

Bureau of Indian Affairs Replacement School Process

Since 1989 the BIA has published a priority list of replacement schools in the Federal Register and has used this list to request replacement school appropriations from Congress. As the schools become funded and the priority list decreases, the BIA prepares and requests applications so additional schools may be prioritized and added to the replacement school priority list. The Bureau does not request applications annually, but only when the priority list decreases and additional schools need to be added to the priority list.

BIA requested applications from school administrators and school boards to obtain information for the prioritizing of schools for replacement. The BIA application requested information used to evaluate each applying school facility. The applicants were requested to submit information regarding the following subjects: condition of the school; number of code violations (health and safety); number of portable classrooms in use; provisions for the handicapped; energy efficiency; educational programmatic needs; enrollment (overcrowding); enrollment projections; and possible use of adjacent educational facilities. The Bureau's nationwide facilities database, Facilities Management Information System (FMIS) is used to supplement the information provided by the applicants.

Two evaluations teams were used to review each application – a team to evaluate the physical condition of the school and a team to review the school's education programmatic needs. The cumulative scores of the evaluation teams provide a tentative ranking of schools and this ranking list is sent to the Director, Office of Indian Education Programs and the Assistant Secretary of Indian Affairs for their review and concurrence. If the recommended ranking of schools were accepted, additional schools are then added to the replacement school priority list and the revised list is published in the Federal Register.

The Bureau published another Notice in the Federal Register on July 11, 2001 (66 FR 31248) calling for applications based on the revised instructions and ranking criteria. The Bureau accepted applications beginning August 1, 2001 and used the criteria in the revised instruction to review and evaluate all applications that were received on or before the application deadline. The application deadline was extended to October 22, 2001, by a notice published in the Federal Register on August 20, 2001 (66 FR 43591) in response to request of tribal organizations and school boards. These applications were evaluated and ranked according to the revised criteria stated in the application and from the list of ranked schools, the first nine schools were placed on the FY 2003 Education Facilities Replacement School Construction Priority List.

Publication of the Replacement School Construction Priority List in the Federal Register is required by 25 U.S. C. 2005 (d). In addition the Conference Report (Report 108-330) which accompanied the Fiscal Year 2004 appropriations for the Department of Interior directed the Secretary of the Interior to submit a new Priority List to Congress: "The

managers direct that the Secretary submit a new priority list by February 15, 2004, containing a sufficient number of schools to continue the replacement school program through fiscal year 2007. The priority list should address the most critical needs based on the Bureau's facility management information system."

The process used to develop the Priority List involved identification by the BIA of schools with critical health and safety concerns. The identification was conducted by the BIA's Office of Facilities Management and Construction (using FMIS), the BIA's regional facilities program, and the Office of Indian Education Program's facilities program. The BIA then selected, through a competitive bid process, an independent contractor experienced in facilities construction to conduct a site review of each of the identified schools' core academic and/or dormitory facility. The independent contractor then rated each school based on the following: (1) Health and safety deficiencies, (2) environmental deficiencies (3) accessibility for persons with disabilities and (4) condition of existing utilities and site improvements. Forty one schools were evaluated and prioritized and out of the 41 schools the top 14 schools were added to the Federal Register. The Priority List included the 14 schools considered in the most need of replacement of their core academic and/or dormitory facilities. Complete replacement of the entire school facility may not be necessary.

The final listing of the 14 schools was published in the Federal Register March 24, 2004.