

STANDARDS SUBCOMMITTEE

Bureau of Indian Education
Negotiated Rulemaking Committee -
Standards, Assessments & Accountability System

Tasks from Billings Meeting

Task 1: Review the 'side-by-side' of the draft regulations related to Standards and identify concerns, questions, pros/cons, identify where technical experts/assistance is needed.

Product: Share findings, and proposals for draft regulations regarding standards with the Committee.

Task 2: Review Section 1111 related to Standards and identify concerns, questions, pros/cons, where technical experts/assistance needed.

Product: Share findings with the Committee.

Tasks from Billings Meeting

- We did not draft new regulations
- Reviewed information provided, provided thoughts, concerns, pros/cons etc.



Task 2 - : Review Section 1111 related to Standards and identify concerns, questions, pros/cons, where technical experts/assistance needed.

- Major concern is in regards to interpretation of law into draft side-by-side
 - Who wrote the side-by-side?
 - The law defines what should be happening in NRMC different than what we are actually doing.
 - ESEA 8204 – “use a negotiated rule-making process to develop regulations for implementation...shall define the standards assessment accountability.”
 - NRMC Charter – “the committee will advise the Secretary...it is the Secretary’s responsibility to define standards, assessment, and accountability system.”
 - We are not drafting regulations, we are proof-reading/editing a pre-made format



Task 1- Review Side by Side

- Section 1111 states the Secretary shall not have any say in approving or defining standards, but the side-by-side gives that power to the Secretary of the DOI.
- Identifies what academic standards will include:
 - Reading
 - Math
 - Science
 - We recommend adding a fourth requirement such as tribal governments and civics that explores: sovereignty, the relationship between tribes and the federal government, treaty law and why tribes and the federal government have a nation to nation relationship.



Task 1 – Review Side by Side

- “Same knowledge, skills and levels at all bureau schools” – however, “same knowledge” is not accurate, should be “same type”
 - Refers to 1111 – “public schools”
 - What are public schools? How are we defining them?
 - How does this play into the waiver system?
- Students with Cognitive Disabilities – if the BIE chooses an assessment and the tribe waives that assessment, does the tribe still need to choose an assessment or can the tribe opt out entirely? (Secretary MAY...)



Task 1 – Review Side-by-Side

- Credit Bearing Coursework Alignment – institutions identified are not necessarily credit bearing.
 - Should be “higher education *or...*” not *and*
 - What are “relevant career and technical standards”?
- Secretary *must adopt English Language Proficiency Standards* – does this apply to immersion schools?
 - Speaking, listening, reading, writing
 - What resources will be available?
 - What if there are none?



TA/Additional Information Asks

1. What other subjects have States added to their standards?
[1111(b)(1)C]
2. What are college entrance requirements for tribal colleges and are there national standards? [1111(b)(1)D(i)]
3. Need to define additional terms so that our interpretation of the language in Section 1111 is memorialized in the regulations.
4. Where does our work with Section 1111 and Section 8204 intersect?
5. Need legal review of 8204?



Section 1111 (b)(1)

Clarifications Required from BIE:

1. Should references to “State” or “SEA” in this section be interpreted as “BIE”?
2. Who will define the Standards? [1111(b)(1)B]
3. How does standards alignment for credit bearing course work in public higher education apply to tribally controlled schools that are only K-6 or K-9? [1111(b)(1)D(i)]
4. How will BIE ensure its Standards are aligned?
[1111(b)(1)D(i)]

Section 1111 (b)(1)

Additional Information Needed Regarding:

1. What other subjects have States added to their standards?
[1111(b)(1)C]
2. What are college entrance requirements for tribal colleges and are there national standards? [1111(b)(1)D(i)]

Review of Standards in Side-by-Side

Clarification questions from BIE

1. How will 'national, regional, or tribal basis' be operationalized? [Section §30.104. (a)]

Preliminary Subcommittee Ideas / Comments

1. Need to define additional terms so that our interpretation of the language in Section 1111 is memorialized in the regulations.
2. Include possible standards for a) Tribal Sovereignty/Civics ; b) Native languages