



PRESS RELEASE

CONTACT: Therese Yanan, Executive Director
tyanan@natedisabilitylaw.org
(505) 635-9288

FOR IMMEDIATE RELEASE
April 21, 2020

School Closure Depriving Native American Students of Education Bureau of Indian Education Fails to Issue Guidance to Schools Advocates Demand Action

Farmington, NM – The Native American Disability Law Center is asking Tony Dearman, the Director of the Bureau of Indian Education (BIE), to issue guidance to BIE schools to ensure that Native American students, particularly those with disabilities, have access to continuing education, including special education and related services. The BIE acts as the State Educational Agency (SEA) to 183 schools across the United States. Despite the closure of many of its schools through the remaining 2019-2020 school year, the BIE has yet to issue any guidance to its schools on how to continue serving Native American students. This failure will deprive thousands of Native American students of valuable educational time and cause irreparable harm to students with disabilities who rely on school-based services to meet their needs.

Since school closures became necessary due to the COVID-19 pandemic, SEAs across the country have directed local school districts to develop learning plans so that students can continue to access educational services. Guidance has also been issued by both the Department of Education and SEAs concerning the need to continue implementing Individualized Education Plans (IEPs) under the Individuals with Disabilities Education Act (IDEA). The Law Center has made multiple requests to representatives of the BIE urging them to take action and issue guidance to their schools. Despite assurances that the BIE is working on guidance, none has been issued to date and Native American students are left with uncertainty as to whether they will receive any education services until schools reopen.

Additionally, the BIE, through the Secretary of the Interior, will receive over \$153 million dollars under the Coronavirus Aid, Relief, and Economic Security (CARES) Act to support its schools. The Law Center demands the BIE make its plans for distribution of this funding stream publicly available and further requests the BIE focus on spending this money to support the specific and current needs of Native American students, such as a lack of access to computers and Internet.

Therese Yanan, the Law Center's Executive Director, stated, "Native American students at BIE schools historically perform at lower achievement levels than their peers. The BIE's failure to provide direction to its schools will only widen this unacceptable achievement gap. Further, students with disabilities often rely on schools for nursing services, physical and occupational therapy, social emotional learning, and mental health therapy. Without these services, students with disabilities are at a high risk of significant regression and decompensation. The BIE must address this situation immediately."

This request for guidance is supported by Disability Rights and Civil Rights Advocates across the country with an interest in supporting the rights of Native American students.

905 W. APACHE STREET. • FARMINGTON, NEW MEXICO 87401
Phone 505-566-5880 • Toll Free 1-800-862-7271 • Fax 505-566-5889

The Protection & Advocacy System for Native Americans with Disabilities.

Funding provided by the Administration on Intellectual & Developmental Disabilities, the Rehabilitation Services Administration, the Center for Mental Health Services, the Social Security Administration, the Arizona Developmental Disabilities Planning Council, the New Mexico Civil Legal Services Commission, the New Mexico Administrative Office of the Courts, the New Mexico Access to Justice Commission

For more information on this issue & the rights of Native Americans with disabilities or the services of the Native American Disability Law Center, please contact Therese Yanan at 505-635-9288.

###