



**Testimony of the National Indian Education Association
before the
United States House of Representatives
Committee on Appropriations, Subcommittee on Interior,
Environment, and Related Agencies
March 17, 2016**

Introduction. Chairman Calvert, Ranking Member McCollum, and members of the Subcommittee, thank you for this opportunity to provide testimony on behalf of the National Indian Education Association (NIEA). Founded in 1969, NIEA represents Native students, educators, families, communities, and tribes. NIEA's mission is to advance comprehensive, culture-based educational opportunities for American Indians, Alaska Natives, and Native Hawaiians. As the premiere organization advocating for Native students, NIEA works to achieve education equity and excellence, to ensure all students are provided a high-quality academic and culture-based education.

The State of Native Education. The Elementary and Secondary Education Act of 1965 (ESEA) is the largest civil rights education law supporting low-income schools with the funding necessary to provide high-need students with access to an excellent education. With the recent reauthorization, the latest iteration of ESEA is now called the Every Student Succeeds Act (ESSA). The ESSA marks a new era of state and local innovation to best support our students and has received a tremendous amount of bipartisan support for Native education specifically. We commend Congress for its commitment to fulfilling its federal trust responsibility to Indian Country, and particularly the members of this Subcommittee for making sure Native education issues are always on the table.

As we celebrate the signing of the ESSA law, we must continue to shed light on the fact that Native education continues to be in a state of emergency. As Interior Secretary Sally Jewell has stated, "Indian education is an embarrassment to you and to us. We know that self-determination and self-governance is going to play an important role in bringing the kind of academically rigorous and culturally appropriate education that children need."¹ Students attending Bureau of Indian Education (BIE) funded schools experience some of the worst educational disparities across the country, even though the BIE is one of two education systems for which the federal government has direct responsibility.

In December 2015, the Department of Education's National Center for Education Statistics (NCES) released data that highlights the increasing graduation rate of U.S. high school students. Since states adopted a revised standard for calculating graduation rates five years ago, they have reached an all-time high with a graduation rate of 82 percent in 2013-14. Then, U.S. Secretary of Education, Arne Duncan, applauded this achievement and accredited the success to "the hard work of teachers, administrators, students and their families." Unfortunately, American Indian and Alaska Native students are the only ethnic group

¹ Hearing before the Committee on Indian Affairs, S. Hrg. 113-92 (May 15, 2013).

whose rates remained flat with a graduation rate of 69.6 percent in 2013-14; 12 percent lower than the national average. Furthermore, students attending BIE funded and operated schools experienced even lower graduation rates at 53%; nearly 30 percent below the national average. In addition, Indian students continue to be subject to significant risk factors that threaten their ability to improve their academic achievement and their general well-being.

Despite the pressing need for funding parity and equitable access, historical funding trends illustrate that the federal government has been abandoning its trust responsibility by decreasing or freezing federal funds to Native-serving programs by over half in the last 30 years. Some Native students have been wholly abandoned, such as those languishing in BIA-funded juvenile detention centers— desks sit empty because education funding for those facilities was cut in 2012. Many Native students attempt to make academic gains in dilapidated, below-standards school facilities. Abandoning school construction funding, in particular, has been extremely detrimental to Native youth, as the GAO has reported that better school facilities are associated with better student outcomes.²

The President's FY 2017 Budget continues the work from 2016 which invests in Indian education. Through proposals to increase Native-serving programmatic funding levels, the Obama Administration is making critical investments in Native communities.

BIE Reform. NIEA is generally supportive of the BIE-reform. However, we urge transparency in the design and execution of the reform to include tribal participation, including school leadership, facilitate congressional oversight, and ensure that reform fulfills the federal government's trust responsibility regarding delivery of trust- and treaty-based educational rights.³ Research has shown that critical investments in BIE are needed in overlooked areas such school construction and technology. NIEA's outlined budget asks are directly related to programmatic costs to get this nation's most vulnerable students to the same level of achievement as their peers.

FY 2017 Recommendations. Although NIEA welcomes the renewed commitment to Native education reflected in the Administration's FY 2017 Budget, the federal trust responsibility will continue to be undermined until the federal government fully appropriates funding to bridge the educational attainment gap. Implementing the following requests would ensure this trust responsibility is upheld by reinvesting critical resources to improve the education systems serving Native students. Once again, we appreciate Congress working across the aisle to better fund and support Native education in previous years. We hope that Congress provides full appropriations to authorized programs which Native students desperately need.

- **Provide \$263.4 million for BIE education construction.** Schools operating within the BIE system are woefully outdated and, in some cases, dangerous for students

² See GAO, School Facilities: Physical Conditions in School Districts Receiving Impact Aid for Students Residing on Indian Lands, GAO-10-32 (Oct. 29, 2009).

³ See NIEA Resolution #2014-11.

and staff. The Administration has requested \$138.2 million, and **we request \$125 million above the Administration's request to fully fund school construction and repair.** Over 60 BIE schools are currently rated in "poor" condition, and construction issues continue to put Native students at an educational disadvantage. Full funding of school construction would likely decrease overall costs over time, as less money would be spent attempting to maintain decrepit facilities.

- **Provide \$620,000 for Juvenile detention education.** These critical funds provide educational services to detained and incarcerated youth at 24 BIA-funded juvenile detention facilities. One of the best methods to rehabilitate individuals is through education, eliminating this program creates additional costs by increasing the rate of criminal recidivism. NIEA requests \$120,000 above the Administration's Budget.
- **Provide \$25 million to extend broadband internet access.** Technology is no longer a luxury in 2016, and serves as a necessity to keep up with today's advanced society. However, less than ten percent of Indian Country has access to broadband internet technology. Furthermore, 60% of BIE schools do not have adequate digital broadband access, or computer access, to be aligned with college and career readiness standards. As such, we agree with the President's Budget to fund broadband access for Native students at \$25 million.
- **Provide \$73 million for student transportation in the BIE system.** BIE schools incur significant student transportation costs due to their often-rural locations and poor road conditions. High transportation costs lead to funding shortfalls, which then either go unpaid or divert direct educational funds. NIEA requests \$20 million over the 2016 enacted level since BIE schools costs are considerably higher than most schools systems due to the often-rural location of BIE facilities. NIEA recommends \$16 million above the Administration's Budget.
- **Provide \$75 million for tribal grant support costs for tribally-operated schools.** Tribal Grant Support Costs fund the administrative costs of existing tribally-operated schools. Full funding is critical as these funds help tribes expand self-governance and tribal control over education programs by allocating monies for administrative costs such as accounting, payroll, and other legal requirements. Schools must divert critical teaching and learning funding to cover any shortfalls in operational costs. As such, we agree with the President's Budget to fully fund tribal grant support costs for Native students at \$75 million.
- **Provide \$10 million for Tribal Education Agencies/Departments (TEAs).** This funding assists TEAs, which are uniquely suited at the local level to implement innovative education programs that improve Native education. Tribes best understand the circumstances of their populations, and tribal self-determination over education results in improved education parity. NIEA requests an additional \$6 million above the Administration's Budget.

- **Provide \$431 million for the Indian School Equalization Program.** These funds provide the core budget account for BIE elementary and secondary schools by covering teacher salaries, aides, principals, and other personnel. Unfortunately, ISEP funds are often reallocated to cover the program cuts in other areas of education. ISEP must have adequate funding to ensure all program needs are fulfilled and must not be reduced to provide funds for new initiatives that have not been vetted by tribes. NIEA recommends \$32.5 million above the President's Budget.
- **Provide \$5 million for BIE immersion demonstration programs.** According to UNESCO, 74 Native languages stand to disappear in the next decade, with only 20 Native languages being spoken by 2050. As such, funding under the BIE reform efforts should strengthen tribal sovereignty to increase capacity and support Native language immersion schools. These demonstration grant funds would protect the cultural and linguistic heritage of Native students in education systems in order to strengthen their language, improve academic outcomes, and become future leaders of their tribes. NIEA recommends that the BIE immersion demonstration grants be a line item moving forward with a \$5 million request.
- **Provide a One-Time Appropriation of \$20 million to forward fund five TCUs.** Forward funding is necessary for Haskell Indian Nations University, Southwestern Indian Polytechnic Institute, Institute of American Indian Arts, Navajo Technical University, and United Tribes Technical College. These five tribal colleges are the only educational institutions funded through the BIE that are not forward funded. NIEA requests \$16 million above the President's Budget.
- **Provide \$37.8 million to the Haskell Indian Nations University (HINU) and Southwestern Indian Polytechnic (SIPI).** These TCUs, which were the first TCUs, are funded separately, and require additional funding considerations. A combined appropriation of \$23 million for HINU and SIPI is necessary to ensure continued programs and services are available to Native students and a one-time payment of \$14.8 million would help forward-fund these institutions. NIEA requests \$16 million above the President's Budget.

Conclusion. FY 2017 funding has the potential to begin to change the future for BIE students by ensuring that schools have the facilities and resources necessary to provide a college- and career-ready, 21st century education. To achieve success, there must be collaboration among all entities – federal, tribal, state, and local. Education is the only way that we will break the cycle of poverty on the many reservations that have BIE-funded schools and enable Native children to have productive futures. NIEA urges Congress to fulfill its federal trust responsibility to America's most vulnerable children by ensuring they have the access to educational resources they deserve.

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