

TESTIMONY OF SHAWNA ALLISON BECENTI BEFORE  
THE HOUSE COMMITTEE ON NATURAL RESOURCES,  
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS  
February 12, 2025

Yá'át'ééh Chairman of the Full Committee Bruce Westerman, Chairman Gosar, Ranking Member Dexter, and Members of the House Subcommittee,

Thank you for the opportunity to submit testimony regarding deferred maintenance of Bureau of Indian Education School Facilities. My name is Shawna Allison Becenti, and I am the Head of School for Navajo Preparatory School (Navajo Prep) and a proud alumna of Navajo Prep. My clans are Zuni Red Streak Running into Water, and Salt. With me is Dr. Bernadette Goodluck Todacheene, who is the President of Navajo Prep's Governing Board of Trustees. As Head of School, it is my responsibility to ensure the long-term sustainability and growth of our institution. This includes overseeing academic programs, student support, campus operations and development, and advocating for state, federal, and tribal funding to support our students, faculty, and the future of Navajo Prep.

Navajo Prep is a Tribally Controlled School funded by the Bureau of Indian Education (BIE) as per the Tribally Controlled Schools Act, P.L. 100-297. Navajo Prep is located in Farmington, New Mexico. Navajo Prep is an example of Indian self-determination based on the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638. As an International Baccalaureate World School, Navajo Prep serves 291 students in grades 9-12 and allows students to compete for a competitive international diploma. Students attend Navajo Prep from across the United States including Arizona, Colorado, Idaho, Montana, and Utah and represent different Tribal Nations. Sixty-five percent of our students live on campus in our residential facilities.

College education of our Navajo Youth is an expectation for Navajo parents and our Navajo leaders<sup>1</sup>. Since 2020, Navajo Prep has sustained a high school graduation rate of 94% or higher. 100% of our 2024 graduates were accepted into four-year colleges or universities, and a remarkable 60% of our alumni from the Class of 2018 who pursued college graduated within six years, significantly surpassing both the national and state levels for American Indian students.

One of our school's priorities is to address the critical loss of Diné language and culture within the Navajo Nation. It is estimated that only 51% of Navajo people spoke our Diné language in

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<sup>1</sup> Pedro Vallejo and Vincent Werito, *Transforming Diné Education: Innovations in Pedagogy and Practice* (University of Arizona Press, 2022); Wendy S. Greyeyes, *Disentangling Our Sovereign Body: A History of Navajo Education* (University of Arizona Press, 2022).

2010. By 2040, it is estimated that less than 5% of Diné people will speak our language.<sup>2</sup> Schools serving American Indian communities have an obligation to address this language loss crisis. Navajo Prep roots our students in language and culture and supports the development of their identity and status as Indigenous peoples and global citizens.

In December 2024, the International Baccalaureate, in collaboration with Navajo Prep, launched its first Indigenous language subject within the Diploma Programme. This milestone marks a significant step towards furthering linguistic diversity and supporting Indigenous language revitalization. It is also evidence of the important work that BIE-funded schools are doing to enhance educational opportunities for all students across Tribal Nations and beyond.

Navajo Prep is located on a campus that is over one hundred years old. BIE funded and completed selected renovations in 2007 and 2008. We strive to complete all deferred maintenance in a timely manner to ensure our campus is safe and operational. Since Navajo Prep and other Tribally Controlled Schools cannot issue bonds nor leverage local tax revenue, we rely on the Bureau of Indian Education and Bureau of Indian Affairs to designate funding toward deferred maintenance projects.

The Final Evaluation Report by the Office of the Inspector General (OIG) (Report No. 2022-CR-036) found that BIE has failed to effectively manage deferred maintenance, contributing to significant delays in school facility improvements. The report highlighted that,

- There is over \$1 billion outstanding in deferred maintenance expenses at BIE-funded schools.
- Work orders have been delayed for decades—some dating back 22 years.
- There is a lack of transparency and accountability in facility management systems like Maximo.
- Staff shortages have prevented timely repairs and maintenance.

Navajo Prep affirms that the current BIE process for deferred maintenance would be improved through the following actions:

- Ensuring sufficient staffing and training at both the regional and school levels to efficiently input, review, and approve work orders.
- A clear and timely implementation of all approved work orders to ensure that work orders move efficiently from submission to funding.
- Streamlined funding for projects.
- Mandatory appropriations for the 105(l) Lease program.
- Establish financing pathways for Tribally Controlled Schools similar to public school bond programs.

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<sup>2</sup> Denetclaw, P. (2017, November 16). *Data shows huge reduction in Diné Speakers.*

Navajo Times. <https://navajotimes.com/reznews/data-shows-huge-reduction-in-dine-speakers/>

### Ensuring Sufficient Staffing:

Regional maintenance supervisors, like our regional facilities specialist, Sandra Ahasteen, play a vital role in supporting schools, providing training, and ensuring responsiveness. However, with multiple schools to oversee—some over one hundred miles apart—the demands on regional staff are significant. Additional staffing and process improvements would help ensure schools receive timely facility support.

Navajo Prep recommends increasing the frequency of training opportunities for the Maximo platform, where BIE work orders are housed. At Navajo Prep, a newly hired facilities manager was unable to receive Maximo training for four months. Without training, our school was limited in our ability to submit and track projects. Delays like this could be addressed through increased regional and national staffing.

### Timely Implementation of All Approved Work Orders

Navajo Prep has directly experienced delays in project completion through the BIE. We submitted a work order to install HVAC systems in four of our residential facilities in October 2014. This work order was included in the FY 2021 Greenbook budget at \$3 million. In 2022 the BIE took over the project without conducting Tribal consultation. They did not notify the Navajo Nation about the 297-contract option. In December 2022, the BIE completed 20% designs, however Navajo Prep found that the designs lacked architectural finishing.

By 2024, the project remained incomplete, and the budget was reduced to \$2,589,233. In June 2024, Navajo Prep, with support from the Navajo Nation, formally requested to take over the project through Public Law 100-297, which allows the Tribe or Tribally Controlled School to elect to complete the project.

By electing to perform the project, Navajo Prep will be responsible for overall project management, status reporting, review coordination with DFMC and DSRM and completing all procurement actions, including the scope of work in accordance with applicable federal, state, and local building codes and standards, as well as IA adopted codes and policy, and mandatory standards.

Yet as of today, the project is stalled at step 5 of a 15-step process. The BIE is still negotiating grant terms with Navajo Prep. Navajo Prep has not received a release of funds and has been unable to move forward with the project due to this delay. Navajo Prep recommends that the DM approval and funding process is more streamlined. We would refer you to the State of New Mexico's Capital Outlay grant awarding for additional guidance regarding their two-step process that promotes transparency and supports project completion. Tribally Controlled Schools should always know where they are in the approval process and when they might expect next steps. We encourage BIE to work directly with Tribally Controlled Schools, such as Navajo Prep, and Tribal leaders to rework this process so that we can more efficiently repair our schools.

### Streamlined Funding for Projects

The Final Evaluation Report by the Office of the Inspector General (OIG) (Report No. 2022-CR-036) highlights the presence of outdated and inaccurately maintained work orders, which interferes with data quality and budget forecasting. However, it is important to note that schools must keep work orders open in Maximo until funding has been received. In some cases, schools that have completed projects keep the status of the work order open until reimbursement is processed. However, during the investigation and compilation of the OIG report, it became evident that BIE cancelled over 14,000 work orders, simply based on the amount of time they had been in the system.

Indian Affairs says that this drastically improves its confidence in data quality, however we feel the opposite. Navajo Prep has noticed that this directly impacts our own projects and submitted work orders. We are now reviewing historical data to determine which work orders were deleted out of the system. We are certain that other schools have experienced similar frustrations and are now re-entering work orders for their required projects.

Part of the reason some completed work orders remained in the system for such an extended period, was due to lack of reimbursement to schools in a timely manner after the work is completed. Rather than solely focusing on closing work orders, BIE should work toward faster funding disbursement and improve communication with schools to ensure that project status is accurate and that there are no delays in financial processing.

### Expanding the 105(l) Lease Program

The origins of Tribally Controlled School are in cutting bureaucratic red tape and returning local control back to the Tribes. The 105(l) Lease Program is a useful tool that can ensure Tribally Controlled Schools are in charge of their own facility replacement and repair on their own terms, while also ensuring that the Federal government fulfills its fiduciary responsibility.

Section 105(l) of the ISDEAA, P.L.93-638, allows Tribes to enter into lease agreements with the federal government to build and maintain their own schools without being restricted by federal funding cycles. Congress should reinforce funding for the 105(l) lease program by moving the program into mandatory appropriations. Further, Congress should establish financing pathways similar to public school bond programs to ensure equitable access to capital for school infrastructure. Such an initiative could be established through a Tribal Tax Parity Bill, which would enable Tribal Nations and their organizations an avenue to establish access to capital. This supports Tribal sovereignty and self-determination.

### Final Statement:

As representatives of Navajo Prep, we extend our sincere appreciation to the Subcommittee for its continued support of BIE-funded schools and its commitment to improving educational opportunities for American Indian students. The Bureau of Indian Education plays a vital role in fulfilling the federal trust and treaty responsibilities to Tribal Nations, and we recognize the dedication of its staff in serving Indigenous students across the country.

Federal funding constraints and procedural challenges continue to create barriers that impact the ability of Tribally Controlled Schools to fully meet the needs of our students. Strengthening funding mechanisms and improving efficiency in the facility management process will help ensure that schools like Navajo Prep can continue to provide a high-quality education that prepares students to become leaders in their communities and beyond.

The United States has a trust, treaty, and statutory responsibility to provide American Indian students with a quality and culturally responsive education, including providing funding, policies, and structures for educational programming and services, and appropriate, safe educational facilities.

We ask Congress to ensure that BIE schools receive the necessary funding and structural support to modernize facilities, improve safety, and enhance learning environments so that our students are not left trying to meet 21<sup>st</sup> century expectations in 19<sup>th</sup> century buildings.

BIE-funded schools should have access to the resources, support, and infrastructure needed to provide a world-class education to American Indian students. We urge Congress to uphold its trust and treaty obligations, honoring the commitments made to Tribal Nations so that our students—the next generation of Native leaders—can thrive.

We urge you to uphold the federal trust responsibilities for which our ancestors have fought for. We are asking for what was promised within our federal-Indian treaties.

Thank you for your time and consideration.