

INDIAN AFFAIRS MANUAL

Part 30

Education (Management)

Chapter 18

BIE Strategic Decision-Making

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1.1 Purpose. This document establishes the Bureau of Indian Education's (BIE) policy and procedure for identifying, analyzing, determining, and documenting its strategic decision-making process.

Specifically, BIE will: (1) identify high-level decisions to which this strategic decision-making procedure applies; (2) identify, by position, BIE leaders whose involvement in the decision-making process is necessary; (3) specifically define roles and responsibilities of such individuals; and (4) document the protocol for determining and documenting strategic decisions made by the BIE.

Note: The positions described in this chapter are based on the Department of the Interior's (DOI) Secretarial Order 3334 and corresponding BIE organizational chart, and are not yet reflected in BIE's section of the DOI Departmental Manual (DM) (130 DM 8), which was last updated in August 2006. As is the case with any policy, the positions noted herein are therefore subject to change.

1.2 Scope. This policy applies to all BIE offices and personnel when the criteria described in section 1.6 A. of this policy exist, and does not apply to normal day-to-day management decision-making in the normal course and scope of BIE operations.

1.3 Policy. It is BIE's policy to facilitate accountability, uniformity, inclusivity, and transparency when making strategic decisions.

1.4 Authority.

A. Statutes and Regulations.

- 1) 25 U.S.C. §§ 2000 - 2021, Bureau of Indian Affairs Programs
- 2) 25 CFR 32, Indian Education Policies

B. Guidance.

- 1) Standards for Internal Control in the Federal Government, Government Accountability Office (GAO), GAO-14-704G, September 2014
- 2) Indian Affairs: Better Management and Accountability Needed to Improve Indian Education, GAO-13-774, September 2013
- 3) DOI Secretarial Order No. 3334, Restructuring the Bureau of Indian Education, June 12, 2014

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1.5 Responsibilities.

A. **BIE Senior Leadership Team** is responsible for implementing this strategic decision-making procedure when the criteria exist as described in section 1.6 A. The Team will be staffed by a Facilitator and comprised of the following Team Member positions or their designee(s):

- 1) Director, Bureau of Indian Education
- 2) Deputy Bureau Director, School Operations
- 3) Chief Academic Officer
- 4) Chief of Staff
- 5) Associate Deputy Director, Division of Performance and Accountability
- 6) Associate Deputy Director, Bureau-Operated Schools
- 7) Associate Deputy Director, Tribally-Controlled Schools
- 8) Associate Deputy Director, Navajo Schools
- 9) President, Southwestern Indian Polytechnic Institute
- 10) President, Haskell Indian Nations University

The assignment of clear roles and responsibilities enables the BIE to more effectively make strategic decisions and ensures Team Member accountability. To that end, each Team Member will serve in one of the following roles for each decision that is made utilizing the procedure outlined in this policy.

B. **Facilitator** is the Special Assistant to the Director, or his or her designee, during all strategic decision-making meetings. As Facilitator, the Special Assistant to the Director, or his or her designee, is responsible for:

- 1) collecting potential decision issues that are reported by Team Members in regular weekly reports;
- 2) reporting such potential decision issues in the Weekly Senior Managers Meeting Agenda;
- 3) collecting and electronically storing all written recommendations, written input, and any other supporting documentation submitted by Leads;
- 4) preparing and disseminating regular and special decision-making meeting agendas to all Team Members; and
- 5) facilitation of Team meetings, including:
 - outlining the purpose of the meeting;

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- ensuring that the scope of discussions are limited to the items on the meeting agenda;
- controlling the pace of the meeting in order to provide adequate time to discuss all items on the agenda; and
- recording meeting minutes.

C. Issue Lead is a Team Member tasked with the responsibility of managing a specific decision issue. Issue Leads, or his or her designee, will be responsible for:

- 1) leading discussion of assigned decision issue(s) during regularly scheduled and special Team meetings;
- 2) gathering any necessary or useful information, documentation, or professional opinions from subject matter experts outside the Team;
- 3) setting appropriate deadlines for submissions by Input Contributors, if necessary;
- 4) setting a final recommendation submission date;
- 5) gathering formal written input provided by Input Contributors;
- 6) preparing a formal written recommendation to the Approver, including proposed alternatives, if appropriate; and
- 7) submitting a finished Decision-Making Package to the Facilitator.

D. Input Contributors are Team Members that are provided with the opportunity to submit formal written input. However, Input Contributors are *not required* to provide such input. If input is provided, the Input Contributor will:

- 1) lead the discussion of assigned decision issue(s) during regularly scheduled and special Team meetings;
- 2) gather any necessary documentation, information, or professional opinions from subject matter experts outside the Team that the Input Contributor deems necessary or useful; and
- 3) prepare and submit formal written input to the appropriate Lead before any identified deadline(s).

E. Director, BIE is responsible for:

- 1) reviewing all decision-making packages submitted by the Facilitator; and
- 2) submitting a final written determination to the Facilitator for electronic storage and dissemination.

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1.6 Procedures.

A. Use Criteria

This strategic decision-making procedure will be utilized whenever an issue implicates any of the following criteria:

- 1) BIE action or inaction impacts compliance with any applicable laws and regulations, including but not limited to:
 - a) Federal statute(s),
 - b) regulation(s), and
 - c) non-regulatory Department of Education (DOE) and/or Department of the Interior (DOI) guidance.
- 2) BIE action or inaction results in budgetary expenditures at or above \$40,000.00.
- 3) When a systemic issue impacts more than one Associate Deputy Director Office, BIE-Operated College, and/or other division within BIE.
- 4) Any other matter identified and submitted at the discretion of the Director.

B. Decision Categories

Every decision issue that is reported by Team Members will be classified and assigned to one of the following decision categories. Each decision category will direct the roles and responsibilities of each Team Member other than the Facilitator and the Director. The decision categories and the directed roles and responsibilities are as follows:

- 1) **Pre-K through Grade 12:** This decision category includes, but is not limited to, decision issues involving the following: (1) Family and Child Education (FACE), (2) early childhood programs, (3) Pre-K through grade 12 education and supplementary programs, and (4) residential programs. The pre-assigned roles and responsibilities for Pre-K through Grade 12 issues will be as follows:
 - a) **Lead:** Chief Academic Officer
 - b) **Input Contributors:**
 - Deputy Bureau Director
 - Chief of Staff
 - Associate Deputy Director, Division of Performance and Accountability
 - Associate Deputy Director, Bureau-Operated Schools

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- Associate Deputy Director, Tribally Controlled Schools
 - Associate Deputy Director, Navajo Schools
 - President, Southwestern Indian Polytechnic Institute
 - President, Haskell Indian Nations University
- 2) **Post-secondary Education:** This decision category includes, but is not limited to, decision issues involving the following: (1) bureau-operated colleges and universities, and (2) bureau-funded tribal colleges and universities. This provision will not be applied in a manner that interferes with the individual autonomy of colleges and universities required for accreditation through the Higher Learning Commission. The pre-assigned roles and responsibilities for Post-secondary Education issues will be as follows:
- a) **Lead:** Appropriate College President, as assigned by the Director
 - b) **Input Contributors:**
 - Deputy Bureau Director
 - Chief of Staff
 - Chief Academic Officer
 - Associate Deputy Director, Division of Performance and Accountability
 - Associate Deputy Director, Bureau-Operated Schools
 - Associate Deputy Director, Tribally Controlled Schools
 - Associate Deputy Director, Navajo Schools
 - President, Southwestern Indian Polytechnic Institute (if not assigned as Lead)
 - President, Haskell Indian Nations University (if not assigned as Lead)
- 3) **K – 12 School Budget:** This decision category includes, but is not limited to, decision issues involving individual school fiscal matters that require budgetary expenditure(s) of funds at or exceeding \$40,000.00. The pre-assigned roles and responsibilities for K – 12 School Budget issues will be as follows:
- a) **Lead:** Chief Academic Officer
 - b) **Input Contributors:**
 - Deputy Bureau Director
 - Chief of Staff
 - Associate Deputy Director, Division of Performance and Accountability
 - Associate Deputy Director, Bureau-Operated Schools
 - Associate Deputy Director, Tribally Controlled Schools
 - Associate Deputy Director, Navajo Schools
- 4) **School Operations:** This decision category includes, but is not limited to, decision issues involving the following: (1) information technology, (2) human resources,

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(3) facilities and maintenance, (4) bureau budget and finance, (5) transportation, and (6) contracting. The pre-assigned roles and responsibilities for School Operations issues will be as follows:

- a) **Lead:** Deputy Bureau Director
- b) **Input Contributors:**
 - Chief Academic Officer
 - Chief of Staff
 - Associate Deputy Director, Division of Performance and Accountability
 - Associate Deputy Director, Bureau-Operated Schools
 - Associate Deputy Director, Tribally Controlled Schools
 - Associate Deputy Director, Navajo Schools
 - President, Southwestern Indian Polytechnic Institute
 - President, Haskell Indian Nations University

5) **DOE Programs:** This decision category includes, but is not limited to, decision issues involving programmatic and budgetary matters involving the DOE. The pre-assigned roles and responsibilities for DOE Program issues will be as follows:

- a) **Lead:** Associate Deputy Director, Division of Performance and Accountability
- b) **Input Contributors:**
 - Deputy Bureau Director
 - Chief Academic Officer
 - Chief of Staff
 - Associate Deputy Director, Bureau-Operated Schools
 - Associate Deputy Director, Tribally Controlled Schools
 - Associate Deputy Director, Navajo Schools

6) **Strategic and Unique Issues:** This decision category encompasses decision issues that: (1) are not critical incidents, and (2) do not fall within any other category described herein. The pre-assigned roles and responsibilities for Strategic and Unique issues will be as follows:

- a) **Lead:** Deputy Bureau Director
- b) **Input Contributors:**
 - Chief Academic Officer
 - Chief of Staff
 - Associate Deputy Director, Division of Performance and Accountability
 - Associate Deputy Director, Bureau-Operated Schools
 - Associate Deputy Director, Tribally Controlled Schools
 - Associate Deputy Director, Navajo Schools

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- President, Southwestern Indian Polytechnic Institute
- President, Haskell Indian Nations University

7) **Critical Incidents:** This decision category encompasses decision issues that are critical in nature. Such decision issues include, but are not limited to: (1) student and employee health and safety, (2) significant loss of property, and (3) natural disasters. However, the ability of BIE personnel to make decisions that are time sensitive and evolving, given the nature of the incident at hand, should not be hindered by this procedure. The pre-assigned roles and responsibilities for Critical Incidents issues will be as follows:

- a) **Lead:** Deputy Bureau Director
- b) **Input Contributors:**
 - Chief Academic Officer
 - Chief of Staff
 - Associate Deputy Director, Division of Performance and Accountability
 - Associate Deputy Director, Bureau-Operated Schools
 - Associate Deputy Director, Tribally Controlled Schools
 - Associate Deputy Director, Navajo Schools
 - President, Southwestern Indian Polytechnic Institute
 - President, Haskell Indian Nations University
 - School Health Programs Specialist

C. Decision Issue Submission Process

All Team Members will be responsible for reporting potential decision issue(s) as they become aware of them (or should reasonably be aware of them) through the following process:

- 1) **Weekly Senior Managers Reports:** Team Members must submit potential decision issue(s) by reporting such issues, in a separate section, in their regularly submitted Weekly Report to the BIE Central Office. At a minimum, the reported decision issue(s) section in the weekly report must include:
 - a) a concise statement that clearly and comprehensively states the potential decision issue(s), and
 - b) a brief description in narrative format describing any relevant background information regarding the potential decision issue.
- 2) **Special Meetings:** In instances where a decision issue is emergent and/or time sensitive, Special Decision-Making Meetings may be scheduled at the discretion of the Director. To the extent reasonably feasible under the circumstances, the same

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process outlined in this policy shall be utilized with amended timelines, as necessary.

- 3) **Weekly Senior Managers Call:** Upon all Team Members submitting their Weekly Reports, the Facilitator and the Director will do the following:
 - a) **Facilitator:**
 - gather and electronically record all submitted Weekly Reports, and
 - compile all potential decision issues reported in the Weekly Reports, and list such issues in the Weekly Senior Managers Call Agenda.
 - b) **Director:**
 - Review each potential decision issue and determine whether resolution through use of this procedure is appropriate.
 - For issues so identified, the Director will:
 - categorize the decision issue pursuant to section 1.6 C. of this policy;
 - assign roles and responsibilities pursuant to section 1.6 B. of this policy; and
 - establish the initial Decision-Making Meeting date.
 - For issues the Director determines are not subject to this procedure, the Director will assign decision-making responsibility to the appropriate staff member and/or internal division of BIE.

D. Decision-Making Meetings

- 1) **Meeting Preparation and Administration:** The Facilitator will be responsible for coordinating Decision-Making Meetings. Specifically, the Facilitator will, as outlined in 1.5 B. of this policy: (1) prepare an agenda; (2) record minutes; (3) administer the meeting; (4) electronically record submitted decision-making packages; and (5) electronically record and disseminate the Final Decision Determination. The Facilitator will also:
 - a) disseminate and electronically record the Decision-Making Meeting Agenda no later than twenty-four (24) hours prior to a scheduled decision-making meeting;
 - b) disseminate and electronically record meeting minutes no later than five (5) business days following a scheduled decision-making meeting;
 - c) electronically record and submit decision-making packages submitted by decision issue Leads to the Director for review no later than five (5) business days following submission by the Lead to the Facilitator; and

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- d) electronically record and disseminate the Director's Final Decision Determinations to appropriate staff and/or stakeholders no later than five (5) business days following submission by the Director.
- 2) **Decision Issue Presentation:** Leads will be responsible for managing the research, discussion, and final recommendation(s) regarding their assigned decision issue(s). Specifically, Leads will, as outlined in 1.5 C. of this policy: (1) lead assigned decision issue discussion; (2) gather and present any necessary and useful information regarding an assigned decision issue, including documents and/or professional opinions from subject matter experts to Team Members during decision-making meetings; (3) establish follow-up decision-making meeting dates and deadlines, as necessary; and (4) prepare and submit a decision-making package to the Facilitator for review by the Director.
- a) **Decision Making Package:** When a Lead is assigned a decision issue, he/she must prepare and submit a decision-making package to the Facilitator. At a minimum, the decision-making package must include:
- a written recommendation regarding the decision issue;
 - any supporting information, documentation, or professional opinions provided by subject matter experts on which the recommendation is based, if applicable;
 - any proposed feasible alternatives to the Lead's recommendation, if applicable; and
 - any written input provided by Input Contributors, if applicable.
- 3) **Decision Making Input:** Input Contributors will be provided the opportunity to submit formal written input regarding their assigned decision issues. Input Contributors are not required to submit formal written input; however, failure to submit formal written input prior to any deadline(s) established by a decision issue's Lead will result in the loss of opportunity for the Input Contributor to supply information or individual recommendation(s) to the Director. Any formal written input submitted must, at a minimum:
- a) clearly state the position/recommendation(s)/concerns of the Input Contributor.
 - b) If input is contrary to the recommendation provided by the assigned decision issue Lead, the written input provided shall clearly state the reason(s) why the Input Contributor disagrees with the Lead's recommendation.
 - c) Provide any supporting information, documentation, or professional opinions provided by subject matter experts on which the input is based, if applicable.

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- 4) **Decision-Making Meeting Location:** Decision-making meetings will be held in-person, by phone, by video conference, or any combination thereof.

E. Matter Approval Process: Upon receiving a decision-making package, the Director will do one of the following:

- 1) issue, in writing, a Final Decision Determination adopting the recommendation provided by the Lead; or
- 2) issue, in writing, a Final Decision Determination rejecting the recommendation provided by the Lead and instead adopting a proposed alternative; or
- 3) reject, in writing, the recommendation provided by the Lead and all proposed alternatives. If the Director decides such a rejection is necessary, or if the Director rejects the recommendation provided by the Lead and no alternatives were included in the decision-making package, the Director will either:
 - a) Remand the recommendation to the assigned Lead pending further analysis, research, and/or consideration. Such remanded issues will be re-considered pursuant to this procedure. Or,
 - b) Issue a Final Decision Determination which is not based on the recommendation(s) or proposed alternative(s) supplied in the decision-making package. Should the Director issue such a Final Decision Determination, he/she will:
 - clearly state the reason(s) for rejecting the recommendation(s) and proposed alternative(s); and
 - clearly state the reason(s) for not remanding the decision issue for further analysis, research, and/or consideration pursuant to 1.6 E. 3) a) of this policy.
- 4) The Director may include in the Final Decision Determination a directive to the Lead to prepare a follow-up report assessing the effectiveness of the Final Decision Determination. In such instances, the Director will include a date by which such a report is due in the Final Decision Determination.

Approval



Tony Dearman
Director, Bureau of Indian Education

MAR 01 2018

Date