

## Response to Public Comments on the Study of the Implementation of the Title VI Indian LEA Grants Program

The Department of Education (Department) received public comments from a total of 12 individuals and organizations during the second public comment period for the study of the Title VI Indian Education Local Educational Agency Grants Program. (The public comment period originally was set to end on January 11, 2018; the Department extended it for an additional two weeks to January 25, 2018, but we did not receive additional comments during that additional two-week period.) The Department specifically requested public comments addressing the following topics:

- 1) Is this collection necessary to the proper functions of the Department?
- 2) Will this information be processed and used in a timely manner?
- 3) Is the estimate of burden accurate?
- 4) How might the Department enhance the quality, utility, and clarity of the information to be collected?
- 5) How might the Department minimize the burden of this collection on the respondents, including through the use of information technology?

We appreciate the broad feedback the commenters provided to the study and welcome the opportunity to address the questions and concerns related to the study. Below are the Department's responses to the five topics above, respectively.

### 1. Is this collection necessary to the proper functions of the Department?

*Some commenters questioned the motivation for and purpose of the study. One commenter stated that the program is inadequately funded and increasing program funding is more important than conducting a study. Another commenter stated that much of this information has already been captured with the Annual Performance Report submitted by all Title VI programs. Several commenters expressed concern about their perception that the study would examine the effectiveness of the Title VI program using student achievement data.*

**Response:** The purpose of this study is to support Title VI grantees and the Office of Indian Education (OIE) by sharing information about the strategies that grantees use to provide culturally responsive services to American Indian and Alaska Native (AI/AN) students. The Department's Policy and Program Studies Services (PPSS) commissioned the study to describe the nationwide operations of the Title VI LEA Grants Program, which has not been studied since 1997. The study was initially planned in 2015, and a contract-funded through pooled ESEA evaluation funds authorized under the Department of Education Appropriations Act, 2015 (P.L. 113-235) was awarded in 2016. Providing information on how grantees work with stakeholders to identify program-eligible children, plan services to meet the needs of those children, and measure progress towards their service objectives will help the OIE provide more useful and effective technical assistance to grantees, while also enabling grantees to learn from the experiences of other grantees.

We recognize that the Annual Performance Report (APR) also collects useful related information. However, we have taken care to avoid duplicating APR information in the data collection for this study. Rather, this study will provide more detailed and contextualized information on the specific types of services provided, communication among grantees and tribes that informs program planning, and other aspects of program implementation.

It is important to note that this is an implementation study, not an evaluation of program effectiveness. The study will neither examine nor report on student assessment results or other student outcomes. The study does address what sources of data, including student assessment information, that grantees use to plan services. In addition to collecting descriptive information on the nature of program-funded services, the study will also examine how grantees align and leverage supplemental Title VI-funded services with those funded by other federal, state, and local sources; how they identify AI/AN students who are eligible for these services; how they establish and implement program priorities with parent, community, and tribal involvement; and how grantees measure progress toward their Title VI project objectives.

## **2. Will this information be processed and used in a timely manner?**

*Commenters asked whether the information from the study will be processed and used in a timely manner and when the study findings will be reported. One commenter requested to review a copy of the draft report before it becomes final, and another stated that the final report should be made available to all Title VI grantees first. Others asked how the results, including promising practices if any, will be gathered and used in the future.*

**Response:** The study will culminate in a final report that will be made available to grantees, educators, tribes, parents, policymakers, and other stakeholders in order to help them learn from the experiences of other grantees about strategies for planning and implementing services for AI/AN students. The report is expected to be completed in 2019, taking into account the time required to conduct the data collection, analyze the data, and prepare the report. Although the Department does not share draft reports with the public prior to release, we will discuss preliminary findings with the study's Technical Working Group (TWG), which includes tribal and school district practitioners, including Title VI directors in Fairbanks, Alaska; Edmond, Oklahoma; and Jemez Pueblo, New Mexico; as well as program evaluators and Native American researchers from Gallup, NM, and the University of Minnesota Twin Cities and Duluth campuses. In addition, the Policy and Program Studies Service can conduct a briefing for interested stakeholders following the report's release.

## **3. Is the estimate of burden accurate?**

*A few commenters asked if the burden estimate is accurate, because data collection is not an easy process. One commenter stated that any type of data collection is asking a lot of LEAs, Parent Advisory Committees, and Title VI personnel. Another commenter encouraged the Department not to create additional burden on Native programs than for other programs in the Department. Commenters also asked how much guidance will be available for reporting data through the data collection to minimize the burden, and suggested that more clarity will be needed to ensure quality and usable data is submitted. Commenters noted that some participants may not have sufficient knowledge to answer the questions appropriately. In addition, one commenter expressed concern that reading the introduction aloud to the interviewees may make them feel uncomfortable and, as a result, respondents may not answer the questions honestly. Commenters advised that tribal leaders, parents and other stakeholders to be interviewed for this study must be respected throughout the process.*

**Response:** A previous draft of the survey was piloted with several grant coordinators to ensure that the survey questions were sufficiently clear and feasible for coordinators to respond to. The survey was revised to address comments and suggestions provided by the pilot participants. Based on the

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experience with the pilot participants, a Title VI coordinator can complete the survey within 30 minutes. The study contractor will also be available to answer any questions that respondents may have throughout the process.

Grantees will receive notification letters from the Department regarding the study and data collection time frame. The survey will include more specific instructions. Finally, contact information for the study team will be provided.

For case studies, interviewees will not need to gather data in preparation for the interviews. All questions are designed to ask only about aspects of program operations with which the respondent is already familiar. Interviews will be conducted in a conversational manner, and the introductory overview will be presented in a way that makes the interviewee as comfortable as possible.

Respecting all stakeholders during the case study process is a top priority for the Department in this study, as with all of our studies. A nationally respected Native education researcher will lead the portion of the interviewer training that addresses the special standing of tribes and tribal leaders, helping to ensure that all interactions show the highest respect for every interviewee and engender trust.

#### **4. How might the Department enhance the quality, utility, and clarity of the information to be collected?**

Commenters provided comments on seven topics related to the quality, utility, and clarity of the data collected through this study: (a) tribal consultation; (b) coordination with other ESEA programs and education plans; (c) the supplemental nature of Title VI services; (d) identification of Native students; (e) variation in program planning and implementation; (f) history of Native education; and (g) survey item wording. These comments are addressed in the sections below.

##### **a. Tribal consultation**

*Commenters stated that tribal consultation is necessary to ensure that this study includes impacted stakeholders in the design, implementation and review of study findings. Some commenters stated that specifically the National Indian Education Association (NIEA), National Advisory Council on Indian Education (NACIE), AI/AN Parent Advisory Committees (PACs), and Tribal Governments should be involved in the study on an ongoing basis. One commenter recommended that the Department expand the TWG to include other Native researchers, and professional and cultural resources and organizations.*

**Response:** The study leadership team includes a nationally recognized indigenous researcher, and the study's six-member Technical Working Group includes three indigenous educators working within the Title VI system as well as two nationally recognized indigenous researchers to advise us on the design of the study and interpretation of findings, including a Native researcher requested by NIEA. The Department also received informal input at a meeting of Title VI grantees and at the 2017 convention of the National Indian Education Association, as well as through this formal public review process, which includes two separate public comment periods. The revised study design and data collection instruments reflect changes that were made to address comments from these stakeholders, which we believe have strengthened and improved the study.

Importantly, this study is a collection of information and is not an action or policy initiative that affects Tribes, thus it is not covered under the Tribal Consultation Policy (TCP) or the broader federal Executive Order 13175 on Consultation and Coordination with Indian Tribal Governments.

**b. Coordination with other ESEA programs and education plans**

*One commenter suggested that since the Title VI program has a function to coordinate with all other ESEA programs, the Department should examine the allocation and use of Title VI funds to ensure that it is supplementing and not supplanting other ESEA program funds – but also noted that this would be premature at this time because many state comprehensive plans have not yet been approved by the Department.*

**Response:** This study will gather data on efforts to coordinate, but it is not a monitoring activity and is not designed to assess compliance with supplement-not-supplant or other requirements. In addition, both the survey and the case studies protocols address (1) alignment and coordination with other funding sources (broadly, to include other ESEA programs), (2) efforts to support students to meet challenging academic standards, and (3) efforts to meet students' unique culturally related academic needs. State plans submitted under ESEA address specific statutory requirements of the programs included in those plans (Titles I, II, III, etc.); the requirement for Title VI program coordination is a more general requirement, and the study will not include a review of state plans.

**c. Supplemental nature of Title VI services**

*One commenter suggested that Title VI can be viewed as supplemental to Title I, and recommended that the survey be revised to reflect that the focus of Title VI is on Native students.*

**Response:** School districts are required to coordinate their Title VI program with other ESEA programs and the survey does include questions to examine this. Specifically, item 23 asks grantees whether Title VI services are coordinated with various specific federal programs as well as certain state and local programs, and item 24 asks how grantees facilitate this coordination (e.g., sharing data on AI/AN students, sharing costs associated with providing services to AI/AN students, building program linkages, and sharing information on services to address the needs of AI/AN students).

**d. Identification of Native students**

*Commenters noted that districts experience difficulties regarding self-identifying Native students versus documented Native students, but have not found an effective solution. As a result, this causes a heavy burden on districts and Title VI grantees to provide an accurate count of Native students for the grant program and for student assessment.*

**Response:** One of the study's key research questions addresses the identification of students eligible for services. The study will describe how grantees identify their students and what promising practices or challenges have arisen in this process.

**e. Variation in program planning and implementation**

*One commenter noted that planning and implementing program priorities with parent, community and tribal involvement will look very different in rural areas with limited access to tribal resources than it*

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*would look in an area near the tribe, and wondered if the data tool would include more narratives.*

**Response:** The survey of the universe of grantees will allow the study to report on different types of programs, including urban and rural programs. The survey includes narrative items to allow a grant coordinator to elaborate on responses in order to provide their unique perspective. Interviews will be conducted by experienced, professionally trained researchers who can clarify questions for interviewees as necessary.

**f. History of Native education**

*One commenter suggested including a section in regards to the history of Native education so the information once collected will give a more comprehensive picture of the goals and efforts the formula grant program provides for the Native children and families being supported by this funding.*

**Response:** The final report will provide context and background information regarding the goals and purpose of the program designed to support Native children and families.

**g. Survey item wording**

*One commenter recommended revising the wording of certain survey questions from “to what extent does each of the following strategies challenge your project’s efforts” to “how challenging is each of the following strategies.”*

**Response:** We revised the survey questions as suggested. (See items 3, 6, 13, 18, 19, 25, and 27 in Attachment A).

**5. How might the Department minimize the burden of this collection on the respondents, including through the use of information technology?**

*A commenter expressed strong support for using information technology to reduce burden on respondents.*

**Response:** The survey will be conducted online.

**Attachment A**  
**Revised Survey Items**

3. ***[[Note: Online survey software will pipe in the activities selected in Q2]*** For this school year, 2017-18, ~~to what extent does~~ how challenging is each of the following strategies ~~challenge as~~ your project ~~seeks's efforts~~ to identify Title VI-eligible AI/AN students?
6. For this school year, 2017-18, ~~to what extent do any of~~ how challenging are the following ~~challenge in~~ your project's efforts to collect or confirm the accuracy of information on Title VI-eligible students?
13. In planning for this school year, 2017-18, ~~to what extent did~~ how challenging were each of the following ~~challenge in~~ your Title VI-funded project's efforts to **plan services and activities**? (Select ONE response for each row.)
18. ***[[Note: Online survey software will pipe in services selected in Q16]*** For this school year, 2017-18, ~~to what extent is it how~~ challenging ~~to is~~ delivering the following services using culturally responsive practices? (Select ONE response for each row.)
19. ***[[If any services in Q18 are considered "Somewhat" or "Very" challenging to deliver using culturally responsive practices]*** For this school year, 2017-18, ~~to what extent does~~ how challenging is each of the following factors ~~contribute to the challenges of in~~ delivering services using culturally responsive practices? (Select ONE response for each row.)
25. For this school year, 2017-18, ~~to what extent has~~ how challenging is each of the following aspects of coordinating Title VI-funded services ~~challenged your Title VI-funded project with other programs~~? (Select ONE response for each row.)
27. For the 2016-17 school year, ~~to what extent were~~ how challenging was implementing each of the following data collection or data use strategies ~~challenging to implement~~? (Select ONE response for each row.)