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# INDIAN EDUCATION

## Schools Need More Assistance to Provide Distance Learning

Statement of Melissa Emrey-Arras, Director  
Education, Workforce, and Income Security

**GAO@100**

A Century of Non-Partisan Fact-Based Work

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April 2021

# GAO@100

## Highlights

Highlights of [GAO-21-492T](#), a testimony before the Committee on Indian Affairs, U.S. Senate

### Why GAO Did This Study

BIE's mission is to provide quality education opportunities to more than 41,000 students at 183 schools it funds on or near Indian reservations in 23 states. About two-thirds of these schools are operated by tribes and the remaining third are operated by BIE. In March 2020, all BIE schools closed their buildings in response to the COVID-19 pandemic. GAO reviewed distance learning at BIE schools as part of its oversight responsibilities under the CARES Act.

This testimony examines the extent to which (1) BIE has provided schools with guidance to develop and implement distance learning programs during the COVID-19 pandemic, and (2) students have had the technology they need to participate in such programs. GAO analyzed the guidance BIE provided to schools on distance learning, examined BIE's provision of technology to schools and students, surveyed a non-generalizable sample of 30 schools—including 19 operated by tribes and 11 operated by BIE—with 25 schools responding, selected for geographic diversity and level of community broadband access, among other criteria, reviewed relevant federal statutes, regulations, and agency documentation, and interviewed BIE and school officials.

### What GAO Recommends

GAO is making two recommendations to BIE to (1) provide comprehensive guidance to schools on distance learning; and (2) establish policies and procedures to ensure it has complete, accurate, and up-to-date information on schools' technology needs.

View [GAO-21-492T](#). For more information, contact Melissa Emrey-Arras (617) 788-0534 or [emreyarrasm@gao.gov](mailto:emreyarrasm@gao.gov).

## INDIAN EDUCATION

### Schools Need More Assistance to Provide Distance Learning

#### What GAO Found

The Bureau of Indian Education (BIE), within the Department of the Interior (Interior), has not provided BIE-funded schools with comprehensive guidance on distance learning during the COVID-19 pandemic. In March 2020, BIE issued a short memo directing schools to “deliver flexible instruction” and “teach content,” but did not offer specific guidance on how to do so. In July 2020, 13 of the 25 schools that responded to GAO's survey said they wanted BIE to provide information on developing and implementing distance learning programs. In addition, 12 schools responded that they wanted information on distance learning methods for areas without broadband internet access. In August 2020, after some schools had already begun the school year, BIE issued a re-opening guide for the 2020-2021 school year. BIE's guidance focused primarily on preparations for in-person instruction at schools, although nearly all schools provided distance learning during the fall of 2020. The guidance contained little information on distance learning. Providing schools with comprehensive distance learning guidance will help them better navigate the current pandemic as well as potential future emergencies that lead to school building closures.

BIE helped improve internet access for students at BIE-operated schools during the pandemic, but many students had not received laptops to access online learning by the end of fall 2020. BIE and other Interior offices provided over 7,000 hotspots to students to improve home internet access, but they did not order laptops for most students until September 2020. Interior officials said a nationwide IT supply shortage contributed to the delayed order for about 10,000 laptops. GAO found, however, that delays were also caused in part by BIE not having complete and accurate information on schools' IT needs. Most schools received laptops from late October 2020 to early January 2021, although some laptops still had not been delivered as of late March 2021. Once laptops were delivered, however, schools also faced challenges configuring them, leading to further delays in distributing them to students. BIE officials told GAO that to address schools' challenges with configuring laptops, they are assessing schools' IT workforce needs. Most BIE students did not receive laptops until months after the school year began, according to GAO's analysis of Interior information. Specifically,

- none of the laptops Interior ordered in early September 2020 arrived in time to distribute to students by the start of the school year in mid-September;
- by the end of December 2020, schools had not distributed over 80 percent of the student laptops Interior ordered; and
- as of late March 2021, schools had not distributed about 20 percent of the student laptops Interior ordered.

Without accurate, complete, and up-to-date information on schools' IT needs, BIE was unable to ensure that students received laptops when they needed them. Establishing policies and procedures for assessing schools' IT needs would help guide the agency's IT purchases now and in the future, and position schools to integrate technology into their everyday curricula.

Chair Schatz, Vice Chair Murkowski, and Members of the Committee:

Thank you for the opportunity today to discuss our review of distance learning at Bureau of Indian Education (BIE) schools. BIE's mission is to provide quality education to approximately 41,000 students at 183 schools it funds on or near Indian reservations in 23 states.<sup>1</sup> About two-thirds of these schools are operated by tribes and the remaining third are operated by BIE. In March 2020, all BIE schools closed their buildings in response to the COVID-19 pandemic. Since that time, concerns have been raised that many BIE schools have struggled to develop and deliver distance learning programs and that schools and surrounding communities often lack the technology and broadband internet access needed to ensure continued learning during extended school building closures. Many BIE school communities are located in remote, rural areas of the country where broadband internet access has historically been limited.

My statement today is based on work we conducted as part of GAO's COVID-19 monitoring and oversight responsibilities under the Coronavirus Aid, Relief, and Economic Security (CARES) Act.<sup>2</sup> Specifically, we examined the extent to which (1) BIE has provided schools with guidance to develop and implement distance learning programs during the COVID-19 pandemic, and (2) students have had the technology they need to participate in such programs.

To examine the extent to which BIE has provided schools with guidance to develop and implement distance learning programs during the COVID-19 pandemic, we analyzed agency guidance documents and interviewed agency officials about support for distance learning at schools. We compared the information we collected with BIE's goals and requirements to support schools' instructional programs, including its communication plan and relevant federal internal control standards.

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<sup>1</sup>For the purposes of this statement, we consider bureau-funded elementary, middle, and high schools that are located at the same site as single schools. In our prior work, we reported such co-located schools separately.

<sup>2</sup>Pub. L. No. 116-136, § 19010, 134 Stat. 281, 579-81 (2020). We regularly issue government-wide reports on the federal response to COVID-19. For the latest report, see GAO, *COVID-19: Sustained Federal Action Is Crucial as Pandemic Enters Its Second Year*, GAO-21-387 (Washington, D.C.: Mar. 31, 2021). Our next government-wide report will be issued in July 2021 and will be available on GAO's website at <https://www.gao.gov/coronavirus>.

To examine the extent to which BIE students have had the technology they need to participate in distance learning programs, we analyzed BIE's national information on schools' distance learning programs and provision of information technology (IT) to schools and students, including information on student and teacher IT devices—such as laptops and tablets—that were purchased and delivered to schools. We interviewed agency officials about how they gathered this information and what procedures they followed to ensure its accuracy and completeness and determined that it was reliable for the purposes of our work. We also examined the roles and responsibilities of other offices under the Assistant Secretary-Indian Affairs (Indian Affairs), including the Office of Information Management Technology and the Division of Acquisitions, in supporting BIE schools in providing distance learning by purchasing and distributing IT equipment and devices to schools. We compared the information we collected with BIE's goals and requirements to support schools' instructional programs, including its strategic plan and relevant federal internal control standards.

For both research objectives, we surveyed a non-generalizable sample of 30 BIE schools that were selected for geographic diversity, level of community broadband access, whether the school was operated by BIE or a tribe, and the school's tribal affiliation, among others. The sample included 19 schools operated by tribes and 11 operated by BIE. The survey covered several areas related to distance learning, including distance learning methods and readiness for the 2020-2021 school year, challenges to providing distance learning to students, and BIE's guidance on distance learning, among other areas. We conducted the survey in July 2020 and received responses from 25 schools. The responses provided illustrative information about schools' distance learning practices and areas in which additional support from BIE was needed. We also interviewed officials from 10 of the surveyed schools in fall 2020 about their distance learning practices and the extent to which BIE provided guidance and technology needed to develop and implement distance learning programs. We selected school officials to interview based on whether or not the school was operated by BIE or a tribe, level of community broadband access, school enrollment size, and school tribal affiliation, among other criteria. We also reviewed relevant federal statutes and regulations, and met with several organizations focused on Indian education.

We shared our findings and recommendations with BIE and incorporated their comments as appropriate.

We conducted this performance audit from May 2020 to April 2021 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## **Background**

### Funding to Support Distance Learning Services at BIE Schools

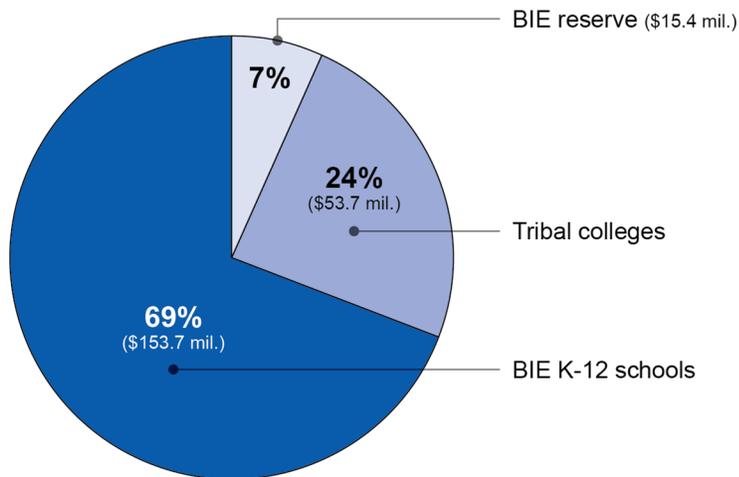
Annual funding from the Department of the Interior's (Interior) Indian School Equalization Program and various programs under the Department of Education provide BIE with support for acquiring and upgrading educational technology for schools and students, including equipment to expand broadband internet access for students according to agency officials.<sup>3</sup> In addition to these annual funds, BIE also received more than \$220 million under the CARES Act.<sup>4</sup> BIE used about 69 percent of these funds to support tribally controlled and bureau-operated schools' response to the pandemic (see fig. 1).

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<sup>3</sup>The Indian School Equalization Program provides for the uniform direct funding of BIE schools. 25 C.F.R. Part 39.

<sup>4</sup>The CARES Act appropriated \$69 million to BIE to prevent, prepare for, and respond to coronavirus. Pub. L. No. 116-136, 134 Stat. at 547. BIE also received an allocation of \$154 million for programs operated or funded by BIE from funds appropriated to the Department of Education for the Education Stabilization Fund. *Id.*, § 18001(a)(2), 134 Stat. at 564. Subsequently, additional funds were appropriated that BIE may use to respond to the COVID-19 pandemic, including more than \$400 million allocated for programs operated or funded by BIE from funds appropriated in the Consolidated Appropriations Act, 2021 to the Department of Education for the Education Stabilization Fund, and more than \$850 million appropriated to BIE in the American Rescue Plan Act of 2021. See Pub. L. No. 116-260, Div. M, tit. III, § 311(a)(2), 134 Stat. 1182, 1924; Pub. L. No. 117-2, § 11005, 135 Stat. 4, 244. Reviewing BIE's use of these additional funds was outside the scope of our work.

**Figure 1: Bureau of Indian Education’s Allocation of Funds Provided by the CARES Act**



Source: GAO analysis of Bureau of Indian Education (BIE) documentation. | GAO-21-492T

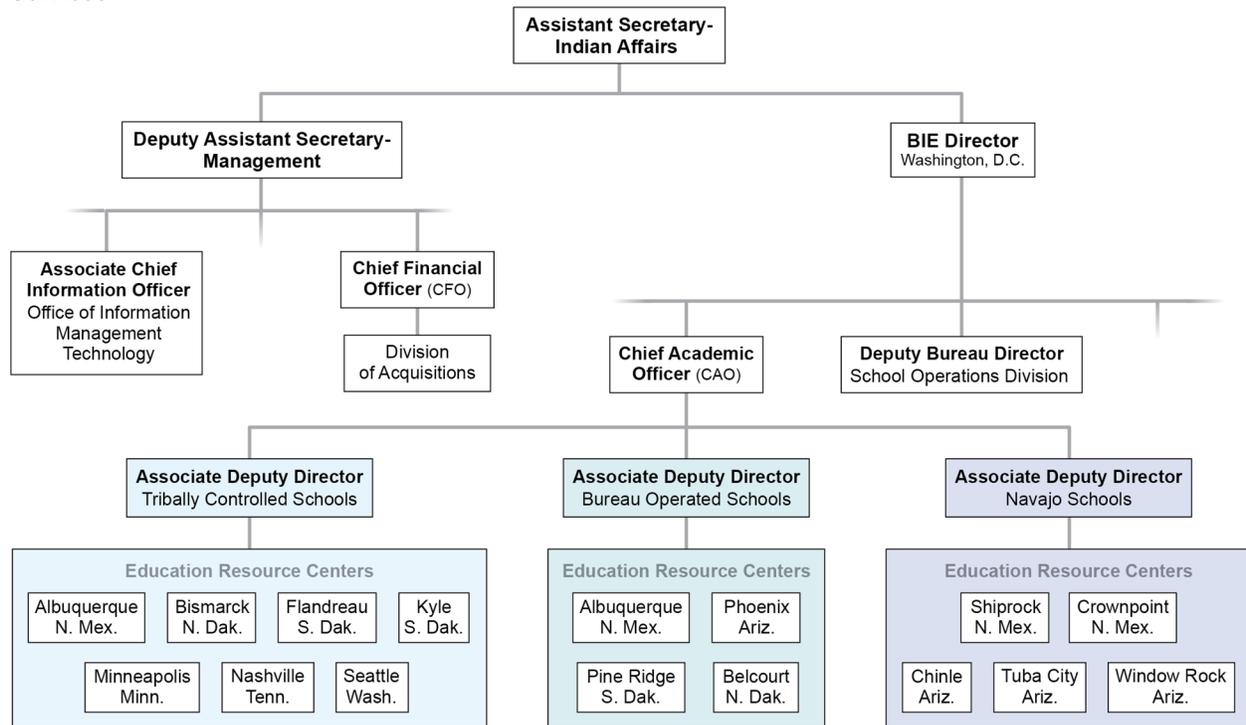
Notes: This figure combines funding from two CARES Act appropriations: an appropriation of \$69 million to Bureau of Indian Education (BIE) to prevent, prepare for, and respond to coronavirus, and an allocation of about \$154 million for programs operated or funded by BIE from funds appropriated to the Department of Education for the Education Stabilization Fund. BIE officials stated that the bureau’s CARES Act reserve funds were used to support its administrative and emergency response functions during the COVID-19 pandemic.

### Indian Affairs Offices Responsible for Supporting Distance Learning at BIE Schools

Several offices under Interior’s Assistant Secretary-Indian Affairs (Indian Affairs) are responsible for supporting distance learning at BIE schools (see fig. 2).<sup>5</sup>

<sup>5</sup>The information we present on Indian Affairs offices that support schools with education technology and distance learning services was gathered from Interior’s public documents, and interviews with or written responses from agency officials.

**Figure 2: Indian Affairs Offices that Support Schools with Education Technology and Distance Learning Services**



Source: GAO analysis of U.S. Department of the Interior (Interior) documentation. | GAO-21-492T

## Bureau of Indian Education

BIE is responsible for ensuring that all schools have guidance and support to implement their academic programs, including school programs that provide students with distance learning opportunities during school closures. In addition, it has an obligation to ensure that schools continue to provide education to students when school buildings are closed due to the COVID-19 pandemic, according to agency documentation. The following offices have specific responsibilities for supporting distance learning, including educational technology.

- BIE’s Deputy Bureau Director-School Operations Division and Chief Academic Officer are both responsible for working together to provide BIE personnel with guidance and direction on supporting educational technology and distance learning at schools. These officials are also responsible for coordinating with managers in the two offices under the Deputy Assistant Secretary-Management to assess and address BIE schools’ IT needs.
- Staff in 16 agency field offices, called Education Resource Centers and located across the BIE school system, work in close collaboration with their respective Associate Deputy

Directors and the Chief Academic Officer on distance education and school IT matters. Education Resource Center staff are responsible for working directly with schools to identify IT and distance education needs.

### **The Deputy Assistant Secretary-Management**

- The Office of Information Management Technology (OIMT) is responsible for supporting IT across Indian Affairs, including BIE. OIMT includes staff responsible for assisting BIE-operated schools with their technology needs, including providing technical assistance with configuring and operating electronic devices for students and teachers to support distance learning.
- The Division of Acquisitions, under the Chief Financial Officer, is responsible for handling major procurements—including technology—for BIE and other offices under Indian Affairs.<sup>6</sup>

### Longstanding Challenges to Technology Access on Tribal Lands

Many BIE schools are located in communities on tribal lands that have faced longstanding challenges with technology, including access to broadband internet. For example, the Federal Communications Commission (FCC) reported that as of 2018, an estimated 28 percent of Americans living on tribal lands lacked access to broadband services, compared to 6 percent of all Americans.<sup>7</sup> Similarly, there is a gap in broadband access between rural areas and rural tribal lands. FCC reported that as of 2018, about 47 percent of Americans living on rural tribal lands nationwide lack fixed broadband and mobile access, compared to about 23 percent of rural Americans overall.<sup>8</sup> However, as we have told this Committee, the manner in which FCC

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<sup>6</sup>For the purposes of this statement, we refer to the Division of Acquisitions as Acquisitions.

<sup>7</sup>*2020 Broadband Deployment Report*, 2020 WL 2013309 at \*34 para. 94, FCC 20-50. For purposes of its report, FCC aggregated federally-recognized tribal lands into four categories: The Lower 48 States, Tribal Statistical Areas, Alaskan Villages, and Hawaiian Homelands. For additional information on the availability of broadband on tribal lands, see GAO, *Telecommunications: FCC Should Enhance Performance Goals and Measures for Its Program to Support Broadband Service in High-Cost Areas*, [GAO-21-24](#) (Washington, D.C.: Oct. 1, 2020).

<sup>8</sup>*2020 Broadband Deployment Report*, 2020 WL 2013309 at \*19 para. 47, FCC 20-50. For more information, see [GAO-21-24](#).

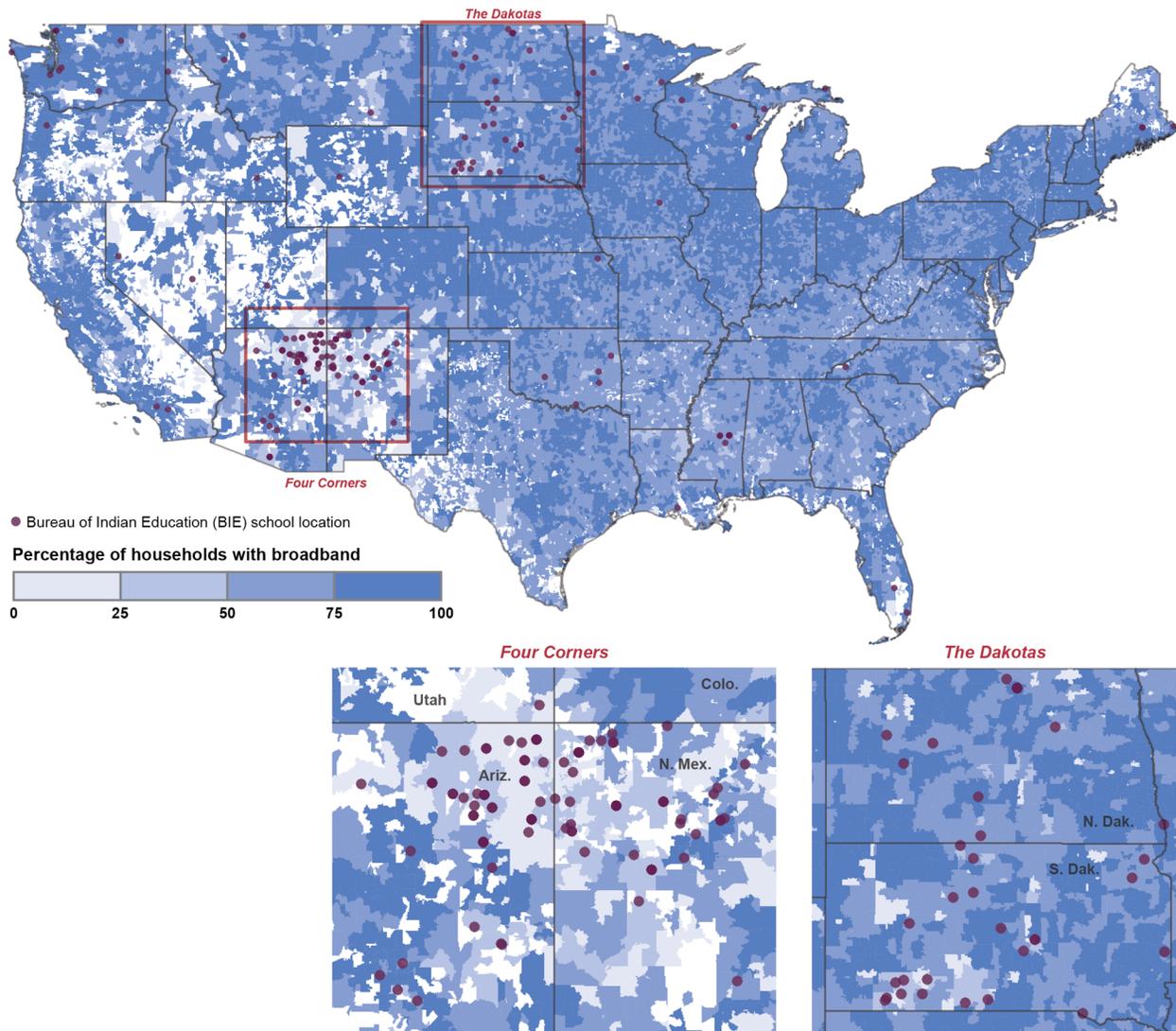
collected data for these estimates led to overstatements of fixed broadband availability on tribal lands.<sup>9</sup>

Other federal data provide an expanded picture of the technology challenges faced by BIE school communities. For example, recent data from the U.S. Census's American Community Survey show that many BIE schools are located in areas of the country where the rates of broadband internet subscription have historically been limited (see fig. 3).

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<sup>9</sup>FCC has noted that overstatements of broadband availability can be particularly problematic in rural areas, where census blocks cover larger areas. For more information, see GAO, *Tribal Broadband: FCC's Data Overstate Access, and Tribes Face Barriers Accessing Funding*, GAO-19-134T (Washington, D.C.: Oct. 3, 2018).

**Figure 3: Locations of Bureau of Indian Education Schools and Broadband Subscription Rates of Local Communities (U.S. Census’s American Community Survey, 2015 – 2019)**



Source: GAO analysis of American Community Survey 5-year estimates (2015 – 2019). | GAO-21-492T

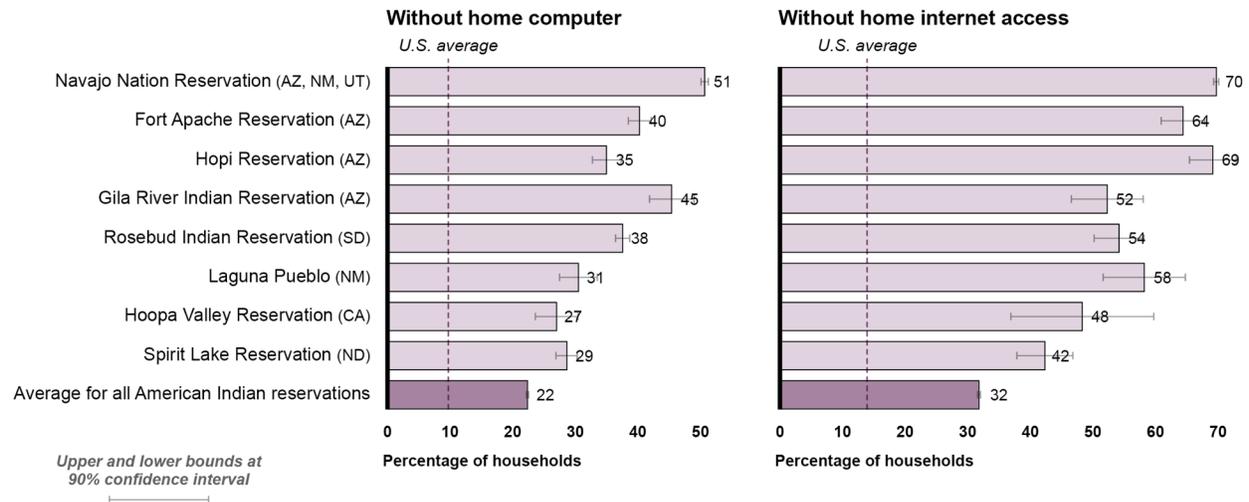
In nearly half of all BIE school communities for which ACS data were available, less than 50 percent of households had access to broadband prior to the COVID-19 pandemic.

American Community Survey data also show access to technology overall has been especially limited on certain American Indian reservations.<sup>10</sup> For example, an estimated 70 percent of

<sup>10</sup>The American Community Survey defines federal American Indian reservations as areas that have been set aside by the United States for the use of tribes, the exterior boundaries of which are more particularly defined in final tribal treaties, agreements, executive orders, federal statutes, secretarial orders, or judicial determination.

households on the Navajo Nation Reservation lacked access to the internet and 51 percent did not have a computer, compared to the national averages of 14 and 10 percent, respectively (see fig. 4). Over a third of all BIE schools are located in Navajo Nation.

**Figure 4: American Indian Reservations with Limited Access to Technology (U.S. Census’s American Community Survey, 2015 – 2019)**



Source: GAO analysis of American Community Survey 5-year estimates (2015 – 2019). | GAO-21-492T

Note: GAO analysis included American Indian reservations with populations of 1,000 or more and household rates of no access to a computer and internet above the average for all reservations.

As we have recently reported, those without broadband access are especially disadvantaged during COVID-19 because efforts to limit the spread of the disease have resulted in many care systems, government entities, businesses, educational institutions, restaurants, and other merchants transitioning some or all operations online.<sup>11</sup>

### Federal Efforts to Increase Broadband Internet Access on Tribal Lands

In recent years, the federal government has undertaken a variety of efforts to address limited access to broadband on tribal lands, including at BIE schools.

<sup>11</sup>GAO-21-24.

- BIE has participated in FCC’s E-rate program<sup>12</sup>, providing BIE with additional funding to increase internet bandwidth at schools.<sup>13</sup> In addition, Indian Affairs’ Office of Indian Energy and Economic Development began partnering with the National Telecommunications and Information Administration on its National Broadband Availability Map Program in August 2020 to analyze and map broadband availability on tribal lands, including BIE school communities, according to information from agency officials.<sup>14</sup>
- In January 2021, Indian Affairs released its National Tribal Broadband Strategy, developed in collaboration with the White House Council on Native American Affairs, to guide federal government and private sector coordination to expand broadband internet access on tribal lands. Among the activities identified in the strategy, Indian Affairs plans to conduct an assessment of barriers to broadband access in communities on tribal lands and increase funding for grants to support tribal broadband planning efforts, according to information from agency officials.
- FCC has prioritized tribal lands in administering its Rural Digital Opportunity Fund by targeting tribal areas lacking access to high speed internet service. FCC also established a tribal priority window for tribes in rural areas to obtain unassigned 2.5 GHz spectrum licenses prior to the spectrum being put up for competitive bidding. This spectrum is suitable for both mobile and fixed point-to-point coverage, and is currently

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<sup>12</sup>Since 1998, FCC’s E-rate program has been a significant source of technology funding for schools and libraries to obtain affordable broadband and telecommunications services. E-rate program funds can be used for internet access, internal connections, managed internal broadband services, basic maintenance of internal connections, telecommunications, and telecommunications services. Internal connections are products—such as routers, switches, hubs, and wiring—needed to bring broadband into, and provide it throughout, schools and libraries. For more information, see GAO, *Telecommunications: FCC Should Take Action to Better Manage Persistent Fraud Risks in the Schools and Libraries Program*, GAO-20-606 (Washington, D.C.: Sep. 16, 2020).

<sup>13</sup>BIE officials responded to us that expanding broadband services at BIE schools would not, by itself, be sufficient to provide online learning for all of its students because the same broadband barriers exist for teachers, students, and parents at their homes. The officials also noted that increasing the availability of home internet services alone also would not address the challenge of families in BIE school communities being able to afford such home broadband service.

<sup>14</sup>The National Broadband Availability Map, administered by the National Telecommunications and Information Administration, is a publically available online platform for sharing information compiled from federal, state, and commercially available data sources. The map helps identify geographic regions of the country with insufficient broadband internet service and serves as a resource for developing analysis and reports for federal and state broadband policy, planning, and investment decision-making.

used to provide broadband service by legacy educational licensees and commercial providers that lease the spectrum.<sup>15</sup>

- The American Rescue Plan Act of 2021 appropriated more than \$7 billion for the establishment of an Emergency Connectivity Fund, from which FCC has the responsibility for distributing funding to eligible schools or libraries.<sup>16</sup> This fund will support distance learning during the COVID-19 pandemic by helping schools and libraries purchase Wi-Fi hotspots, routers, and connected devices necessary for students to get online. Schools funded by BIE would be eligible for support through the Emergency Connectivity Fund.

### Prior GAO Work on BIE Schools

Our prior work on Indian education found numerous weaknesses in BIE's management and oversight of BIE schools, including problems with monitoring school spending and conducting annual safety and health inspections of school facilities.<sup>17</sup> As a result of these and other systemic problems with BIE's administration of Indian education programs, we added Indian education to our High Risk List in February 2017. In our 2021 High Risk update, we found that BIE had made some progress in addressing weaknesses in some areas of supporting and overseeing BIE schools but needed to take actions in other areas, such as developing a comprehensive, long-term capital asset plan to inform its allocation of school facility construction funds.<sup>18</sup> We also added seven recommendations on Indian education from a May 2020 report to our 2021 High Risk update. These recommendations address weaknesses in BIE's support for and oversight of special education services at schools.<sup>19</sup>

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<sup>15</sup>Federal Communications Commission, *2.5 GHz Rural Tribal Window*, accessed March 22, 2021, <https://www.fcc.gov/25-ghz-rural-tribal-window>.

<sup>16</sup>Pub. L. No. 117-2, tit. III, subd. D, § 7402(c), 135 Stat. 4,109.

<sup>17</sup>GAO, *Indian Affairs: Bureau of Indian Education Needs to Improve Oversight of School Spending*, [GAO-15-121](#) (Washington, D.C.: Nov. 13, 2014); GAO, *Indian Affairs: Key Actions Needed to Ensure Safety and Health at Indian School Facilities*, [GAO-16-313](#) (Washington, D.C.: Mar. 10, 2016).

<sup>18</sup>GAO, *High Risk Series: Dedicated Leadership Needed to Address Limited Progress in Most High-Risk Areas*, [GAO-21-119SP](#) (Washington, D.C.: Mar. 2, 2021).

<sup>19</sup>GAO, *Indian Education: Actions Needed to Ensure Students with Disabilities Receive Special Education Services*, [GAO-20-358](#) (Washington, D.C.: May 22, 2020).

## **BIE Provided Schools with Some Support but Limited Guidance for Distance Learning**

### BIE Gave Some Support to Schools Providing Distance Learning

In March 2020, all schools funded by BIE closed their buildings in response to the COVID-19 pandemic, and BIE directed them to continue to provide learning opportunities. These closures affected approximately 41,000 students enrolled at 183 schools on or near Indian reservations in 23 states. Many schools provided learning opportunities while their school buildings were closed. For example, officials from 23 of the 25 schools that responded to our July 2020 survey reported that their school provided distance learning online or through paper instructional packets.<sup>20</sup>

Eighteen of the 25 school officials who completed our survey reported they had received some support from BIE, including from field office staff, related to distance learning during spring 2020. For example, an official from one school said BIE provided a presentation on online instruction and equity. A senior BIE official told us that in the spring BIE provided schools with links to free distance learning resources that covered topics such as behavioral health, math, reading, science, and social studies. In addition, some links were to online materials on curricula and support for distance learning provided by the Public Broadcasting Service and the National Science Institute. BIE officials said its field office staff shared additional information with schools, such as a webinar on complying with the Individuals with Disabilities Education Act while in a distance learning environment.<sup>21</sup> Field office staff also provided individualized support as needed to schools, according to BIE officials.

To prepare for the 2020-2021 school year, when most schools provided distance learning, BIE officials reported providing support materials and training on a rolling basis to schools. BIE

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<sup>20</sup>Our survey results are not generalizable to the entire population of BIE schools. Some officials we interviewed told us the school delivered and picked up paper instructional packets from students' homes on a regular basis. Of the two schools that responded in the negative, an official from one school said the school sent packets home to students but did not require them to be returned, and did not consider that to be distance learning. The remaining school responded that it did not provide distance learning.

<sup>21</sup>The Individuals with Disabilities Education Act ensures a free appropriate public education to eligible children with disabilities and governs how states and public agencies provide early intervention, special education, and related services to these children.

officials said that the materials and training included topics such as blended learning practices, best practices on mobile devices, teaching with tablets, and digital learning strategies. Training continued throughout the school year. Different field offices provided different trainings to schools in their jurisdiction.

However, school officials we surveyed and interviewed said BIE's distance learning support was insufficient. For example, one school official responding to our survey reported that BIE's support on virtual tools was "severely lacking." Another respondent reported that school officials felt they had to determine on their own how to deliver distance learning to students. In addition, officials we interviewed from five schools noted the limited nature of the support intended to help schools prepare for the 2020-2021 school year. For example, officials from one school said that while BIE provided a presentation on academic assessments, the presentation did not explain how to administer the tests. Another official said the field office offered to provide help when asked, but provided no specific assistance.

### BIE Did Not Release Comprehensive Distance Learning Guidance, Although Most Schools Provided Distance Learning During the Pandemic

#### **Guidance in Spring 2020**

In March 2020, BIE issued a short guidance memorandum regarding the provision of distance learning that included one page of guidelines and guiding principles. The memorandum directed schools to, for example, "deliver flexible instruction" and to "teach content," but did not offer specific information on how to accomplish those objectives. A senior BIE official said BIE provided no additional distance learning guidance to schools in the spring, despite all school buildings closing in March.

#### **Guide for 2020-2021 School Year**

BIE's guide for the 2020-2021 school year—"Return to Learn!"—was released in late August 2020 and included little information related to distance learning. BIE created the document primarily as an in-person schooling instruction guide. At the start of the 2020-2021 school year, however, most BIE schools exclusively provided distance learning, according to BIE information. For example, of the 54 BIE-operated schools, 53 opened the 2020-2021 school year exclusively

providing distance learning and the remaining school used a combination of distance and in-person learning. Of the 129 tribally controlled schools, 100 started the school year exclusively providing distance learning, and 16 used a combination of distance and in-person learning.

The Return to Learn! guide's distance learning section mainly describes how schools can temporarily pivot to distance learning from in-person instruction. The 76-page guide devotes about seven pages to distance learning. Some relevant topics included are eligibility for distance learning, grading principles, and providing services to students with disabilities. Half of the seven pages discuss the roles and responsibilities of teachers and administrators within BIE and the schools.

Some school officials who responded to our July survey said they wanted information that was not included in the guide.<sup>22</sup> For example, 13 of the 25 responding school officials indicated they wanted information from BIE on how to develop and implement a distance learning program that addresses students' learning needs. This information is not provided in the guide. Additionally, 12 of 25 respondents to our survey reported they wanted information on distance learning delivery methods for areas without broadband. BIE's guide provides half a page of information on what schools should provide for students who are unable to access the internet. The section lists what a school should include in a plan for students without internet access—ensuring students have access to instructional materials, for example. However, it does not describe how schools can or should practically provide these items to students.

The distance learning section in the guide states that schools would receive a “technology package with a toolkit” at an unspecified later date, but some school officials we interviewed were unaware of the toolkit. According to the Return to Learn! guide, the toolkit would support distance learning efforts with information on future technology procurements, instructions on connectivity and device installations, and user support. A senior BIE official said the toolkit can be found on BIE's website. However, the technology toolkit posted to BIE's Return to Learn! website consists solely of user agreements for students and parents who receive school-issued equipment. We asked nine school officials whether they had received a toolkit from BIE. None had received it and some said they were unaware of its existence.

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<sup>22</sup>Respondents completed the survey prior to the release of BIE's Return to Learn! guide and therefore their responses relate to what they wanted to see in the guidance, rather than what the document actually included.

BIE issued its reopening guide on August 21, 2020, and some school officials said the release was too late to greatly influence their fall planning. Seven of the 10 school officials we interviewed in fall 2020 said they thought BIE's late summer release limited the guide's usefulness, as they had already started their planning for the academic year. For example, while one official said she reviewed the guide to ensure the school would be compliant, the school's plans were largely complete by the time BIE released it. Additionally, 42 tribally controlled schools began their school year prior to the release of Return to Learn!, and all BIE-operated schools began the year less than one month later, on September 16, 2020. A senior BIE official explained that BIE needed to hold tribal consultations before it could finalize and release the guide. Those consultations occurred on July 9 and 10, 2020. BIE also had to gather formal comments after these consultations. These comments were gathered under an expedited 15-day period, rather than the typical 30-day period.

Officials we spoke with from six schools said that in the absence of BIE guidance on distance learning, they used guidance created by other state educational agencies. For example, officials from two schools said they used Arizona's guidance, which included many topics on distance learning, including distributing technology, meeting the needs of special education students, delivering meals to students, and providing professional learning for staff.

BIE has not provided comprehensive guidance to all BIE schools on distance learning, although there are clear current and potential future needs. BIE's communication plan states that it is important to regularly inform schools and key stakeholders of critical developments and key information that impacts instruction.<sup>23</sup> In addition, federal standards for internal control state that management should identify, analyze, and respond to risks related to achieving defined objectives and externally communicate the necessary quality information to achieve those objectives.<sup>24</sup> By providing schools with comprehensive guidance in this area, BIE would better position them to develop and implement distance learning programs both during the current pandemic and in the event of future school building closures.

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<sup>23</sup>U.S. Department of the Interior, *Bureau of Indian Education Communications Plan* (Washington, D.C.: September 2015).

<sup>24</sup>GAO, *Standards for Internal Control in the Federal Government*, GAO-14-704G (Washington, D.C.: September 2014).

## **BIE Helped Improve Students' Internet Access, but Many Did not Have Laptops at the Start of the 2020-2021 School Year**

### BIE Helped Improve Students' Internet Access, Especially in Remote, Rural Communities

BIE helped improve both community and at-home internet access for students for the 2020-2021 school year. Many BIE students live in areas of the country where internet access has been historically low, and BIE officials said in April 2020 that distance learning had been challenging for BIE schools to provide during the pandemic because of limited connectivity on tribal lands. Officials from 13 of the 25 schools that responded to our July survey—including officials from seven of the 10 BIE-operated schools—reported that fewer than 50 percent of students had access to broadband internet at home.<sup>25</sup> To help address these issues, BIE and Indian Affairs Division of Acquisitions (Acquisitions) used CARES Act and other funds to purchase and distribute over 7,000 Wi-Fi hotspots to students enrolled at BIE-operated schools during the pandemic. With these hotspots, students could access the internet in their homes for education-related purposes. Additionally, BIE reported completing a pilot program in 2020 to install Wi-Fi on 25 school buses, and BIE officials said schools parked these buses in remote tribal housing communities to serve as hubs for internet access for students and families.<sup>26</sup> (See text box.)

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<sup>25</sup>BIE officials stated that the agency does not have the authority to compel students or families to provide information on home access to broadband. As such, the information may in some cases serve as estimates of student internet access.

<sup>26</sup>In July 2020, a senior BIE official testified before Congress that the agency hopes to equip more buses beyond the initial 25 in order to improve Wi-Fi accessibility for more students and tribal communities. *Preparing to Head Back to Class: Addressing How to Safely Reopen Bureau of Indian Education Schools*, Hearing Before the S. Comm. On Indian Affairs, 116<sup>th</sup> Cong. 4 (2020) statement of Tony L. Dearman, Director, Bureau of Indian Education.

### **Tribally Controlled Schools Used CARES Act Funds to Improve Wi-Fi Access for Students**



Officials at some tribally controlled schools funded by the Bureau of Indian Education (BIE) said they used CARES Act funds distributed by BIE to increase home internet access for students by purchasing Wi-Fi hotspots. For example, an official at one school said that about 90 percent of students were able to consistently access online distance learning, up from 25-49 percent of students before CARES Act funding became available. Similarly, an official at another tribally controlled school reported increasing home Wi-Fi access for students from 50-74 percent over the summer to over 95 percent by fall 2020 due to CARES Act funding.

Source: GAO analysis of statements from BIE school officials. | GAO-21-492T

### **Most Students Did Not Have Laptops to Begin the 2020-2021 School Year, Partly Because BIE Did Not Have Complete and Accurate Information on Schools' IT Needs**

Most students at BIE-operated schools lacked devices to access online distance learning until months after the 2020-2021 school year began because BIE and Acquisitions did not provide these students school-issued laptops in a timely manner. In April 2020, BIE officials said that many students were unable to participate in online distance learning during the spring because they did not have computers or laptops at home. Additionally, when we surveyed BIE schools over the summer, officials from eight of the 10 BIE-operated schools that responded stated that students lacked devices to participate in online distance learning.

BIE began collecting information on school IT needs as schools closed in the spring. In June 2020, BIE officials said that the agency planned to use the majority of its CARES Act funding to purchase IT equipment, and in July, Interior's Office of the Inspector General issued a report stating that BIE planned to use its CARES Act funds to target immediate hardware and software needs to facilitate student access to online learning resources.<sup>27</sup> A senior BIE official also testified before Congress in July 2020 and stated that the agency was working collectively with its schools to maximize purchasing power to ensure schools have the IT equipment necessary to help their students achieve academically during the pandemic.<sup>28</sup>

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<sup>27</sup>U.S. Department of the Interior, Office of Inspector General, *CARES Act Flash Report: Bureau of Indian Education Snapshot*, No. 2020-FIN-050 (Washington, D.C.: July 2020).

<sup>28</sup>*Hearing, supra* note 26, at 4, statement of Tony L. Dearman, Director, Bureau of Indian Education.

BIE and Acquisitions, however, faced delays with the order for the laptops. Acquisitions did not order the majority of laptops for BIE-operated schools until September 2020. In September, Acquisitions ordered nearly 10,000 laptops for students at BIE schools, according to Interior information.<sup>29</sup> BIE officials said that some schools submitted orders for laptops over the summer but were told the orders would take over 6 months to fill due to nationwide IT shortages. As a result, BIE and Acquisitions officials decided to order laptops for schools in bulk to achieve cost savings and ensure all schools were purchasing approved computers. Officials from Acquisitions said they negotiated with the vendor to order a laptop model that could be delivered in a quicker timeframe. In total, Acquisitions used about \$13.5 million of CARES Act funding to order laptops for students at BIE schools in September 2020. Specifically, Acquisitions placed orders for about 8,600 laptops for students at 46 BIE-operated schools on September 3 and 4, and about 1,000 additional laptops for BIE-operated schools during the rest of the month.<sup>30</sup>

BIE also experienced delays with delivery of the laptops. At the time BIE-operated schools reopened on September 16, none of the laptops ordered in September had been delivered to schools, according to Interior information. In contrast, Acquisitions ordered laptops for two schools during spring 2020, each of which received laptops before the school year began.<sup>31</sup> While most of the laptops ordered in September were delivered to schools in late October or November, none were delivered to schools until more than a month after the school year began, and some deliveries were delayed until January 2021 (see fig. 5). As of the end of March 2021, one school still had not received 100 laptops from the vendor, according to Interior information.

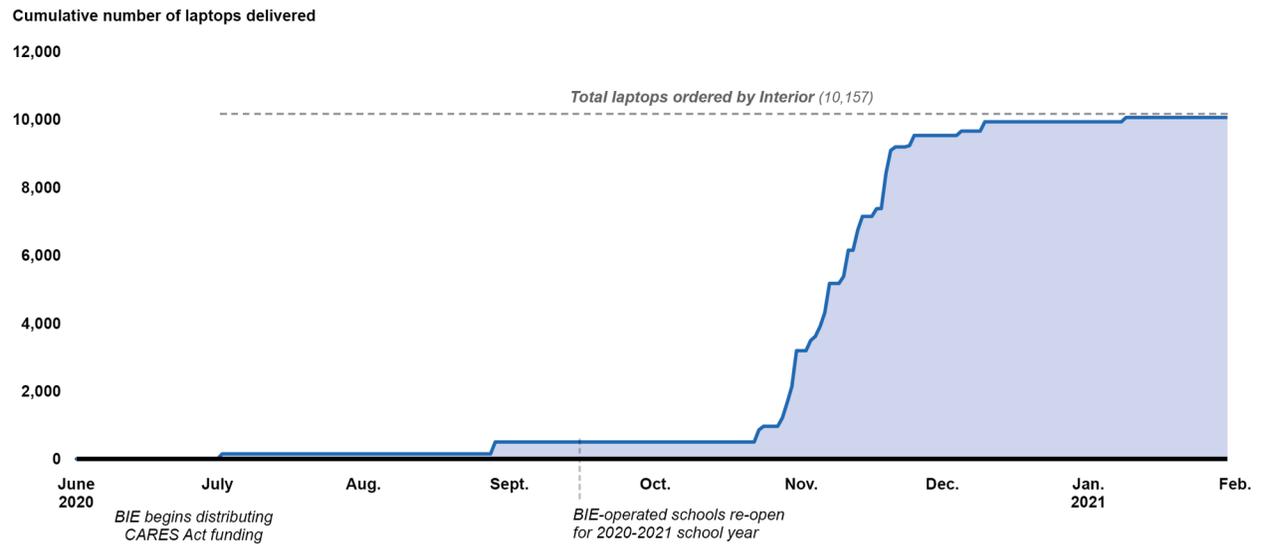
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<sup>29</sup>For the purposes of this report, we use the word “order” to indicate a purchase order to a vendor.

<sup>30</sup>Acquisitions, along with BIE schools, also purchased over 1,600 laptops for teachers at BIE-operated schools, according to Interior information.

<sup>31</sup>According to Interior information, Acquisitions ordered 500 laptops during the spring for the two BIE-operated schools.

**Figure 5: Timeline of Delivery of Laptops to Schools Operated by the Bureau of Indian Education (BIE) during 2020-2021**



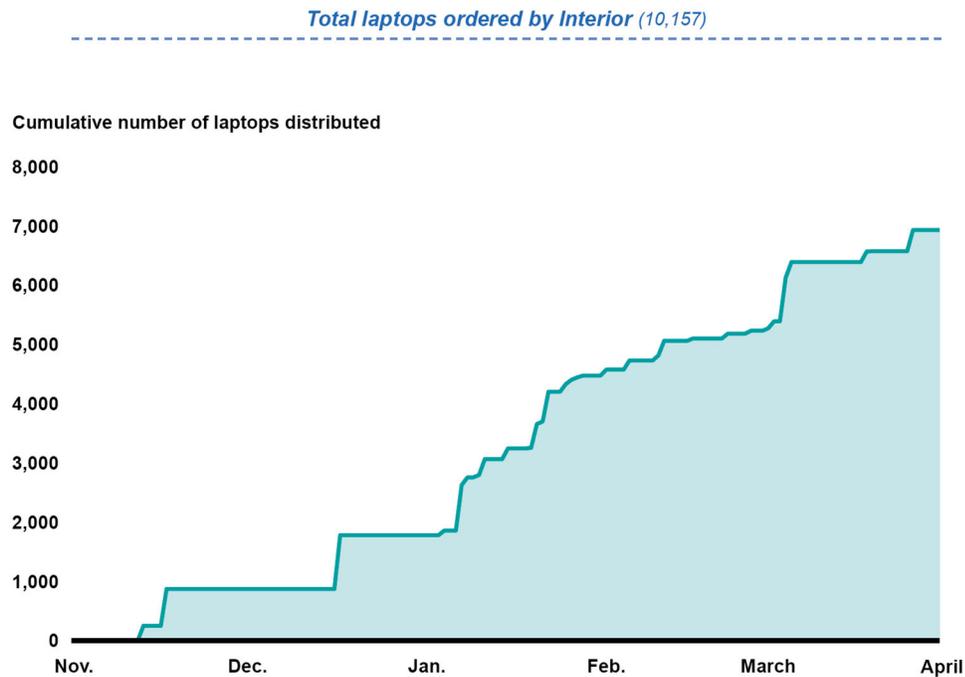
Source: GAO analysis of U.S. Department of the Interior (Interior) documentation. | GAO-21-492T

Notes: As of March 2021, 100 of the 10,157 laptops Interior ordered had not yet been delivered to a BIE-operated school, according to Interior information. In instances where Interior provided a range of dates for a school's receipt of laptops, GAO reports delivery using the end date of the range because it indicates when all of the school's laptops were received.

In addition, schools faced delays distributing laptops to students. By the end of December 2020—more than 3 months after the school year began—over 80 percent of the laptops ordered in September had not been distributed to students, according to Interior information.<sup>32</sup> As of March 26, 2021—the date of the most recent information Interior provided—nearly 20 percent of the laptops ordered in September had not yet been distributed to students (see fig. 6).

<sup>32</sup>In instances where Interior provided a range of dates for a school's distribution of laptops to students, we report distribution using the end date of the range because it indicates when all of the school's laptops were distributed.

**Figure 6: Timeline of Distribution of Laptops to Students at Schools Operated by the Bureau of Indian Education during 2020-2021**



Source: GAO analysis of U.S. Department of the Interior (Interior) documentation. | GAO-21-492T

Notes: Schools reported tagging and placing in reserve over 1,200 laptops, in addition to the laptops they reported tagging and distributing to students, according to Interior information. In instances where Interior provided a range of dates for a school's distribution of laptops to students, GAO reports distribution using the end date of the range because it indicates when all of the school's laptops were distributed.

In addition to delays stemming from nationwide IT shortages, two other factors primarily delayed the order, delivery, and distribution of laptops to students: incomplete information on schools' IT needs and insufficient IT expertise and capacity at some schools.

- Incomplete information on schools' IT needs:** BIE officials said that while the agency had been collecting information on schools' IT needs since early 2020, it did not have complete information to place the bulk laptop order prior to September. Although Interior officials stated that a contractor had conducted an IT inventory of BIE-operated schools in February 2020, this inventory was not provided to BIE until March 2021. Even if this inventory had been provided earlier, Interior officials noted that it would have been of limited use in assessing schools' IT needs for distance learning because the information was gathered before the pandemic. Interior officials stated that one of the lessons learned was the necessity for accurate and up-to-date information on school IT needs to guide technology purchases.

Without accurate, complete, and up-to-date information on schools' IT needs, BIE and Acquisitions were unable to identify discrepancies between enrollment counts and the number of laptops needed when in July 2020 BIE-operated schools submitted spending plans for CARES Act funds that included requests for laptops. Officials from Acquisitions said that some schools provided incomplete or inconsistent information that required further review. For example, some schools requested fewer laptops than their number of enrolled students, which led to confusion and delays in the ordering process as officials from Acquisitions and BIE worked to reconcile the information.

Having up-to-date information on BIE schools' IT needs is essential for schools' readiness to deliver distance learning and requires policies and procedures to gather information from schools and verify its completeness and accuracy. However, BIE lacks such policies and procedures and as a result was unable to place the laptop order in a timely fashion. Federal internal control standards state that agencies should collect reliable and quality information in a timely manner to inform decision-making.<sup>33</sup> Furthermore, BIE's strategic plan states that BIE will work collaboratively with schools to continuously improve the quality of education by prioritizing needs and making data-driven decisions, among other factors.<sup>34</sup> Establishing policies and procedures to gather information on schools' IT needs and verify its completeness and accuracy would help BIE ensure it has the information it needs to guide IT purchases now and in the future.

- **Insufficient IT expertise and capacity:** BIE officials said that a lack of IT expertise and staff capacity at schools contributed to delays in distributing laptops to students. Once laptops reached schools, school officials tagged, configured, and distributed the laptops to students. However, BIE officials said students at some schools received laptops later than they otherwise would have because schools did not have personnel with the IT expertise needed to tag and configure the laptops. Officials said that the laptop tagging and configuration process was time-consuming and, in some cases, confusing for staff who lack

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<sup>33</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sep 2014).

<sup>34</sup>U.S. Department of the Interior, *Bureau of Indian Education Strategic Direction 2018-2023*, (Washington, D.C.: August 2018).

IT training. BIE officials said in March 2021 that BIE had contracted for an IT workforce assessment and was developing a workforce plan to support the IT needs of BIE in all its major IT functions.<sup>35</sup>

The delayed order, delivery, and distribution of laptops to some students put them at risk of falling behind their peers. An official at one BIE-operated school said that the school lost 15 percent of its students because, unlike local public schools, it was unable to provide online distance learning to students in the fall.<sup>36</sup> Additionally, thousands of students in BIE-operated schools participated in distance learning programs without online learning during fall 2020 because they had not received a laptop or other device to access the internet, and some schools relied primarily on providing packets to students, according to BIE information. As of March 2021, 25 BIE-operated schools were still providing instructional packets to approximately 1,400 students, some of whom have continuing connectivity issues, according to Interior officials.

BIE officials said that as Interior plans to purchase laptops and other devices for students and teachers on an ongoing basis, BIE will continue to need accurate and up-to-date information on schools' IT needs. For example, in addition to the laptops ordered in September, Acquisitions, along with some BIE schools, purchased over 1,300 iPads for students and over 1,600 laptops for teachers between February and September 2020. Further, BIE officials said BIE plans to provide students with laptops and other devices even if schools are not operating in a distance learning environment because schools will begin to integrate technology into their everyday curricula. As IT devices become damaged or obsolete and school enrollment numbers change, officials will need up-to-date information on schools' IT needs. Having policies and procedures to collect and verify this information will be essential to guide these IT purchases.

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<sup>35</sup>BIE officials stated that as of March 2021, OIMT had not yet completed the documentation regarding this assessment and workforce plan, so we were unable to review this documentation during the course of our audit work.

<sup>36</sup>This school official stated that in many cases these students withdrew from the BIE-operated school and enrolled at a local public school.

## **Conclusions**

BIE has an obligation to ensure schools continue to provide education to students when school buildings are closed due to the COVID-19 pandemic, according to agency documentation. To that end, the CARES Act provided BIE with more than \$220 million and subsequent legislation provided significantly more funds to help BIE and its schools respond to the pandemic. BIE took some steps to support schools' online distance learning programs and used CARES Act funds to buy laptops and invest in IT infrastructure so that students can participate in these programs online from their homes or in their communities. However, BIE's limited guidance on distance learning for schools and the lack of policies and procedures for assessing schools' technology needs have impeded the agency's ability to ensure that schools can provide online distance learning when their buildings are closed to students. Addressing these areas would better position BIE to ensure that schools have the information they need to deliver distance learning programs and students have the technology to participate in those programs now and in the future.

## **Recommendations for Executive Action**

We are making the following two recommendations to BIE:

The Director of BIE should provide comprehensive guidance to schools on distance learning to ensure they have the information to create and maintain effective distance learning programs during extended school building closures. (Recommendation 1)

The Director of BIE should work with Indian Affairs' Office of Information Management Technology to develop and implement written policies and procedures for collecting timely information on BIE-operated schools' technology needs. (Recommendation 2)

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Chair Schatz, Vice Chair Murkowski, and Members of the Committee, this completes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

### **GAO Contact and Staff Acknowledgments**

If you or your staff have any questions about this testimony, please contact Melissa Emrey-Arras, Director, Education, Workforce, and Income Security, at (617) 788-0534 or [emreyarrasm@gao.gov](mailto:emreyarrasm@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement.

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