



NATIONAL INDIAN EDUCATION ASSOCIATION

Sue Bement
Office of Regulatory Affairs & Collaborative Action
1001 Indian School Road NW, Suite 312
Albuquerque, NM 87104

***Re: Proposed Membership for the BIE Standards, Assessments, and Accountability System
Negotiated Rulemaking Committee***

Dear Ms. Bement:

Thank you for the opportunity to submit comments regarding the proposed membership for the Bureau of Indian Education (BIE) standards, assessments, and accountability system negotiated rulemaking committee (Committee). The National Indian Education Association (NIEA) is the most inclusive national organization advocating for improved educational opportunities for American Indian, Alaska Native, and Native Hawaiian students. Our mission is to ensure that Native students receive a high-quality academic and cultural education, a goal that is only possible if Congress upholds the federal trust responsibility to tribes.

NIEA Supports Confirmation of Proposed Members for the Committee

Under Section 8204 of the Every Student Succeeds Act (ESSA), the BIE is required to engage in negotiated rulemaking to develop regulations for standards, assessments, and accountability systems in BIE schools. Due to ongoing bureaucratic delays, the BIE is over a year behind in the negotiated rulemaking process. In the meantime, BIE schools are required to operate under the accountability systems of the state in which they are located, unless they receive a waiver. Such setbacks leave Bureau-funded schools in a state of uncertainty and have prompted the Department of Education to withhold federal Title I funding from the BIE. While the BIE deliberates Committee membership, Native students ultimately bear the brunt of consequences from limited funding and temporary systems of accountability.

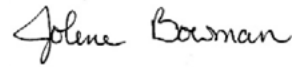
NIEA recommends that the BIE move to confirm proposed members of the Committee and proceed with the negotiated rulemaking process as soon as possible to fulfill statutory obligations under ESSA. As Native educators, researchers, and evaluators, the proposed membership represents a body of experts that can communicate the unique needs of Native students to create high-quality culture-based standards, assessments, and accountability systems. Through the negotiated rulemaking process, the BIE can promote Native success in the classroom and beyond.

Conclusion

With these concerns and through these comments on the proposed membership for the BIE negotiated rulemaking committee, NIEA looks forward to working with the BIE to serve the

unique needs of the only students that the federal government has a direct responsibility to educate – Native students. If you have any questions, please contact Ahniwake Rose, NIEA's Executive Director, at arose@niea.org.

Sincerely,

A handwritten signature in black ink that reads "Jolene Bowman". The signature is written in a cursive, flowing style.

Dr. Jolene Bowman
President