



**Bureau of Indian Education (BIE)  
&  
Public School Systems**

**Native American Parent Technical Assistance  
Center (NAPTAC)**



# NAPTAC

NAPTAC is a cooperative agreement between the U.S. Department of Education – Office of Special Education Programs (OSEP) and the Education of Indian Children with Special Needs (EPICS) to provide three levels of Technical Assistance to OSEP funded parent training information centers (PTIs), including Community Parent Resource Centers (CPRCs).

The overall goal is to “Assist Parent Centers to increase their knowledge and capacity to effectively serve Native American families in their states and jurisdictions”.

# Parent Centers

- Parent Training & Information Centers (PTIs)
- Community Parent Resource Centers (CPRCs)

Every state and some U.S. Territories have at least one PTI, but not every state and U.S. Territories have a CPRC.



# Individuals with Disabilities Education Act (IDEA 2004)

The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education, and related services to more than 6.5 million eligible infants, toddlers, children, and youth with disabilities.

- Public Law 108-446 - 108th Congress
- Part B – Special Education, including 619
- Part C – Early Intervention Services for infants and toddlers
- Applies to both Bureau of Indian Education (BIE) and state public schools, including charter schools.



# Title 25 CFR Part 32.3

BIE's mission is to provide quality education opportunities from early childhood through life in accordance with a tribe's needs for cultural and economic well-being, in keeping with the wide diversity of Indian tribes and Alaska Native villages as distinct cultural and governmental entities. Further, the BIE is to manifest consideration of the whole person by taking into account the spiritual, mental, physical, and cultural aspects of the individual within his or her family and tribal or village context. The BIE school system employs thousands of teachers, administrators, and support personnel, while many more work in tribal school systems.



# Historically

Formally known as the Office of Indian Education Programs, OIEP was renamed the Bureau of Indian Education in August 2006 to reflect a parallel purpose and organizational structure.

- Snyder Act of 1921
- Indian Reorganization Act of 1934
- Indian Self-Determination and Education Assistance Act of 1975 (P.L. 93-638)
- Education Amendments Act of 1978 (P.L. 95-561)
- The No Child Left Behind Act of 2001 (P.L. 107-110)

# Bureau of Indian Education (BIE)

- 184 elementary and secondary schools
- 63 reservations
- 23 states





# States in which there are BIE schools

Arizona

California

Florida

Idaho

Iowa

Kansas

Louisiana

Maine

Michigan

Minnesota

Mississippi

Montana

Nevada

New Mexico

North Carolina

North Dakota

Oklahoma

Oregon

Utah

Washington

Wisconsin

Wyoming



# Bureau of Indian Education (BIE)

- **BIE operated**

There are schools (62), including residential schools, that are operated directly by the Bureau of Indian Education through the U.S. Department of Interior.



- **Grant/Contract Schools**

Some tribes have contracted with the BIE for local community schools (122). Funding is received from the BIE, but schools are then operated under a local community school board.



# Bureau of Indian Education

## Early Childhood

- Family & Child Education (FACE) programs provide comprehensive early childhood services (home and center-based) to young children (prenatal to age 8 years).
- IDEA funds are provided to tribes

## Special Education

- Direct Part B services to students with disabilities or those with a developmental delay are provided from K-12 grades ONLY.





# Early Intervention Services

- Also known as Part C Early Intervention services for infants and toddlers
- Provided in every state
- Tribes are eligible to apply for state Part C funds to operate its own early intervention program.
- BIE receives 1.25% of total allocation to states & distributes funds to tribes based on a formula.
  - Based on child counts submitted by tribes
  - Sec. 643 (b) (4) To assist states in Child Find, screening, and other procedures for the early identification of Indian children under 3 years of age and for parent training. Provision of early intervention services.



# Sec. 619 of Part B

- Preschool Special Education (3-5 year olds)
- State public schools are responsible for providing preschool special education (619) services regardless of whether a child resides on an Indian reservation or not.
- BIE receives 1.26% of IDEIA funds and distributes to eligible tribes based on a formula.
  - Distributed based on child count submitted by tribes
  - 20% IDEIA set aside
  - Sec. 611 (h) (4) (D) To assist in Child Find, screening, and other procedures for the early identification of children ages 3-5 years, parent training, and the provision of direct services.



# BIE-FACE

FACE was initiated in 1990, and currently has programs in 46 Bureau of Indian Education (BIE) funded schools. Designed as a family literacy program, FACE is an integrated model for an early childhood/parental involvement program for American Indian families in BIE-funded schools.

# BIE-FACE

<http://www.faceresources.org/playvideo.html>



# Cross Collaboration

It is highly recommended that tribes be well aware of the roles and responsibilities of the state LEAs (local education agency) and the Bureau of Indian Education for preschool children who qualify for preschool special education (IDEIA Part B – Sec 619).

New Mexico took a proactive step in clarifying the roles and responsibilities of public schools and the BIE to ensure implementation of a Free and Appropriate Public Education (FAPE) to all children, including Indian children who participated in Tribal Head Start or BIE-FACE programs for Least Restrictive Environment (LRE).

New Mexico LEA Responsibilities regarding Child Find for preschool students who reside on a reservation with LEA jurisdiction ~ June 2009







# Parental Rights and Choice

- A parent, of a Native American child who qualifies for preschool special education, can choose their local Tribal Head Start programs or BIE-FACE as LRE placement for their child and have that written into the IEP.
- Parents also have the right to not place their child in their local Tribal Head Start or BIE-FACE programs, but rather may choose the LEA's preschool for children with a developmental delay or Pre-K options outside of the tribal community.



# Special Education

- The BIE does NOT provide 619 preschool services, whereas, the public school has this responsibility.
- The public school is responsible for providing special education services to children enrolled in elementary, middle school, and high school.
- BIE is its own State Education Agency (SEA). Unlike public schools, BIE has one State Education Department that is their SEA.
- The BIE is still mandated to implement a Free and Appropriate Public Education (FAPE), with the exception of Part B funding which falls under the state public school systems' responsibilities.
- The only other differences between the BIE and public schools could be the process of mediation and due process officers, however, the same rules and processes apply.

# State Complaint Process

## BIE

- A state complaint is submitted to the BIE Special Education Director (Gloria Yepa) at the Albuquerque office.
- This applies for all BIE operated and funded schools within all 23 states. The BIE school will submit the complaint to the Albuquerque office.

## Public Schools

- A state complaint is sent to the state public education department's Special Education Bureau.
- Each public school, within the 23 states that have a BIE school, will submit the state complaint to their individual "State" Education Agency



# Coordinated Services Plan (CSP) (§300.713)

**A Coordinated Service Plan** means a written plan developed by the BIE for the coordination of services for all Indian children with disabilities residing on reservations served by a BIE-funded school. The plan provides for the coordination of services benefiting children from whatever source, including tribes, IHS, other BIA divisions, federal agencies, state education agencies, and state, local, and tribal juvenile and adult correctional facilities.

# Website

- Model forms for complaints may be downloaded at the following website:

<http://www.bie.edu/Programs/SpecialEd/Dispute/index.htm>



# BIE CONTACT INFORMATION

## **SPECIAL EDUCATION**

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## **EARLY CHILDHOOD**

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