

## **THE DINÉ BI OLTA SCHOOL BOARD ASSOCIATION, INC.**

### **Statement on the Federal Budget; Requesting Restoration of all BIE School Funding to the FY18 Enacted Level Presented by Genevieve J. Jackson, President February 26, 2019**

The Diné Bi Olta School Board Association, Inc. is established by the Navajo Nation Council to address the educational needs of Navajo children in the schools of Navajo Nation; to work with the Navajo Nation government to advocate with federal agencies and the U.S. Congress for education needs and resources, and to represent and assist the 66 schools funded and/or operated by the Bureau of Indian Affairs; 10 N.N.C. §301.et.seq. The Diné Bi Olta School Board Association, Inc. asserts that it is in the best interests of Navajo students served by the BIA/BIE federally operated and federally funded-schools to oppose the funding cuts in the FY 19 President's Budget, and to request the U.S. Congress to reject the President's Request and restore of all BIE school funding amounts to the FY18 Enacted Level.

The Navajo Nation and the United States government entered into the Treaty of 1868, which stipulated an obligation on the part of the Federal government to provide education to the Navajo people. This obligation continues through a series of laws enacted by the United States Government, including P.L 93-638, P. L. 95-561, P. L.100-297 and P. L. 107-110;

Public Law 107-110, the Every Student Succeeds Act, Part B, Bureau of Indian Affairs Program §1120, Declaration of Policy, reaffirms that *“Congress declares that the Federal Government has the sole responsibility for the operation and financial support of the Bureau of Indian Affairs funded school system that it has established on or near Indian reservation and Indian trust lands throughout the Nation for Indian children”*.

The Bureau of Indian Education Central Office provides policy, budget and administrative services for the BIA school system's six (6) Line Offices located in within the Navajo Nation pursuant to the Navajo Nation v. Kempthorne Settlement. The authorized Education Line offices work with 66 BIE-funded schools and eight (8) residential/ dormitory programs serving Navajo students. Since the BIE reorganization of 2014, the ELOs are non-existent, however P.L. 95-561 called for ELOs to work with schools and to supervisor the performance of school principals.

The BIE serves as the principal government agency in ensuring that the United States' educational obligations to Indian tribes and their eligible Indian students are fulfilled. As stated in Title 25 CFR, Part 32.3, BIE's mission is to provide 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.

The United States has a trust and treaty responsibility to provide eligible Indian students with a quality education that reflects the unique cultural, geographic, and socio-economic circumstances of Indian Country. The BIE serves as the principal government agency in ensuring that the United States' educational obligations to Indian tribes and their eligible Indian students are fulfilled. As stated in Title 25 CFR, Part 32.3, BIE's mission is to provide 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.

DBOSBA requests the current funding levels to be restored to the FY18 Enacted levels as follows:

- **ISEP Program – Forward-Funded** \$511,788 was requested in FY19; **Restore to FY18 Enacted level of \$579,242,000.**
- **ISEP Formula Funds (Forward Funded)** \$378,055 is requested in FY19; **Restore to the FY18 Enacted level of \$402,906,000**, The FY 2019 proposed level of funding for School Year (SY) 2019-2020 will reduce the WSU to an estimated \$5,272 per Weighted Student Unit (WSU).
- **ISEP Program Adjustments (Forward Funded)** \$2,617 is requested in FY 19. ; **Restore to the FY18 Enacted level of \$5,457,000.**
- **Education Program Enhancements (Forward Funded)** \$2,617,000 is requested in FY19; **Restore to FY18 Enacted level of \$12,248,000.**
- **Tribal Education Departments (Forward Funded)** Zero was requested in FY19; **Restore to FY18 Enacted level of \$2,500,000.**
- **Student Transportation (Forward Funded)** \$50,802,000 was requested in FY19; **Restore to FY18 Enacted level of \$56,285,000**; The proposed FY 2019 budget funds transportation at a rate of \$3.11 per mile for SY 2019-2020.
- **Early Child Development (Forward Funded)** Zero was requested; **Restore to the FY 18 Enacted level of \$18,810,000.** The FY 2019 budget does not request funding for this program.
- **Tribal Grant Support Costs (Forward Funded)** \$73,973,000 was requested; **Restore to FY18 Enacted level of \$81,036.** *“The FY 2019 budget request supports 100% of Tribal Grant Support Costs calculated need.”*; **this quotation in the FY 19 Dept of the Interior’s Green Book is erroneous.**
- **Facilities Operations:** \$60,405,000 was requested; **Restore to FY 18 Enacted level of \$66,608,000.**
- **Facilities Maintenance:** \$53,723,000 was requested; **Restore to the FY 18 Enacted level of 59,552,000.**
  - **Education Construction:** \$72,851 requested in FY19; **Restore to FY18 Enacted level of \$238,245,000**;
  - **Replacement School Construction:** Zero was requested in FY19; **Restore to FY Enacted**

**level of \$105,504,000;**

Replacement Facility Construction: Zero requested in FY19; **Restore to FY Enacted level of \$23,935,000;**

Employee Housing Repair \$5,060 requested for FY19; **Restore to FY18 Enacted level of \$13,574,000;**

Facility Improvement and Repair: Request is at \$67,791 **Restore to FY 18 Enacted level of \$95,232,000**

- **Contract Support Costs; Restore to the FY 17 Enacted level of \$273,000,000.**
- **Juvenile Detention Center Education:** Zero was requested; **Restore to FY18 Enacted level of \$500,000.**
- **Johnson O'Malley Assistance Grants (TPA):** Zero was requested; **Restore to the FY 18 Enacted level of \$14,903,000.**
- **Tribal Technical Colleges (Forward Funded): Restore to the FY 18 Enacted level of \$7,505,000** for operations at the United Tribes Technical College (UTTC) and for Navajo Technical University (NTU).

The Diné Bi Olta School Board Association, Inc is aware of Public Law 93-638 Indian Self-Determination and Education Assistance Act, amended, Section 3(a) (b) (c), wherein contains the Congressional Declaration of Policy, and stipulates that “Indian tribes shall be afforded maximum participation in the direction of education...so as to render such services more responsive to the needs and desires of those communities”.

The Diné Bi Olta School Board Association, Inc. strongly opposes the funding cuts in the FY 19 President's Budget; and strongly requests the U.S. Congress and its Appropriations Committees of the House and Senate to restore all BIE school funding amounts to the FY18 Enacted Level.

Thank you.