



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

July 1, 2013

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

Dear Acting Director Roessel:

We have approved the Bureau of Indian Education's (BIE's) application for Federal Fiscal Year (FFY) 2013 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 (Department), Office of Special Education Programs (OSEP), on May 10, 2013, including assurances provided in Section II and incorporated by reference to this letter as noted in Enclosure A.

BIE's FFY 2013 IDEA Part B grant award is being released subject to FFY 2013 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 Program Improvement and Accountability Plan (PIAP). The objective of Section C of the PIAP is to ensure the BIE provides a free appropriate public education to all eligible students in all BIE-funded schools. In addition, OSEP has identified areas of noncompliance related to the BIE's State complaint and mediation procedures. Therefore, OSEP is imposing Special Conditions on the BIE's FFY 2013 grant award under Part B. The reasons for doing so and the specific conditions are detailed in the enclosure. 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.

Please note that as part of your application for FFY 2013, 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 2013 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 2013 Grants to States award of \$92,909,676 appropriated for FFY 2013 under IDEA Section 611(b)(2). These funds are available for obligation by the BIE from July 1, 2013 through September 30, 2015 in accordance with 34 CFR §76.709.

Under IDEA Section 611(h)(4)(A), BIE's FFY 2013 grant award includes \$18,581,935, 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 organization 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 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), \$74,327,740, 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 2013 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,



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

Enclosures

Enclosure A
Enclosure B

cc: BIE Director of Special Education