



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE
SERVICES

July 1, 2014

Dr. Charles M. Roessel
Director
Bureau of Indian Education
1849 C Street NW
MS-3609 MIB
Washington, DC 20240

Dear Director Roessel:

We have approved the Bureau of Indian Education's (BIE's) application for Federal Fiscal Year (FFY) 2014 funds under Part B of the Individuals with Disabilities Education Act (IDEA Part B). Our approval is based on review of the application submitted by the BIE to the U.S. Department of Education, Office of Special Education Programs (OSEP), on May 9, 2014, and June 11, 2014, including assurances provided in Section II and incorporated by reference to this letter as noted in Enclosure A.

The BIE's FFY 2014 IDEA Part B grant award is being released subject to FFY 2014 Special Conditions, as set forth in Enclosure B. Specifically, OSEP determined that the BIE failed to complete all of the corrective actions contained in Section C of the Corrective Action Plan (CAP), formerly known as the Program Improvement and Accountability Plan. The objective of Section C of the CAP is to ensure the BIE provides a free appropriate public education to all eligible students in all BIE-funded schools. Therefore, OSEP is imposing Special Conditions on the BIE's FFY 2014 grant award under Part B. The reasons for doing so and the specific conditions are detailed in Enclosure B. The BIE must administer this award in keeping with both the applicable provisions of Federal law and regulations and the Special Conditions attached to the grant award document. Acceptance by the BIE of this grant award constitutes an agreement by the BIE to comply with the Special Conditions.

On June 23, 2014, the BIE was notified that under IDEA section 616(d), the Department determined that the BIE "needs intervention" in implementing the requirements of IDEA Part B for the third consecutive year. In accordance with IDEA section 616(e)(2)(B)(i) and 34 CFR §300.604(b)(2)(i), the Department required the BIE to submit a corrective action plan that ensures that it can meet, by the end of the fourth quarterly reporting period for the 2014-2015 school year under Section C of the CAP, all of the Special Conditions that are being imposed on its FFY 2014 IDEA Part B grant award. The BIE must submit its corrective action plan and quarterly progress reports in accordance with the reporting and timeline requirements specified in the Special Conditions that OSEP is imposing on the BIE's FFY 2014 IDEA Part B grant award.

Please note that as part of your application for FFY 2014, the BIE has made an assurance, pursuant to 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect during the FFY 2014 grant period. Any changes made by the BIE, after

OSEP approval, to information that is a part of the BIE's application, must meet the public participation requirements in 34 CFR §300.165.

Enclosed is the BIE's FFY 2014 Grants to States award of \$93,804,965 appropriated for FFY 2014 under IDEA Section 611(b)(2). These funds are available for obligation by the BIE from July 1, 2014 through September 30, 2016 in accordance with 34 CFR §76.709.

Under IDEA Section 611(h)(4)(A), the BIE's FFY 2014 grant award includes \$18,760,993, twenty percent of the amount allotted under IDEA Section 611(b)(2), to be distributed by the Secretary of the Interior to tribes or tribal organizations or consortia of the above to provide for the coordination of assistance for special education and related services for children with disabilities aged 3 through 5 on reservations served by elementary and secondary schools for Indian children operated or funded by the Secretary of the Interior. The funds received by a tribe or tribal organization must be used to assist in child find, screening and other procedures for the early identification of children aged 3 through 5, parent training, and the provision of direct services. None of the funds provided under IDEA Section 611(h)(4)(A) can be used by the Secretary of the Interior for administrative purposes, including child count and the provision of technical assistance.

Under IDEA Section 611(h)(1)(A), \$75,043,972, eighty percent of the amount allotted under IDEA Section 611(b)(2), is provided to the Secretary of the Interior to meet the need for assistance for the education of children with disabilities on reservations aged 5 to 21, inclusive, enrolled in elementary schools and secondary schools for Indian children operated or funded by the Secretary of the Interior. Under IDEA Section 611(h)(1)(A) and 34 CFR §300.707(b), with the exception of five percent of these funds, which may be reserved for administrative costs, 80 percent of the funds must be allocated to such schools by July 1, and 20 percent must be allocated to such schools by September 30.

The enclosed grant award of FFY 2014 funds is made with the continued understanding that this Office may, from time to time, require clarification of information within your application, if necessary. These inquiries may be necessary to allow us to appropriately carry out our administrative responsibilities related to IDEA Part B.

As a reminder, all prime recipients of IDEA (Part B or Part C) funds, must report subaward information as required by the Federal Funding Accountability and Transparency Act of 2006 (FFATA), as amended in 2008. First-tier subaward information must be reported by the end of the following month from when the award was made or obligated. FFATA guidance is found at <http://www2.ed.gov/policy/gen/leg/recovery/rms-web-conferences.html>. Please contact your State's Fiscal Accountability Facilitator if you have further questions.

We appreciate your ongoing commitment to the provision of quality educational services to children with disabilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove". The signature is fluid and cursive, with the first name "Melody" and last name "Musgrove" clearly distinguishable.

Melody Musgrove, Ed.D.
Director
Office of Special Education Programs

Enclosures

- Enclosure A
- Enclosure B
- Enclosure C

cc: State Director of Special Education