

**Draft Proposal to Redesign the U.S. Department of the Interior’s Bureau of Indian Education**

**Preliminary Findings and Recommendations Prepared by the American Indian Education Study Group for Purposes of Tribal Consultation**

**WORKING DRAFT FOR PURPOSES OF TRIBAL CONSULTATION**

**Date: April 17, 2014**

Education is how we lift people from poverty to a bright future... Poverty is an enormous problem as we’ve heard here today. The only way to lift people out of poverty is to give them an education that honors their culture, their identity, and who they are as human beings.

-Secretary of the Interior Sally Jewell

The President and I believe the future of Indian Country rests on ensuring that your children receive a high-quality education. Improving academic outcomes for Native American children has never been more important. Unfortunately, too many Native American children are not receiving an education that prepares them for college and career success, too few of them are going to college, and far too many of them drop out of high school. We need to do better.

-Secretary of Education Arne Duncan

If we’re going to be in control of our destiny, then we have to be in control of our own education.

-Everett Chavez, Governor, Pueblo of Kewa

**I. American Indian Education Study Group: Background and Objectives**

After several discussions with tribal leaders regarding systemic issues within the Department of the Interior’s Bureau of Indian Education (BIE), in September 2013, Secretary of the Interior Jewell and Secretary of Education Arne Duncan appointed the American Indian Education Study Group (Study Group) to diagnose the causes of chronic academic failure in BIE-funded schools, one of the lowest-performing set of schools in the country. Charged with developing and implementing recommendations to transform the BIE, the make-up of the Study Group combines management, legal, education, and tribal expertise and ensures that the Study Group’s recommendations are grounded in a comprehensive, institutional understanding of how schools work, how effective teaching and learning occur, and American Indian affairs.<sup>1</sup>

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<sup>1</sup>The Study Group is chaired by the Assistant Secretary of Indian Affairs, Kevin Washburn, and members include Charles Roessel, the Director of Bureau of Indian Education; William Mendoza, Executive Director of the White House Initiative on American Indian and Alaska Native Education; Charles Rose, former General Counsel of the U.S. Department of Education; Marilee Fitzgerald, former Director of the Department of Defense Education Agency; Kenneth Wong, Chair and Professor of the Department of Education at Brown University; and Don Yu, Special Advisor to Secretary Duncan.

## *Draft Report for Purpose of Tribal Consultation – April 17, 2014*

Based on extensive listening sessions with tribal leaders, educators, and community members across Indian Country, and analysis on a wide range of primary and secondary data, the Study Group proposes to tribal leaders a redesigned BIE that reflects its gradual evolution from a direct provider of education to a capacity-builder and service-provider to tribes. This proposed redesign will promote three interrelated goals:

### ***Promote Tribal Control***

- Align BIE's path forward with President Obama's policy of self-determination for tribes because tribes understand the unique needs of their communities best
- With a careful transition plan in place, gradually transform BIE's mission from running schools to serving tribes to conform with reality that most BIE schools are now operated by tribes

### ***Achieve High-Performing Schools***

- Ensure BIE meets its responsibility that all students attending BIE-funded schools receive a world-class and culturally appropriate education, are prepared for college and careers, and can contribute to their tribe and country
- Provide necessary resources and support (e.g., facilities and human capital) to schools so that they can meet the demands of 21<sup>st</sup> century teaching and learning

### ***Increase and Improve Services and Support that Tribal Build Capacity***

- Scale up best practices in successful tribally controlled schools to other schools
- Support chronically failing schools with adequate support and research-based interventions, if necessary
- Provide pathways for tribes that wish to take over control of remaining BIE-operated schools by providing technical assistance and guidance on operating high-achieving schools

The redesigned BIE will sharpen the education priority within the Office of the Assistant Secretary – Indian Affairs by reprioritizing existing staff positions and resources to meet the schools' capacity building needs in a timely manner, particularly in the areas of talent acquisition and management, strategic and financial management, and instructional improvement. Departing from the "command and control" culture that is often driven from Washington, DC, the redesigned BIE will facilitate sharing of effective practices among tribally controlled and BIE-operated schools as well as open up new opportunities in tribal communities, such as forming purposeful partnerships with local universities and other educational organizations to broaden and sustain school improvement in Indian Country.

Much more work needs to be done to build the BIE's own capacity to serve effectively in its new role as a service provider to tribally controlled schools. Through consultation, the Study Group sees the urgent need to build the capacity of the BIE by focusing on pillars of reform:

**World Class Instruction for all BIE Students** -- *Challenge each student to maximize his or her potential and be well-prepared for college, careers and tribal /global citizenship.*

**Highly Effective Teachers and Principals** -- *Help tribes to identify, recruit, retain and empower diverse, highly effective teachers and principals to maximize the highest achievement for every student in all BIE-funded schools.*

**Agile Organizational Environment** -- *Build a responsive organization that provides the resources, direction and services to tribes so that they can help their students attain high-levels of student achievement.*

**Budget that Supports Capacity Building Mission** -- *Develop a budget that is aligned with and supports BIE's new mission of tribal capacity building and scaling up best practices.*

**Comprehensive Supports through Partnerships** -- *Foster parental, community and organizational partnerships to provide the emotional and social supports BIE students need in order to be ready to learn.*

This report will first discuss the nature of the systemic challenges facing the BIE, including insights and inputs from numerous tribal listening sessions the Study Group conducted across the country. This will be followed by a discussion of recommendations in each of the key pillars. The final report, which will incorporate additional input from tribal leaders obtained during tribal consultations, will include a set of specific recommendations for each of pillars. Those specific recommendations will be attached to the final report as appendices.

## **II. The Urgent Case for Reform**

BIE has never faced more urgent challenges. They include difficulty attracting effective teachers to BIE schools located in remote locations, attempts to comply with academic standards in 23 different states, inability to drive research-based reforms in tribally controlled schools, resource constraints, and institutional and budgetary fragmentation. Each of these challenges has contributed to poor outcomes for BIE students. A lack of consistent leadership and strategy -- evidenced by the BIE having 33 Directors since 1979 -- and an inconsistent commitment from political leadership, has also limited the BIE's ability to improve its services. Federal American Indian education has been handed over to tribes in approximately two-thirds of BIE schools, but the BIE has not been adequately restructured to recognize its new primary role of supporting tribal programs (rather than being the primary provider of American Indian education).

### **A. Concentrated Poverty Coupled With Geographic Isolation**

American Indian students in tribal communities face challenges that are more serious than their peers in urban low-income communities. Many BIE schools are, for instance, located in some of the poorest regions of the country. According to the U.S. Census, four of the nation's five poorest counties overlap at least partly with American Indian reservations. These communities experience a high rate of unemployment and a higher concentration of residents who are 18 or younger. For example, the Pine Ridge community experiences an 80 percent unemployment rate and the per-capita income is less than \$8,000 a year. In an interview with *Education Week*, the

executive director of the Oceti Sakowin Education Consortium (a group representing tribal schools on Pine Ridge and other South Dakota reservations) described the schools' challenge, "[w]e have a lot of young people on the reservation and not nearly enough jobs. So that presents challenges to us as educators when we are trying to convince our young people to stay in school, to do well in school, to graduate, to go on to college."<sup>2</sup> This chronic high unemployment among American Indian adults tends to contribute to substance abuse, domestic violence, and a low level of social capital in tribal communities.

Geographic isolation also contributes to the lack of economic opportunity on many American Indian reservations. Many reservations are located at great distances from cities and do not benefit from the private investment and market-based resources that other communities may receive. The remote location of many BIE-funded schools makes it difficult to recruit effective teachers and leaders.

**B. BIE Students Perform Worse than American Indian Students Attending Public Schools.**

Social and economic disadvantages across Indian Country clearly have an adverse effect on school performance. In reviewing the data on Adequate Yearly Progress (AYP) in 2012-13 (see Appendix A), the Study Group found that only one out of four BIE-funded schools, including both tribally controlled and BIE-operated schools, met the state-defined proficiency standards. One out of three BIE-funded schools are under restructuring due to chronic academic failure. Further, students in BIE schools perform consistently below American Indian students in public schools on national and state assessments. For example, based on estimates from a 2011 study using national assessment data, in 4th grade, BIE students on average scored 22 points lower for reading and 14 points lower for math than Indian students attending public schools.<sup>3</sup> The gap in scores is even wider when the average for BIE students is compared to the national average for non-Indian students.<sup>4</sup> Additionally, the high school graduation rate for BIE students in 2011 was 61 percent. This is comparable to graduation rates for American Indian students attending public schools in states where BIE schools are located.

**C. BIE Students Perform Worse than Students Attending Department of Defense Schools and Other Schools with High Minority Populations.**

Student outcomes in the two sets of schools funded by the federal government – the BIE and DoDEA – are dramatically different. For instance, in 2009, DoDEA fourth graders outscored their BIE counterparts by 33 points in math and by 47 points in reading on the National Assessment for Educational Progress (NAEP) and DoDEA 8th graders outscored BIE 8th graders by 39 points in math and 43 points in reading. These scores place BIE students at approximately the 13-17th percentiles in the country (and DoDEA students at the 49-57th percentiles). Furthermore, when compared against the eighteen urban school districts with high minority populations that were selected for NAEP's Trial Urban District Assessment, the BIE

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<sup>2</sup>*Education Week*, December 4, 2013, p. 18.

<sup>3</sup> U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress, 2011.

<sup>4</sup> *Ibid.*

underperformed all of these school districts except for Detroit Public Schools.<sup>5</sup> Despite these circumstances, the BIE does have some recent successes worth noting, such as the Navajo North region schools, which scored equal to or higher than state public school systems in the 2010-2011 school year.<sup>6</sup>

### **III. Institutional and Budgetary Fragmentation and Legal Barriers Prevent the Adoption of Research-Based Reforms.**

As discussed in further depth below, after reviewing several studies on the BIE and meeting with numerous stakeholders, it is the Study Group’s opinion that organizational and budgetary fragmentation and several legal barriers prevent the BIE from adopting and implementing significant reforms.

#### **A. Recent Reports Identify Key Management Issues Impacting Delivery of DOI’s Educational Services.**

The Study Group recognized the findings and recommendations of two recent reports: (1) the March 2012 Bronner Final Report (the “Bronner Report”); and (2) the Government Accountability Report 13-774, “Better Management and Accountability Needed to Improve Indian Education” (the “GAO Report”).

##### **1. The Bronner Report States that Difference in Missions for BIA and BIE Impairs BIA’s Ability to Effectively Deliver Support Functions to BIE.**

The Bronner Report found that the Bureau of Indian Affairs (BIA) faces enormous challenges across a wide range of core support functions and suggests that the low-level of performance in BIA casts doubt on whether BIA can manage and support BIE effectively. Notably, the Bronner Report states that the “BIA and BIE are dramatically different from both mission and operational perspectives. As a result, points of view concerning support function effectiveness do not necessarily originate from a similar organizational culture or mindset.”<sup>7</sup>

This difference in mission outcomes and operational perspectives between the BIA and BIE causes shortages and unmet needs at the school level. For instance, the Bronner Report states that the BIA’s procurement office fails to distinguish between the needs of a school system and that of a federal agency which causes a failure to timely deliver services, supplies and textbooks during the time schools are in session.<sup>8</sup>

This difference also manifests itself when BIA employees conduct the hiring of BIE principals, teachers and other educational specialists. The Bronner Report discusses the perceived lack of understanding, on the part of BIA staffing specialists, regarding the qualifications for reading

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<sup>5</sup> U.S. Department of Education, Trial Urban District Assessment, the Nation’s Report Card.

<sup>6</sup> Bureau of Indian Education Annual Report Card.

<sup>7</sup> U.S. Department of the Interior, Bureau of Indian Affairs, *Final Report: Examination, Evaluation, and Recommendations for Support Functions*, Bronner, 2012, p. 11.

<sup>8</sup> *Ibid*, p. 54.

specialists and special education teachers.<sup>9</sup>

The Bronner Report also discusses the large backlog of outstanding school maintenance projects, including many that involve safety violations in schools. As stated in the Report, if DOI were to replace or perform building rehabilitation of the 68 highest risk school facilities, it would cost an estimated \$1.3 billion.<sup>10</sup>

## **2. GAO Report Indicates the Department of the Interior has Difficulty Delivering Administrative Functions to BIE.**

The September 13, 2013 GAO Report documents similar management and operational issues within the BIA, the office of the Deputy Assistant Secretary for Management (DAS-M) for Indian Affairs and BIE, noting that “[f]ragmented administrative services and a lack of clear roles for BIE and Indian Affairs’ Office of the [DAS-M] ... contributed to delays in schools acquiring needed materials, such as textbooks.”<sup>11</sup>

Among other recommendations, the GAO recommended that DOI revise its “strategic workforce plan to ensure that employees providing administrative support to BIE have the requisite knowledge and skills to help BIE achieve its mission and are placed in the appropriate offices to ensure that regions with a large number of BIE schools have sufficient support.”<sup>12</sup> The GAO also recommended that DOI develop a strategic plan that includes detailed goals and strategies for BIE and for those offices that support BIE’s mission, including BIA, to help Indian Affairs implement realignment.<sup>13</sup>

After the GAO Report was released, the Appropriations Committees, in their Joint Explanatory Statement on the Consolidated Appropriations Act of 2014, stated their expectations that DOI implement certain management reforms:

The Committees are concerned that management challenges within the Department, the Bureau of Indian Affairs, and the Bureau of Indian Education, as identified in a September 2013 report by the Government Accountability Office (GAO-13-774), may impact the overall success of the students in the system. Although the Committees are encouraged that Indian Affairs concurred with all of GAO’s recommendations and that a full-time director of the Bureau of Indian Education is in place after a vacancy of more than a year, the Committees expect the Secretary to oversee implementation of these management reforms.<sup>14</sup>

### **B. Study Group’s Listening Sessions Build upon the Findings in Bronner and**

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<sup>9</sup> Ibid, p. 89.

<sup>10</sup> Ibid, p. 80.

<sup>11</sup> U.S. Government Accountability Office. *Better Management and Accountability to Improve Indian Education*. Government Printing Office, Month 2013, p. 1.

<sup>12</sup> Ibid, p. 27.

<sup>13</sup> Ibid, p. 27.

<sup>14</sup> The Consolidated Appropriations Act of 2014, H.R. 3547.

## **GAO Reports.**

Using the recommendations in the Bronner and GAO Reports as a foundation, the Study Group then conducted additional, first-hand, listening sessions in South Dakota, Mississippi, Oklahoma, Washington, New Mexico, Arizona, and Washington, DC (see Appendix B for participants in the listening sessions). The Study Group met in person with over 300 stakeholders, including BIA and BIE staff, principals and teachers at numerous BIE-funded schools, tribal leaders and with the heads of national organizations such as the National Congress of American Indians and National Indian Education Association. The Study Group also set up an e-mail account (IAEDSolutions@BIA.Gov) where it received nearly 150 comments that contained recommendations regarding how the BIE could improve the delivery of educational services (see Appendix C for illustrative e-mail comments).

In general, the recommendations the Study Group received from stakeholders mirrored some of the recommendations that were cited in the Bronner and GAO reports. For instance, the Study Group met with dozens of principals of BIE-funded schools who largely complained that the BIE's complicated bureaucracy made school operations so disorganized and inefficient that it prevented them from focusing on their primary mission of instructional leadership. Many expressed frustrations regarding the BIA and the BIE's inability to affect operational decisions made by the BIA, especially regarding major repairs to school buildings. Numerous principals complained about overly burdensome regulatory requirements and that they routinely had to respond to duplicative data calls from different offices within the BIE (including the Division of Performance and Accountability, the Administration and the Associate Deputy Director offices) as well several other major entities, including, among others, the Office of Facilities and Environmental and Cultural Resources (OFECR), BIA, the DAS-M, and the U.S. Department of Education (ED). Numerous stakeholders also complained about the BIE's "command and control" culture, its poor customer service, and the need for BIE to help build the capacity of tribes to operate their own schools.

Additional concerns from the listening sessions in Indian Country included:

- Many school facilities are in poor and failing condition and not conducive to a 21<sup>st</sup> century teaching and learning environment; many principals and teachers expressed concerns that funding appropriated by Congress to the BIE is not reaching the school level and may be paying for unnecessary overhead costs;
- BIE schools have difficulty recruiting and retaining effective teachers and leaders due to the remote location of their schools, lack of teacher housing and poor school conditions;
- BIE programs and policies are too restrictive and prevent schools from implementing Native language and culture classes;
- Principals and teachers feel unprepared for implementation of the Common Core State Standards (CCSS) and schools lack the IT infrastructure to administer cutting edge assessments aligned to the CCSS;
- BIE and BIA are generally unresponsive to requests for assistance regarding alternative definitions of AYP, accountability workbooks, and facility repairs; and
- School boards and tribal councils lack training on their roles and responsibilities, often micromanage day-to-day affairs at schools, and interfere in hiring decisions.

**C. The BIE’s Fragmented and Prescriptive Budget Cannot be Used Strategically to Incentivize School Reforms.**

The Study Group analyzed the BIE’s budget structure and found it to be highly fragmented and prescriptive. Specifically, the BIE’s annual budget typically consists of 46 different budget sub-activities and the BIE receives this funding from Congress through multiple sources (ED, Health and Human Services, BIA and DAS-M). Furthermore, approximately 99 percent of the BIE’s funding is formula-based and allocated directly to schools. BIE has no direct access to these funds, leaving the BIE director with less than one percent of the total budget for discretionary purposes. This is in sharp contrast to a typical school district, where the school board and the superintendent would maintain 12 to 15 percent of funding for discretionary purposes. The lack of discretionary allocation authority substantially weakens the BIE’s ability to exercise strategic leadership or achieve educational priorities. In other words, the BIE’s budget structure reduces the BIE to a mere pass through and constrains the BIE’s ability to leverage the funding it provides to schools to drive reforms.

**D. Legal Barriers Hamper DOI’s Ability to Drive Comprehensive Reform in its Schools.**

In addition to the organizational and budgetary fragmentation, several legal barriers hinder the BIE’s ability to drive reforms.

**1. The Tribally Controlled Schools Act Should be Made More Conducive to Reform.**

Due to the Tribally Controlled Schools Act, DOI has little authority to incentivize or promote reforms in its grant schools.<sup>15</sup> Act should be more conducive to school reform efforts. Don’t telegraph. Current law prohibits DOI from issuing regulations that address the planning, development, implementation and evaluation of the Tribally Controlled School Act grants. If a tribally controlled school meets the statutory eligibility requirements (generally financial in nature), the Secretary generally must continue to provide the school with funding.<sup>16</sup> This barrier prevents DOI, for example, from requiring that grant schools adopt a performance-based evaluation system that includes student achievement as a measure, and remove chronically ineffective full-time employees (FTEs) from schools funded by the BIE.

The Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA), on the other hand, cover all BIE-funded schools and require these schools to make AYP or take corrective action.<sup>17</sup> Accordingly, in order to continue to receive funds from ED, BIE, like public schools, must calculate AYP for all tribally controlled schools.

**2. Lack of Statutory Clarity Regarding BIE’s Status as an SEA and/or LEA has Denied BIE the Opportunity to Compete for Race to the Top (and Other Competitive Grants).**

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<sup>15</sup> Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.)

<sup>16</sup> Ibid.

<sup>17</sup> Elementary and Secondary Education Act (ESEA) of 1965 (20 U.S.C. 6301 et seq.).



Due to a lack of statutory clarity regarding the BIE’s status as a State Educational Agency (SEA) and/or an Local Educational Agency (LEA), the BIE has been denied the opportunities to participate in many of ED’s signature grant programs, including Race to the Top (for SEAs) and Race to the Top -- District (for LEAs). Because only SEAs and LEAs are eligible to participate in Race to the Top programs, and the BIE has not been defined by statute as either (even though it performs both SEA and LEA-like functions), the BIE missed major funding and capacity building opportunities in recent years.

BIE-funded schools have been repeatedly overlooked in education legislation which typically provides for funding only to the fifty states. As a result, BIE-funded schools are left out of funding opportunities that other school systems routinely benefit from, which further hampers the BIE. For example, BIE does not have access to funding under the Carl D. Perkins Career and Technical Education Act and does not receive Department of Education funding for education at BIA and Tribal Juvenile Detention Centers like states do. In addition, BIE’s two post-secondary institutions, Haskell and SIPI, are not included in all relevant funding under the Higher Education Act.

#### **IV. Proposed Recommendations for Transforming the BIE**

Federal efforts in American Indian education have been fraught with the legacy of boarding schools and lack of consistent leadership and long-term strategy for the BIE. As in all other areas of government services, federal American Indian programs generally work best through tribal self-determination, when tribal institutions are enlisted to carry them out. The goals for the BIE that are presented in Section I of this report are aligned with President Obama’s agenda to (1) ensure that our nation’s students are ready for college and careers; and (2) to promote tribal self-determination. Accordingly, in order for the BIE to achieve these goals, it must gradually move away from direct operation of schools, and instead build the capacity of tribes to operate high-achieving ones.

##### **A. What Success Looks Like: A World-Class Instruction for All BIE Students Delivered by Tribes**

*Challenge each student to maximize his or her potential and be well-prepared for college, careers and tribal /global citizenship.*

If redesigned, the BIE can help build the capacity of tribes to run more efficient and effective school operations, and therefore enable teachers and principals at tribally controlled grant and contract schools to focus on instruction and instructional leadership. In turn, this will lead to schools that can adequately prepare their students for college and the workforce. The BIE should also provide to tribes quality professional development in the areas of parent involvement, Common Core State Standards, assessments, integration of language and culture, and effective use of data in decision-making. The Study Group envisions a redesigned BIE becoming a center of expert technical assistance to all tribally controlled schools.

A redesigned BIE must also make instructional improvement a top priority. High performing school systems have focused on multiple instructional improvement strategies, including: improving the curriculum through the adoption of the Common Core State Standards and aligned

assessments; implementing job-embedded professional development (e.g., using technology to deliver instruction) with classroom coaches (essential for the remote and geographical dispersion of its schools); and supporting/enhancing the skills of principals to effectively evaluate teacher performance. These reforms recognize that delivering excellent instruction requires teachers and principals to develop a repertoire of highly sophisticated skills. Further, turnaround research has found that the best performing school systems intervene at the level of the individual student, developing process and structures within schools that are able to identify whenever a student is starting to fall behind, and then intervening to improve that child's performance. These higher performing school systems have adopted approaches to ensure that the school can compensate for the disadvantages resulting from the student's home environment.

**Examples of Capacity Building Functions:** A redesigned BIE will provide technical assistance to tribally controlled schools by:

- Supporting implementation of Common Core State Standards and alignment of curriculum, instruction, assessments;
- Building BIE's capacity to help tribes identify, recruit and train effective teachers and principals;
- Building BIE's capacity to be a service provider to tribes, and ability to teach tribes how to operate high-achieving and efficiently run schools;
- Providing to the BIE budget flexibility and tools to spur innovation and rapid improvement;
- Forging partnerships with other providers so BIE students receive comprehensive support to address social and emotional issues and are ready to learn; and
- Allowing tribes to shape what children are learning about their tribes and culture in schools.

In order to achieve this goal of world-class instruction for all BIE students, the Study Group proposes that DOI focus on the following four core areas of reform: (1) human capital; (2) organizational structure; (3) budget alignment; and (4) partnerships.

**B. Pillar One: Highly Effective Teachers and Leaders**

*Help tribes, identify, recruit, retain and empower diverse, highly effective teachers and principals to maximize the highest achievement for every student in all tribally controlled schools.*

Student outcomes can improve only with changes in classroom teaching and learning. The Study Group's preliminary recommendations – subject to tribal consultation – will focus on how a redesigned BIE can help tribes recruit, hire, and develop effective teachers and leaders (new and tenured), and promote teacher and school accountability. Such support from the BIE will include innovative recruitment and outreach, professional development, collaborative practice, coaching, career tracks, certification and selection requirements, and sustained support (classroom visits) from the BIE to tribes.

Research has suggested many ways to improve a school system's outcomes for students, but three factors matter most: (1) hiring effective teachers and principals; (2) developing teachers

and principals continuously; and (3) putting in place targeted support to ensure every child can benefit from high-quality instruction. Research shows that the main drivers of the variation in student learning at school are the quality of teachers and principals. Seminal research based on data from Tennessee showed that if two average eight-year old students were given different teachers—one of them a high performer, the other a low-performer—their performance deviated by more than 50 percentile points within three years.<sup>18</sup> Effective principals are also critical to student achievement. Replacing an “average” principal with an outstanding principal in an “average” school can increase student achievement by over 20 percentile points.<sup>19</sup>

There is no one size fits all model of reforms for low-performing school systems. The reform literature and experience of turnaround schools suggest that the start point for a school’s improvement is a deliberate examination to determine its deficiencies and its capacity to reverse its own course. From this, each school develops a school improvement plan that applies best practices and interventions that meet the unique needs of each school. Accordingly, the Study Group supports BIE’s current efforts to create Centers of Excellence, geographically positioned close to schools and staffed with capable School Improvement Teams. These teams can be effective in assisting schools in their improvement efforts by making available data-supported best practice models in such areas as school management and climate, professional development, curriculum and instruction and student and teacher interventions. The BIE will not be micro-managing or directing reforms in schools, but would be well-staffed to proactively help develop each school’s internal capacity and processes for intervention into low-performing schools.

Talent recruitment is a serious challenge in many rural BIE and tribally controlled schools, where the applicant pools for effective teachers and principals are shallow. Because it is so difficult to attract talent to these schools, the Study Group recommends to DOI and to tribal leaders that the BIE focus on upgrading the skills of its existing instructional staff by providing it with robust professional development. The BIE should also implement a portfolio of talent recruitment, retention, and career development strategies. Such a plan may include several components, including a gap analysis between academic needs and the supply of qualified teachers by subject areas, creating housing and other incentives for potential teachers, and supporting a school climate that is conducive to teaching and learning.

An essential element of developing instructional and leadership talent capability is a performance-based teacher and principal evaluation system that includes student achievement as a measure and professional development as a means to hone skills. The Study Group recommends that the BIE scale up the implementation of such an evaluation system in BIE-operated schools in the Navajo and West regions to the East regions during the next school year. Based on the implementation experience during the pilot phase, the Study Group would support a wider implementation of the performance-based evaluation system to tribally controlled grant schools in the near future.

The Study Group also recommends a system of performance-based evaluation for non-certificated staff, including business managers / personnel, home living specialists, food services

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<sup>18</sup> Sanders and Rivers, *Cumulative and Residual Effects of Teachers on Future Academic Achievement*, 1996.

<sup>19</sup> Marzano, Waters, McNulty, *School Leadership That Works: From Research to Results*, 2005.

supervisors/leads, school transportation leads, and facility managers. This would enable schools that have experienced enrollment declines in the classroom to identify staff for possible reductions in force and prevent overstaffing in schools struggling to meet budgetary obligations. The Study Group analyzed the staff to student ratio across all BIE-funded schools. For BIE-operated day schools, the ratio of certified teaching staff to students was 1 to 10. However, the ratio was lower in tribally controlled day schools, which had an average of 1 certified teaching staff to 8.7 students. Similar patterns were found regarding the ratio between non-certified employees and students. In BIE-operated day schools, that ratio was 1 to 5.2, as compared with a ratio of 1 to 4 in tribally controlled day schools. In other words, when faced with a declining enrollment, tribal school boards would have to make hiring adjustments, especially in the non-certified positions.

Critically, however, BIE lacks the ability to ensure that tribally controlled schools adopt certain human capital reforms, including performance based evaluations tied to student achievement. Accordingly, as discussed in greater detail in Section D below, the Study Group recommends that Congress provide BIE with incentives to drive such reforms in tribally controlled schools.

**Examples of Human Capital Recommendations:** A redesigned BIE could provide the following capacity-building services to tribally controlled grant schools:

- Build BIE’s capacity to provide technical assistance to tribes around professional development, modeling, coaching, and the monitoring and evaluating process;
- Upgrade the skills of existing teachers and principals (e.g., Common Core Standards training, instructional coaches at the school level, professional development focused on building 21<sup>st</sup> century competencies (e.g., differentiated instruction, project-based learning, cooperative learning));
- Build BIE’s capacity to help tribes stand up talent management and acquisition departments;
- Create new teacher pipelines from colleges, including TCUs, to BIE schools by providing TCUs with support to improve and scale up their teacher education programs;
- Upgrade skills of existing teachers and principals in contemporary instruction techniques;
- Provide incentives to recruit effective teachers and principals (housing stipends, loan forgiveness, educational benefits);
- Provide incentives to tribes to adopt performance-based evaluations tied to student achievement and certain staffing formulas;
- Ensure appropriate reward and remuneration structure for teachers and principals; and
- Identify human capital needs through data, incentivizing tribes to adopt and support performance-based teacher and principal appraisal systems.

**C. Pillar Two: Agile Organizational Structure**

***Build a responsive organization that provides the appropriate resources, direction and services to tribes so they can help their students attain high-levels of student achievement.***

Redefining the role of BIE’s central office as a school improvement organization with a new, laser-like focus on building the capacity of tribes (and tribal education agencies) would allow the redesigned BIE to accomplish the following:

- Assume responsibility for school management of operational functions to improve services that are delivered to tribally controlled schools, including services involving new school construction, major repairs and other operations and maintenance issues for facilities;
- Ensure decisions affecting all operations, including decisions regarding the design of buildings and educational IT needs, at BIE-funded schools are aligned to educational goals and priorities;
- Reduce bureaucracy and therefore fulfill the directive in the Tribally Controlled Schools Act that BIE be responsive to the needs and desires of tribal communities; and
- Provide incentives to replicate successful tribally controlled school structures.

Research shows that management redesign can enable low performing school systems to leverage resources and talents to raise student academic performance. In an extensive analysis of a U.S. Department of Education longitudinal school achievement database (1999-2003) of over 100 school districts, a research team found that an integrated management system enabled school districts to improve their academic performance.<sup>20</sup> School districts that shifted from a fragmentary system to a coordinated, integrated system saw a closing of the achievement gap with the statewide averages in core subject proficiency.<sup>21</sup>

In the remaining schools run by the BIE, and in tribally-controlled schools supported by the BIE, an integrated management structure for the BIE could improve student outcomes in similar ways. While acknowledging that BIE-funded schools are unique, an integrated management structure for the BIE could improve student outcomes in similar ways because it solves the problem of lack of capacity to implement reform across all BIE schools. Comprehensive reform of BIE schools remains a challenge due to the BIE's highly bureaucratic governance structure. Currently, there are multiple centers of power and many competing priorities that affect the policy agenda in BIE schools and make it difficult to implement reforms or sustain any meaningful progress.

Coordinated management could also help the BIE better provide services to tribally controlled schools. In order for the BIE director to perform his/her responsibility to raise student performance in Indian Country, the director must be given authority over the all the necessary functions that affect schooling quality and performance. Schools must receive primary attention

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<sup>20</sup> Wong, et al., *The Education Mayor*, 2007

<sup>21</sup> In statistical terms, districts with integrated management, relative to other districts in the state, improved their net proficiency standing on the average by approximately 0.15 to 0.19 standard deviations in elementary reading and math. A more recent analysis on 10 years of student achievement data (1999-2010) for all the schools across three states (New York, Massachusetts, and Illinois) provides additional supportive evidence on the positive relationship between integrated management system and student achievement.<sup>21</sup> In New York State, there is a significant, positive relationship between a school in an integrated system and achievement growth in 8th grade math and reading, and in 4th grade math. In Chicago, there is a significant positive relationship between integrated management and achievement growth in 8th grade math and reading. In Boston, integrated management has a significant, positive effect on 4th grade math proficiency.<sup>21</sup>

in meeting their needs in talent management and acquisition (namely, hiring qualified teachers and principals in a timely manner), strategic and financial management, IT infrastructure, facilities, data management, and instructional resources, including support for implementation of the Common Core. Such an integrated management system will create the necessary conditions to enable schools to improve their academic performance, as evidenced in other districts that implemented the change in their management and governance systems.

**Examples of Organizational Structure Recommendations:** With coordinated management and technical capacity, a redesigned BIE could provide technical assistance and build the capacity of tribes to operate their own schools by performing the following activities:

- Train fledgling grant schools to improve their own talent management, logistics and information technology divisions;
- Provide tribes, if necessary, financial management and budget execution training;
- Provide technical assistance/mentor tribes to establish highly functional LEA and LEA-like functions to improve support and services schools;
- Facilitate tribal consortiums for purchase of universal products and services to reduce costs, e.g., textbooks, technology, and special education related services;
- Assist tribes by training human resource staff at tribal schools, help tribes recruit highly effective teachers and principals through the use of effective marketing and through the use of national connections and the development of a database;
- Develop a toolbox of interventions to have ready to meet and or customize to meet the needs of schools in varying states of performance.
- Share best-practices and research in teaching, learning and leading schools, e.g., effective interventions to improve student achievement and reduce the achievement gap;
- Assist in school board-training for effective school-board relations; and Recruit nationally recognized educational or charter management organizations to operate schools in situations where tribes voluntarily seek such services.

**D. Pillar Three: A Budget that Supports Capacity Building Mission**

*Develop a budget that is aligned with and supports BIE's new mission of tribal capacity building and scaling up best practices.*

The BIE cannot achieve its new capacity building mission unless its budget is aligned with its new priorities and provides the support that BIE needs in order to succeed. Although Congress appropriates a significant amount of money to the BIE each fiscal year, this funding cannot be leveraged to drive reforms because: (1) the vast majority of this funding is formula-based; and (2) other entities, including BIE, the DAS-M and ED, have significant control over budget execution. Providing BIE with greater control over its own budget will allow the BIE to be more responsive to changing circumstances and better equipped to meet the capacity building needs of diverse tribes on a case-by-case basis. This flexibility would ultimately allow for improved and more targeted capacity building at the local level for tribes and their schools.

Because of the Tribally Controlled Schools Act, DOI cannot attach conditions to the funding it provides to tribally controlled grant schools. Furthermore, tribally controlled schools generally do not operate in a “competitive marketplace,” where American Indian students and their

families have a large selection of schools from which they can choose. Accordingly, it is critical that reform efforts be initiated from within tribal communities and that DOI provide these schools with “carrots” in order to spark much-needed reforms within these communities.

Driving reforms in tribally controlled schools can be achieved only if Congress provides DOI with incentives that DOI can use to foster competition and innovation among these schools. The Study Group recommends that DOI consider adapting the successful, competitive grants currently being used by the U.S. Department of Education as models. Such a competitive grant would target resources that would help tribes align tribal educational priorities to President Obama’s education reform agenda to improve student outcomes and ensure all BIE students are college and career ready. For instance, Race to the Top (for state educational agencies and for school districts, but, as discussed above, did not include BIE schools) has been widely praised by the President and the public for demonstrating success in raising student achievement and offering models for other States and districts to follow.<sup>22</sup> Performance metrics for the incentive grant could include student and teacher attendance rates, graduation rates, college enrollment rates, measures on educator accountability, and performance on standardized assessments.

The Study Group recommends to DOI and to tribal leaders that grants be awarded on a competitive basis in the form of three-year grants to successful applicants who agree to take on certain reforms. To spur institutional reform, tribal organizations that manage three or more schools would be eligible for the competition. In order to catalyze reform efforts, and create a set of high-performing tribally controlled schools, the Study Group estimates that DOI would award grants to approximately 30 schools. DOI (with assistance from ED) would provide on-going technical assistance to help build the capacity of those schools that applied for, but did not receive, a grant.

The Study Group will also assist BIE in developing a six-year facilities plan. Although buildings alone do not make a 21st century teaching and learning environment, research has found that the quality of *where* we learn affects the quality of *how* we learn. Multiple studies have found significant links between inadequate facility conditions and poor performance for students and teachers.<sup>23</sup> Researchers have found that the quality of physical environments, including those impacting temperature, lightning, acoustics, and age, affect dropout rates, test scores, student behavior and teacher retention – all issues at BIE-funded schools. For example, researchers at Georgetown University have found that improving a school’s physical environment can increase test scores by up to 11 percent. Other studies have found a difference of between 5-17 percentile point difference between achievement of students in poor buildings and those students in educationally appropriate school buildings (when socioeconomic status of students is controlled).<sup>24</sup> Thus, the condition and upkeep of BIE-funded schools must be addressed in the ongoing discourse about student achievement, teacher effectiveness, and accountability.

Federal appropriations for school facilities have not kept pace with the deterioration of school

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<sup>22</sup> Kenneth Wong, "Education Governance in Performance-Based Federalism," Chapter 8 in P. Manna and P. McGuinn, eds., *Education Governance for the Twenty-First Century* (Washington DC: Brookings Institution Press, 2013).

<sup>23</sup> Negotiated Rulemaking Committee Report “Broken Promises, Broken Schools”

<sup>24</sup> *Ibid.*

facilities and the essential educational requirements for 21<sup>st</sup> century teaching and learning, e.g., integration of technology and multi-media in instruction. Of the 183 BIE schools, 34 percent (63 schools) are in poor condition, and 27 percent are over 40 years old. These substandard conditions are not conducive to educational achievement, and they unfairly restrict the learning opportunities for students. Approximately \$1.3B is needed to bring these schools to an acceptable standard. Furthermore, an estimated \$967M is required to meet the needs of the BIE's repair and maintenance backlog. DOI's failure to provide environments conducive to learning and academic achievement is well-documented and longstanding by the GAO beginning in 1997. Consequently, the Study Group is proposing that DOI develop a six-year plan to bring all schools in poor condition to an acceptable condition level. This plan is based on a similar six-year strategy used by DoDEA to successfully replace and upgrade 70 percent of its schools in poor condition—a \$3.7 billion investment.

Finally, geographic isolation and lack of broadband access present enormous challenges for the Department of the Interior's school system for American Indian students. Many of the BIE's schools are located in the most remote locations in the country and most schools have only a T1 level of connectivity -- woefully inadequate to meet the demands of 21<sup>st</sup> century teaching and learning. To ensure American Indian students have full access to the Common Core curriculum and assessment, the Study Group proposes a critical one-time start up investment on a sound IT infrastructure. By helping connect teachers to students, parents, and helping schools share classes, curricula, and other resources, broadband-enabled teaching and learning has begun to fundamentally reshape education at all levels and has improved access to expanded educational opportunities for all students. Broadband access is particularly important for schools located in remote locations because it can mitigate the devastating impact geographic isolation can have on student achievement, particularly lack of access to deep applicant pools of effective teachers and principals. Still, research shows that rural schools and communities have insufficient broadband coverage when compared with their non-rural counterparts and are in danger of falling further behind, particularly as the rest of the country races forward with implementation of the Common Core State Standards and along with a 21<sup>st</sup> century, computer-based, online assessment aligned to these new standards (either Smarter Balanced Assessment Consortium (Smarter Balanced) or the Partnership for Assessment of Readiness for College and Careers (PARCC)).

It is especially critical for the BIE to effectively implement both the Common Core and aligned assessments. The BIE -- already one of the worst performing school systems in the country -- is far behind the curve in terms of achievement and implementation of the Common Core. Other states and DoDEA will take a huge leap forward if they effectively roll out the Common Core -- the BIE and its students cannot afford to fall even further behind.

The information technology infrastructure in virtually all BIE schools requires significant upgrades. In an initial assessment of BIE IT capabilities, it is estimated that 25 percent of BIE schools still use the Windows XP operating system. Smarter Balanced and PARCC require, at a minimum, Windows 7. Many new computers must be purchased that are capable of running Windows 7. Additionally, 60 percent of BIE-funded schools do not have the bandwidth or computers to administer a test 3-5 times annually (as proposed by Smarter Balanced). An investment must be made in network bandwidth to bring BIE-funded schools up to the necessary bandwidth levels. Additionally, the technology infrastructures within the schools need improvements across the board. New wiring, switches, routers, wireless access devices, and



more need to be purchased so schools have well-functioning networks. Lastly, teachers need professional development so they can effectively use the new tools and technology.

This one-time, start-up investment of funding would be used to make the following basic upgrades to the BIE's IT infrastructure: (1) procure the type of computers and software necessary to administer these online assessments; (2) increase bandwidth in schools to ensure digital delivery of these assessments; and (3) provide the resources and training that staff need to administer these online assessments effectively and efficiently. Management performance metrics will include the number of DOI-funded schools that have sufficient numbers of computers, software bandwidth, and staff to effectively administer 21<sup>st</sup> century academic assessments.

Finally, the Study Group will be proposing several technical amendments that would correct education funding legislation in which BIE was overlooked and therefore denied access to critical funding opportunities. The Study Group will attach those proposed amendments to its final report following tribal consultations.

**Examples of Budget Alignment Recommendations:**

- Develop FY16 budget that is aligned to BIE's new mission of building capacity of tribes by consolidating underutilized budget sub-activities into one larger stream that can be used for capacity building activities
- Foster competition and innovation through Race to the Top-like incentives for tribally controlled grant schools; provide implementation support to schools receiving grants, but also hold them accountable for results
- Identify flexibilities within ED funding and propose new spending plan to ED that is aligned with new DOI priorities
- Pass technical amendments package on Hill that makes BIE eligible to compete in various ED discretionary grants, etc.
- Provide tribes technical assistance in the area of financial management and policy development (see Appendix D on patterns of mismanagement based on financial audits)
- Encourage tribes to adopt research-based reforms by providing tribes with incentives that foster competition; help and support implementation of these incentive grants.

**E. Pillar Four: Comprehensive Supports through Partnerships**

*Foster family, school, community and organizational partnerships to provide the emotional and social supports BIE students need in order to be ready to learn.*

Finally, it is critical that DOI focus on the unique needs of American Indian students attending BIE-funded schools. Some of these students are faced with a multitude of challenges including emotional trauma and depression due to numerous environmental factors such as high unemployment, rampant crime, substance abuse and poor health outcomes. To address this, the Study Group recommends that DOI and its partners take a holistic approach that provides comprehensive supports to BIE students, so they can come to class ready to learn.

Facilitating public and private partnerships between local, regional, and national organizations

and tribes will ensure all schools have the opportunity to benefit from resources made available. Leveraging local and national expertise, for example, will enable schools to more effectively address their needs, such as teacher quality, STEM instruction, Native languages and cultures, dropouts and early childhood education. Further, reinstating the BIE Foundation could allow BIE to address the schools' needs in a more expedient and strategic manner. It will also provide a base from which the BIE can use funds to incentivize tribes in areas of capacity building. With limited budgets on both the federal and tribal side, partnerships have become increasingly important to BIE in order to continue fulfilling its trust responsibility to American Indian people for the education of Indian children through the establishment of a meaningful self-determination policy for education.

Further, the Study Group recommends that BIE take an approach that cuts across all federal agencies and their community-based programs. Because each agency has traditionally implemented these programs in separate silos, redundancy, disconnection and a waste of Federal resources occurs at the local level. On the other hand, if federal agencies work hand-in-hand (with each other and with tribes), and break out of those silos that stifle reform, they can fundamentally transform BIE schools and the distressed tribal communities in which they are located.

**Examples of Partnerships:**

- Develop a block grant that combines community-based tribal grants from DOI, Indian Health Service (IHS), Department of Justice, Housing and Urban Development and Department of Labor;
- Work with IHS to provide school-based services to ensure students are ready to learn and can focus (e.g., provision of immunizations in time for start of school, counseling services);
- Provide incentives to tribes to co-locate other tribal support services near BIE schools;
- Work with ED to obtain access to ED's discretionary grants programs and receive technical assistance;
- Work with FCC to improve and obtain additional E-rate funding for tribal grant schools;
- Reinstating the BIE Foundation so that the BIE can acquire funding from outside resources.

**VI. Conclusion**

The Study Group believes that serious reforms are needed to improve the education of American Indian students at all BIE-funded schools. The foregoing proposals are tentative and subject to input from tribal officials through consultation and public comments from other interested stakeholders, such as parents, teachers and school administrators.

**APPENDIX A**

Academic Performance for BIE-Funded Schools as Measured by the Status on Adequate Yearly Progress (AYP), 2012-13

<b>AYP Status SY2012-13</b>	<b>BIE-Operated Schools</b>	<b>Tribally Controlled Schools</b>	<b>Total</b>
No. of Schools	58	117	175
<i>Met AYP</i>	9	17	26
<i>Met AYP in New Mexico (2011-12)</i>	5	3	8
<i>Total Schools Met AYP</i>	14 (24%)	20 (17%)	34 (19%)
No. of Schools under “Restructuring” (Low Performance for years)	17 (29%)	42 (35%)	59 (34%)

**APPENDIX B**

**Participants in Tribal Listening Sessions with AIESG**

Aaron	Michael	Superintendent	Muckleshoot Tribal School
Abeita	Fernando	Council member	Isleta
Abeita	James	Council member	Isleta
Abeita	Juan Rey	Council member	Isleta
Acosta	Geneva	School Board Member	T.O.N.
Adson	Lemuel	Superintendent	Shonto Prep School
Allery	Aaron		Gila Crossing Community School
Anderson	Greg	Superintendent	Eufala Dormitory
Antone	Cynthia	Tribal Council Member	Gila River
Antone	Priscilla		GCCS
Archambault	Dave		Standing Rock Sioux Tribe
Archambault	Sunshine		Standing Rock Sioux Tribe
Ashley	John	Assist. Director	Information Resources-BIA
Ashley	Martina		Casa Blanca Community School
Barehand	Dora		Gila River Community School
Basnau	Rick	Director	Chief Leschi School
Begay	Catherine		Hotevilla Bacavi Community School
Begay	Michelle	Program Specialist	Bureau of Indian Education
Begiasiuia	Dr. Noreen	Director	TED
Benjamin	Joyce Flournoy	Teacher	Isleta Pueblo Elementary
Big	Rosemary		Gila Crossing Community School
Birdletter	Lydia	Tribal Education	Oglala Sioux
Biscoe	Catherine Belinda	Director	University of Oklahoma
Bixby	Norma	Tribal Education	
BlueEyes	Faye		Dzilh-Na-O-dith-hle-School
Bohanon	Joseph	Consultant	Muskogee, Ok
Bordeaux	Deborah	Principal	Loneman School
Bough	Brian	Education Specialist	DPA
Bradley	Jacque		Blanca Community School
Brady	Bob	Associate Director	Human Resources Team
Brave Eagle	Dayna	Tribal Education	Oglala Sioux
Brewer	Jodie	Program Specialist	BIE
Bundy	Dr. Michael	Superintendent	Two Eagle River School
Butler	Edwina	Governor	Shawnee, Ok
Campbell	Matt	Tribal Education	
Cardenas	Freddie	Principal	Jemez Day School
Castillo	Shawna		

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Cedar Face	Francis	Union Steward	Pine Ridge High School
Chavez	Ruby	Teacher	Isleta Pueblo Elementary
Chavez	Ervin		Dzilh-Na-O-dith-hle-School
Chelsea	Mike	Teacher	Pine Ridge High School
Chimoni	Emelda	Teacher	Isleta Pueblo Elementary
Claymore	John	Superintendent	Quileute Tribal School
Coffland	Don	Principal	Tuba City Boarding School
Cumming	Harley	Chairperson	Oglala Sioux
Curley	Ray		Little Singer Community School
David	Jerry	Chief of Logistics	
Davis	Rosie	ADD	East
Dearman	Tony L.	Superintendent	Riverside Indian School
Dorpat	Norm	Director	Chief Leschi School
Dorsett	Teresa	Director	Cheyenne Arapahoe
Dworakowski	Patrick	Asst. Ass. Director of Ed.	Academic Accountability Team
Eaglestaff	Donna	ADD	East
Edgar	Melissa	Special Assistant	Chickasaw Nation
Eskeets	Emerson	Director	BIA
Fatheree	Catherine	Education Line Officer	Oklahoma
Fitzgerald	Marilee	Director	Dept. of Defense
Floyd	Kay	Oklahoma State Legislature Supervisory Program	Oklahoma City, Ok
Flyingman	Franda	Analyst	BIE
Fohrenkan	Robin		Gila Crossing Community School
Garro	Myra	Teacher	Isleta Pueblo Elementary
Gibbons	Lynn	Tribal Education	Oglala Sioux
Godinez	Lucinda		Greasewood Spring Community School
Gonzales	Theresa	Teacher	Isleta Pueblo Elementary
Gonzalez	Ruben		Gila Crossing Community School
Gregores	Wendy	Council member	Isleta
Gilbert	Felicia	Principal	Santa Fe Indian School
Haarstad	Erick		Salt River Elementary School
Hale	Jonathan	Member Navajo Nation	Navajo Nation
Hamley	Jeff	ADD	DPA
Harjo	Lucyann	Indian Ed. Coordinator	Norman Public Schools
Hartman	Tracy	Director	Eastern Oklahoma Tribal Schools
Hastings	Jim	Education Line Officer	Arizona South
Hejtmanek	Mike	Superintendent	St. Stephens Indian School
Herrera	Roy	Superintendent	Santa Fe Indian School

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Hettich	Tom	Director	Human Resources-BIE
Honahni	Dan	Tribal Council Member	Hopi
	Sharon	Federal Programs	
Hunter		Coordinator	BIE
Jaime	Leticia	School Board Member	Quileute Tribal School
Jaramillo	Cynthia	Council member	Isleta
Jaramillo	Larry	Vice-President	Isleta Tribal Council
Jewell	Sally	Secretary	U.S. Department of Interior
Jiron	Douglas	Council member	Isleta
Jiron	Phillip	Council member	Isleta
Johansen	David	Chief, Special Education	
Johnson	Wayne	Tribal Education	
Johnson	Dr. Sherry	Former Superintendent	Tribal Grant School
Johnson	Lynn	Regional Solicitor's Office	
Johnson	Victoria	Teacher	Isleta Pueblo Elementary
Jojola	Denise	Teacher	Isleta Pueblo Elementary
	Geraldine	Tribal Education	
Jojola		Department	Isleta
Juan	Marjorie M.	BIE Boarding School	T.O.N.
Keel	Dale	Chief	OFMC-BIA
King	Carmen	Teacher	Isleta Pueblo Elementary
King	Gaye Leia	Education Specialist	DPA
Kip	Penny	Chairperson	Two Eagle River School
Kitsopoulos	Gloria Coats	Superintendent	American Horse School
Krech	Sandra		Gila Crossing Community School
Laurkie	Richard	Governor	Laguna Pueblo
Lawton	Ray	Superintendent	Chief Leschi School
Lente	Michael Allen	President	Isleta Tribal Council
Little Singer	Leo John		
Little Singer	Etta Shirley		
Longie	Joel	Academic Achievement	BIE
Lopez	Julia		San Simon School
Lords	Eric	Principal	Shoshone-Bannock Tribal School
Lovin	Brenda	Assistant Principal	WaHeLet Tribal School
Lucero	Joseph	Council member	Isleta
Lunderman	Richard "Tuffy"	Tribal Council	Rosebud Tribal Education
Lyan	Michelle	Teacher	Isleta Pueblo Elementary
Marquez	Fernando		Gila Crossing Community School
Martinez	Elizabeth	Teacher	Isleta Pueblo Elementary
Martinez	Racheal	Assistant Principal	To'Hajiiilee Community School
McArthur	Hank Edmo	Operations Manager	Shoshone Bannock Tribal School

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McIntire	Chris		Salt River Pima
McIntosh	John L.	Education Line Officer	Navajo Region
Mendoza	William	Executive Director	Department of Education
Miyasato	Mona	Acting Principal	Pine Ridge High School
Molina	Mario	Director	Gila River Indian Community
Monroe	Elsie		Leupp Schools, Inc.
Moore	Henry	Tribal Council Member	Arizona
Moore	Jacob	Inter-Tribal Council	Arizona
Moore	Patrick	Principal	Riverside Indian School
Morris	Kay	Principal	Laguna Elementary School
Nelson	Dan		
Nelson	Steve	Education	Northwest
Nez	David	Principal	Santa Clara Day School (BIE)
Nez	Victoria		Black Mesa Community School
Norris	Debora	Department of Education	Arizona
North	Eric	Education Line Officer	Arizona North
Nuttle	William	Program Specialist	BIE
Otero	Katie	Teacher	Isleta Pueblo Elementary
Ouco	Karen	Coordinator	Oklahoma City, Ok
	Sedelta	Associate Director	White House Initiative AI/AN Education
Oosahwee	Christina		Gila Crossing Community School
Pablo	Winfred		Gila Crossing Community School
Padilla	Josephine	Council member	Isleta
Parton	Terry	President	Wichita & Affiliated Tribes
Pedro	Anita	School Board Member	Auburn, WA
Pickering	Dwight	Department of Education	Oklahoma
Pino	Henry		Blackwater Community School
Record	Caryn	Indian Ed. Coordinator	Moore Public School
Redbird	Ernest	School Board Member	Riverside Indian School
Reedy	Patricia	Regional Solicitor's Office	
Reinhardt	Marty	Tribal Education	
Roanhorse	Maxine	Dineyazhe	Santa Rosa Day School
Rodriguez	Dennis	OFMC	BIA
	Dr. Charles		
Roessel	Monty	Director	Bureau of Indian Education
RomanNose	Quinton	Tribal Education	
Rose	Jolyn	Principal	Sequoyah High School
Rousseau	Anthony	Director	Information Resources-BIA
Saladera	Kevin	K-12 Coordinator	Pine Ridge High School
Salyers	Denise	NASIS	DPA

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Sanchez	Barbara	Council member	Isleta
Sandoval	Yolanda	Parent	Navajo Nation
Scott	George	GAO	
Segrove	Michael	Planner	Eastern Oklahoma Tribal Schools
Shaw	Claudia	CFO, Comptroller	
Shaw	Lesa B.	Projects	Absentee Shawnee Tribe
Sinquaah	Alma		Second Mesa Day School
Sly	Gloria	Education Liasison	Cherokee Nation
Smith	Grace	Teacher	Edmond Public School
Sovo	Casey	Education Line Officer	BIE
Spoon	Tresh	Director of Education	Absentee Shawnee Tribe
Stevens	Bart	ADD	West
Tah	Andrew	Superintendent	Navajo
Tahy	Emery		Arizona State University
Taken Alive	Jesse		Standing Rock Sioux Tribe
Talayumtewa	David	Education Line Officer	Hopi
Tehraar	Rita	Special Education Team	
Teller	Verna	Secretary	Isleta Tribal Council
Tewa	Marilyn	Tribal Council	Hopi
Thomas	Dr. John L.	Tribal Education	
Thompson	Patti		
Thunder	Adrienne	Tribal Education	
Torres	E. Paul	Governor	Isleta Pueblo
Trottier	Neal	Principal	To'Hajiiilee Community School
Tsotigh	Jacob	Technical Assistance Co.	
Valentine	Rebecca		Santa Rosa Ranch School
Walker	Bill	Regional Director	BIA
Washburn	Kevin	Assistant Secretary	Indian Affairs
Webster	Catherine	Administrative Support	BIE
Wells	Danny	Executive Officer	Chickasaw Nation
West	Mark	Acting Principal	Pine Ridge High School
White	Kalvin	Director	Navajo School Board
White Crust	Frankie	SIG Coordinator	Pine Ridge High School
	Robert	Acting Education Line	
Whiteeyes		Officer	Pine Ridge High School
Whitehorse	Brenda	Principal	Aneth Community School
Whitford	Harvey	Principal	Wa He Let Tribal School
Williamson	Jeff	GCCS	
Witherspoon	Dwight		
Yatsattie	Charlene	Teacher	Isleta Pueblo Elementary
Yazzie	Emma		Leupp Schools, Inc.



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Yazzie	Lorraine		Black Mesa Community School
Yazzie	Rena	Assistant Deputy Director	BIE
Yellowfish	Sydna	Director	Edmond Public School
Yepa	Gloria	Supervisory Ed. Specialist	DPA
Young	Cynthia		

DRAFT

## APPENDIX C

Illustrative E-mail Comments from the Tribal Communities (IAEdSolutions@BIA.Gov):  
Concerns on the Bureau of Indian Education

- **Principals and teachers are overburdened by dictates and data requests from the BIE, reducing the amount of time focusing on instruction and instructional leadership:**

We as Schools report to our ELO, to our ADD West Director, and to the DPA. In the course of a week there are usually one to two reports due. I usually work on my reports from 5am to 6am so that I have some time to go into the classroom. Reports in Native Star, which is many, also NASIS requirements, Annual/Academic reports, Special Education reports, Finance Reports, HR Paper Work always needed, etc. and the list goes on. I only have 79 students, however I work on reports usually from 5 to 6 am as stated before and then at least another hour at work. Oh, I forgot quarterly budget reports. A major problem with being a Principal is you are more a manager and data entry administrator vs. a leader in the educational system (LEARNING). Along with these reports, the requirements in Safety, going Green, etc. come into play. If you factor in all the teleconference meetings or meetings that require one to go to the BIE Office most of the day is covered with requirements towards federal policies instead of ensuring learning is going on in the classroom. *Gary Tripp, Principal, T'siya Day School*

We have direct experience illustrating that local program and curricula design is more effective for improving our students' performance than centralized, BIE-mandated approaches. After several years of DCGS participation in the BIE-mandated Math Counts and BIE Reads programs—a requisite for schools in corrective action or restructuring due to not meeting Adequate Yearly Progress (AYP) benchmarks—our students were not making the expected gains. Thus for school year 2012-2013, the Board approved use of an intervention system developed at the local level based on the data and needs of DCGS students and teachers. The plan included training in utilization of the Northwest Evaluation Association (NWEA) assessment data, development of effective instructional methods using various available resources, and integrating technology by investing in I-Pads and promethean boards to complement and enhance teaching strategies. Through implementation of this locally developed intervention system, the DCGS students had an academic growth of 30% in Math and a 10% increase in Reading. *Dzilh-Na-O-Dith\_Hle Community Grant School*

- **Principals are overburdened by bureaucratic operational processes (e.g., hiring staff, contracting for services, purchasing of basic supplies, requests for repairs) that predominantly lie outside of their control**

Currently, teachers have been cut from using copy paper. Pencils, sharpeners and other materials are so inferior they break constantly. Teaching positions are unfilled. And, wireless Internet goes unused without wireless computers to use them on (all most all computers hadn't had wireless cards installed when wireless networks were made available). *Bradley Budinger*

It is critical to remember without resolving the facility funding issue, the schools in the north

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will have to shut down in March because there will be no funds to pay electric, phone or heating bills! This funding is appropriated by Congress to the schools to be used specifically for the above bills but is being constrained by BIA Facility Management Offices! AHS is not asking for extra funding (even through the SIG allowed us to hire 7 more teachers and raise our academic scores), we only are asking for what Congress has already approved for our school- 100% facility funding, 100% administration cost funding and federal healthcare for our school employees. The cuts in the facility and admin costs has to be made up with the students ISEP funding which is supposed to be used to hire instructional staff and purchase curriculum and resources for our students. *Dr. Gloria Coats-Kitsopoulos, School Superintendent, American Horse School*

HR has many problems, the biggest is unqualified staff. People are unprofessional, never return phone calls, emails and mailed or expressed mail correspondence, everything takes months to accomplish, and if qualified people worked in HR I believe processes would function faster and more efficient. I constantly have to resend documents repeatedly, which is a waste of time and material. To bring on a new staff it takes a minimum of 3 months, not conducive if your trying to run a school. Still using a DOS based program called FPPS, not tied into FBMS or Quicktime, having to use multiple systems is a waste of time and money. *Sydney Gates, Business Technician San Ildefonso Day School*

Acquisitions is a major disaster, four years later we still have the same issues with no resolve – The DOI should have a ongoing data base of approved vendors for which we can pull, again the business tech's have to be well rounded in purchasing I.T equipment, textbooks, instructional material, facilities and operations, again we should only be the processors. Utilize the experts to make special purchases not the business techs. We are business people, not I.T or Teachers. Often time we are responsible in finding Speech therapist and creating documents to meet acquisitions requirements. Professional staff should be researching therapists, I.T Equipment etc. The bus. Tech's have to research and find qualified vendors to meet the mission of the principal and IT and other areas of school function with very little tools and knowledge. The Bus. Tech, finds and procures the contractor, creates the requisition, processes the requisition, pays for the requisition, adjusts costs in FBMS if necessary NO separation of duties. Where is the internal controls? *Sydney Gates, Business Technician San Ildefonso Day School*

The bureau funded schools struggle with knowing which acronym to go to for assistance when they need help. Often when in need of help with facility issues the schools will go to the BIA and are told to go to the BIE and the BIE will state they have to wait for the BIA or OFMC before they can help. When help is needed with other issues there is no clear directions given as to which acronym to go to for help. Very often reservations or geographic areas are played against each other. *Deborah Bordeaux, former Principal of Loneman School*

The Education System within the BIE in my estimate needs a great deal of changes or improvements. Let me start by talking about the difficulties a school has with Human Resources. It is very difficult to get someone hired or even get volunteer assistance in the Schools. I believe it takes 2 to 3 months to run someone through the whole process (with ever going new paper work and changes) and get a teacher to come into the school. HR is their own identity, and therefore employees answer to a supervisor instead of a Superintendent or Bart Stevens, ADD West Supervisor. HR really needs to be under the control of ADD west.

Food contracts are not negotiable? Currently the contract with Sysco has been renewed, but the prices are higher than some other food vendors. Why does BIA keep this vendor? Other vendors also have a better variety and quality of food. Another thing with the Sysco accounts, we have no point of contact to speak with regarding the contract or invoices being posted. The contract amount that is on the UDO reports that we receive are not correct. The invoices are being charged to the wrong “line” so now it shows that we are in the negative. *Nona J. Narango, Business Technician, Santa Clara Day School*

- **Principals and teachers are concerned that funding appropriated by Congress to the BIE is not reaching the school level and may be paying for unnecessary overhead costs**

The Blackwater Community School’s education program from early childhood through grade two receives funding from the Department of the Interior, Bureau of Indian Education. Since school year 2009-2010 funding has risen only 5%, less than \$330.00 per student. Historically funding would have risen by 12% over the same three year time period. Insufficient funding has resulted in the school not being able to provide raises to its faculty and support staff for the past four years, there by affecting retention of high quality instructional staff. The No Child Left Behind legislation requests schools to hire and retain highly qualified staff. This is impossible to do given the current budget situation, as we have to compete with other schools in our area. We have also been unable to provide professional development of opportunities for teachers to ensure they remain current in practices that are changing due to the implementation of the Common Core standards. Without adequate funding schools in the BIE school system are not able to meet this requirement. Due to lack of funding we have been unable to purchase new textbooks and computers to support the move to the new standards that are supported by the Department of Education and Arizona State Department of Education We also have not been able to provide extra -curricular activities, summer education programs to retain and enhance learning, and address much needed deferred maintenance. *Henry Pino, Blackwater School Board President*

- **BIE schools have difficulty recruiting and retaining effective teachers and leaders due to the remote location of their schools, lack of teacher housing and poor school conditions**

Currently, teachers have been cut from using copy paper. Pencils, sharpeners and other materials are so inferior they break constantly. Teaching positions are unfilled. And, wireless Internet goes unused without wireless computers to use them on (all most all computers hadn’t had wireless cards installed when wireless networks were made available). *Bradley Budinger*

Housing for teachers is very inadequate. As a result, Northern Cheyenne cannot get and keep qualified teachers. The teachers have to travel from Billings, which is far away, and if there is inclement weather than there may not be class that day. Housing is a priority that needs to be addressed. *North Cheyenne Nation via Quinton Roman Nose, Executive Director, Tribal Education Departments National Assembly (TEDNA)*

They have been trying to get new school for a long time. The current building does not have sufficient heating, it leaks, and there is a roof issue. Children have to wear their coats in class in the winter. Leech Lake is supposed to be a high priority, but nothing has come of it yet. This

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needs to be addressed. *Leech Lake Band of Ojibwe via Quinton Roman Nose, Executive Director, TEDNA*

- **Principals and teachers feel unprepared for implementation of the Common Core and lack the IT infrastructure to administer Smarter Balanced assessments**

Currently, teachers have been cut from using copy paper. Pencils, sharpeners and other materials are so inferior they break constantly. Teaching positions are unfilled. And, wireless Internet goes unused without wireless computers to use them on (all most all computers hadn't had wireless cards installed when wireless networks were made available). *Bradley Budinger*

Offer all teachers a grant to become board certified (free whether they pass or not) *Bradley Budinger*

- **BIE and BIA have generally been unresponsive to requests regarding alternative definitions of AYP, accountability workbooks, and facility repairs**

The SWO operates two PL 100-297 Grant schools which encompasses nearly 700 Sisseton Oyate Children. The 2013 facility funding is constrained 48.56% which forces the school's to supplement needed facility operational funding from other budgets. We are requesting field hearings regarding the constraint of facility funding. This funding level is vastly inadequate. Further cuts due to sequestration of 14/15 school year budgets will be devastating. *Chairman Robert Shepherd, Sisseton Wahpeton Oyate*

One of the biggest concerns Northern Cheyenne has is the construction program. They have a 100 year old building for their school. It has no new technology and is dilapidated. BIA has given the Northern Cheyenne some temp buildings, but there was nothing that went with them. Thus, these buildings are not in use. Further, if they don't have computers and new instruction materials, the buildings can only go so far. *North Cheyenne Nation via Quinton Roman Nose, Executive Director, TEDNA*

The Tribe has been waiting for years, literally years, for an inspection to be conducted by the BIE Albuquerque Office to finalize occupancy permits. The Albuquerque office has still not come out to do the necessary inspections to finalize the permits. This and other inefficiencies needs to be corrected. *Sault Ste. Marie Tribe of Chippewa Indians via Quinton Roman Nose, Executive Director, TEDNA*

BIE has not yet released the standardized test scores to the Schools. These scores are essential determined if AYP was met, and BIE needs to release those scores as soon as possible. *Quinton Roman Nose, Executive Director, TEDNA*

Alternative AYP- DOE or DOI have never provided a final response to the efforts being made to develop and Alternative AYP by several schools. *Deborah Bordeaux, former principal Loneman School*

I had the honor of working at a unique school, Cheyenne-Eagle Butte. Since it is part public through the state of South Dakota and part BIE (operated) under a collaborative agreement, that

school is probably the only school that received an AYP status from two entities. Three years ago the school received a "made AYP" status from the state of South Dakota and a "didn't make AYP" status from the BIE for the same exact students, same exact accountability plan that really belonged to the BIE. I sent an appeal and tried to argue the point with BIE, but my argument was too logical and I simply asked, "Why wouldn't the BIE want to use the Accountability Plan correctly to determine AYP and have more of their schools make AYP?" Now, we are at another impasse with the new online testing. *Nadine Eastman, Superintendent, Tiospa Zina Tribal School*

- **Many school facilities are in poor and failing condition and not conducive to a 21<sup>st</sup> century teaching and learning environment. There is a lack of transparency about the criteria used to select schools for repairs/new construction**

The DCGS assumed operation of its school and associated facilities from the BIE in 2005 pursuant to a grant issued under TCSA. At the time the School Board assumed operation of the School, the physical facilities were in extremely poor condition and remain so. We have taken every opportunity to inform on the critical need to address the hazardous conditions that our BIE-funded school—and consequently our students—continues to face. We have provided congressional testimony on numerous occasions and filed comments via the myriad tribal consultations Indian Affairs and BIE have conducted, including consultation on the School Facilities and Construction Negotiated Rulemaking Committee's Report in 2011.

DCGS has not been alone in pressing the need for the Administration and Congress to make a serious, long-term commitment to provide a safe learning environment for our students so they may concentrate on their studies, rather than worrying if the restrooms are operational, enduring noxious fumes from leaking sewer lines, or hoping the school has enough funds to provide bottled drinking water because there is too much corrosion in the water lines. At DCGS alone it would take at least \$7.7 million to fix all that is on our deferred maintenance backlog, and the replacement cost of our school facility would be \$19.1 million.

The Bureau has a process for evaluating school construction projects and placing them on a priority list for funding. But there have been no new projects added to the priority list since 2004. Despite congressional instruction in FY 2013 to do so, BIE has failed to develop a new replacement school construction priority list nor included in its FY 2014 budget proposal funding for the remaining projects on the current priority list.

Despite the overwhelming data on the school facility construction and renovation needs, and a plethora recommendations submitted by tribes and the School Facilities and Construction Negotiated Rulemaking Committee, the BIE has yet to make significant changes or initiate a thoughtful, deliberative approach in resolving the issues. At a minimum, the BIE must comply with the congressional directive to reopen the school construction priority process. Equally important though, BIE and the Administration must advocate for replacement school construction funding. In our view, the Administration should seek a similar 5-year, \$5 billion special funding package that was employed to bring parity among the Department of Defense funded schools through repair or replacement. We also note that, unlike the BIE Facilities Plan, the DOD 5-Year Facilities Plan includes the replacement schools costs for projects anticipated to occur during that period. *Dzilh-Na-O-Dith\_Hle Community Grant School*

## **APPENDIX D**

### Audit Findings on Financial Management in Tribally Controlled Schools

According to the audit summary report conducted by the Office of Internal Evaluation and Assessment at DOI, 70 Grant Schools (out of a total of 143) were issued a total of 243 questionable audit findings in FY13. By the end of FY13, most of the audit problems were resolved. However, the audit findings in 14 Grant schools remained open. Two of these cases dated back to 2010.

Given the number of Grant School that encountered audit problems, the redesigned BIE management system needs to maintain the critical function of internal audit.

Some of the specific findings in FY13 included:

- 45 Grant Schools involved in questionable spending that totaled \$12.64M
- 18 Grant Schools involved in “disallowable” spending that totaled \$4M
- 66 Grant Schools were found to have 215 compliance problems
- 24 Grant Schools had 26 problems in cash management
- 17 Grant Schools experienced 22 improper payroll incidents
- 21 Grant Schools showed 22 background investigation problems
- 37 Grant Schools had 59 reporting problems
- 13 Grant Schools were cited 15 problems in property management