UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

BIE Advisory Board for Exceptional Children

Board Minutes - Day 1

Thursday, September 10, 2026|8:00 AM - 4:00 PM (MDT)

Name of Committee: Bureau of Indian Education Advisory Board for Exceptional Children

Meeting Location: National Indian Programs Training Center, 1011 Indian School Rd. NW Albuquerque, NM 87104 and online using the Zoom.gov platform.

FACA Regulations: As an Advisory Board to a federal agency, the Board falls under the requirements of the Federal Advisory Committee Act (FACA; 5 U.S.C., Appendix 2). FACA aims to ensure the advice of federal advisory committees is objective and available to the public, and that the committee complies with cost control and recordkeeping requirements. The BIE Advisory Board ensures all their Board meetings are open to the public, all meeting notices are published in advance, and all Board meetings are advertised using the Federal Register and posted on the BIE website at www.bie.edu. The BIE has provided a Designated Federal Officer (DFO) assigned to support the Advisory Board, and the BIE ensures each Board member avoids conflicts of interest and limits their membership terms.

ADVISORY BOARD ROSTER

1.	Present	Norman Shawanokasic, Chairperson
2.	Present	Dr. Elizabeth Younce, Vice Chairperson, Ed.D.
3.	Present	Leon Reval, Secretary
4.	Present	Dr. Janet Slowman, Board Member, Ed.D.
5.	Present	Melanie Star, Board Member
6.	Present	Heather Church, Board Member
7.	Not Present	Season Goodpasture, Board Member
8.	Present	Dr. Paula Seanez, Board Member, Ph.D.
9.	Present	Joshua Shumak, Board Member
10.	Excused	Amber Tyner, Board Member
11.	Present	Katinee Shawanokasic-Chavez, Board Member
12.	Present	Mariah Crow, Board Member
13.	Not Present	Taryn Jim, Board Member

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

BIE Staff Members: Margo DeLaune, Associate Deputy Director
Dr. Eugene Thompson, Supervisory Educational Specialist
Jennifer Davis, Designated Federal Officer (DFO)
Ronald J. Worst, Educational Specialist

TAESE Contractors: Dr. Brenda Smith, Alex Langevin, Laura Lema, and Lindsey Brogdon

Presenters/Speakers: Dr. Eugene Thompson, Supervisory Education Specialist; Steve Byington, Budget Analyst

Others in Attendance

- Arlene Davis
- Chad Miller
- Debra Bowers
- Delphina Dayish
- Dom Reval
- Freddy Poitra
- Gloria Yepa
- Joann Fields
- John Copenhaver
- John Mcintosh
- Katherine Ford
- Marcy Starr
- Teresa Ramone-Wilson
- Phyllis Rose
- Reanna Albert
- Robert McDonald
- Scott Norton
- Shilo Krolikowski
- Zonnie Sombrero

8:00 AM – 8:30 AM **Roll Call, New Business, Old Business**
Welcome and Call to Order – Norman Shawanokasic, Chairperson

Jennifer Davis, DFO provided an overview of the meeting's purpose, objectives, Board authorizations, public commenting sessions, and meeting reminders. Questions on the purpose of the Board can be directed to Jennifer Davis. The agenda was reviewed for the two-day meeting. Contact information was shared for the DPA Special Education team.

Roll Call – Chairperson Norman Shawanokasic completed roll call. The following were present constituting a BIE quorum

- Norman Shawanokasic, Chairperson
- Dr. Elizabeth Younce
- Leon Reval
- Dr. Janet Slowman
- Heather Church
- Joshua Shumak

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

- Katinee Shawanokasic-Chavez
- Mariah Crow
- Dr. Paula Seanez
- Melanie Star

Excused: Amber Jade Tyner

New Business

Jennifer Davis, DFO submitted paperwork for two calls for Board member nominations. The announcement will be published October 1, 2026 to fill two member positions; teachers of children with disabilities and parents/guardians of children with disabilities.

Jennifer Davis, DFO, is in the process of submitting paperwork to renew the charter that expires January 8, 2027.

Old Business

Jennifer Davis, DFO, shared the minutes from the August 2026 meeting have been reviewed by the Board with no edits. Once the August 2026 minutes are approved by the Board, she will post them on the BIE website.

Norman Shawanokasic, Chairperson, thanked Vice Chairperson Elizabeth Younce and Secretary Leon Reval for their service and informed the Board there is a need to appoint a new Vice Chair and Secretary. The Board may submit thoughts to Jennifer Davis by 12:00 noon today (9/10/26) to show their interest in the roles. This submittal process will need to be completed by the end of this meeting and may be addressed after lunch.

Chairperson Norman Shawanokasic called a motion to approve the minutes for the virtual meeting held in August 2026. Vice Chairperson Elizabeth Younce made the motion, Dr. Janet Slowman seconded, and the Board voted and approved the August 2026 minutes.

8:30 AM – 9:30 AM BIE Special Education Updates

Presenter: Dr. Eugene Thompson, Supervisory Education Specialist and Ronald J. Worst, Education Specialist

Chairperson Shawanokasic welcomed the presenter to the Board meeting.

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

The presenter was asked to respond to the following items for this report and discussion.

Questions/Requests

1. Review SY 2025-2026 Fiscal and Programmatic special education.
2. Review FFY 2024 Determinations - What do the most recent State Performance Plan/Annual Performance Report (SPP/APR) indicator data reveal about progress and areas of need?
3. Provide an overview of the BIE/DPA's Summer 2026 Interactive Special Education Data Academy.
4. Input requested from the Advisory Board.

Dr. Eugene Thompson provided answers and updates to the questions above. Dr. Thompson shared that the Results Driven Accountability (RDA) states the State Education Agencies (SEAs) focus on improving educational results and functional outcomes for all children with disabilities and ensuring their state meets the program requirements with emphasis on those most related to improving results. Three accountability tools are available, such as the State Performance Plan and Annual Performance Report (SPP/APR), state determinations, and Differentiated Monitoring and Supports (DMS).

The SPP/APR is a six-year performance plan meant to evaluate efforts, to implement IDEA, and show how the state will improve their implementation. The current cycle ended with Federal Fiscal Year (FFY) 2025. The BIE annual report addresses BIE as a whole and includes targets for each indicator. Currently, the BIE received a "needs intervention" determination from OSEP's analyses of indicators. The next OSEP DMS on-site visit with the BIE will be in 2028.

Dr. Thompson shared a chart of indicators that are addressed in the BIE reports. Three compliance indicators are set from OSEP with a target of 100%; those indicators are General Supervision, secondary transition, and child find. There are seven indicators measured on targets determined by the BIE. Those indicators are parent involvement, LRE placement, statewide assessments, suspensions and expulsions, dropout rates, graduation rates, and post school outcomes.

Ronald Worst, Education Specialist, explained the indicators where the BIE met targets for the FFY 24; such as graduation, drop-out, assessment (reading and math and alternate assessments), discipline, education environments, parent survey (73% response rate and

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

97.45% reported parent involvement), and general supervision; 100% of the corrections on non-compliance reported in the previous year's APR were corrected within the one-year timeline.

Ronald Worst shared information on the three indicators that were not met, but progress was made on.

1. Child find - timely initial evaluation increased from 87.25% in 2023 to 95.25% in 2024 due to changes in the handbook that increased the timeline to 60 days for evaluation.
2. Secondary transition - increased from 77% to 85.02%. This is a 100% indicator; the office is aiming to increase the percentage above 90%.
3. Post school outcomes - decline in students reporting enrollment in higher education. The BIE saw increases in 14b and 14c. 14b is students reporting they are enrolled in higher education or competitively employed within one year of leaving high school, which increased from 40.81% to 49.61%. The target was not met but the reported rates are increasing. 14c is students reporting they are enrolled in higher education, or in some other postsecondary education or training program, or competitively employed, or in some other employment. This increased from 70.85% to 74.03%. This indicator examines the whole group across the BIE. They need to have one term or semester completed. Employment must be greater than 30 consecutive days. This did not meet the target, but reports are increasing.

The Area of most need was Assessment, specifically Reading Assessments in High School. The data for Math Assessments for 4^{th}-8^{th} grade was not valid due to data submission errors. OSEP sees that as a data and validation error that needs addressing. The BIE is working with OSEP to address this.

All students struggled with state assessments. Overall student scores are starting to rise but students with disabilities have stalled. That gap in scores is getting larger, and this is an area we need to start highlighting and looking at how we can improve our students with disabilities' scoring on state assessments.

Question: Joshua Shumak, Board Member - Do we know about the population of parent survey respondents?

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Response: Ronald Worst, Educational Specialist - We have an annual Child Count of 5-6K students. The survey goes to all parents of students.

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - The data is collected through electronic and paper versions of surveys.

Question: Dr. Janet Slowman, Board Member - What are the targets for the indicators? What do we compare it to? It is good to know and then share with parents, so they are aware of benchmarks. Additionally, how have we responded to the gap from COVID? What interventions, strategies, etc. have been used? We hear from parents that they would like to see changes.

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - The BIE establishes targets, and we can provide the 2024 APR. Three 100% compliance indicators exist.

1. Secondary transition (complaint IEPs).

2. Child find (60-day timeline, variation across the states, Tribally Controlled Schools (TCS) can follow state timelines). and

3. General supervision.

Question: Norman Shawanokasic, Chairperson - Had the same questions about the targets and asked who sets the 30-day threshold.

Response: Ronald Worst, Educational Specialist - Clarified students are required to be working for 30 days or more to be considered engaged in a form of employment. Worst explained they shared the targets and corresponding indicators in April. This is a brief review, and they are working on calculations for this current school year.

Question: Leon Reval, Secretary - With accountability, what happens if things aren't measured, who is then accountable? Graduation rates increased as a whole, what are the special education graduation rates? With the 15% set-aside funds, what happens if special education students leave the school? How do we target these students in the letter specialized for exceptional students? If there are requirements, how are they measured? There are different ways parents see progress, so how is that measured?

Comment: Dr. Janet Slowman, Board Member - Expressed appreciation for the APR and requested additional clarity and possible interventions. A need is present for specific numbers and possible interventions. It is important to share this information with tribal governments, share copies, and give presentations. School board organizations comprised of members from

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Indian nations, they are in a prime position to make an impact so this information should be shared with them.

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - Appreciates the feedback from the Board and shared that the BIE leaders provide information and technical assistance to all schools. They examine the indicators and financial allocations and hope the schools utilize monies to ensure their programs focus on improving functional outcomes for all students.

The BIE are working to ensure that, within special education programs, there are qualified personnel who are instructing the students. These personnel also share all the support services available, and they recognize this is a difficult time across the country. Every school is facing staffing shortages. They know the states and specific entities, including the BIE, are doing everything they can to ensure services are provided. A couple of ways this can be done is through coordinated agreements, or a couple of small schools can pull their funds together to purchase teachers or related service providers. These are some ways we try to provide this information to schools.

Comment: Dr. Elizabeth Younce, Vice Chair - On the school side, when we don't meet indicators, schools are required to do a local school performance plan to make corrections. Three times a year these performance plans are checked and coordinated with BIE. Suggestions are given but the BIE leaders let us come up with ways to address the indicators that work for our schools.

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - Continued presenting and shared, regarding state determinations, every state receives an annual determination, and they then must do a determination for either their local school districts or an LEA for the BIE. They will determine where a school is in one of the following four categories: meets requirements, needs assistance, needs intervention, or needs substantial intervention based on the specific criteria. We are currently in the process of issuing our annual school determinations and hopefully that data will be completed by the beginning of next week (9/14/26). We should be able to issue all state and school determinations within the next two weeks, and those will be posted directly into the Plan4Learning system.

Dr. Eugene Thompson provided a summary of the indicators and explained that the four determinations include information such as data submissions, longstanding noncompliance, the ISEP funding allocations, etc. OSEP uses results indicators (assessments, graduation rates,

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

dropout rates); compliance indicators (child find, secondary transition, data submission); and longstanding non-compliance for their determinations.

Dr. Eugene Thompson reviewed the BIE progress on determinations. He is anticipating progress on the results and compliance indicators. Dr. Thompson also shared a table of the points established by OSEP and the points earned by the BIE. BIE scored a two (out of 14) for results and a nine (out of 12) for compliance. BIE leaders are hoping for an increase in points in the 2025 fiscal year. This data is a result of combining all schools' data.

Dr. Eugene Thompson explained the DMS process. OSEP conducts on-site monitoring in all states, and in the BIE, to examine general supervision. OSEP's last visit to the BIE was in 2019. The BIE is in cohort six, and OSEP will be visiting in either July or September of 2028. The BIE Advisory Board should be engaged in this on-site monitoring process and may be contacted about their role as a member and mechanism to advise the BIE regarding special education. Currently, BIE staff are in the process of gathering all general supervision information together. They have processes and procedures in place to show OSEP there is a good general supervision system that assesses fiscal issues, data monitoring, and more.

Dr. Eugene Thompson reviewed the 2025-26 Fiscal and Programmatic Reviews. BIE conducted monitoring in the 25-26 year and visited the following nine schools.

1. Kickapoo Nation School (KS)
2. Havasupai Elementary School (AZ)
3. Quileute Tribal School (WA)
4. Circle of Life Academy (MN)
5. Sanostee Day School (NM)
6. Cherokee Central High/Middle School (NC)
7. Shoshone-Bannock Junior Senior High School (ID)
8. John F. Kennedy Day School (AZ)
9. Tiospaye Topa School (SD)

Dr. Eugene Thompson shared the number of schools with findings of noncompliance. Five schools were found non-compliant for IEPs. Dr. Thompson explained if one item in the IEP is out of compliance then the whole IEP is non-compliant. Four schools were found non-compliant with the allowable use of Part B funds for salaries and the funds for supplies, instructional materials, and equipment. Two schools were non-compliant with staff training and four non-compliant with parent training. Two schools were noncompliant with school handbooks and discipline. The new special education handbook was finalized in January 2026 and disseminated to all schools. The BIE office is currently working to ensure the new handbook's implementation. One school was non-compliant with personnel qualifications, which includes proper licensing.

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

The BIE's monitoring work included site visits, special education and Indian Student Equalization Program (ISEP) teams, supplemental education program, school operations, and collaborations between four organizations. The BIE is working with schools to correct their non-compliance. The BIE will follow up on the corrections made and explain them in their APR after collaborating with other divisions.

Dr. Eugene Thompson shared information from the 2026 BIE School Improvement Training that was held virtually in June 2026. The training was focused on the BIE handbook, local performance plan, now Plan4Learing, and offered BIE guidance for developing IEPs. The training had 270 registrants, 224 attendees, a 153 first day average of attendance per session, and a 91 day two average of attendance per session. Attendees included 17 education specialists, 19 special education directors, 21 general education teachers, and 53 special education teachers. Another summer training course will happen in 2027, and BIE staff are currently seeking recommendations for topics and locations.

Comment (Zoom chat), John McIntosh - I want to thank Dr. Thompson and their team for providing this valuable special education data. As an EPA, this information supports me to remind and support our schools, principals, and special education staff on the importance of collecting and entering accurate data. Ensuring data accuracy is essential, as it guides our efforts to effectively support the special education program in our schools.

Dr. Eugene Thompson shared the areas they would like input on from the Advisory Board. He reviewed the general supervision regulations, legislation and required factors, performance on compliance indicators, valid data, corrections of non-compliance, and other data. He shared a link to the 2023 OSEP Memo for more information. OSEP Memo 23-01

Dr. Eugene Thompson compared the BIE IDEA determinations to the OSEP state determinations to show changes are needed to BIE local school determinations. Making these changes will allow the BIE determinations to align better with the OSEP determinations, respond to the OSEP memo, address the feedback from BIE's FFY 2024 State Performance Plan/Annual Performance Report (SPP/APR), and increase flexibility to influence the SEAs to make it more meaningful to improve.

Dr. Eugene Thompson requested input from the Board to assist in deciding which indicators to remove and/or add to the local school's determination. BIE leaders are considering removing discipline; OSEP is not using that for determination. The BIE is also considering adding results

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

education, graduation, drop out, and assessment. They are required to add timely corrections and Part B funds' timely application.

Ronald Worst, Educational Specialist, shared they want to align to how the BIE monitors and makes school determinations and align to how OSEP does state monitoring and determinations. Adding more indicators and looking at more data will show how BIE schools are implementing IDEA locally and how to support their improvements. Ronald Worst shared the example of removing discipline, which was difficult to collect, and adding graduation and assessments so schools can see how they are performing and see student performance gaps.

Comment: Norman Shawanokasic, Chairperson - Thanked Dr. Thompson and Ronald Worst then shared the Board hears reports/information and gathers statistics, data, etc. This content is analyzed and used to make recommendations and suggestions in the Board's annual report. Chairperson Shawanokasic reflected on the history of the Board's priorities such as dropout rates, COVID, mental health issues, and rural populations. The biggest key is parents, teachers, and IEPs, something to think about for the summer training. The chart of non-compliance included IEPs, parent training, and staff training, and those three areas stood out. A key piece of such training is its continuous resolve in terms of educational parents, teachers, and the components involved.

Question: Dr. Elizabeth Younce, Vice Chairperson - The number reflected on the chart, is that a result of the final recommendation letter to the schools? Or the first recommendation letter?

Response: Ronald Worst, Educational Specialist - Clarified the numbers are from the final reports.

Question: Joshua Shumak, Board Member - In his work assisting students post high school, he has seen a gap in accommodations for students in college. How do students get accommodation in college? What about when a college says the student must have a reassessment. Then parents ask, "How do we get a reassessment?" Sometimes it is a funding issue. He suggested including guides or training for parents and high-functioning students so they can know what they need to do to get accommodations.

Comment: Norman Shawanokasic, Chairperson - The BIE has resources and will share.

Comment: Leon Reval, Secretary - He is hoping OSEP will access the meeting minutes when they monitor. He wishes to be a part of the OSEP monitoring visit. Suggested trainings may include How is AI Going to Factor into the Future, today with the BIE, and with Sped Students? Recognizing that AI is a tool, is there a plan in place? Is there flexibility on using it, not to create

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

IEPs, but for tracking? Using virtual tools and creating policy that allows for growth and individualization across schools.

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - Affirmed all current and past Board members are welcome to participate in OSEP discussions and participate in meetings. AI is an interesting topic area. The BIE may develop some policies and procedures. We know some AI is being used in schools and in our office, and we are seeing it used in dispute resolution.

9:30 AM – 9:40 AM Public Comments
Public comment time was integrated with the discussion above.

Norman Shawanokasic, Chairperson - announced a break for the Board.

9:40 AM – 10:00 AM Break

10:00 AM – 11:00 AM BIE School Operations/Division of Budget and Finance
Following the break Norman Shawanokasic, Chairperson welcomed back the Board, announced the next presenter, and invited them to begin their presentation.

Steve Byington, Budget Analyst, announced he would be presenting in place of Nicholas Brown.

The presenter was asked to respond to the following items for this report and discussion.

1. A general overview about ISEP.
2. The role and purpose of ISEP in supporting BIE-funded schools.
3. The scope of ISEP, including the students and schools it serves.
4. The process and methodology for determining ISEP funding with attention to relevant factors.
5. How funds are distributed to schools, including any requirements or limitations regarding their use.
6. Current updates, challenges, or changes impacting ISEP funding, if applicable.

Steve Byington introduced himself and shared he is with BIE school operations. One of his core duties is distributing DPA funding. He provided an overview of core funding, the 2026 enacted amounts and the key budget lines, funding factors, and included formula. These are the funds

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

comprising the base funding for each BIE school. He provided a high-level explanation of ISEP and regulations, 25 CFR Part 39.

Steve Byington described the main formula that includes the number of ISEP students, the average attendance, and other weighted factors. The overall value of allocations depends upon congressional appropriations.

Steve Byington shared SEP has been flat funded since 2023. Out of 481 million, 1% is taken off the top for emergencies. CFR 39.500 and 39.501 provide details of the circumstances that would qualify for the 1% funds.

Steve Byington explained ISEP-eligible students must meet all three requirements to be eligible for the funding. Non-eligible students can attend Bureau Operated Schools (BOS). He shared examples of funding breakdowns and that non-ISEP-eligible students may be in classes. Steve also explained the attendance calculations must be submitted by June 15 for distribution of 80% by July 1. The remaining 20% will be distributed by December.

Steve Byington shared the base factors of the formula are the grade level, base academic, base residential, and gifted and talented. Schools with less than 100 students receive additional weighted student units and the formulas adjust. He provided a summary of schools that received additional funding in the 2024-25 school year.

- 171 schools received Language Development funding: $33,602,000.1.
- 114 schools received Gifted and Talented funding: $12,233,000.1.
- 69 schools received Small School funding: $3,675,980.
- 56 schools received School Board Training funding: $511,130.

Steve Byington explained school board training is only eligible for BOS. He explained the summary of all the formulas and the three-year average minus the 1% set aside for the 2024-25 school year.

Question: Norman Shawanokasic, Chairperson - The regulation 39.136 regarding the Language Development program funding, can you explain that further?

Response: Steve Byington - Will have to ask Nicholas Brown for clarification. The schools may have to apply, and Steve is not sure how that is determined.

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Question: Norman Shawanokasic, Chairperson - What is the reason for the distributions to be July 1 80% and the remaining 20% in December?

Response, Steve Byington - That is how it is listed in the Code of Federal Regulations (CFR).

Question: Norman Shawanokasic, Chairperson - What are some examples for the 1% for emergencies?

Response: Steve Byington - Examples are unforeseen events or those that are not planned for; not the result of mismanagement, malfeasance, or neglect that is not covered by insurance policy at the time of event. The Assistance Secretary determines the Bureau cannot reimburse an emergency from the facilities emergency repair fund and could not have been prevented by prudent action from officials responsible for educational programs. For example, floods may partially be covered through facilities.

Question: Norman Shawanokasic, Chairperson - What type of training do the school boards attend?

Response: Steve Byington - Does not know. He will ask for examples of types and how often.

Question: Norman Shawanokasic, Chairperson - What are the current updates, challenges, and changes impacting ISEP funding?

Response: Steve Byington - The main challenges are those with flat funding for the last four years. It is actually a cut in funds based on cost-of-living increases and increases overall.

Question: Justin Shumak, Board Member - The ISEP formula with special education not factored in, could you review part 39.104 and 39.105 regarding that 15% for special education programs specifically for 104a and B? How many go into B where it is not specified as special education, but anything that affects all students as well as 105, and when they need to request further IDEA funding?

Response, Steve Byington - Will send that question along and come back with a response.

Question: Leon Reval, Secretary – Stated the Board will email questions for the next meeting. Current questions are:

- How is the money calculated?
- What happens when enrollment changes?
- Why 15%? How does IDEA supplement?
- What if the money doesn't produce a service, where does unused money go?

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

- How is it being tracked?
- Does funding reflect different levels of need?
- Who is accountable when the formula cannot solve the problem, and did it make any difference for the student exactly?

Response: Steve Byington - Will take questions back to the team and prepare for their next presentation.

Comment: Norman Shawanokasic, Chairperson - Clarified these questions are to assist the Advisory Board in creating their annual report.

Question: Dr. Janet Slowman, Board Member - What is your recommendation on the possibility to address the flat funding? Increasing costs are a challenge and affecting students. The cost of diesel is affecting transportation and field trips. We see we are in an emergency state to effectively run schools with limited funding.

Response: Steve Byington - Will research answers to these questions and provide them to the group in January.

Comment: Norman Shawanokasic, Chairperson - Expressed the importance of funding. Lots of challenges boil down to funding. He recommended revisiting this topic in future meetings.

11:00 AM – 11:10 AM Board Reflection w/Public Comments on ISEP Presentation

Chairperson Norman Shawanokasic - Opened the floor for public comments and reflection, allowing all attendees to make comments and ask questions.

Question: Norman Shawanokasic, Chairperson - Why was Nick Brown unable to present to the Board today?

Response: Jennifer Davis, DFO - There was a meeting scheduling conflict. Jennifer had coordinated with him in August.

Comment: Jennifer Davis, DFO - Reminded the Board of the importance of active engagement and participation in Board activities and presentations.

Question: Norman Shawanokasic, Chairperson - For Dr. Eugene Thompson, were the ISEP dollars set aside for special education all spent? And being underfunded, how did that affect ISEP?

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - The 15% is not tracked other than staff participation in financial reviews for BOS. We don't have access to privately controlled schools. Of the 15% set aside for special education, schools must use the 15% first before they access the IDEA Part B funds that are supplemental to the ISEP 15%.

Question: Josh Shumak, Board Member - In some states, the 15% may be used for any programs that benefit any and all students. I would be interested in knowing how much of that 15% is being used for special education vs. general school-wide initiatives. The other 85% of the ISEP is used for all school activities. Is there any data, or could there be potentially any data gathered, on this in the future?

Response: **Ronald Worst, Educational Specialist** - Clarified if a school has a small program and all needs of special education are met, the school can take some of those 15% funds that are left over and put it into the general fund. There is no data about this.

Question: Dr. Janet Slowman, Board Member - When you have a high count of students with IEPs, and then you use all 15% and then Part B is available, is there a limit on Part B funds?

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - Part B school applications are based on Child Count. Last year's Child Count is used to calculate funds for schools applying for funds. If during the year there is a shortage of funds, a school can apply for additional funds with justification.

Question: Dr. Janet Slowman, Board Member - Earlier I asked about a non-native parent who enrolled their child at a BIE school. Parents say the student has an IEP and the tribal status criteria does not apply. What is the response for intense IEPs?

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - It would be up to the school how they address that. The school receives ISEP funds and IDEA Part B. For example, if there is a non-native teacher that has a child with a disability enrolled in the same school, especially if that school is located in a rural area with no other public schools nearby, that school/teacher could support the student. You can't deny a child to receive special education; you have to serve that child. I'm not aware of some of those rules, but I have heard of cases where the parent was a teacher.

Response: Margo DeLaune, Associate Deputy Director - It is a two-part question, first if the school is accepting this student and has its own rules, those services for the student have to be provided since the school did accept the student. Second, how much does the school have in order for a student to enroll? If the school requires the tribal status then the school could say

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

they can accept the student. But once that student is accepted, the school is responsible for providing services.

Comment: Norman Shawanokasic, Chairperson - Hopefully school board training could address how schools approach issues such as enrolled tribal members vs. a descendant vs. a non-tribal member. Three components there. When I worked with tribal schools the school districts are legally responsible for that non-native child until the age of 21. This is more of an administrative/school board question and presentation, and it is a good legal question. I've seen that schools will forgo the requirement to recruit teachers to rural areas.

Comment: Dr. Janet Slowman, Board Member - Clarified a parent withdrew their student from public school and enrolled them at a BIE school. They are dealing with special education law, and parent choice laws. The school is understanding they need to take it to the school board to determine what direction is needed.

Comment: Norman Shawanokasic, Chairperson - Agrees that would be the best next step to understanding for their own knowledge along with the community and parents. It is a legal question. Norman thanked Dr. Slowman for her advocacy and for helping students.

Response: Dr. Eugene Thompson, Supervisory Educational Specialist – Some TCS receive Part B funds from the state and the BIE. Not all states have these schools.

Comment: Dr. Elizabeth Younce, Vice Chairperson - We address that issue through policy. It is used as a teacher retention tool. If we hire a teacher who is not native and has a student with a disability, we changed the policy because it is difficult to use our funds for students we don't get funds for. North Carolina does not provide Part B funds.

Question: Dr. Janet Slowman, Board Member - Will BIE-funded schools be cited and found in the wrong to use ISEP funds for a student who does not have tribal status?

Response: Margo DeLaune, Associate Deputy Director - I don't know if there are monitoring indicators or cross-sectional monitoring that would be under any ISEP monitoring. We do the IDEA and monitoring indicators.

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - This would be more of a question for ISEP staff. They operate under 25 CFR and IDEA is under 34 CFR.

Question: Leon Reval, Secretary - Does major repair, rehabilitation, or construction for facilities occur out of ISEP formulas? Is there something that can break down those costs and how they're absorbed through the regular funding cycle? And a case in point could be if a school or property needs rehab and the cost is preventing special education students from accessing

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

schools and services. Who is responsible for that? Is that a special education, ISEP, or facilities problem? Who would be responsible for making corrections for construction? Is it part of the formula or not?

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - The answer is - it depends. The BIE refers back to the school and asks if it is reasonable, allowable, and necessary. This involves a lot of other funding sources such as major schools' construction and making facilities more accessible.

Response: Margo DeLaune, Associate Deputy Director - Major construction is not allowable. However, minor construction could be allowable such as ramps for access or bars in bathrooms. Repairs are considered allowable, both IDEA and ESSA.

Question: Leon Reval, Secretary - Is that taken out of the 15% or the collective funds?

Response: Margo DeLaune, Associate Deputy Director - It depends on how the school wants to do this. We always train schools to blend funds and make the best use of their money. You can take portions of the different sets of money so that you have a total amount.

Question: Dr. Janet Slowman, Board Member - Often students with IEPs are more than 10% of the total enrollment or more than 15% of total enrollment. Can the ISEP percentage be increased to greater than 15% for special education?

Response: Dr. Eugene Thompson, Supervisory Educational Specialist - It will require congressional action to adjust the ISEP percentage.

Comment: Dr. Janet Slowman, Board Member - If we are going to meet the unique needs of our children we need to make changes. It is outrageous how much even transportation costs. We are seeing changes in the severity of disabilities within children, and it's getting more intense such as psychological, emotional, and addiction issues. Maybe the Board can ask how we change and increase this 15%?

Comment: Leon Reval, Secretary - There are 3 players: the school board, BIE, and Congress. How much weight do they hold? Does the recommendation letter have the momentum to get the 15% to be increased? Do the players create more of a hindrance? Will they get stopped at the school board level?

Comment: Jennifer Davis, DFO - Clarified that federal Board members can not engage in any lobbying activities.

Comment: Norman Shawanokasic, Chairperson - Encouraged the Board to keep these questions in mind as the Board works on the justifications for the priorities. According to the

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

charter, we assist the Secretary and contribute to the recommendations letter. The letter could be longer. There is nothing stopping the Board from implementing the information and concerns as Advisory Board members.

Chairperson Shawanokasic expressed appreciation for the information from the Board members present in this meeting; their input is good at helping the Board continue their dialogue. He reflected there is power in being on the Advisory Board. The Chairperson encouraged Board members to think clearly, understand the process, and embrace the power of this Advisory Board, which is in a great position to move forward with many of these concerns we have for our children and for our parents and communities. That is why we sit on this Board, to bring their views, things they hurt from, or things they are happy about to light. Chairperson Shawanokasic expressed gratitude, and reminded the Panel that verbiage and words matter, so the verbiage of what we put into the justification and the priorities is key.

11:10 AM – 11:30 AM Board Work Session

Chairperson Norman Shawanokasic introduced the Board's work session. The Board worked on the January 2027 agenda.

Norman Shawanokasic, Chairperson - Reviewed the proposed dates for January 2027 and asked about location and logistics.

The Board reviewed potential speakers and determined questions for speakers for the January 14-15, 2027 that will be held in Albuquerque, New Mexico. The Board determined they would like to hear from Dr. Eugene Thompson and members of the ISEP Team. The Board discussed the ISEP presentation and reviewed questions they would like to see addressed in January. Many questions arose from the ISEP presentation, and the Board reviewed questions from the agenda that may be carried over to January 2027 as well as the additional questions from Board members. The Board discussed the importance of securing presenters who are prepared and have the knowledge to answer questions.

The Board adjourned for lunch.

11:30 AM – 1:00 PM Lunch

1:00 PM – 4:00 PM Board Work Time

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Jennifer Davis, DFO, confirmed a quorum of Board members were present to continue the meeting.

Chairperson Norman Shawanokasic began the afternoon with a round of introductions of Board members, their roles, and locations.

Chairperson Norman Shawanokasic asked who would be interested in being the Vice Chair. Joshua Shumak expressed interest. Chairperson Shawanokasic asked for a motion to be made to confirm Joshua as Vice Chair. The motion was made by Dr. Younce and seconded by Paula Seanez.

Chairperson Norman Shawanokasic asked for volunteers and nominations for the role of Secretary. Chairperson Shawanokasic nominated Dr. Paula Seanez as the new Secretary. Secretary Leon Reval explained the duties/role of the Secretary as sharing information and ensuring the meeting minutes are accurate. Dr. Elizabeth Younce nominated Mariah Crow as Secretary. Dr. Paula Seanez withdrew. Secretary Leon Reval made a motion to confirm Mariah Crow as Secretary, and Dr. Paula Seanez seconded the motion. Mariah Crow was approved as the new Secretary with the Board's vote agreeing to the nomination.

Chairperson Norman Shawanokasic introduced the Board's work session. The Board continued their work on the agenda for the January 2027 meeting.

The Board approved the discussion items and questions for Dr. Eugene Thompson's presentation in January.

Secretary Leon Reval proposed giving presenters additional questions and asking them to provide handouts.

Chairperson Shawanokasic asked that when presenters are contacted they are made aware of time limits, and they provide answers to the Board's questions prior to the meeting for the Board to consider.

The Board then reviewed the proposed April 2027 agenda and discussed the training for the Board's new members. The timeframe for the January 2027 meeting was discussed to determine the length of presentations. Ronald Worst suggested setting aside 90 minutes for Dr.

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Thompson's update. Board Member Joshua Shumak recommended the National Fund for Excellence in American Indian Education, a national congressional-created non-profit.

The Board moved to work on the annual report. The Board discussed the edits to the recommendation letter and the priorities Secretary Leon Reval proposed. Secretary Leon Reval read the recommendation letter and priorities aloud with the suggested edits. Chairperson Shawanokasic discussed the purpose of the recommendation letter and proposed the letter and priorities include the edits and suggestions from Secretary Leon Reval.

The Board discussed edits to the letter, moved paragraphs, and adjusted verbiage for clarity. The Board then moved to work on the justification of priority one and adjusted priorities and recommendations for continuity and clarity.

Chairperson Shawanokasic thanked everyone and recessed the Board until the following morning at 8:00 AM MDT.

3:53 PM **Recess**

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

BIE Advisory Board for Exceptional Children

Board Minutes – Day 2

Friday, September 11, 2026|8:00 AM – 4:00 PM (MDT)

ADVISORY BOARD ROSTER

1.	Present	Norman Shawanokasic, Chairperson
2.	Present	Dr. Elizabeth Younce, Vice Chairperson, Ed.D.
3.	Present	Leon Reval, Secretary
4.	Present	Dr. Janet Slowman, Board Member, Ed.D.
5.	Present	Melanie Star, Board Member
6.	Present	Heather Church, Board Member
7.	Not Present	Season Goodpasture, Board Member
8.	Present	Dr. Paula Seanez, Board Member, Ph.D.
9.	Present	Joshua Shumak, Board Member
10.	Excused	Amber Tyner, Board Member
11.	Present	Katinee Shawanokasic-Chavez, Board Member
12.	Present	Mariah Crow, Board Member
13.	Not Present	Taryn Jim, Board Member

BIE Staff Members: Dr. Eugene Thompson, Supervisory Educational Specialist
Jennifer Davis, Designated Federal Officer (DFO)
Ronald J. Worst, Educational Specialist

TAESE Contractors: Dr. Brenda Smith, Alex Langevin, Laura Lema, and Lindsey Brogdon

Others in Attendance

- Arlene Davis
- Delphina Dayish
- Detroit James
- Dom Reval
- Marcy Starr
- Margo DeLaune
- Marikit de Perio
- Zonnie Sombrero

8:00 AM – 8:30 AM **Roll Call, Old Business, and New Business**

Welcome and Call to Order – Norman Shawanokasic, Chairperson

Roll Call – Chairperson Norman Shawanokasic completed roll call. The following were present constituting a quorum

- Norman Shawanokasic, Chairperson
- Dr. Elizabeth Younce, Vice Chairperson
- Leon Reval, Secretary
- Dr. Janet Slowman

Joined after roll call: Dr. Paula Seanez

- Heather Church
- Joshua Shumak
- Katinee Shawanokasic-Chavez
- Mariah Crow
- Melanie Star

Jennifer Davis, DFO, provided an overview of the meeting's purpose and objectives, Board authorizations, public commenting sessions, and meeting reminders. Questions on the purpose of the Board can be directed to Jennifer Davis. The meeting agenda was reviewed.

New Business

Chairperson Norman Shawanokasic asked if any Board members had new business for the Board to review.

Chairperson Norman Shawanokasic acknowledged the events of September 11, 2001 and asked the Board to engage in a moment of silence to honor and remember the victims.

8:30 AM – 11:30 AM **Advisory Board Work Session with Public Comments**

Chairperson Norman Shawanokasic introduced the Board's work session. Topics for this work session included the Board's annual priorities and logistics for the next meeting. This entire work session was open for public comments.

The Board finalized their first priority, its justification, and the accompanying recommendations.

The Board paused for a break. Following the break, the Board finalized their second priority, its justification, and the accompanying recommendations. The Board discussed their third priority and the meaning and intent of "whole child."

The Board paused for a break.

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Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Following the break, the Board continued discussing the third priority, determined the third priority could be merged with the first two, and the information could be streamlined.

The Board moved to reviewing and discussing additional, proposed, cross-cutting consideration by Secretary Leon Reval. The Board considered adding this additional piece as a conclusion and reminder of purpose. The Board decided to add a Concluding Statement to the Annual Report from the proposed verbiage. The Board finished their discussion and work on the Annual Report then reviewed the agenda for the January 2027 meeting.

Chairperson Norman Shawanokasic suggested breaking for lunch and then proposed discussing the 2027 meetings, their schedules, and possible meeting presenters after lunch.

11:15 AM – 1:00 PM Lunch

Roll Call – Chairperson Shawanokasic completed roll call. The following were present constituting a BIE quorum

- Norman Shawanokasic, Chairperson
- Dr. Elizabeth Younce
- Leon Reval
- Heather Church
- Joshua Shumak
- Katinee Shawanokasic-Chavez
- Mariah Crow
- Amber Jade Tyner

After roll call Dr. Janet Slowman joined

1:00 PM – 4:00 PM Advisory Board Work Session with Public Comments

Norman Shawanokasic, Chairperson introduced the Board's work session. Topics for this work session included reviewing the Board's annual priorities and logistics for the 2027 meetings. This entire work session was open for public comments.

The Board reviewed the recommendation letter, priorities, and concluding statement. The Board made final edits to the letter and approved it for inclusion in the Annual Report. The Board reviewed the priorities and applied their edits. The Board then made final edits to the concluding statement. The priorities and concluding statement were approved.

The Board discussed potential additional dates for 2027 meetings and determined the following schedule:

- April 27-28, 2027 in Albuquerque, New Mexico

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Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

- June 29-30, 2027 online only meeting
- September 14-15, 2027 in Albuquerque, New Mexico

The Board paused for a 15-minute break.

After the break, Chairperson Norman Shawanokasic reviewed the dates for the 2027 meetings and requested Jennifer Davis, DFO, reserve the bigger room for the April and September dates.

The Board discussed potential speakers for the April 2027 meeting with a reminder the Board will set priorities in January 2027, which will inform the presentations for the remaining meetings.

Speaker suggestions for the April 2027 meeting included:

- Director Tony Dearman
- A Superintendent Panel
- Marie SilverHatBand

Joshua Shumak, Board Member, suggested future meetings should hold space for following up on previous meetings. The Board discussed potential questions for the proposed speakers in the April 2027 meeting. The drafted questions will be revisited in the January 2027 meeting to make any necessary adjustments following the Board's priority setting activity.

The Board paused for a break.

Chairperson Norman Shawanokasic welcomed the Board back from the break and asked Board members for questions and comments about their work and the upcoming meetings.

Heather Church, Board Member, shared she is feeling more comfortable with her role now that this is her second meeting.

Chairperson Norman Shawanokasic invited Dr. Elizabeth Younce, Vice Chair and Leon Reval, Secretary to make comments as their terms are coming to an end.

Vice Chair Elizabeth Younce expressed appreciation for all she has learned, experiences, and connections.

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Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Secretary Leon Reval reflected on his first Board meeting and his growth in participation. He expressed this group is reaffirming, empowering, and important, and he expressed gratitude on the welcome and inclusion of his son Dom. He appreciated all members and specifically Dr. Younce; her leadership and incredible work in her school in North Carolina. Secretary Reval wished the new secretary and vice chair luck, encouraging them to feel pride, and to do their best. He expressed appreciation to all and is grateful for the memories.

Chairperson Norman Shawanokasic expressed appreciation for Dr. Elizabeth Younce, Vice Chair, and Leon Reval, Secretary. Chairperson Shawanokasic reflected on the North Carolina visit and the experience with the hurricane. He shared hope that, with the charter renewal, there will be an increase in funding to allow for on-site visits to different schools showing students there is an interest in their education and work is being done behind the scenes.

Chairperson Norman Shawanokasic asked Dr. Janet Slowman to share her thoughts as a departing Board member.

Dr. Janet Slowman, Board Member, expressed the importance of the work and the challenges. She remembered providing guidance on the law/governing and the importance of leading with kindness and truth. She reflected on advice from parents to be thoughtful, be spiritual, and plans will happen. She expressed appreciation for Dr. Eugene Thompson and the work he has done. She encouraged new members to give it all they got and be a shelter and guide with kindness for students.

Chairperson Norman Shawanokasic expressed appreciation for Dr. Janet Slowman reflecting on her inner thinking, her heart, and her shared reflections and experiences. Chairperson Shawanokasic reflected on the Board volunteering their time, the importance of the work the Board engages in, and the good energy that moves them forward.

Jennifer Davis, DFO, expressed appreciation to all the Board members for the work they do, especially to the Board members leaving.

Chairperson Norman Shawanokasic wished all members safe travels home.

3:35 PM **Adjourn**

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Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

Norman Shawanokasic, Chairperson called for a motion to adjourn the meeting. Vice Chair Elizabeth Younce made a motion to adjourn the meeting, and Janet Slowman seconded the motion. All Board members voted in favor of adjourning the meeting.

Minutes were chair certified for accuracy on October 22, 2026.