's permanent school record.	X		

25 CFR § 36.31, Standard XI – Student Promotion Requirements falls under Subpart D – Student Instruction Evaluation.

	Requirement Met	Non-Compliance	Not Applicable
§36.31 – Establish and implement a Promotion Policy which shall be submitted to and approved by the local school board and Area Education Program Administrator.		X	
§36.31(a) – Each grade minimum criterion for student promotion based primarily on measurable mastery of the instructional objectives.		X	
§36.31(b) - Criterion-referenced tests that evaluate student skills shall be utilized for measuring the mastery of instructional objectives.		X	

§36.31(c) A student who has not participated, either directly or through approved alternative instructional methods or programs, in a minimum of 160 instructional <u>days</u> per academic term or 80 instructional <u>days</u> per semester without a written excused absence shall not be promoted.			X
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25 CFR § 36.40, Standard XIII – Library/media program falls under Subpart E – Instructional Support.

	Requirement Met	Non-Compliance	Not Applicable
§36.40(a) – Shall provide a library/media program that meets the applicable state and/or regional standards.		X	
§36.40(a)(1) – Written set of instructional and service objectives shall be established with the librarian/media specialist with students and staff.		X	
§36.40(a)(2) - A written policy for the selection of materials and equipment shall be developed by a library committee and approved by the school board.		X	
§36.40(a)(2)(i)(A-C) - A collection of books suitable for the range of student abilities and interests being served meet ADM ratios.		X	
§36.40(a)(2)(ii) - Eight (8) to 12 percent of the basic collection must be composed of reference books, currently relevant and in a state of good physical condition, for practical use.		X	
§36.40(a)(2)(iii) - A periodical collection, suitable for the range of student abilities and interests being served, consisting of one (1) periodical for every ten (10) students, shall be maintained.		X	
§36.40(a)(2)(iv) - A professional collection for the school staff shall be developed and maintained by the librarian in cooperation with a faculty committee.		X	
§36.40(a)(2)(v) - A variety of audio-visual materials, suitable for the range of instruction being provided, of at least 750 items or five (5) items for each student, whichever is larger, and inclusive of materials located in the classrooms shall be maintained.		X	
§36.40(a)(3) - There shall be a library media center serviced by a librarian.		X	
§36.40(a)(4) - All libraries must conduct an annual inventory of available books, materials, and equipment in accordance with the acquisitions and selection policies.		X	

25 CFR § 36.41, Standard XIV – Textbooks falls under Subpart E – Instructional Support.

	Requirement Met	Non-Compliance	Not Applicable
§36.41(a) Each school shall establish a textbook review committee composed of teachers, parents, and students, and school board members.		X	
§36.41(b)(1-3) The textbook review committee shall establish a procedure and criteria for the annual review of textbooks and other materials used to complement instruction.		X	
§36.41(c) Each school shall equitably distribute instructional materials to all classrooms.		X	

25 CFR § 36.42, Standard XV – Counseling Services falls under Subpart E – Instructional Support.			
	Requirement Met	Non-Compliance	Not Applicable
§36.42 - Each school shall offer student counseling services concerned with physical, social, emotional, intellectual, and vocational growth for each individual. Counseling services shall be included in a school-wide assessment program.		X	
§36.42(a) - Each Agency and Area, as appropriate, shall institute and supervise an assessment program for its schools in order to provide for the objective assessment of student academic performance.		X	
§36.42(a)(1) - Each Spring, schools shall conduct testing for grades 4, 8, and 12 using a current version of a standardized academic achievement test based upon the national assessment standards designed to assess higher order thinking skills.		X	
§36.42(a)(2) - Schools shall use some form of performance-based or authentic assessment in addition to standardized achievement testing.		X	
§36.42(a)(3) - Each school shall report the summative results of its assessment program to its respective Agency or Area, as appropriate, and its school board.		X	
§36.42(a)(4) - Parents/guardians shall be informed of their children's assessment results and provided with an explanation and interpretation to ensure adequate understanding of the results.		X	
§36.42(a)(5) - Each school's instructional program shall establish an ongoing student academic assessment program to ensure that defined assessment procedures are in place.		X	
§36.42(a)(6) - Each Agency and Area, as appropriate, shall report the results of each school's formal Spring tests to the Office of Indian Education Programs by August 1 of each year.		X	
§36.42(b)(1) - The counseling program shall provide the following: Each school having a minimum school ADM of 200 students shall make provisions for the full-time professional services of a counselor, and each school enrolling fewer than 200 students shall make provisions for a part-time professional counselor.	X		
§36.42(b)(2) - The counseling program shall provide the following: The counselors shall be familiar with the unique tribal, social, and economic characteristics of students.	X		
§36.42(b)(3)(i) - The counseling program shall contain the following: A written referral process		X	
§36.42(b)(3)(ii) - The counseling program shall contain the following: Counseling techniques and documentation procedures to provide for the career, academic, social, and personal needs of the students which are based on the cultural beliefs and values of the students being served.		X	
§36.42(b)(3)(iii) - The counseling program shall contain the following: Preventative and crisis counseling on both individual and group bases	X		
§36.42(b)(3)(iv) - The counseling program shall contain the following: Confidentiality and security of counseling records for each student; and		X	

§36.42(b)(3)(v) - The counseling program shall contain the following: Design and implementation of orientation programs to facilitate the pupil's transition from elementary to junior high/middle school and from junior high/middle school to high school.		X	
§36.42(b)(3)(vi) - The counseling program shall contain the following: Each junior or middle school and high school student shall receive academic counseling a minimum of twice yearly during which time the counselor shall assist the student in developing a written academic and career plan based on ability, aptitude, and interests.		X	
§36.42(b)(3)(vii) - The counseling program shall contain the following: Each high school counseling program shall be required to have on file for each student a planned academic program of studies which is available from the regular course offerings of the school to meet the student's career objectives and which will show that the student has received counseling.			X

25 CFR § 36.43, Standard XVI – Student Activities falls under Subpart E – Instructional Support.

	Requirement Met	Non-Compliance	Not Applicable
§36.43 - All schools shall provide and maintain a well-balanced student activities program based on assessment of both student and program needs.		X	
§36.43(a) - All student activities shall be required to have qualified sponsors and be approved by the school supervisor, and the school board shall approve the overall activity plan.		X	
§36.43(b) - A plan of student activity operations shall be submitted, by each activity at the beginning of each school year, to the school supervisor.		X	
§36.43(c) - School may participate in interscholastic sports and activities on an informal or formal basis.			X
§36.43(d) - Until comparable competitive opportunities are provided to all students, regardless of sex, no student shall be barred from participation in interscholastic competition in noncontact sports except on the basis of individual merit.			X
§36.43(e) - Residential schools shall plan and provide an intramural program for all students. The program shall include a variety of scholastic and sport activities.			X
§36.43(f) - Students shall be involved only in activities which are sanctioned by the school.	X		
§36.43(g) - All student activities involved only in fundraising are required to establish a school/student activity bank account following school/student banking procedures outlined under 25 CFR 31.7.			X
§36.43(h) - The school shall provide for the safety and welfare of students participating in school-sponsored activities.		X	
§36.43(i) - Each sponsor of a student activity will be given orientation and training covering the responsibilities of a sponsor by the school supervisor.		X	

25 CFR § 36.50, Standard XVII – School Program evaluation and needs assessment falls under Subpart F – Evaluation of Educational Standards.

	Requirement Met	Non-Compliance	Not Applicable
§ 36.50- Each school shall complete a formal, formative evaluation at least once every seven (7) years beginning no later than the second complete school year following the effective dates of this part.	X		
§ 36.50(a)- Each <u>school</u> 's evaluation design or model will provide objective and quantitative analysis of each area to be evaluated.	X		
§ 36.50(b)- The Director, within six (6) months from the effective date of this part, shall distribute to each school, Agency, or Areas appropriate, a standardized needs assessment and evaluation instrument with guidelines for developing and applying a locally appropriate evaluation model for carrying out the requirements of this standard.	X		

25 CFR § 36.51, Standard XVIII – Office of Indian Education Programs and Agency Monitoring and Evaluation Responsibilities falls under Subpart F - Evaluation of Educational Standards.			
	Requirement Met	Non-Compliance	Not Applicable
§36.51(a)- The Office of Indian Education Programs shall monitor and evaluate the conformance of each <u>Agency</u> or Area, as appropriate, and its <u>schools</u> with the requirements of this part.		X	
§36.51(b)- Each <u>Agency</u> or Area, as appropriate, in conjunction with its <u>school board</u> shall monitor and evaluate the conformance of its <u>school</u> with the requirements of this part through an annual onsite evaluation involving one-third of the <u>schools</u> annually, thereby monitoring onsite each <u>school</u> at least once every three (3) years.		X	
§36.51(c)- Schools, Agencies, and Areas shall keep such records and submit to the responsible official or designee accurate reports at such times, in such form, and containing such information as determined by that official to be necessary to ascertain conformance with the requirements of this part.		X	
§36.51(d)- <u>Schools</u> , Agencies, and Areas shall permit access for examination purposes by the responsible official, or any duly authorized designee, to any <u>school</u> records and other sources of information which are related or pertinent to the requirements of this part.	X		
§36.51(e)- The Office of Indian Education Programs, Agency Superintendent for Education, or Area Education Programs Administrator, as appropriate, shall annually conduct a summative evaluation to assess the degree to which each Bureau educational policy and administrative procedure assists or hinders schools in complying with the requirements of this part.		X	