



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

Honorable Edward Parisian  
Director, Office of Indian Education Programs  
Bureau of Indian Affairs  
MS-3512, MIB  
1849 C Street, NW  
Washington, DC 20240-0001

MAR 20 2006

Dear Director Parisian:

Thank you for your timely submission of the Bureau of Indian Affairs' (BIA) State Performance Plan (SPP) for review under Part B of the Individuals with Disabilities Education Act (IDEA). Section 616(b) of the Act requires States to submit, within one year after the date of enactment of the reauthorized IDEA, an SPP that evaluates the State's efforts to implement the requirements and purposes of IDEA and describes how the State will improve implementation. We appreciate BIA's efforts in preparing the SPP under a short timeline and in the face of many other competing priorities. In the SPPs, due by December 2, 2005, States were to include: (1) baseline data that reflect the State's efforts to implement Part B of the IDEA; (2) measurable and rigorous targets for the next six years for each of the indicators established by the Secretary in the priority areas under section 616(a) of the IDEA; and (3) activities the State will undertake to improve implementation of Part B.

The BIA included a variety of detailed activities with timelines and resources designed to improve performance and, where applicable, compliance with each of the indicators. The activities appeared to be designed to impact performance and compliance and assist the BIA in meeting the established targets.

The Office of Special Education Programs (OSEP) is pleased to inform you that BIA's SPP under Part B meets the requirements of section 616(b) to include measurable and rigorous targets and improvement activities. The BIA must make its SPP available through public means, including posting on its website, distribution to the media, and distribution through public agencies. (Section 616(b)(2)(C)(ii)(I)).

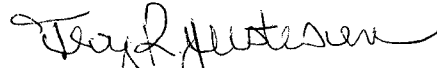
Under section 616(b)(2)(C)(ii)(II) of the Act, BIA must annually report to OSEP on its performance under the SPP. BIA's first Annual Performance Report (APR) on its progress in meeting its targets is due to OSEP by February 1, 2007. Attached to this letter you will find Table A addressing issues identified during our review of the SPP that – while not requiring disapproval of your plan – will affect our annual determination of State performance and compliance based on data presented in the BIA's APR. As a result, BIA needs to provide additional information as part of its February 2007 APR submission. Table B includes OSEP's analysis of your submission related to previously-identified noncompliance or other issues included in our November 21, 2005 letter that responded to your FFY 2003 APR, and our

January 20, 2006 letter on the results of OSEP's 2005 verification visit, that also may require additional reporting.

We hope that BIA found the August 5, 2005 guidance on submission of the SPPs and the technical assistance that we provided through the August 11-12, 2005 Summer Institute, periodic conference calls, and the SPP Resources website helpful in this endeavor. If you have any feedback on our past technical assistance efforts or the needs of States for guidance, we would be happy to hear from you as we work to develop further mechanisms to support State improvement activities.

Thank you for your continued work to improve results for children and youth with disabilities and their families. We encourage you to work closely with your State Contact as you proceed in implementing improvement activities and developing your APR. If you have any questions regarding the SPP or the APR, please contact Tony G. Williams at 202-245-7577.

Sincerely,



Troy R. Justesen  
Acting Director  
Office of Special Education  
Programs

Enclosures

Table A

Table B

cc: Lynann Barbero  
Director of Special Education