



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR



Inspection



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

DEC 09 2024

Memorandum

To: Bryan Newland
Assistant Secretary – Indian Affairs

Tony Dearman
Director, Bureau of Indian Education

From: Nicki Miller *Nicki Miller*
Acting Assistant Inspector General for Audits, Inspections, and Evaluations

Subject: Final Inspection Report – *The Bureau of Indian Education Must Correct Safety and Health Deficiencies and Improve Facility Management System Accuracy at Tate Topa Tribal School*
Report No. 2024-ISP-014

This memorandum transmits our inspection report on safety and health at Tate Topa Tribal School.

We will track open recommendations for resolution and implementation. We will notify Congress about our findings, and we will report semiannually, as required by law, on actions you have taken to implement the recommendations and on recommendations that have not been implemented. We will also post a public version of this report on our website.

If you have any questions about this report, please contact me at aie_reports@doioig.gov.

Contents

Results in Brief	1
Introduction.....	2
Objectives	2
Background.....	2
Tate Topa Tribal School	3
IA Facilities Oversight.....	4
Division of Safety and Risk Management.....	4
BIE Branch of Facility Management	5
BIE Branch of Safety and Occupational Health	5
Annual Safety and Health Inspections	6
Emergency Action Plan	7
Results of Inspection	8
BIE Did Not Ensure Deficiencies at Tate Topa Tribal School Were Resolved Timely	8
Catastrophic Deficiencies (Category I)	9
Critical Deficiencies (Category II).....	9
Significant Deficiencies (Category III).....	11
Other Significant Deficiencies Reported as Corrected and Closed	11
Lack of Resources Poses Challenges	13
BIE Did Not Have Reliable Information in Its Facility Management System for Tate Topa Tribal School	14
Factors Contributing to the Unreliable Facility Management System Data.....	15
Conclusion and Recommendations	17
Conclusion	17
Recommendations Summary	17
Appendix 1: Scope and Methodology	20
Scope.....	20
Methodology	20
Appendix 2: Critical Deficiencies Testing Summary	21
Appendix 3: Significant Deficiencies Testing Summary.....	22
Appendix 4: Response to Draft Report	23
Appendix 5: Status of Recommendations	27

Results in Brief

Objectives

Part of the U.S. Department of the Interior's (DOI's) mission is honoring its trust responsibilities or special commitments to American Indians, including providing quality education opportunities to children. In keeping with these commitments, the Bureau of Indian Education (BIE) is responsible for performing annual safety and health inspections at all Indian schools to identify deficiencies, and each school is required to correct those deficiencies and develop a comprehensive emergency management program to provide a safe school environment for students and staff. In 2023, we developed an initiative to conduct a series of reviews to determine if deficiencies identified during safety and health inspections at Indian schools were adequately resolved. We selected the Spirit Lake Tribe's Tate Topa Tribal School because its fiscal year (FY) 2023 safety and health inspection included one catastrophic deficiency and a high number of critical and significant deficiencies.

Our objectives were to determine whether (1) BIE addressed deficiencies found during required annual safety and health inspections at Tate Topa Tribal School and (2) Tate Topa Tribal School developed an emergency action plan in accordance with Federal regulations.

Findings

While we determined that Tate Topa Tribal School had developed an adequate emergency action plan, we found that BIE did not ensure deficiencies at the school were resolved timely. Specifically, catastrophic, critical, and significant deficiencies at the school—including repeat deficiencies—from the last three annual safety and health inspections remained unaddressed. Most notably, a catastrophic deficiency identified as far back as FY 2019 was not corrected until FY 2023. We found that 78 percent (seven of nine) of the FY 2024 critical deficiencies remained open and in need of correction, even though the BIE-established abatement timelines in the facility management system had passed. For example, an issue with the exit on the high school side of the building (specifically, large items blocking the egress route) that was originally identified in February 2023 with an abatement period of 45 days had not been corrected. Lastly, we found data reliability issues in BIE's facility management system. We statistically sampled 53 from a total of 236 significant deficiencies at Tate Topa Tribal School that were reported as corrected and closed between 2022 and 2024. We found that 31 out of the 53, or 58 percent, had not been corrected, and the associated work orders were incorrectly closed—meaning that the associated deficiencies likely still exist.

Impact

Failure to correct deficiencies found during the annual safety and health inspections exposes students and staff to a potentially unsafe and unhealthy school and work environment. By addressing the deficiencies, the school may be better positioned to ensure a quality educational environment for the children. As we have discussed in other recent reports,¹ inaccurate reporting of work orders can create inefficiencies in funding, result in inadequate monitoring, and create a perception of a safe environment when risks persist.

Recommendations

We make seven recommendations that, if implemented, will improve the school's overall facility condition by reducing the number of safety and health deficiencies and increasing staff's ability to respond to maintenance requirements.

¹ See, e.g., *Indian Affairs Is Unable To Effectively Manage Deferred Maintenance of School Facilities* (Report No. 2022-CR-036), issued March 2024, https://www.doiig.gov/sites/default/files/2021-migration/FinalEvaluationReport_BIEDeferredMaintenance_Public.pdf.

The Bureau of Indian Education Must Correct Safety and Health Deficiencies and Improve Emergency Preparedness and Security at Havasupai Elementary School (Report No. 2023-ISP-040), issued October 2024, https://www.doiig.gov/sites/default/files/2021-migration/Final%20Inspection%20Report_%20Havasupai%20School%20Inspection.pdf.

Introduction

Objectives

Our objectives were to determine whether:

- BIE addressed deficiencies found during required annual safety and health inspections at Tate Topa Tribal School.
- Tate Topa Tribal School developed an emergency action plan in accordance with Federal regulations.

See Appendix 1 for our inspection scope and methodology.

Background

The U.S. Department of the Interior's (DOI's) mission includes honoring its trust responsibilities or special commitments to American Indians, which we have consistently identified as a major management challenge for DOI.² The Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE) report directly to the Assistant Secretary for Indian Affairs (AS-IA), who assists and supports the Secretary of the Interior in fulfilling the United States' trust responsibility to federally recognized American Indian Tribes.

BIE supports that overall mission by providing "quality education opportunities from early childhood through life in accordance with a tribe's 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."³ To fulfill that responsibility, BIE supports and oversees a total of 183 schools—128 schools are tribally controlled under BIE contracts or grants and 55 schools are BIE-operated. BIE's total appropriation for FY 2024 was \$1.6 billion, of which \$160 million was allocated for facility operations and maintenance. BIE has gradually assumed responsibility from BIA for acquisition, safety, and facilities management at Indian schools; this transfer was completed in 2023.

Responsibility for oversight of BIE schools is distributed among 15 education resource centers,⁴ which are each led by an education program administrator. The Bismarck Education Resource Center is responsible for the oversight of Tate Topa Tribal School.

² *Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior, Fiscal Year 2024* (Report No. 2024-ER-013), issued October 2024, https://www.doi.gov/sites/default/files/2021-migration/Inspector%20General%27s%20Statement_Major%20Management%20Challenges_FY%202024.pdf.

³ BIE, *Our Mission*, <https://www.bie.edu/topic-page/our-mission>.

⁴ BIE's education resource centers are responsible for providing both direct oversight of Indian schools and technical assistance for school improvement, needs assessments, and schoolwide budgets.

Tate Topa Tribal School

Tate Topa Tribal School is a tribally controlled school⁵ operated by the Spirit Lake Tribe and located in Fort Totten, North Dakota. This kindergarten through 8th grade school has approximately 534 students and 101 staff, which includes the school's onsite Superintendent, elementary and middle school principals, and teachers, as well as security, kitchen, transportation, facility, and administrative staff.

In 1995, the Tribe incorporated the Tate Topa Elementary School into the Four Winds School and renamed the school system Four Winds Community Schools.⁶ Tate Topa Tribal School is part of a preschool through 12th grade complex on the Spirit Lake Indian Reservation (see Figure 1). The complex is unique in that BIE provides grant funding⁷ to the Tribe for the elementary and middle school programs (Tate Topa Tribal School), while the high school (Four Winds High School) is a State-run public school with a high percentage of Indian students. This grant has general terms and conditions that the Tribe must follow to draw down award funds. Generally, students share facilities, such as the lunchroom and gymnasium.

A 1984 Cooperative School Agreement⁸ between the school district and BIA⁹ details the Tribe's, BIA's, and the State's responsibilities. Specifically, at the time of the agreement, BIA was responsible for all maintenance costs for the school buildings and grounds except for one building that the State owns and maintains. All maintenance staff at the school are BIE and BIA employees. The Facilities Manager, a BIE employee, oversees all maintenance at the facility, supervises the custodial staff and grounds maintenance staff, and orders supplies as needed. According to school staff, the Tribe is responsible for staffing the elementary and middle schools and setting the curriculum; the State does the same for the high school. According to BIE staff, this is a unique arrangement and possibly the only one of its kind Nationwide.

Tate Topa Tribal School has also appointed a collateral duty safety officer (CDSO), which is a requirement for all BIE-funded schools. The CDSO's responsibilities include advising management on the development and implementation of an effective occupational safety and health program within the school, recognizing and evaluating hazards of the working environment, and suggesting general abatement procedures.

We selected the Spirit Lake Tribe's Tate Topa Tribal School because its FY 2023 safety and health inspection included one catastrophic deficiency and a high number of critical and significant deficiencies.¹⁰

⁵ BIE-funded schools are either operated by BIE or tribally controlled under contracts pursuant to the Indian Self Determination and Education Assistance Act, Pub. L. No. 93-638 (1975), or grants pursuant to the Tribally Controlled Schools Act, Pub. L. No. 100-297 (2002). Because BIE-operated schools are under BIE control, they follow BIE and DOI guidance, whereas Tribal schools are required to follow only published Federal regulations and not BIE or DOI guidance.

⁶ Tate Topa is a Dakota Sioux term that means either "four directions" or "four winds."

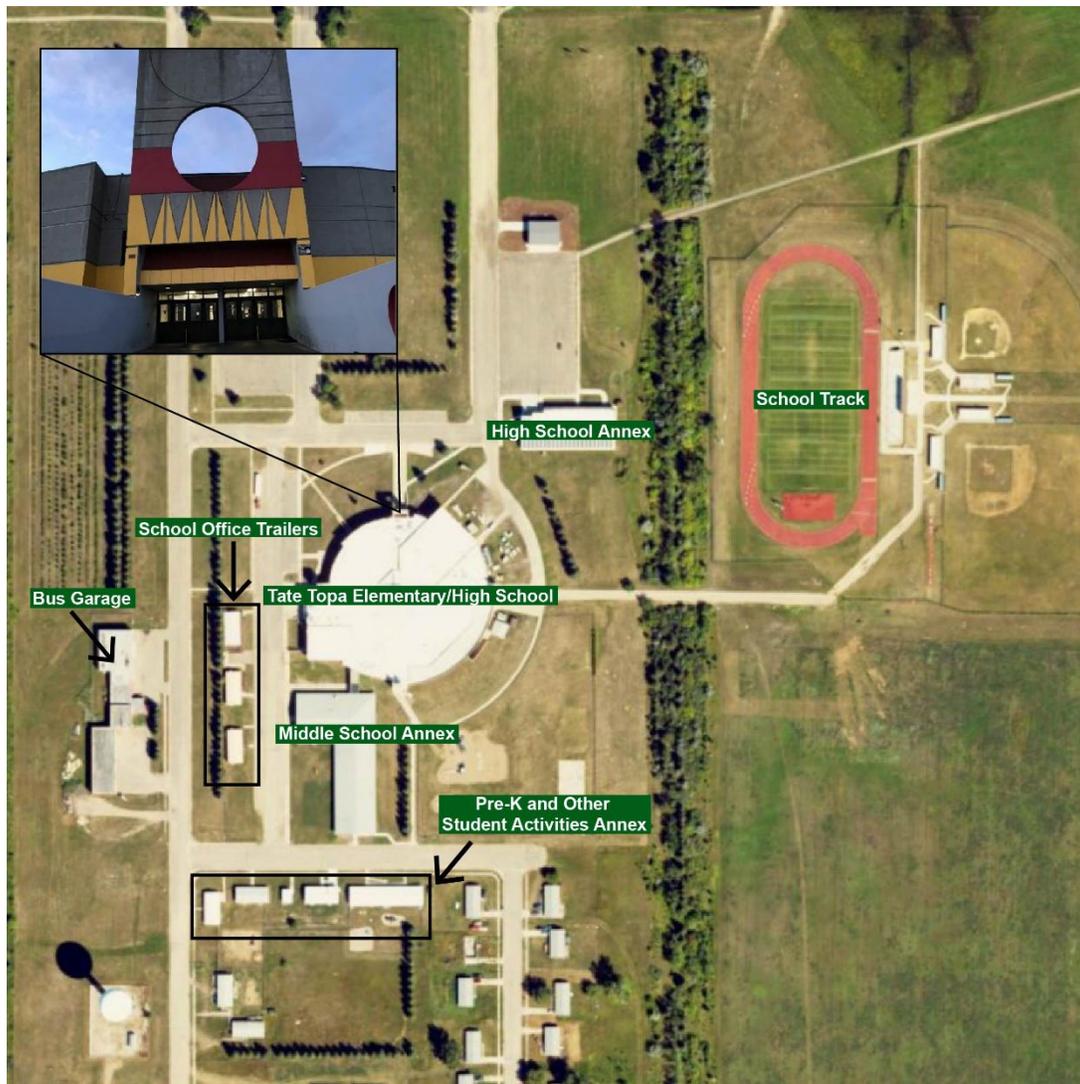
⁷ For the 2023-2024 school year, Tate Topa Tribal School received \$8 million in educational grant funding.

⁸ BIA, the Fort Totten agency, and the Fort Totten School District of Benson County, North Dakota, entered into this agreement on July 1, 1984.

⁹ BIA's school responsibilities were transferred to BIE in 2023.

¹⁰ We based our risk assessment on BIE's 2023 inspection results. We included BIE's 2024 inspection in our scope as it was issued immediately prior to initiating our inspection. While the 2024 inspection identified fewer deficiencies than in the previous year, we determined that the number of deficiencies in the 2023 inspection still warranted our review.

Figure 1: Four Winds Community Schools Complex and Tate Topa Tribal School Entrance



Sources:
Earth imagery:
Tate Topa Tribal School entrance inset image: OIG.

IA Facilities Oversight

The AS-IA's Office of Facilities, Property, and Safety Management, through the Division of Safety and Risk Management, is responsible for policy, oversight, and technical assistance for facilities management and construction, property and safety management, and real property leasing for BIA and BIE. The responsibility for executing the policy related to school safety and health inspections and correcting deficiencies primarily resides with BIE's Branch of Facility Management and Branch of Safety and Occupational Health.

Division of Safety and Risk Management

According to its website, the Division of Safety and Risk Management "is responsible to assure construction, major repair, alteration, rehabilitation, and remodeling of buildings, physical plants, and facilities that meet IA policy, adopted safety and health codes, and mandated standards for IA controlled facilities."¹¹ The Division of Safety and Risk Management established a Safety and Risk Management Program made up of seven

¹¹ Indian Affairs, *Division of Safety and Risk Management (DSRM)*, <https://www.bia.gov/as-ia/ofpsm/dsrm>.

components including, among others, the Occupational Safety and Health Program. According to the *Indian Affairs Manual (IAM)*, the goal of the Occupational Safety and Health Program¹² is to provide a safe and healthful workplace.

BIE Branch of Facility Management

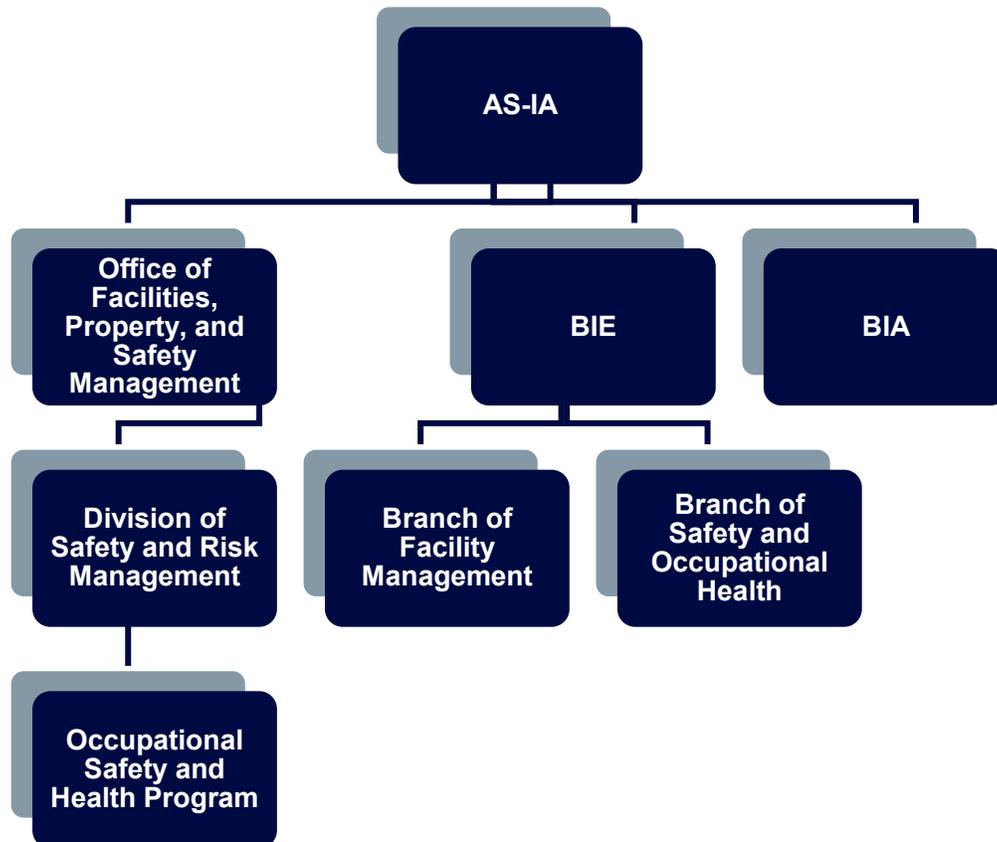
Under BIE, the Branch of Facility Management provides technical services for all BIE locations, including BIE-operated and tribally controlled schools. The services include assisting staff with minor improvements, repairs, and abatement plans and providing support to school facility staff to address maintenance and school facility operations. The BIE facility operations specialists within this branch are responsible for providing these services as needed; one specialist is generally assigned to each school and works collaboratively with a Branch of Safety and Occupational Health inspector.

BIE Branch of Safety and Occupational Health

Under BIE, the Branch of Safety and Occupational Health provides technical services related to safety and health for all BIE locations and conducts safety and health inspections. The functions of this branch include hazard identification, safety training, technical support, and accident and incident prevention. Inspectors function within the Branch of Safety and Occupational Health; once an inspection is completed, the inspector collaborates with the Branch of Facility Management as needed to address deficiencies.

See Figure 2 for an AS-IA facilities management organizational chart.

Figure 2: AS-IA Facilities Oversight Organizational Chart



¹² 25 IAM 3, “Occupational Safety and Health Program,” issued August 21, 2023. The IAM contains policies, procedures, and general guidance for IA employees who govern internal IA operations.

Annual Safety and Health Inspections

Federal regulations¹³ require annual inspections for safety and health compliance at all facilities and other areas under BIE's control. In August 2022, the Division of Safety and Risk Management established IA internal operating procedures for meeting safety, health, and accessibility inspection and evaluation requirements outlined in Federal regulations and DOI policy. BIE's Branch of Safety and Occupational Health is responsible for performing the annual safety and health inspection at each Indian school in accordance with established IA procedures. The annual inspection must be conducted by a BIE safety and occupational health specialist who is trained as a hazard recognition and occupational safety and health inspector. The branch also provides technical services related to safety and health (e.g., hazard identification, training, technical support to identify best practices, and accident and incident prevention) for all tribally controlled schools and BIE-operated schools. This responsibility was transferred from BIA to BIE in 2023.¹⁴

The BIE specialist uses a standardized checklist to complete each school inspection. The checklist includes items related to accessibility requirements, hazardous materials, environmental conditions, fire protection, and electrical and standby power systems. For each deficiency identified, the specialist selects the appropriate category based on the worst credible consequence that can occur as the result of a hazard:

- I. Catastrophic: Imminent and immediate danger of death or permanent disability.
- II. Critical: Permanent partial disability, temporary total disability.
- III. Significant: Hospitalized minor injury, reversible illness.
- IV. Minor: First aid or minor medical treatment.

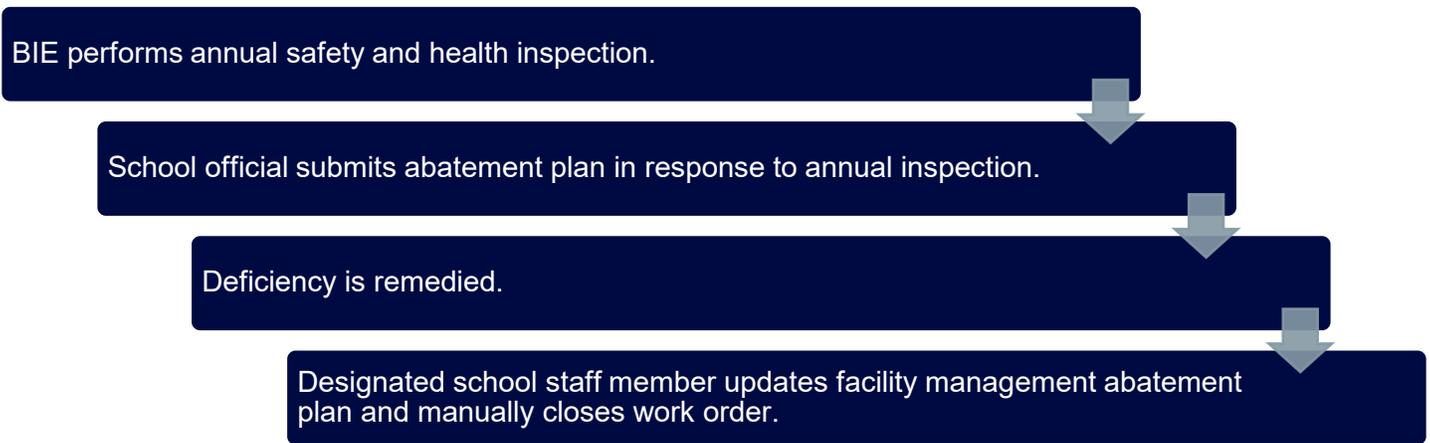
School officials are required to create an abatement plan to document the planned corrective measures and track the status of each deficiency identified during the inspection. The designated school official must enter the abatement plan into BIE's facility management system to track and document corrections through work order numbers assigned to each deficiency.

Catastrophic deficiencies, such as the dry sprinkler deficiency at Tate Topa Tribal School (discussed later in our report), must be abated within one day. The abatement requirements for critical, significant, and minor deficiencies are specific to the identified type of deficiency. For example, Tate Topa Tribal School's critical deficiency related to the structural integrity of an aerial lift basket (a mobile elevating work platform) has an abatement period of 15 days; the significant deficiency identifying missing inspections for mechanically operated roof vents has an abatement period of 30 days; and the minor deficiency noting that training was not provided for industrial trucks and forklifts has an abatement period of 120 days. Once the deficiency has been corrected, the designated school staff member updates the facility management system and closes out the work order (see Figure 3).

¹³ 29 C.F.R. Part 1960, Subpart D—Inspection and Abatement.

¹⁴ Our March 2024 report, *Indian Affairs Is Unable To Effectively Manage Deferred Maintenance of School Facilities* (Report No. 2022-CR-036), further explained the transition of Indian school facility management from BIA to BIE. Available at https://www.doi.gov/sites/default/files/2021-migration/FinalEvaluationReport_BIEDeferredMaintenance_Public.pdf.

Figure 3: Annual Safety and Health Inspection Process



Emergency Action Plan

Tribally controlled schools must abide by Federal regulations¹⁵ that require an emergency action plan that includes (1) a written action plan if the school has more than 10 employees, (2) an alarm system, (3) training, and (4) review of the emergency action plan. Federal regulations also require procedures for:

- Reporting a fire or other emergency.
- Evacuating in an emergency.
- Performing certain activities before evacuating.
- Accounting for personnel after evacuation.
- Performing rescue or medical duties.

¹⁵ 29 C.F.R. § 1910.38, "Emergency action plans."

Results of Inspection

We found that BIE needs to take action to improve safety and health at Tate Topa Tribal School for its students and staff. Specifically, we found the following:

- BIE did not ensure catastrophic, critical, and significant deficiencies identified at Tate Topa Tribal School during safety and health inspections were resolved timely. Most notably, a catastrophic deficiency identified as far back as 2019 was promptly fixed but then identified again in 2023. After its second appearance on the annual inspection, it was repaired eight months later, even though catastrophic deficiencies are required to be abated within one day. We also identified numerous critical and significant deficiencies that remained uncorrected well beyond the original abatement period—including some that were initially identified more than 10 years ago. In addition, for those deficiencies that had been corrected, some took as long as seven years to correct and only one was completed within the established abatement period.
- BIE did not have reliable data in its facility management system, which is the system all schools use to monitor operations and maintenance. We identified a significant number of inaccurate work orders for Tate Topa Tribal School in the system.

Lastly, we determined that the school had sufficiently addressed the emergency action plan requirements prescribed in Federal regulations through its written emergency procedures, security personnel and procedures, and drills and training with students and staff.

BIE Did Not Ensure Deficiencies at Tate Topa Tribal School Were Resolved Timely

As discussed above, Federal regulations¹⁶ require annual safety and health compliance inspections for all facilities and other areas under DOI's control. Each deficiency identified during the inspection is categorized as the worst credible consequence that can occur as the result of a hazard: (I) catastrophic, (II) critical, (III) significant, and (IV) minor. The school official responsible for completing the abatement plan in BIE's facility management system assigns an abatement period, which is the number of days for the school to remedy the deficiency. Although abatement periods are automatically generated in the facility management system, the school is permitted to modify the dates to account for delays posed by external factors. The BIE employees at Tate Topa Tribal School do not have access to the facility management system; they instead rely on support from either BIE employees external to the school or the tribally employed Superintendent of the school for data entry and adjustments.

We reviewed the FY 2022, 2023, and 2024 annual safety and health inspection reports and found that the FY 2023 inspection identified more than 400 deficiencies at Tate Topa Tribal School—435 of which were repeat deficiencies.¹⁷ Figure 4 shows the total number of deficiencies and repeat deficiencies identified on the annual safety and health inspection reports by severity for FYs 2022 through 2024. The school resolved the catastrophic deficiency reported in FY 2023 (discussed in more detail below). We also found that there was a 109-percent increase in total deficiencies and 119-percent increase in repeat deficiencies from 2022 to 2023. However, from 2023 to 2024, we noted large drops across all deficiency categories, including an 81-percent decrease in new and repeat deficiencies.

¹⁶ 29 C.F.R. Part 1960, Subpart D.

¹⁷ A deficiency is categorized as a "repeat" deficiency if that issue had been identified as a deficiency in any prior inspection. In some cases, a deficiency that had been previously identified and corrected may appear as a repeat if the same issue is identified again in a later inspection report.

Figure 4: FY 2022-2024 Total and Repeat Deficiencies by Severity

Severity	FY 2022		FY 2023		FY 2024	
	Total	Repeat	Total	Repeat	Total	Repeat
I-Catastrophic*	0	0	1	1	0	0
II-Critical	7	7	35	28	9	7
III-Significant	168	152	322	306	66	62
IV-Minor	46	40	103	100	14	13
Totals	221	199	461	435	89	82

* This catastrophic issue was originally identified in FY 2019. It was addressed and therefore not included on the FY 2020 through 2022 annual inspection reports; however, it was identified as a repeat deficiency in FY 2023.

We found that although the BIE staff at Tate Topa Tribal School had corrected some identified deficiencies, BIE did not ensure catastrophic, critical, and significant deficiencies were resolved timely. Most notably, a catastrophic deficiency identified as far back as 2019 was fixed shortly after and found deficient again in 2023. In addition, we identified numerous critical and significant deficiencies that remained uncorrected well beyond the original abatement periods—some of which were initially identified more than 10 years ago. Further, for the one catastrophic deficiency identified in FY 2023 and the two critical deficiencies (out of nine) identified in FY 2024 that had been corrected (see below), only one (an electrical outlet damaged due to overloading) was addressed within the established abatement period. For the two that were corrected after the established abatement period, the critical deficiency for emergency lighting took seven years to correct and the catastrophic sprinkler system deficiency took eight months to correct and resulted in the school being put on fire watch.¹⁸

Catastrophic Deficiencies (Category I)

The FY 2023 safety and health inspection identified a broken regulator for the school’s dry sprinkler system as a catastrophic deficiency, which is a deficiency noted as posing an imminent and immediate danger of death or permanent disability. This deficiency was identified as far back as 2019. At that time, it was fixed within a month. It was identified as deficient again in January 2023 during the school’s annual inspection; however, the regulator was not fixed until eight months later in September 2023, even though the required abatement period for such a deficiency is one day. The regulator rendered the sprinkler system inoperable; therefore, at the BIE inspector’s request,¹⁹ the school was put on a fire watch status with constant surveillance at the school.

Critical Deficiencies (Category II)

The FY 2024 safety and health inspection of Tate Topa Tribal School, conducted in November and finalized in December 2023, identified nine critical deficiencies, meaning the worst credible consequence of which could result in permanent partial disability or temporary total disability. We reviewed all nine critical deficiencies (seven of which were repeat deficiencies) to verify if they were resolved (see Appendix 2 for the complete

¹⁸ “Fire watch” is the assignment of a person or persons to an area for the express purpose of notifying the fire department and the building occupants of an emergency, preventing a fire from occurring, extinguishing small fires, or protecting the public from fire or life safety dangers. The BIE inspector provided the school with the DOI IA *Fire Watch Guidelines*, dated October 2014, which state, “Where a required fire alarm system is out of service for more than 4 hours in a 24-hour period, the authority having jurisdiction shall be notified, and the building shall be evacuated or an approved fire watch shall be provided for all parties left unprotected by the shutdown until the fire alarm system has been returned to service.”

¹⁹ For the purposes of this report, we refer to the Safety and Occupational Health Specialist we interviewed and met with during our site visit as “the BIE inspector.” This individual also conducted the annual safety and health inspections within our project scope.

testing results summary). During our March 2024 site visit, we observed that seven of the nine deficiencies, or 78 percent, remained uncorrected and had surpassed their original abatement period. For example:

- Roof leaks found in February 2023 that had a 15-day abatement period remained uncorrected. Although the roof was patched to help address some of the leaks, the exhaust fans still allowed rain and snow to enter the school. The BIE inspector provided us the 2023 inspection report with photos that showed significant standing water throughout the building due to leaks coming from the roof and exhaust vents. Water leaks can cause a slipping hazard for students and staff, especially in an emergency requiring evacuation; leaks also create an environment conducive to the growth of mold.
- The exit on the high school side of the building had large items blocking the egress route (see Figure 5). This deficiency was identified in February 2023, had an abatement period of one day, and as of March 20, 2024, continued to be a safety hazard. Obstacles blocking an exit can cause injury or delays when evacuating during an emergency.

Figure 5: Large Items Blocking Egress Route Hallway and Doors



- The school did not have an exit light above a door in the generator room—violating national standards²⁰ ensuring that “[e]mergency illumination shall be provided for a minimum of 1 1/2 hours in the event of failure of normal lighting.” Having an illuminated exit sign above a door helps identify the exit in case of emergency. This deficiency was originally identified in September 2016, had an abatement period of 45 days, and as of March 20, 2024, had not been corrected. We found similar issues in the bus garage and the furnace room during our site visit.
- Fire-rated doors for the gym were missing magnets to hold the doors open—violating national standards²¹ ensuring that “[t]he self-closing device is operational; that is, the active door completely closes when operated from the full open position.” During our site visit, the Facilities Manager informed us that the school has the required parts to complete the repair but needs to install them. This deficiency was identified in September 2016, had an abatement period of 30 days, and as of March 20, 2024, had not been corrected. Without the required magnets, the risk to disorderly evacuation in a fire event is elevated.

For the two corrected deficiencies in this sample, one electrical outlet repair was addressed within the established abatement period. The other, an inoperable emergency light initially identified in 2016 with an abatement period of 45 days, was not corrected until 2023.

²⁰ National Fire Protection Association Standard 101, *Life Safety Code* (2024), 7.9.2.1, “Emergency Lighting, Performance of System.”

²¹ National Fire Protection Association Standard 80, *Standard for Fire Doors and Other Opening Protectives* (2022), 5.2.3.5(7), “Inspection and Testing, Acceptance Testing, Swinging Doors with Builders Hardware or Fire Door Hardware.”

Significant Deficiencies (Category III)

We found that 94 percent (62 of 66) of the significant deficiencies, meaning the worst credible consequence of which could result in hospitalized minor injury or reversible illness, documented in the FY 2024 safety and health inspection report were repeat deficiencies. We judgmentally sampled 13 of the 66 significant deficiencies to verify their status (see Appendix 3 for testing results summary). During our March 2024 site visit, we observed that 12 of these 13 deficiencies, or 92 percent, remained uncorrected and had surpassed their original abatement period. For example:

- The school was not fully compliant with national accessibility guidelines.²² There were two deficiencies related to bathroom accessibility, one identified in November 2012 and another in September 2016. Both deficiencies had an initial abatement period of 45 days and had not been corrected as of our site visit. Because of these deficiencies, existing accessible bathrooms may not be available for use—given the size of the school, this limitation makes it difficult for students and staff with mobility issues to conveniently access the remaining bathrooms. In addition, the science lab sink did not meet minimum accessibility requirements, which was initially identified as a deficiency in March 2008, had a 45-day abatement period, and as of March 20, 2024, was not corrected.
- Notwithstanding national safety standards, the school did not ensure the kitchen vent hood detection devices were examined and cleaned annually as required, which creates a fire hazard that risks serious harm to children and staff, as well as damage to school property. This deficiency was first identified in January 2022, had an initial abatement period of 30 days, and as of March 20, 2024, continued to be a safety hazard even though it was shown as closed in the facility management system.
- We also found that fire-rated doors were not properly labeled as required under national standards.²³ These deficiencies were identified in October 2016 with an abatement period of 30 days, and as of March 20, 2024, the doors still lacked required labels. Without these labels, it is unclear that the doors are properly fire-rated and able to deter the spread of fire.

We did find that the school corrected one significant deficiency related to a missing maximum occupancy load sign for the gym that was initially identified in 2016 with an abatement period of 45 days; however, it was not corrected until January 2024.

Other Significant Deficiencies Reported as Corrected and Closed

In addition to our review of the above deficiencies, we statistically sampled 53 of 236 significant deficiencies reported as corrected and closed between 2022 and 2024. We found that 31 of the sampled deficiencies, or 58 percent, had not been corrected, and the associated work orders were incorrectly closed, which would project to 138 deficiencies across the population. Many of these closed work order errors were related to safety and fire maintenance issues, such as:

58 percent
of closed significant
deficiencies were
not corrected.

- Gutters draining and pooling onto sidewalks: This deficiency was first reported in January 2022 with a 45-day abatement period; however, as of March 20, 2024, the drainage still needed to be redesigned to eliminate water on student walkways, which creates a slipping hazard. This specific deficiency is uniquely dangerous because the area is used as the loading and unloading zone for children using the school buses and is prone to freezing in cold weather. Figure 6 shows the downspouts that drain across the sidewalks.

²² *Americans with Disabilities Act and Architectural Barriers Act Accessibility Guidelines* provide guidance for turning spaces, door swing, and other accessibility requirements in rooms such as bathrooms and classrooms.

²³ National Fire Protection Association Standard 80, *Standard for Fire Doors and Other Opening Protectives* (2022), 4.2.1, "Listed and Labeled Products."

Figure 6: Sidewalk Drainage Issues



- Unmarked fire extinguisher locations: This deficiency was first reported in August 2019 with a 30-day abatement period; however, as of March 20, 2024, fire extinguisher identification decals still needed to be applied to all fire extinguisher locations,²⁴ increasing the risk of potential fire spread due to difficulty locating extinguishers. Figure 7 shows the unmarked fire extinguisher locations.

Figure 7: Unmarked Fire Extinguishers



- Auditorium stairs need railing: This deficiency was first reported in August 2019 with a 90-day abatement period; however, as of March 20, 2024, the railing still needed to be added to both sides of the stairs to prevent accidents.

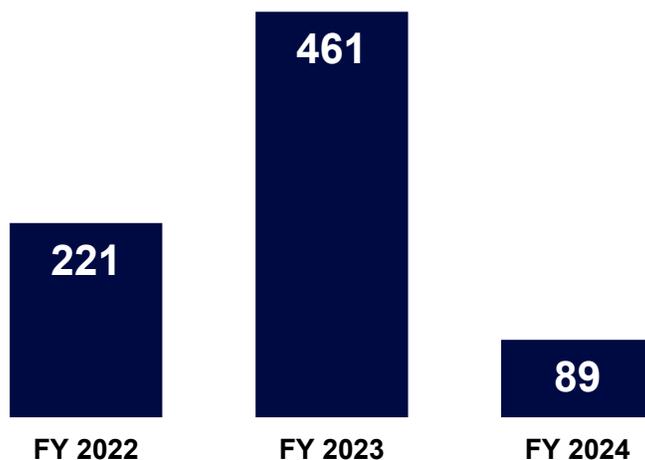
Incorrectly closing unaddressed deficiencies hampers school officials' ability to adequately monitor school conditions and required maintenance and could impact budget decisions.

The high rate of erroneously closed deficiencies, taken in concert with the large fluctuation in the number of deficiencies identified between the FY 2022, 2023, and 2024 inspection reports, calls into question the comprehensiveness of the FY 2024 safety and health inspection. The FY 2022 inspection report identified 221 deficiencies; the number of deficiencies increased to 461 in FY 2023; and the FY 2024 inspection resulted in only 89 deficiencies (see Figure 8). This led us to initially attribute the decrease in deficiencies to the school

²⁴ According to National Fire Protection Association Standard 10, *Standard for Portable Fire Extinguishers* (2022), 6.1.3.3.2, "Visibility," "[i]n rooms and in locations where visual obstructions cannot be avoided, signs or other means shall be provided to indicate the extinguisher location."

performing work to address previously identified issues. However, the error rate showing that 58 percent of deficiencies were uncorrected and closed suggests that the FY 2024 report was incomplete and inaccurate; these uncorrected deficiencies from previous reports should have been identified again in the FY 2024 inspection and included in the abatement plan. When we interviewed the BIE inspector and the inspector's supervisor, they informed us that the BIE inspector did not review all deficiencies found in the previous reports and instead tried to assess the current conditions at the school. However, we found that other inspectors review the previous deficiencies before beginning the inspection, and one stated that reviewing past deficiencies is a requirement. Not including these previously identified deficiencies in the FY 2024 inspection to determine whether they were either corrected or remained unaddressed gives the false impression that the school has addressed safety and health concerns even though there are outstanding issues that can adversely affect the safety of the students and staff.

Figure 8: Total Number of Significant Deficiencies FYs 2022-2024



Lack of Resources Poses Challenges

The issues we identified above occurred because the school does not have adequate facilities and maintenance staff to monitor and correct deficiencies. One BIE employee who has worked at the school since 2000 noted that when he started, the school had eight janitors, two maintenance staff, and two grounds maintenance staff, which was before the addition of the middle school building and the associated increase in janitorial and maintenance needs. Despite this additional demand, as of March 20, 2024, there were only two janitors (one of which assists with maintenance, security, and safety), one full-time maintenance employee, and one grounds maintenance employee at the school. According to BIE, the school did not have a facilities manager for more than two years until BIE hired the current Facilities Manager in 2023, resulting in maintenance issues accruing over that time period.

As of April 2024, there were five vacant facility and grounds maintenance staff positions. A BIE Human Resources Specialist told us these positions would be announced in April 2024, but as of May 2024, BIE had not yet posted the job announcements. School staff informed us that the school struggles to recruit new maintenance employees on the reservation due to high levels of local competition. Understaffing increases day-to-day workloads and impacts the availability of personnel to complete required maintenance at the school.

In addition, the BIE Facilities Manager at the school and his staff did not have a purchase card to buy supplies under the \$10,000 micropurchase threshold to fix deficiencies and had to request and obtain approval through the BIE School Operations Finance Department for any purchase, even for items as small as a light bulb. We determined, however, that this was because the Facilities Manager had not completed the application process for a purchase card; we also confirmed this with BIE staff and leadership. In July 2024, we followed up to

obtain the status of the purchase card, and the Facilities Manager stated that he had received a purchase card and that it is active.

Failure to correct deficiencies found during the annual safety and health inspections exposes students and staff to a potentially unsafe and unhealthy school and work environment. Likewise, improperly closing open deficiencies creates management and budgetary challenges while also providing a false perception of safety. Routine maintenance, along with proper recording of this work in the facility management system, can assist with abating deficiencies that pose risks to safety and health of students and staff and give BIE a better sense of what is occurring at the school.

Recommendations

We recommend that BIE:

1. Develop and implement a plan to monitor identified deficiencies at Tate Topa Tribal School for resolution and correction in accordance with abatement plan timelines.
2. During each health and safety inspection, ensure the inspector verifies that deficiencies identified in the prior year's inspection were corrected or documents them as repeat deficiencies.
3. Develop a plan focused on hiring additional maintenance and grounds staff at Tate Topa Tribal School.

BIE Did Not Have Reliable Information in Its Facility Management System for Tate Topa Tribal School

The U.S. Government Accountability Office's *Standards for Internal Control in the Federal Government* (the "Green Book") identify quality information as information that is current, complete, accurate, and timely. Quality information is necessary to make informed decisions and evaluate performance in achieving objectives and assessing risks.²⁵ As noted in a previous OIG report, the school uses BIE's facility management system to monitor operations and maintenance; the system, in turn, contains the deficiency information BIE uses for planning and operational processes, including safety and health abatement plans and corresponding work orders.²⁶ Work orders are entered into the facility management system in response to inspections, facility condition assessments, and onsite detection from school staff when deficiencies are identified. These work orders are used to track each deficiency's status and completion. Tate Topa Tribal School's 2023 to 2024 grant award requires the use of BIE's facility management system for work orders, annual financial work plan reporting, and abatement plans. For Tate Topa Tribal School, BIE facilities and maintenance staff are responsible for updating the facility management system with new work orders, monitoring open work orders, updating the status of work orders, and closing work orders when completed.

In addition to the 58 percent of work orders closed in error, as noted in the "Other Significant Deficiencies Reported as Corrected and Closed" section above, we found open work orders that should have been closed. Specifically, we judgmentally sampled and tested 31 of the 137 open work orders and found that 7 of the 31 had been resolved and should have been closed in the facility management system. For example, a guard rail was installed in 2021, and a circulating pump and motor control center were replaced in Spring 2023; however, both work orders were still listed as open as of March 2024.

²⁵ Green Book, Principle 13.05, "Data Processed into Quality Information."

²⁶ Report No. 2022-CR-036 included recommendations related to the facility management system.

Factors Contributing to the Unreliable Facility Management System Data

The inaccuracies in the facility management system data occurred, in part, because none of the current BIE facilities maintenance employees at Tate Topa Tribal School have access to the facility management system. The only employee at the facility with access is the Superintendent, a Tribal employee, who has no facilities maintenance responsibilities under the school's cooperative agreement. Further, BIE facilities and maintenance staff do not have facility management system training to monitor and manage deficiencies. We confirmed that the school requested this training in June 2022 from the Bismarck Education Resource Center and again in November 2023; however, as of March 20, 2024, the training had not been provided.

In addition, the Facilities Manager and the BIE inspector told us that staff did not have computer hardware and software capable of running the facility management system and accessing its training. A school staff member stated that staff members requested a new computer capable of running the facility management system from the BIE Education Program Administrator in June 2022 and did not receive a response.²⁷ The BIE facilities maintenance employees' direct supervisor did not reply to our inquiries regarding this computer request during our fieldwork. Because the school did not have a dedicated facilities manager from 2021 to 2023 or any other BIE staff trained to use the facility management system, BIE staff at the school have not updated the system. Instead, the school relied on BIE regional staff and a Tribal employee at the school to update the facility management system; however, the infrequency of BIE visits and high workload has resulted in data errors. When we followed up again regarding the lack of computers for staff in July 2024, a BIE Financial Analyst stated that an award was approved at the end of June 2024 for computers; however, it could take up to six months for them to be delivered.

Further, we also found that in September 2022, BIE hired a contractor to supplement BIE staff to provide facility maintenance program support services for all 183 schools and other BIE facilities.²⁸ The contractor closed or canceled 682 out of 805 open work orders²⁹ in 2023. We found that the contractor closed 50 of the 53 closed work orders we reviewed. Of these 50, 31 work orders should have remained open because they still needed to be corrected. According to both BIE and school staff, the contractor met with the Facilities Manager and Superintendent once through a single video conference interview in which the contractor closed or canceled work orders based on (1) staff recollection of work (dating back years) and (2) whether the contractor perceived individual work orders as duplicates.

According to staff, the contractor did not visit the school or ask for photographic evidence to verify the work orders were appropriately closed before changing the status in the facility management system. The contract provided a \$50,000 travel allocation and stated that contract personnel are to provide proper oversight and must be able to perform onsite inspections; however, it also stated that travel should be considered only when telephone, email, or mail would not accomplish the purpose. We followed up with senior BIE staff as to their expectation of the contractor's work, and they stated that they believed a site visit and photographic evidence are necessary to close work orders.³⁰

Further, we found that information related to the safety and health deficiency work orders in the facility management system was incomplete. For example, several work orders in the system would list only a building number and not a room or any additional location descriptions. Tate Topa Tribal School is a large facility—more than 140,000 square feet according to school staff—with additional buildings onsite, which necessitates documenting accurate location information for each deficiency. During our site visit, we could not locate several deficiencies (despite the BIE inspector and facility staff accompanying us) due to vague information entered into the facility management system by BIE staff. For example, when we reviewed the open work orders, we

²⁷ The Education Program Administrator is in charge of the Bismarck Education Resource Center and oversees the BIE employees at Tate Topa Tribal School.

²⁸ The Indian Education Acquisition Office awarded a task order in September 2022, with two option years, totaling approximately \$3 million.

²⁹ This system cleanup included all Tate Topa Tribal School work orders in the facility management system, both those that staff entered and those generated by safety and health inspections, which accounts for the higher number of work orders than what we reviewed in this inspection. Our scope was limited to only work orders generated by safety and health inspections.

³⁰ We are issuing a separate management advisory that will include recommendations to BIE related to this contract.

found three for “Replace Panel” with just a building listed. We also found an open work order for a classroom with a fire-rated door issue that turned out to be a janitor closet. Further, the campus maps staff provided to us onsite were inaccurate, and we had to request BIE staff assistance in locating the appropriate buildings to match with the deficiencies listed in the facility management system. These issues create an additional burden for staff assigned to resolve identified deficiencies.

Failure to accurately report the status of work orders may create inefficiencies in funding, result in inadequate monitoring, create a perception of a safe environment when risks persist, and potentially expose students and staff to problematic conditions. Using vague language to describe the location of deficiencies within the system can also create inefficiencies and frustration for those attempting to correct the problems. Furthermore, according to a BIE source, as a result of the erroneously closed deficiencies and work orders, the school’s facility condition index³¹ rating improved from “poor” to “fair.” This change can affect the school’s budget because funds are typically diverted to schools with a lower rating.

Recommendations

We recommend that BIE:

4. Provide all Tate Topa Tribal School facilities maintenance staff the necessary computer hardware, software, and training to access the facility management system.
5. Review and analyze all Tate Topa Tribal School work orders in the facility management system and update work order status as needed to ensure accuracy.
6. Develop an updated and accurate map of the Tate Topa Tribal School campus.
7. Develop and deliver training to emphasize the importance of accurate and complete recordkeeping in the facility management system.

³¹ The facility condition index is the calculated ratio of a facility’s deficiency cost versus replacement cost and represents a facility’s condition as “good,” “fair,” or “poor.”

Conclusion and Recommendations

Conclusion

BIE is responsible for performing annual safety and health inspections at all Indian schools to identify deficiencies. BIE is also required to ensure identified deficiencies are corrected at Tate Topa Tribal School to provide school staff and students with a safe and healthy environment in which to teach and learn. In addition, BIE relies on the facility management system for decision making, which makes it critical that the system be reviewed and updated to provide an accurate database of work orders for more efficient and effective oversight.

The deficiencies we found occurred because BIE did not have adequate staff to monitor and correct safety and health deficiencies and did not have a plan to hire additional maintenance and grounds staff. In addition, BIE inspectors did not verify whether previously identified safety and health deficiencies were corrected or repeated during the inspection. Further, we found that BIE did not provide school facilities and maintenance staff with a Government purchase card to buy supplies and BIE did not provide computers, software, and training to access the facility management system to update and monitor work orders. Finally, we found that BIE had inadequate contractor support; specifically, the contractor did not ensure that work orders were correctly closed, and BIE did not require its contractor to provide evidence that work was completed prior to closing work orders.

We make seven recommendations that, if implemented, will improve the school's overall facility condition by reducing the number of safety and health deficiencies and increasing staff's ability to respond to maintenance requirements. We note that although our inspection involved a sample of Tate Topa Tribal School facility management work orders, our finding related to inaccuracies in the facility management system highlights an issue that may be applicable across BIE Indian schools.

Recommendations Summary

We provided a draft of this report to BIE for review. BIE concurred with all seven recommendations. We consider Recommendations 1 and 3 through 7 resolved and Recommendation 2 unresolved. We determined that Recommendation 2 is significant and will be reported as such in our semiannual report to Congress in accordance with the Inspector General Act.³² Below we summarize BIE's response to our recommendations, as well as our comments on its response. See Appendix 4 for the full text of BIE's response; Appendix 5 lists the status of each recommendation.

We recommend that BIE:

1. Develop and implement a plan to monitor identified deficiencies at Tate Topa Tribal School for resolution and correction in accordance with abatement plan timelines.

BIE Response: BIE concurred with the recommendation and stated that its "Branch of Facilities Management (BFM) and Branch of Safety Management (BSM) will monitor the resolution and correction of deficiencies in accordance with abatement plan timelines." BIE said it has implemented a plan to review deficiencies with Tate Topa Tribal School personnel, which includes providing technical assistance in developing the appropriate abatement plan. In addition, BIE stated, "Tate Topa's assigned BFM Facility Operations Specialist tracks, reviews and ensures that abatement plans are implemented."

³² The Inspector General Act of 1978, 5 U.S.C. § 405(b), requires inspectors general to prepare semiannual reports summarizing OIG activities during the immediately preceding six-month periods ending March 31 and September 30. It also states that these semiannual reports should include an identification of each "significant recommendation" described in previous semiannual reports on which corrective action has not been completed.

BIE provided a December 31, 2024 target implementation date.

OIG Comment: Based on BIE's response, we consider this recommendation resolved. We will consider it implemented when BIE provides documentation demonstrating that deficiencies identified in the report are being monitored and have been corrected in accordance with abatement plan timelines.

2. During each health and safety inspection, ensure the inspector verifies that deficiencies identified in the prior year's inspection were corrected or documents them as repeat deficiencies.

BIE Response: BIE concurred with the recommendation and stated BFM "is implementing a plan with Tate Topa to review and address workorders."

BIE provided a November 1, 2025 target implementation date.

OIG Comment: Based on BIE's response, we consider this recommendation unresolved. BIE did not provide a corrective action on how it will ensure inspectors at all BIE and Tribal schools verify that deficiencies identified in prior inspection reports were corrected. We will consider this recommendation implemented when BIE (1) provides documentation that it has developed and implemented a procedure requiring that during each health and safety inspection, the inspector verifies that deficiencies identified in the prior year's inspection were corrected or documents them as repeat deficiencies and (2) demonstrates that it has provided inspectors training on the new procedure.

3. Develop a plan focused on hiring additional maintenance and grounds staff at Tate Topa Tribal School.

BIE Response: BIE concurred with this recommendation and stated it "will develop a plan to hire additional maintenance staff and grounds staff at Tate Topa Tribal School." BIE said it "is committed to supporting this recommendation and will create a plan to recruit and onboard staff to fill these positions."

BIE provided a May 31, 2025 target implementation date.

OIG Comment: Based on BIE's response, we consider this recommendation resolved. We will consider it implemented when BIE provides the hiring plan to fill the maintenance and grounds staff positions.

4. Provide all Tate Topa Tribal School facilities maintenance staff the necessary computer hardware, software, and training to access the facility management system.

BIE Response: BIE concurred with the recommendation and stated it "will provide Tate Topa Tribal School facilities maintenance staff the necessary computer hardware, software and training to access the facility management system. BIE will ensure to equip the Tate Topa Tribal School's facilities staff with the tools and training needed for facility operations and timely resolution of maintenance issues." BIE said it is currently tracking the status of the equipment ordered for the staff. Furthermore, BIE stated that BFM will schedule training for school maintenance staff on the facility management system in fall 2024; until the Tate Topa Tribal School facilities are equipped, BFM staff are entering workorders on behalf of the school.

BIE provided a May 31, 2025 target implementation date.

OIG Comment: Based on BIE's response, we consider this recommendation resolved. We will consider it implemented when BIE provides documentation showing that it has issued new computer hardware and software and staff completed the required training.

5. Review and analyze all Tate Topa Tribal School work orders in the Facility Management System and update work order status as needed to ensure accuracy.

BIE Response: BIE concurred with the recommendation and stated it “has implemented a plan to review the deficiencies with Tate Topa Tribal School personnel and provide technical assistance in developing the appropriate abatement plan. Abatement plans are tracked by the assigned BFM Facility Operations Specialist to ensure the implementation of actions to remediate deficiencies.” BIE also stated that the school hired a consultant to address the backlog of work orders.

BIE provided a May 31, 2025 target implementation date.

OIG Comment: Based on BIE’s response, we consider this recommendation resolved. We will consider it implemented when BIE provides documentation demonstrating all work orders in the facility management system related to Tate Topa Tribal School have been reviewed, analyzed, and updated as needed to ensure an accurate facility management database.

6. Develop an updated and accurate map of the Tate Topa Tribal School campus.

BIE Response: BIE concurred with the recommendation and stated it “will work with the respective DOI program to get an accurate map of the school.”

BIE provided a March 1, 2025 target implementation date.

OIG Comment: Based on BIE’s response, we consider this recommendation resolved. We will consider it implemented when BIE provides an updated and accurate map of the campus.

7. Develop and deliver training to emphasize the importance of accurate and complete recordkeeping in the facility management system.

BIE Response: BIE concurred with the recommendation and stated it will “conduct training specifically for Tate Topa Facility Management staff on [the facility management system]. Additionally, BIE has developed a standard for work order entries to ensure specific information is provided in [the facility management system]. BIE facility management staff assigned to this school will continue to work with facility staff to address the deficiencies.”

BIE provided a December 31, 2024 target implementation date.

OIG Comment: Based on BIE’s response, we consider this recommendation resolved. We will consider it implemented when BIE provides documentation demonstrating staff are trained on the facility management system and standard work order entry.

Appendix 1: Scope and Methodology

Scope

Our inspection focused on Tate Topa Tribal School's fiscal year (FY) 2022 through 2024 annual safety and health inspection reports prepared by the Bureau of Indian Education (BIE) Branch of Safety Management; the work orders in the facility management system as of March 4, 2024; and the school's emergency action plan.

Methodology

We conducted our inspection in accordance with the *Quality Standards for Inspection and Evaluation* as put forth by the Council of the Inspectors General on Integrity and Efficiency. We believe that the work performed provides a reasonable basis for our conclusions and recommendations.

Our tests and procedures included:

- Obtaining and reviewing relevant Federal laws and regulations and U.S. Department of the Interior (DOI), Bureau of Indian Affairs (BIA), BIE, and Tate Topa Tribal School policies, procedures, and guidance.
- Interviewing (both in person and virtually) officials from the BIE Office of the Director; BIE School Operations, Facility and Safety Management Division; BIA Division of Facilities Management and Construction; and Tate Topa Tribal School.
- Surveying all school staff members using an emailed survey and an additional email questionnaire to all administrative school staff.
- Conducting a site visit in March 2024.
- Reviewing and analyzing all the deficiencies reported on the FY 2024 annual safety and health inspection and organizing the deficiencies by severity: catastrophic, critical, significant, and minor. There were no catastrophic deficiencies identified in FY 2024.
- Testing the FY 2023 catastrophic deficiency and 100 percent of the FY 2024 critical deficiencies and judgmentally sampling the significant deficiencies. Testing included visually observing the deficiency, with the assistance of the Safety and Health Inspector and the Facility Operations Specialist, to determine if the deficiency had been resolved.
- Reviewing and analyzing the FY 2022 and 2023 annual safety and health inspection reports to compare with the FY 2024 data to determine the previous total deficiencies and identify repeat deficiencies.
- Testing whether facility management system work orders were properly closed. We statistically sampled 53 closed Tate Topa Tribal School work orders from the population of 236 significant deficiencies to obtain a 90-percent level of confidence using a standard sampling formula. In addition, we physically inspected each of the deficiencies associated with the 53 work orders, with the assistance of the Safety and Health Inspector and the Facilities Manager, to determine whether the work orders were in the appropriate status. We acknowledge a limitation to testing closed work orders because a work order could have been closed out and an identical deficiency could have subsequently occurred.
- Judgmentally selecting 20 percent of the open work orders to verify if the work orders were in the correct status. We found a total of 137 open work orders and selected 31 to sample while onsite. We did not produce estimates based on the judgmentally selected work orders or commingle them with the statistical sample.

Appendix 2: Critical Deficiencies Testing Summary

Deficiency	Repeat Deficiency on FY 2024 Inspection Report?	Initial Date Identified	Initial Abatement Period	Corrected in Abatement Period?	Corrected?
Fire doors missing magnetic hold (Structure 301)	Yes	08/11/2016	30 days	No	No
Emergency lighting non-operational (Structure 301)	Yes	08/11/2016	45 days	No	No
Emergency lighting non-operational (Structure 303)	Yes	08/11/2016	45 days	No	No
Emergency lighting non-operational (Structure 900301)	Yes	08/11/2016	45 days	No	Yes
Emergency lighting non-operational (Structure 900303)	Yes	08/11/2016	45 days	No	No
Emergency exit blocked (Structure 301)	Yes	02/08/2023	1 day	No	No
Roof leak causing standing water (Structure 301)	Yes	02/08/2023	15 days	No	No*
Broken lift basket unusable (Structure 301)	No	12/04/2023	15 days	No	No*
Damaged electrical outlet (Structure 900305)	No	12/04/2023	15 days	Yes	Yes

* Deficiency had been partially abated but not fully corrected.

Appendix 3: Significant Deficiencies Testing Summary

Deficiency	Repeat Deficiency on FY 2024 Inspection Report?	Initial Date Identified	Initial Abatement Period	Corrected in Abatement Period?	Corrected?
Corridor walls lack minimum half hour fire resistance rating (Structure 301)	Yes	07/21/2006	90 days	No	No
Sinks do not meet minimum accessibility requirements (Structure 301)	Yes	03/10/2008	45 days	No	No
Grab bar does not meet accessibility requirements (Structure 900305)	Yes	11/11/2012	45 days	No	No
Missing fire rating label (Structure 303)	Yes	08/11/2016	30 days	No	No
Missing fire rating label (Structure 900303)	Yes	08/11/2016	30 days	No	No
Restroom not accessible (Structure 301)	Yes	08/11/2016	45 days	No	No
No maximum occupant load sign (Structure 301)	Yes	08/11/2016	45 days	No	Yes
Laundry lacks minimum hour fire barrier resistance rating (Structure 301)	Yes	08/11/2016	90 days	No	No
Electrical room has combustible items (Structure 900306)	Yes	08/11/2016	90 days	No	No
Emergency lighting non-operational (Structure 303)	Yes	07/31/2017	45 days	No	No
Lack of keep closed sign for roof hatch (Structure 301)	Yes	06/14/2018	10 days	No	No
Roof vents lack annual inspection test (Structure 301)	Yes	06/14/2018	30 days	No	No
First aid kit has expired items (Structure 301)	Yes	02/08/2023	30 days	No	No*

* Deficiency had been partially abated but not fully corrected.

Appendix 4: Response to Draft Report

The Bureau of Indian Education's response to our draft report follows on page 24.



UNITED STATES DEPARTMENT OF THE INTERIOR
 Bureau of Indian Education
 1849 C Street NW, MIB-3610
 Washington, DC 20240

October 24, 2024

Memorandum

To: Kathleen Sedney
 Assistant Inspector General for Audits - Inspections and Evaluations

From: Tony L. Dearman 
 Director - Bureau of Indian Education

Subject: Management Response to Recommendations 1 through 7 in Draft Inspection Report (No. 2024-ISP-014) – *The Bureau of Indian Education Must Correct Safety and Health Deficiencies and Improve Facility Management System Accuracy at Tate Topa Tribal School*

The Bureau of Indian Education (BIE) appreciates the opportunity to comment on the U.S. Department of the Interior Office of Inspector General (OIG) Draft Inspection Report (2024-ISP-014) – *The Bureau of Indian Education Must Correct Safety and Health Deficiencies and Improve Facility Management System Accuracy at Tate Topa Tribal School*. This memorandum provides BIE's response to each of the audit recommendations. The BIE concurs with all recommendations identified in the draft audit report. The BIE's plans for corrective actions and actions taken are detailed below:

Recommendation 1: Develop and implement a plan to monitor identified deficiencies at Tate Topa Tribal School for resolution and correction in accordance with abatement plan timelines.

Response and Actions Planned: The BIE concurs with the recommendation. The BIE Branch of Facilities Management (BFM) and Branch of Safety Management (BSM) will monitor the resolution and correction of deficiencies in accordance with abatement plan timelines. Currently, the BIE has implemented a plan to review deficiencies with Tate Topa Tribal School personnel. This includes providing technical assistance in developing the appropriate abatement plan. In addition, Tate Topa's assigned BFM Facility Operations Specialist tracks, reviews and ensures that abatement plans are implemented.

Responsible Official: BIE Branch of Facilities Management

Target Date: December 31, 2024

Recommendation 2. During each health and safety inspection, ensure the inspector verifies that deficiencies identified in the prior year's inspection were corrected or documents them as repeat deficiencies.

Response and Actions Planned: The BIE concurs with the recommendation to ensure that during each health and safety inspection, inspectors verify that deficiencies identified in the prior year's inspection have been corrected or document them as repeat deficiencies. Additionally, the

BIE Branch of Facilities Management (BFM) is implementing a plan with Tate Topa to review and address workorders. Two individuals have been assigned to assist the school with its backlog. the school is currently validating all outstanding work orders.

Responsible Official: BIE Branch of Safety Management

Target Date: November 1, 2025

Recommendation 3. Develop a plan focused on hiring additional maintenance and grounds staff at Tate Topa Tribal School.

Response and Actions Planned: BIE concurs with this recommendation. BIE will develop a plan to hire additional maintenance staff and grounds staff at Tate Topa Tribal School. BIE is committed to supporting this recommendation and will create a plan to recruit and onboard staff to fill these positions.

Responsible Official: BIE Human Resources

Target Date: May 31, 2025

Recommendation 4. Provide all Tate Topa Tribal School facilities maintenance staff the necessary computer hardware, software, and training to access the facility management system.

Response and Actions Planned: BIE concurs with this recommendation. BIE will provide Tate Topa Tribal School facilities maintenance staff the necessary computer hardware, software and training to access the facility management system. BIE will ensure to equip the Tate Topa Tribal School's facilities staff with the tools and training needed for facility operations and timely resolution of maintenance issues. BIE is currently tracking the status of the equipment that was ordered for the staff and will provide it after the laptops have been imaged by IT.

Furthermore, BIE Branch of Facilities Management will schedule training for school maintenance staff on the facility management system in Fall 2024. Until the Tate Topa Tribal School facilities maintenance staff are equipped, BFM staff are entering workorders on behalf of the school.

Responsible Official: Minneapolis Education Resource Center and BIE Branch of Facilities Management

Target Date: May 31, 2025

Recommendation 5. Review and analyze all Tate Topa Tribal School work orders in the Facility Management System and update work order status as needed to ensure accuracy.

Response and Actions Planned: The BIE concurs with this recommendation to review and analyze all work orders for Tate Topa Tribal School in the Facility Management System. Additionally, the BIE has implemented a plan to review the deficiencies with Tate Topa Tribal School personnel and provide technical assistance in developing the appropriate abatement plan. Abatement plans are tracked by the assigned BFM Facility Operations Specialist to ensure the implementation of actions to remediate deficiencies. The school has also hired a consultant to address the backlog of work orders and to develop a scope of work and an independent government estimate for funding.

Responsible Official: BIE Branch of Facilities Management

Target Date: May 31, 2025

Recommendation 6. Develop an updated and accurate map of the Tate Topa Tribal School campus.

Response and Actions Planned: The BIE concurs with the recommendation to develop an updated and accurate map of the Tate Topa Tribal School campus. BIE will work with the respective DOI program to get an accurate map of the school by requesting funds through work order for mapping.

Responsible Official: BIE Branch of Facilities

Target Date: March 1, 2025

Recommendation 7. Develop and deliver training to emphasize the importance of accurate and complete recordkeeping in the facility management system.

Response and Actions Planned: The BIE concurs with the recommendation to develop and deliver training that emphasizes the importance of accurate and complete recordkeeping in the facility management system. BIE will conduct training specifically for Tate Topa Facility Management staff on Maximo. Additionally, BIE has developed a standard for work order entries to ensure specific information is provided in Maximo. BIE facility management staff assigned to this school will continue to work with facility staff to address the deficiencies.

Responsible Official: BIE Branch of Facilities Management

Target Date: December 31, 2024

The BIE will ensure Tate Topa Tribal School receives the support and technical assistance needed to improve the management of deficiencies, safety and security. Thank you for the opportunity to review and provide a response on behalf of the Bureau of Indian Education to the U.S. Department of the Interior Office of Inspector General (OIG) Draft Inspection Report – (No. 2024-ISP-014) *The Bureau of Indian Education Must Correct Safety and Health Deficiencies and Improve Facility Management System Accuracy at Tate Topa Tribal School*. If you have any questions or need additional information, please contact Ventura Lovato at ventura.lovato@bie.edu.

Appendix 5: Status of Recommendations

Recommendation	Status	Action Required
2024-ISP-014-01 We recommend that the Bureau of Indian Education (BIE) develop and implement a plan to monitor identified deficiencies at Tate Topa Tribal School for resolution and correction in accordance with abatement plan timelines.	Resolved	We will track implementation.
2024-ISP-014-02 We recommend that BIE, during each health and safety inspection, ensure the inspector verifies that deficiencies identified in the prior year's inspection were corrected or documents them as repeat deficiencies.	Unresolved: pending additional information.	We will meet with BIE to further discuss resolution of this recommendation.
2024-ISP-014-03 We recommend that BIE develop a plan focused on hiring additional maintenance and grounds staff at Tate Topa Tribal School.		
2024-ISP-014-04 We recommend that BIE provide all Tate Topa Tribal School facilities maintenance staff the necessary computer hardware, software, and training to access the facility management system.		
2024-ISP-014-05 We recommend that BIE review and analyze all Tate Topa Tribal School work orders in the Facility Management System and update work order status as needed to ensure accuracy.	Resolved	We will track implementation.
2024-ISP-014-06 We recommend that BIE develop an updated and accurate map of the Tate Topa Tribal School campus.		
2024-ISP-014-07 We recommend that BIE develop and deliver training to emphasize the importance of accurate and complete recordkeeping in the facility management system.		



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

REPORT FRAUD, WASTE, ABUSE, AND MISMANAGEMENT

The Office of Inspector General (OIG) provides independent oversight and promotes integrity and accountability in the programs and operations of the U.S. Department of the Interior (DOI). One way we achieve this mission is by working with the people who contact us through our hotline.

WHO CAN REPORT?

Anyone with knowledge of potential fraud, waste, abuse, misconduct, or mismanagement involving DOI should contact the OIG hotline. This includes knowledge of potential misuse involving DOI grants and contracts.

HOW DOES IT HELP?

Every day, DOI employees and non-employees alike contact OIG, and the information they share can lead to reviews and investigations that result in accountability and positive change for DOI, its employees, and the public.

WHO IS PROTECTED?

Anyone may request confidentiality. The Privacy Act, the Inspector General Act, and other applicable laws protect complainants. Specifically, 5 U.S.C. § 407(b) states that the Inspector General shall not disclose the identity of a DOI employee who reports an allegation or provides information without the employee's consent, unless the Inspector General determines that disclosure is unavoidable during the course of the investigation. By law, Federal employees may not take or threaten to take a personnel action because of whistleblowing or the exercise of a lawful appeal, complaint, or grievance right. Non-DOI employees who report allegations may also specifically request confidentiality.

If you wish to file a complaint about potential fraud,
waste, abuse, or mismanagement in DOI,
please visit OIG's online hotline at www.doioig.gov/hotline
or call OIG's toll-free hotline number: **1-800-424-5081**