

Written Testimony of Marlene Watashe, President of the Dine Grant Schools Association

Submitted to the

United States House and Senate Appropriations Subcommittees on
Interior, Environment, and Related Agencies

Regarding the FY 2020 Indian Affairs Budget

February 26, 2019

The Dine Grant Schools Association (DGSA) is comprised of the school boards of seven Bureau of Indian Education (BIE)-funded schools which are operated pursuant to the Tribally Controlled Schools Act (Pub. L. 100-297) and located on the Navajo Nation in Arizona and New Mexico. These schools are: Black Mesa Community School; Dzilth-Na-O-Dith-Hle Community Grant School; Hanaadli Community School/Dormitory, Inc.; Lukachukai Community School; Pinon Community School; Pine Hill Schools; and Shiprock Associated Schools, Inc.

Success through language, culture, community involvement, and high standards. As tribal school boards, we have both the greater freedom and the tremendous responsibility to ensure that our students receive a quality and culturally relevant education that will help them reach their fullest potential. We believe that successful students know who they are, that they are valued, and that great things are expected of them. Our schools incorporate Navajo language and culture into our curricula. We set rigorous standards that our students must strive to meet and give them a sense of accomplishment at their achievements.

Why federal funding matters. It is difficult to concentrate on school lessons if you are too cold or the roof is leaking or the water pipes do not function properly. It is difficult to take Partnership for Assessment of Readiness for College and Careers (PARCC) online practice tests or take distance learning Advanced Placement classes with unreliable and slow internet connections. It is difficult to ride the bus on unimproved roads and to a deteriorating school that has lingered on a replacement list because of lack of funding. These challenges to learning are prevalent throughout Indian Country. What has been different these past several years is an extensive change in understanding the extent of these challenges and a bipartisan support to address them. For this, we are deeply grateful to our partners in Congress.

Our highest funding priorities are: **ISEP formula funds; Tribal Grant Support Costs; Facilities Operations and Maintenance; and the FACE Program** in the BIE budget as well as **Education Construction and Repair and Road Maintenance** in the BIA budget. These programs make the greatest difference in our ability to educate our students.

Indian School Equalization Program (ISEP) Formula Funds. The Indian School Equalization Program (ISEP) Formula is the core budget account for Educational and Residential programs of the BIE elementary and secondary schools and dormitories. These funds are used for instructional programs at BIE-funded schools as well as salaries and benefits of teachers, educational technicians, other support staff and principals. For years, the amount appropriated for ISEP formula funds increased barely enough to cover fixed costs. We appreciate that Congress has provided program increases these past several fiscal years.

Impact. For most BIE-funded schools, the chronic shortfall in the other key school accounts has a negative impact on ISEP Formula funding, because ISEP Formula funds are often diverted to make up the shortfalls in other accounts, such as Facilities Operations and Maintenance, when a tribe or tribal school board has no other source of funding to satisfy those shortfalls. This means fewer funds are available for instructional activities. We are tremendously grateful that Congress has increased funding for these critical accounts so ISEP Formula funds can be used for their intended purpose.

Request. The \$1.28 million program increase for a total of \$404.2 million that Congress provided in FY 2019 from FY 2018 is very helpful, however, this total amount still does not acknowledge the shortfalls that have been building for many years. Therefore, we respectfully request an additional increase in ISEP Formula funding for FY 2020.

Tribal Grant Support Costs. Since the 1988 Elementary and Secondary Education Act reauthorization, tribally-operated elementary and secondary schools have received funding for the administrative expenses incurred for the operation of BIE-funded schools through an Administrative Cost Grant, now called *Tribal Grant Support Costs* (TGSC). *Tribal Grant Support Costs are the Contract Support Costs for tribally controlled schools.* These funds are used for essential services such as contract/grant administration; program planning and development; human resources; insurance; fiscal, procurement, and property management; required annual audits; recordkeeping; and legal, security, and other overhead services.

Impact. We appreciate in that in recent fiscal years the Obama and Trump Administrations have requested and Congress has committed to providing full funding for Tribal Grant Support Costs.

Request. We would like to express our appreciation for this bipartisan commitment to fully fund Tribal Grant Support Costs and express support for its continuation for FY 2020.

Early Childhood or "FACE" Program. The Early Childhood and Family Development budget category commonly referred to as the "FACE" program is designed to (1) strengthen family-school-community relations, (2) increase parent participation in education, and (3) support parents in their role as a child's first and most important teacher. Many of DGSA's Member schools run successful FACE programs so we ask the Subcommittees to once again reject any Administration proposals to zero out this program.

Impact. The FACE program teaches essential skills to children that help make them kindergarten-ready, such as direction on how to hold a pencil, color, and write their name. There is a marked academic difference in outcomes for those children who have access to a FACE-funded program and those who do not. Further, these programs strengthen families and communities and help increase parent engagement. For example, parents who attend the FACE program are able to attain their GED and then go on to community college or training programs. Parents are also taught how to academically engage with their children, leaning study skills and the importance of education. Families are another critical factor in whether children succeed academically.

Request. We respectfully ask that the Subcommittees continue to reject any Administration proposal to zero out this vital program and continue to provide adequate funding to support the FACE program for FY 2020.

Facilities Operations and Maintenance. *Facilities Operations* funding is for the ongoing operational necessities such as electricity, heating fuels, custodial services, communications, refuse collection and water and sewer service. *Facilities Maintenance* funds are intended to provide for the preventative, routine, and unscheduled maintenance for all school buildings, equipment, utility systems, and ground structures. We appreciate that these budget categories have seen some increases in recent years. While the recent increases for these two budget categories are important improvements; we note that the FY 2017 budget justification states that the \$66.2 million requested for *Facilities Operations* and the \$59 million requested for *Facilities Maintenance* would fund 78 percent of calculated Facilities Operations and Maintenance need across BIE-funded schools. Neither the FY 2018 budget justification nor the FY 2019 budget justification bothered to provide an estimate for what full funding would be. We also note that *Facilities Operations* and *Facilities Maintenance* are some of the last budget categories for primary and secondary schools that are still funded on a fiscal year schedule, rather than a forward funded (school year) basis. Continuing Resolutions and government shut-downs can wreak havoc when trying to carry out these activities.

Backlog. The Department of the Interior's FY 2019 budget justification projected that by the end of FY 2018, "68 percent of school facilities will be in good or fair condition." This projection still leaves 32 percent of school facilities for Indian students in "poor" condition. We also note that the FY 2019 budget justification states that as of the first quarter of FY 2018, there were "\$634 million dollars of deferred maintenance across BIE-school facilities and grounds." Accordingly, many BIE-funded schools are being written up for health and safety violations but have no money to make the needed changes. Schools are also being threatened with fines or being shut down. If schools do not have the needed facilities funds, they are forced to use education funds. Part of the maintenance problem will be resolved by replacing aging, deteriorated schools, but federal resources for maintenance are needed to preserve that investment and to ensure our schools' facilities remain fully functional learning environments throughout the length of their design life.

Proposed Public Lands Infrastructure Fund or Other Related Funding Legislation. We sincerely appreciated that BIE-funded schools were included among the national parks and national wildlife refuges as eligible for repairs and improvements funding in the 2019 legislative proposal to establish the Public Lands Infrastructure Fund. However, it is uncertain whether the Public Lands Infrastructure Fund will be proposed in the current legislative session and whether there would be sufficient Congressional support for the *Public Lands Infrastructure Fund* to move forward. Alternatively, we are highly supportive of BIE-funded schools being included as eligible recipients for repairs and improvements funding in any Public Works, Public Infrastructure, or other related legislation proposed during the current Congressional session.

Impact. There are numerous studies which attest to the fact that there is a close correlation between poor or inadequate facility conditions and poor student and staff performance. Because we cannot delay paying our utilities or avoid taking actions that would

impact student safety, we often have to resort to using our other education or academic program monies—just like what happened when Tribal Grant Support Costs were not fully funded.

Request. We respectfully ask that the Subcommittee provide full, consistent funding for *Facilities Operations* and *Facilities Maintenance* and transition these two budget categories to a forward funded (school year) budget cycle, just like the other core education accounts. In addition, we request that BIE-funded schools be included as eligible recipients of repairs and improvements funding in any Public Works, Public Infrastructure, or other related legislation in order to address the \$634 million maintenance backlog to BIE-school facilities and grounds.

Education Construction and Repair. This funding category within the BIA Construction budget includes *Replacement School Construction*; *Facilities Component Replacement*; *Facilities Improvement and Repair*; and *Employee Housing Repair*. According to the Department of the Interior, the current backlog of construction projects is estimated to be as high as \$1.3 billion. The BIE has stated that its "next-step" is to "develop a long-term school construction funding plan that will address the needs of all BIE funded schools determined to be in poor condition." We were encouraged by the important increases that the Subcommittees provided for Education Construction in FY 2016 and then maintained in FY 2017, and followed by more significant increases in FY 2018 and FY 2019 for which we are very grateful. Two DGSA Member schools are on the National Review Committee's 2016 Replacement List: Dzilh-Na-O-Dith-Hle Community Grant School is in the design phase and has issued an RFP for schematic designs while Lukachukai Community School completed the planning phase and is waiting for design phase funds. Given the state of school facilities across the BIE system, we ask that the Subcommittees continue to appropriate the kind of funding levels for *Replacement School Construction* and *Facilities Component Replacement* which will make a meaningful impact on the school replacement lists.

Impact. Facilities within the BIE system are woefully outdated and, in some cases, dangerous for students and staff. Each year that the *Facilities Improvement and Repair* budget is underfunded, our facilities deteriorate more quickly. The lack of an appropriate learning environment in many BIE system schools puts Native students at an unfair disadvantage. In turn, the schools are then blamed for any low academic performance.

Request. We respectfully request that Congress and the Administration consult with tribes and tribal school boards when developing this long-term school replacement and repair plan. Further, we ask that once developed, Congress implement this plan by providing consistent funding for Education Construction and Repair each fiscal year.

Road Maintenance. The Subcommittees have highlighted the poor conditions and backlog of deferred maintenance of unpaved roads and bridges in Indian Country that are used by school buses to transport students. We would like to thank the Subcommittees for attempting to hold the BIA accountable and for providing additional funding directed to these routes.

Request. We respectfully request that the Subcommittees increase funding directed to these school bus routes for FY 2020 and continue your efforts to hold the BIA accountable. As of this writing, we are not sure how or where these funds have been allocated.