

# GAO Highlights

Highlights of [GAO-20-358](#), a report to the Republican Leader, Committee on Education and Labor, House of Representatives

## Why GAO Did This Study

BIE funds 185 elementary and secondary schools that serve more than 6,000 Native American students with special needs. The Department of Education has raised concerns about BIE's implementation of IDEA in recent years, including its long-standing noncompliance with IDEA requirements. GAO was asked to examine the provision of special education and related services to eligible BIE students.

This report examines the extent to which (1) BIE students with disabilities are provided the special education and related services required by their IEPs, and (2) BIE oversees and supports the provision of special education at its schools. GAO analyzed data on special education and related services for a generalizable sample of 138 BIE students with IEPs at 30 schools over a 4-month period in school year 2017-2018 (the most recent complete school year at the time of our analysis); compared BIE special education practices with its policies and Interior and IDEA requirements; visited schools in two states selected for their large numbers of BIE schools; and interviewed school and agency officials.

## What GAO Recommends

GAO is making seven recommendations, including that BIE establish consistent requirements for schools on making up missed services, annually verify special education services at all schools, comply with high-risk monitoring and technical assistance requirements, and ensure that BIE staff receive needed training. Interior agreed with the recommendations.

View [GAO-20-358](#). For more information, contact Melissa Emrey-Arras at (617) 788-0534 or [emreyarrasm@gao.gov](mailto:emreyarrasm@gao.gov).

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## INDIAN EDUCATION

### Actions Needed to Ensure Students with Disabilities Receive Special Education Services

## What GAO Found

Schools funded by the Bureau of Indian Education (BIE) are required under the Individuals with Disabilities Education Act (IDEA) to provide services for eligible students with disabilities, such as learning disabilities or health impairments. Services for these students are listed in individualized education programs (IEP). GAO found that BIE schools did not provide or did not account for 38 percent of special education and related service time for students with disabilities, according to analysis of school documentation for a 4-month review period (see fig.). This included one school that did not provide any services to three students. While BIE has plans to improve documentation of such services, it has not established whether and when missed services should be made up, which has led to inconsistent practices among schools. Establishing consistent requirements for making up missed services could help students receive the special education and related services they need to make academic progress.

**Percentage of Special Education and Related Service Time Provided by Bureau of Indian Education Schools to Eligible Students (between October 2017 and February 2018)**



Source: GAO analysis of Bureau of Indian Education school documentation. | GAO-20-358

Note: Estimates included in this figure have a margin of error at the 95 percent confidence level of plus or minus 12 percentage points or fewer.

BIE's limited monitoring and technical assistance have hindered its oversight and support for special education at schools. For example:

- A division of BIE responsible for overseeing about half of all BIE schools decided to verify the provision of special education services at only one-third of its schools per year, although the Department of the Interior (Interior) requires BIE to annually verify the provision of services at all schools.
- BIE provided required monitoring reports late and did not provide required technical assistance plans to 14 schools that BIE determined were at high risk of not complying with IDEA and other federal education programs in school year 2018-2019.
- BIE officials said that the field office staff responsible for working with schools on special education often do not have the requisite expertise, which has hampered their oversight and support to schools.

Without verifying special education services at every school annually, following high-risk monitoring and technical assistance requirements, and providing training to its staff, BIE cannot ensure that the schools it funds are meeting their responsibilities under IDEA. Strengthening such oversight and support activities can help BIE as it works to address the unique needs of students with disabilities to help prepare them for future education, employment, and independent living.