



STATEMENT OF MR. PHILLIP AHMSATY, MSW
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BOARD OF TRUSTEES



Before the Subcommittee on Interior, Environment, and Related Agencies – Committee on
Appropriations
U.S. House of Representatives

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Chairman Simpson, Ranking Member Moran, and members of the Subcommittee, my name is Phillip Ahmsaty. I am a member of the Gila River Indian Community and I sit on the Board of Trustees for the Casa Blanca Community School (“CBCS”), a tribally controlled grant school authorized pursuant to P.L. 100-297. Today, I would like to address the Committee on programs run by the Bureau of Indian Affairs (“BIA”) and Bureau of Indian Education (“BIE”) that impact our school. More specifically, I will address a few discrete topics today including the conditions at our school, the strides our students have made in the face of said conditions, and the anticipated problematic effects of sequestration on funding and our continuing ability to educate our kids. Before continuing, I would like to extend my deep gratitude for this opportunity to address the Committee.

(A) CBCS Has Decrepit, Subpar Educational Facilities.

CBCS serves 254 students in kindergarten through 4th grade. Over the past two years, we have seen an increase in student enrollment and we expect that growth to continue into the next school year. One of the Board’s greatest concerns, however, lies in the dangers to which our students and staff are exposed on a daily basis as a result of the condition of our facilities. Further, as our student population grows, the Board worries about its ability to provide students with a safe, fully functional space for learning.

Of our current total student population, exactly half, or 127 students, attend class every day in portable buildings. The remaining 127 students are housed in permanent buildings. Both the portable and permanent facilities are unsafe and completely lacking as functional educational facilities. This is a particularly glaring problem given the transition to the use of Common Core standards and curriculum. I will discuss this in a bit more detail momentarily.

Of our portable classrooms, four are in need of new subflooring. Three portable classrooms have such significant flooring issues that students’ desks must be strategically placed so as to prevent student traffic from traveling over soft spots in the classrooms, causing students or staff to fall through the floor and injure themselves. The school’s more permanent facilities are equally decrepit. Of our total permanent structures, 50% contain asbestos.

There are numerous other, very substantial safety hazards posed by our facilities. For instance, approximately 60% of the building overhangs on campus are sagging between 10-12”. Additional structural support will be required once the sagging reaches between 14-16”. The need to replace these roofs, or at least the overhangs, is a certainty; the only question is when we will have to do it. On thirteen doors throughout the campus, the metal frames are falling out of the wall. Because the doors are beyond the point of repair, the school cannot use them because once they are opened, these doors cannot be secured. Additionally, one of our main permanent buildings has settled in such a way that runoff from the roof no longer drains properly. Instead of being carried away from the building, the water and other runoff

(including sand and dirt) settle at the base of the building. This, in turn, causes further settling. Our Facilities Department expects that the foundation for this building, which houses our library, the computer lab, and our Family and Child Education Program (“FACE”)¹, will soon need to be re-secured, or possibly redone entirely. As a result of the settlement elsewhere on campus, the school has a set of bathrooms that cannot be used, as the drain pipe running beneath the bathrooms was crushed when the building settled.

None of the foregoing repairs or replacements come cheap, as the Committee is no doubt aware. As one of my colleagues on the Board has remarked, our kids are only as good as their surroundings. And yet, on March 11, 2013, this Committee’s analog in the Senate proposed a Continuing Resolution (“CR”) for the remaining six months of the FY 2013 that would eliminate the BIA’s school replacement program. That CR is consistent with the Department of Interior’s (“DOI”) original FY 2013 budget proposal in that the latter likewise eradicated the school replacement program entirely. Oddly, in spite of the DOI’s proposal, its Assistant Secretary for Indian Affairs, Kevin Washburn, during testimony before this Committee on February 27, 2013 discussed the New School Replacement and Renovation Formula in some detail, and suggested that the BIA was anticipating “initiating the new school-priority-ranking process this fiscal year.” We can only hope that Assistant Secretary Washburn’s remarks reflect a recommitment to caring for and replacing BIA-owned and/or controlled properties that pose serious hazards to Native students.

Regardless, CBCS firmly believes the total school replacement program needs to continue, and that it should be adequately funded. CBCS is one of 63 schools (out of a total 183 Bureau-funded schools) on the BIA’s Index of Schools in Poor Condition. That Index was last released in 2009. Surely there are more schools on that list today than there were four years ago. Since the Index’s last issuance, CBCS has creatively worked towards eliminating some of our more patent safety issues – for instance, our playground equipment posed a safety hazard, so we got it replaced. The school was extremely fortunate that the GRIC Council appropriated the funds to do so. But remediation is a poor substitute for replacement where replacement is warranted. And the responsibility for the vast majority of our facilities rests squarely and exclusively with the DOI and BIA.

- (1) Funding for facilities operations and maintenance should be at 100% of need and should occur on consistent with the calendar for receipt of other school grants monies.

Of the problems contributing to the increased deterioration of grant school facilities is the lack of adequate, need-based funding for facilities operations and maintenance (“O&M”). CBCS has received approximately 50% of the needed funding for facilities O&M over the past three years. These monies should be appropriated at 100% of need. This is critically important, given the already deplorable condition of CBCS and grant schools like it.

- (B) Our Students Nevertheless Have Made Recent, Significant Progress.

Admittedly, our students come to us with significant need, and oftentimes behind in educational progress when compared with off-reservation, non-Native students. But the picture we wish to paint today is not one dominated exclusively by doom and gloom. Instead, we are pleased to report several meaningful and positive student developments over

¹ Our FACE program has grown so much lately that we find ourselves looking to move classrooms around to accommodate greater numbers of adult Community members wishing to work towards their GED. Like the Department of Interior, we are consistently faced with difficult, and sometimes competing, budget requests.

the past few years. First, we have successfully increased our students' attendance from 92 to 95%. This is no easy feat, given the challenges our Transportation Department faces given the rural area and population we serve.

More significantly, our students have shown significant improvement in reading and math recently. In reading, the students' average growth rate is 1.67 (or a full year and six months), while math growth has been .94. This increase is undoubtedly due to a very dedicated group of teachers, staff, and our administration. We have focused heavily on increasing the use of technology in the classroom and believe we are seeing the dividends. Over the past two years, we have been able to purchase a number of iPads, some Promethean Active Tables, and laptops. The use of this technology is pivotal in preparing our students to perform and succeed in the global market. As you know, though, the latest technology costs money and therefore demands adequate funding.

The Board strongly believes student improvements will increase, and will be magnified, as we transition completely to the Common Core curriculum and standards. But this transition will pose challenges, as well. Arizona's Common Core Curriculum asks us to integrate science into student teaching. But our school lacks any sort of science-ready facility. While we are working with the GRIC itself to secure funding for an additional facility the Board could designate as a science lab, this is just one example of why this Committee should commit to continued, higher funding for grant schools. For our students to be competitive with students in other school systems, the school must receive adequate funding to give the students quality facilities, equipment, and teachers. Parity can, in large part, be encouraged through appropriate funding.

(C) Sequestration and Resultant Expected Funding Cuts Will Hinder Parity and Our Students' Competitiveness.

The BIE has advised us to prepare for an anticipated 10% cut in funding for the coming school year. The full extent of any such cuts will not be known until next school year. This creates a real dilemma for budget planning, particularly when coupled with our increasing student enrollment. This year, the School suffered a loss of \$155,429.00 in funding. Should sequestration result in a 10% reduction in the Titles I & II grants, as well as IDEA, we expect to suffer a further loss of at least \$104,671.50.

These funding cuts, when combined with the underfunding of other existing and known needs will have a devastating affect on our school. I have already explained how the facilities O&M budget line item is historically underfunded. The same is true of the administrative cost grant (now known as "tribal grant support"). Per the DOI, the BIE funded administrative cost grants at approximately 62% of need as defined by the Administrative Cost Grants formula for the 2012-13 school year.² The DOI's Budget Justification for Indian Affairs for the current year indicates that tribally controlled grant schools' administrative costs grants will be funded at approximately 65% of need.³ As the Committee knows, this grant is intended to cover the schools' indirect costs, including auditing services, financial, personnel, property and procurement management, security, and legal services.⁴ The Board believes it reasonable to expect that these already underfunded grants are likely to decrease even further in regard to percentage of need funded as a result of sequestration.

² See Dep't of Interior Budget Justifications and Performance Information Fiscal Year 2013 – Indian Affairs at IA-BIE-3 (2013).

³ Indian Affairs 2013 Budget Justifications at IA-BIE-3.

⁴ *Id.* at IA-BIE-2-3.

(1) Sequestration may also result in increasingly late grant payments.

Another ongoing problem with funding generally is the BIE's timeliness of payments on grants. According to grant conditions and relevant provisions of the Code of Federal Regulations, for instance, CBCS receives 80% of its administrative cost grant (which is never fully funded, as outlined above) at the beginning of the school year. The other 20% due is supposed to be paid no later than December of the relevant school year, consistent with the Prompt Payment Act. Yet, in spite of these requirements, over the past three school years, the school's second draw of administrative costs is not received until at least April (in one case, the remaining 20% was received in July).

As the DOI works to "streamline" functions at the BIA and BIE, and as personnel are reduced, the Board believes the timeliness of grant payments to the school will likely slow even further. Accordingly, we urge this Committee all it can to require that grant payment be made on time, in accordance with the requirements in federal law for doing so.

(D) Conclusion:

In remarks before this Committee last week, Secretary Salazar discussed the "difficult choices" Interior must make in budget decisions. Specifically, Mr. Salazar advised of the DOI's intent to eliminate or reduce lower priority programs, reduce duplication, and streamline operations. In the Secretary's view, all of the foregoing will lead to captured savings. We are here today to ask you not to balance the cost of those captured savings on the backs of Native children who have forever been treated to lesser education funding and educational opportunity. Similarly, we ask this Committee to recommit to fully and adequately providing funding for Indian education in an amount commensurate with the other federally funded educational system – that which is operated by the Department of Defense. The GRIC children, and those of all the other Native communities throughout the United States, deserve nothing less.

Thank you, again, for the opportunity to address you and for your consideration of this testimony.