



NATIONAL INDIAN EDUCATION ASSOCIATION

**Written Testimony of the National Indian Education Association  
Before the United States Senate  
Committee on Indian Affairs  
July 29, 2020**

***“Preparing to Head Back to Class: Addressing How to Safely Reopen Bureau of Indian Education Schools”***

**INTRODUCTION**

On behalf of the National Indian Education Association (NIEA), I respectfully submit the following written testimony for to the Senate Committee on Indian Affairs Hearing titled “Preparing to Head Back to Class: Addressing How to Safely Reopen Bureau of Indian Education Schools.”

NIEA is the most inclusive national organization advocating on the frontlines of Native education. Our work centers on advancing culture-based educational opportunities for American Indians, Alaska Natives, and Native Hawaiians. Each day, our organization equips tribal leaders, educators, and advocates to prepare the over 650,000 Native students across the nation for success in the classroom and beyond.

Native education is a bipartisan effort rooted in the federal trust responsibility to tribal nations and their citizens. Each of you on this Committee has a critical role in upholding that responsibility, particularly during a public health emergency like our communities, and the nation as a whole, are facing today.

**NATIONAL LANDSCAPE**

For centuries, Native students, schools, and communities have long been under-funded and under-resourced. Compounded inequities came clearly into focus as our schools and tribal nations made difficult decisions to protect the lives and wellbeing of our students – all with limited guidance, funding, resources, and infrastructure necessary provide continued educational services in Native communities.

In March and April, many Bureau-funded schools prioritized the well-being of their students by closing school facilities. Now, in the face of limited funding, resources, and infrastructure, our schools must develop strategies to provide education services this fall that prioritize the health and safety of students and staff.

Between July 9-14, 2020, the Bureau of Indian Education (BIE) engaged in three tribal consultation sessions regarding a draft School Reopening Plan. Though this draft represents a first step toward ensuring continued education services and safe reopening of school facilities, tribal leaders remain very concerned. As our tribes and schools make decisions to safely reopen in the coming months, our tribes and schools must have access to the resources and guidance necessary to ensure that our students have access to safe and healthy classrooms where they can thrive.

## RECOMMENDATIONS

As the Committee considers critical resources and funding necessary to reopen our schools equitably this fall, NIEA urges Congress to consider the full scope of need for education programs.

### *Emergency COVID-19 Funding*

- **Provide \$1.5 billion in direct funding to Bureau-funded schools, as defined in 25 U.S.C. §2021(3) to meet the health, safety, and educational needs of students due to the impacts of COVID-19.**

Despite the allocation of emergency education funding for Bureau-funded schools under the CARES Act on March 27, 2020, our schools did not report receipt of funding until three months after congressional approval. Today, many schools report that emergency funds proved only enough to cover basic personal protective equipment for staff and students.

Congress must invest in programs and services critical for our schools to function. Increased cleaning and sanitization, greater demand on outdated transportation and facilities, and the need to plan for possible spread in schools all place greater stress on stretched budgets for BIE schools.

- **Provide \$1 billion in emergency funding to address the backlog of unfunded repairs and renovations at Bureau-funded schools, as defined in 25 U.S.C. §2021(3).**

Strong and modern infrastructure is essential to equity in education, particularly during a global pandemic. Bureau-funded schools have long experienced a backlog of critical maintenance and infrastructure. In 2016, the Office of the Inspector General at the Department of Interior found that it would cost \$430 million to address immediate facilities repairs in the BIE. In addition, that report estimated over \$1.3 billion in overall need for education construction at BIE schools. By the end of FY 2019, the maintenance backlog in Bureau-funded schools had ballooned to over \$727 million.

Continued funding shortfalls in high-quality construction, repair, and maintenance leave Bureau-funded schools without the necessary infrastructure to provide high-

quality education for all students this fall. From outdated heating and air systems to cramped classrooms, many of our schools wonder if it is safe to bring students into the building during a public health emergency.

For schools that may be unable to physically reopen, outdated technology infrastructure and lack of internet access at home slows implementation of virtual education options. Even schools with computer equipment on-site often struggle to provide digital learning due to limited community broadband access at home. Just last year, the Center for Indian Country Development at the Federal Reserve Bank of Minneapolis reported that only 61 percent of households on tribal lands have broadband access. In comparison, 70 percent of residents in the typical county that overlaps a reservation have access to broadband in the home.

### ***Education Services***

- **Ensure equitable education services for our most vulnerable students, including students with disabilities.**

Equity in educational opportunity has become even more paramount during the COVID-19 pandemic. However, Bureau-funded schools located in rural communities with limited virtual learning infrastructure face unique challenges providing equitable education services for students that are unable to attend physical classes due to concerns regarding their physical well-being and health. NIEA recommends that the BIE expand specific guidance for continued education services aligned with that of the Department of Education, which school and tribal leaders may use to develop learning programs and services that address the unique needs of Native students.

### ***Tribal Communication and Coordination***

- **Ensure that school facilities reopen in accordance with tribal, local, and state guidance.**

Several Bureau-funded schools experienced spread of COVID-19 among essential staff and in the wider community when BIE Education Program Administrators (EPAs) failed to comply with tribal and state orders to close schools. This is unacceptable. Our educators and staff must not be forced to choose between their lives and their livelihood. The wellbeing and safety of all, including those who at the frontlines of learning and opportunity in our communities, must be protected.

- **Provide clear and consistent communication to all schools, particularly those located within the same tribal jurisdiction and region.**

Inconsistent communication, timelines, and information provided throughout the BIE system has resulted in confusion and diverse interpretations of rules among schools, tribes, and communities. From use of funding to school closures, schools must not face conflicting messages when the lives of our students, educators, and community members are at risk. Tribal and school leaders must have access to

timely and consistent information that addresses the scope of need for our students, educators, and schools. NIEA urges the BIE to coordinate communication to ensure the safety and well-being of our students, educators, staff, and communities.

### ***Professional Development and Training***

- **Develop high-quality guidance and professional development on distance education and hybrid education models.**

As COVID-19 continues to disproportionately impact and spread in Native communities, tribal nations face the possibility of future shutdowns to ensure the safety and wellbeing of students and community members. The Bureau must provide resources to support distance and hybrid learning models for schools that cannot reopen physical facilities due continued community spread. High-quality, updated resources must address critical information and funding for effective culture-based virtual curriculum, professional development, education technology, IT support, and ensuring continued education services for special education, English language learners, and Native language programs.

- **Ensure high-quality trauma training for staff and student mental health services in schools.**

Trauma related to the impact of COVID-19 in our families in communities follows Native students into the classroom. Educators and staff must have culturally responsive training to support trauma-informed education services. Though NIEA appreciates the emphasis on mental health in the BIE reopening plan, additional details and guidance for school implementation is crucial to ensure effective and consistent implementation for our most vulnerable learners.

### **CONCLUSION**

Healthy education systems are key to thriving tribal nations and communities, particularly during a global pandemic. Education and Native students cannot be forgotten. NIEA urges Congress to uphold the federal trust responsibility for all Native students by fully funding key programs that support effective and culturally appropriate COVID-19 response in Native schools and classrooms. The 48,000 students in Bureau-funded schools across this nation deserve nothing less.