Media Contact: Bureau of Indian Affairs
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Proposed regulations effecting major developments and changes in the administration of Bureau of Indian Affairs education programs were published May 22 in the Federal Register, Deputy Assistant Secretary for Indian Affairs Rick Lavis said today.

The regulations implement certain provisions of Title XI of the Education Amendments Act of 1978 (P.L. 95-561); and, the Tribally Controlled Community College Assistance Act of 1978 (P.L. 95-471).

The regulations implementing provisions of P.L. 561 deal with Indian education policies, the establishment of a new line authority structure in BIA education programs, school funding allocations, a new education personnel system, student rights and responsibilities, and school construction applications and procedures.

The regulations implementing the Community College Act prescribe procedures for providing financial and technical assistance to Indian community colleges and, in a separate part, to the Navajo Community College.

Deputy Assistant Secretary Lavis said that for the past five months, task forces comprised of tribal leader nominees, Bureau field and headquarters staff, and private sector individuals have devoted considerable time and energy to developing the regulations.

The proposed section on Indian Education Policies includes a statement of mission followed by 26 specific policy areas. The statement of mission is "to provide quality education opportunities from early childhood through life in accordance with the tribes' needs for cultural and economic well-being in keeping with the wide diversity of Indian tribes and Alaska Native villages as distinct cultural and governmental entities. The Bureau shall manifest consideration of the whole person, taking into account the spiritual, mental, physical and cultural aspects of the person within family and tribal or Alaska Native village context."

Another part of the proposed regulations covers the line authority delegation from the Assistant Secretary - Indian Affairs to the Director of the Office of Indian Education Programs who will supervise and direct all personnel substantially involved in Indian education as provided in Section 1126 of the Act.

The section on BIA education personnel authorizes employment and payment procedures which are patterned, after local public school district procedures (contract) and, therefore, are considered more responsive to the needs of Indian tribes and school administrators. These procedures are primarily controlled at the local school level with the hiring and discharge of school employees subject to Indian school board approval. P.L. 561 exempts these Indian school positions from many of the Federal personnel provisions.

The proposed rules on the allocation of BIA Indian education funds includes, as a major element, a uniform direct funding formula for all BIA supported schools including those operated by tribal groups

under contracts with the Bureau. The formula is based on average daily membership at the schools, adjusted by weighting factors such as the grade levels of the students, special programs to meet special needs of the students, geographic factors affecting the cost of programs and other student cost elements.

Comments on the proposed regulations should be sent to Deputy Assistant Secretary Rick Lavis, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

There is a 45 day review period for the Community College regulations and 30 days for the other regulations.
