



**STATEMENT OF THE
AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM
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PRESIDENT, LITTLE BIG HORN COLLEGE– CROW AGENCY, MONTANA
U.S. SENATE - COMMITTEE ON INDIAN AFFAIRS
HEARING ON SAFELY REOPENING BUREAU OF INDIAN EDUCATION SCHOOLS**

July 29, 2020

Chairman Hoeven, Vice-Chairman Udall, and members of the Committee, on behalf of my institution, Little Big Horn College in Crow Agency, Montana and the 36 other Tribal Colleges and Universities (TCUs) that collectively are the American Indian Higher Education Consortium (AIHEC), thank you for inviting me to testify on the efforts of TCUs to safely remain open in the midst of the COVID-19 pandemic.

My name is *Baluxx Xiassash* -- Outstanding Singer. I am a member of the *Uuwuutasshe* Clan and a child of the *Uuwuutasshe* Clan of the *Apsáalooke* or Crow Indians. The Crow reservation is located in what is now south-central Montana and contains about 3000 square miles – a territory larger than the state of Rhode Island. In the early 1980s, my tribe established Little Big Horn College, forging a new tradition in education to grow an *Apsáalooke* workforce that would rebuild and sustain our tribal families, communities, and lands. The goal was to establish a lasting tradition of advanced training and higher education, for a good path into the future for the Crow People. I am proud to say that I am a product of my tribe’s commitment to higher education: I attended Little Big Horn College as a student (returning years later to earn a degree); I served on the faculty of Little Big Horn College; and after earning advanced degrees, I became an administrator at the college. Since 2002, I have had the honor of serving as president of Little Big Horn College, where it is my responsibility to keep building a path into the future for my people.

This morning, I will address three topics: The Tribal College Movement in general – where TCUs were in early March 2020; challenges faced by TCUs due to the COVID-19 pandemic and our response to those challenges; and finally, eight specific recommendations, including important TCU funding and cyberinfrastructure needs, for your consideration as you work to ensure that Indian Country is *equitably* included in the national effort to reopen our schools and colleges this fall and recover from this unprecedented pandemic.

BACKGROUND: THE TRIBAL COLLEGE MOVEMENT

All but three of the 19 members of the Senate Committee on Indian Affairs have at least one Tribal College in his or her state; and collectively, 28 of the nation’s 37 TCUs are represented by Committee Members, so I will not go into detail about the TCUs – you know us well. I will simply say that American Indian and Alaska Native tribally chartered colleges and universities are geographically isolated and most are severely under-resourced, particularly when compared to other institutions of higher education. Yet, our institutions are extraordinarily effective and proven catalysts for revitalization and change. Thirty-five of the 37 TCUs are fully accredited

Although 28 TCUs have an endowment, most are extremely small. Only one TCU has a somewhat large endowment: Oglala Lakota College, which has worked hard to grow its endowment to \$51 million. The other 27 TCU endowments ranging from \$10,000 to \$14.2 million. Nationally, the median college/university endowment is \$65.1 million, while the median TCU endowment is \$2.4 million.

Despite operating funding challenges, TCUs are committed to our tribes and communities. TCUs are open door institutions, serving any student who is willing to commit to a semester of learning, and TCU tuition, at about \$4,100 per year for a 4-year degree, is the most affordable in the nation. Many TCUs provide books to students to keep student costs down; and although 18 TCUs operate dorms and cafeterias, these are not money-making enterprises, as they are at mainstream institutions. Still, many TCU students cannot afford to pay both tuition and room/board, even pre-pandemic. (In 2019, the average TCU student unmet need was more than \$10,000 per year, according to U.S. Department of Education statistics.) In AY2018-19, TCUs wrote off more than \$4 million in unpaid tuition and fees, and in AY2017-18, they wrote of nearly \$3 million.

2. ***TCU Student Demographics: Financial and Academic Challenges:*** More than half of our students are first-generation college students. One-third are single with children, and the vast majority live in multi-generational homes with deep family and community ties and responsibilities. Overwhelmingly, our students are poor. In fact, 86 percent of TCU students receive Pell grants. And with an average annual income of less than \$20,000 per year, our students live well below the US poverty line.

Most of our students come to us unprepared for post-secondary education. Our students generally fall into one of two categories: those who began post-secondary education at a mainstream institution but were unable to complete their program; and those who dropped out of high school and came to the TCUs to earn a GED. (On some reservations, more than 50 percent of all Native students drop out of high school, most in their senior year.) To both groups, the TCU represents hope: an opportunity to rebuild damaged self-esteem, find their identity, and eventually earn a credential or degree at an affordable price. Many require developmental education prior to beginning an academic or career/technical program. About 60 percent of TCUs test into developmental math, and more than 45 percent require developmental reading. To address these challenges to academic success, most TCUs now offer dual credit or early college programs for local high school students, and some are developing high school programming right at the TCUs, such as Salish Kootenai College's STEM academy. At SKC STEM Academy, high school juniors and seniors spend mornings at their secondary school and afternoons at SKC, where they engage in experiential math and science classes and labs.

3. ***TCU Student Demographics: Food and Housing Insecurities:*** In addition to being low-income, first generation, and academically under-prepared for college, our students – and faculty – face serious health and safety risks. A recent survey published by the American Indian College Fund and the Hope Center for College, Community and Justice (Temple University) revealed that of the students surveyed, TCU students suffered food and housing insecurity and homelessness at much higher rates than other college students. Nearly 30

percent of the TCU student respondents reported being homeless at some point in the prior 12 months (compared to the national student average of 17 percent); almost 62 percent were food insecure in the prior 30 days (compared to the national student average of 39 percent); and 69 percent of the TCU student respondents said they faced housing insecurity in the prior 12 months (compared to the national student average of 46 percent). Yet despite these challenges, TCU students reported greater academic success compared to similarly students at other colleges/universities.

More than 85 percent of TCU students and nearly 50 percent of all TCU faculty are enrolled members in federal recognized Indian tribes – a group, according to the federal Indian Health Service (IHS) that has “long experienced lower health status when compared with other Americans.” Per capita, more American Indians and Alaska Natives suffer from diabetes than any other group in the U.S. American Indians and Alaska Natives born today have a life expectancy that is 5.5 years less than the U.S. all races population (73.0 years vs. 78.5 years), and we die at higher rates than other Americans, including from chronic liver disease and cirrhosis, diabetes mellitus, unintended injuries, assault/homicide, suicide, and chronic lower respiratory disease (IHS).

According to the IHS, lower life expectancy and the disproportionate disease burden exist perhaps because of inadequate education, disproportionate poverty, discrimination in the delivery of health services, and cultural differences. These are broad quality of life issues rooted in economic adversity and poor social conditions.

Internet Connectivity and Cyberinfrastructure: Through a 2017 grant from the National Science Foundation, AIHEC and the TCUs have been conducting an in-depth study of the cyberinfrastructure capacity and needs of TCUs. The goal is to connect our institutions to the regional education and research Internet networks that crisscross this country and enable faculty and students at U.S.-based IHEs to learn, work, and conduct research with one another. Currently, only 10 TCUs are connected to these vital networks. The NSF-funded study revealed startling information about Indian Country and TCUs: **TCUs have the slowest Internet speeds of all IHEs in the country and, on average, pay more than any other group for Internet connectivity.** One TCU has the most expensive, and slowest, internet speed of any IHE in the country. (Iḷisaġvik College, which pays \$250,000 per year for Internet speeds of 6 Mbps.) In 2015 - the most recent comparable year, the national average Internet speeds at colleges and universities were 513 Mbps for 2-year institutions and 3.5 Gbps for 4-year institutions. Yet, **more than one-third of all TCUs (16) have Internet speeds at 100 Mbps or less – four are at or below 50 Mbps.** Average TCU Internet speed is 375 Mbps. Making the problem even more challenging, TCU IT equipment refresh rate is 8.3 years, while 3-5 years is standard practice. We understand that the BIE has contracted with a private, for-profit entity regarding Internet connectivity at BIE-funded/supported schools. One goal purportedly is to ensure that all BIE K-12 schools have Internet access of at least 100 Mbps. Unfortunately, the BIE has not included TCUs in this effort, even though nearly all TCUs provide dual credit to local/tribal high school students and 31 TCUs serve as community libraries (with computer labs), which are used by local pre-K-12 students and their families.

If TCUs are to deliver high quality online/distance learning to American Indians and Alaska Natives in times of emergency, these gaps must be addressed as rapidly as possible. However, other challenges also must be addressed: even those TCUs with adequate Internet access on campus face problems delivering classes remotely to students across their reservations. At some TCUs, more than half of the students lack consistent, reliable – and affordable -- Internet access at home and many students lack the equipment necessary to engage in coursework and homework (tablets, computers, laptops). President Richard Littlebear, Chief Dull Knife College, describes the problem: *“I can use my cell phone to make a call from Hawaii to Lame Deer, but I can’t use my cell phone to call from Lame Deer to Busby – there is no cellular service and without cellular, there is no Internet.”* (Oahu, Hawaii is 3,300 miles from the Northern Cheyenne reservation in Montana. The distance between the reservation towns of Lame Deer and Busby is 16 miles.) These issues require a permanent and equitable solution strategy.

Finally, when examining TCU IT infrastructure, it is important to keep in mind that 32 TCUs are in very remote areas. For these TCUs, there is a lack of choice (competition) of Internet service providers, which drives up costs significant. This is the primary reason TCUs pay high than average rates for their Internet service, particularly given the low speed.

TCU RESPONSE TO THE COVID-19 PANDEMIC & PLANS FOR AY 2020-21:

Despite facing serious financial, Internet connectivity and equipment, and faculty professional development challenges that are far worse than other schools and colleges in the U.S. and having student (and faculty) populations at greater health risk than other groups in the U.S., the nation’s 37 TCUs have worked diligently to respond to the COVID-19 pandemic in a comprehensive manner, addressing both the needs of students and community. As place-based, community-anchoring institutions, we had no choice but to continue to serve our tribal nations to the best of our ability. Most TCUs have not closed at *any* point during the pandemic, and those that ceased operations did so only for a few weeks. We are working and learning together to ensure we can continue offering high quality, culturally relevant, and job-focused educational opportunities to our students and communities – always mindful of the need to put first the health and safety of TCU students, their families, and community members. This is important for some critical reasons: many TCU students live in multi-generational homes; and as discussed above, American Indians and Alaska Natives suffer the lowest health status of any group of U.S. citizens, including the highest rates of diabetes – a critical adverse factor associated with high COVID-19 mortality rates. In addition, for many of our Tribes, our Tribal language keepers are well over 70 years old, another adverse COVID-19 factor. If Native language keepers are lost to this pandemic, whole tribal cultures would be devastated. Therefore, TCUs focused on building our online teaching capacity and delivering courses to students who could access the Internet from remote access points in their community (or in the community nearest to them) or who could finish courses using “old fashioned” distance education.

President Sandra Boham, Salish Kootenai College, described the situation at her college: *“As a TCU, Salish Kootenai College is working together with our K-12 schools to educate all Indian students in our region-- to meet their educational, technology, and mental health needs. SKC adopted a shelter in place policy on March 16, 2020. We kept family and student housing open to the extent possible because we could not disrupt families during a pandemic. Many of our*

students are parents, and we quickly realized that they were forced to become fulltime teachers at the same time as college students (because SKC's required course work did not go away). We did our best to help meet their needs.

We established a computer loan program for students, faculty and staff who did not have one. Some students had a home computer, but it was being shared by multiple family members as children needed to use the home computer for their schoolwork. Access to an additional computer in the household was significant in reducing the stress of competing technology needs between K-12 and college student family members. Assistance was provided for food so that students could continue to feed their families without having to drop out of school to find work. Activity kits were provided to families to assist in keeping preschool age children busy so that parents could attend to classwork. Faculty and students in our Teacher Education Program offered parents assistance with tips for teaching. Faculty flexed their course schedules to find times that worked for students to meet virtually outside of normal college operating hours. IT technicians provided technical assistance for student's personal laptops and phones to help them with technology problems and improved access to Internet services on campus.

Every year, SKC provides dual credit programs to nine high schools, we have a 40-year partnership with our tribal BIE contract school (grades 8-12); we educate teachers for our local systems; we prepare Head Start teachers and program directors; we train health providers - medical people who work throughout the Flathead Valley. We provide childcare to students and local families, which we were unable to keep open for those in need due to the pandemic. All these programs and services were adversely impacted - they changed overnight. SKC went from zero to 100 percent online classes almost overnight. We quickly provided professional development to our faculty, and at the same time we were learning, we reached out to the local K-12 teachers to help them get up to speed.

At SKC, 67 percent of our students are in high risk categories, so we are taking additional steps to help keep our students mentally and physically well - we extended our spring and summer terms to allow for physically distant hands-on learning and we are providing holistic support for students and instructors. Even in the face of these monumental challenges, we must keep going - we are teaching the people who do everything on our reservation: education providers, government workers, service providers, health care professionals, and more. We must do this well, and we cannot do it well if we are not well funded. There are faces behind every dollar we spend, and for them, we need to stay whole."

All TCUs have incurred significant costs as a result of the COVID-19 pandemic, including securing and cleaning campuses; relocating students off campus and providing shelter in place housing for students who had no home to go to; beginning the first phase of online courses; purchasing equipment for students and providing emergency aid; and paying salaries and administrative leave for staff who would otherwise be unemployed. TCUs also faced (and continue to face) challenges in addressing: (a) Career and technical courses, which often cannot be converted to online courses; (b) professional development and course redesign for faculty; (c) equipment and infrastructure for online delivery of courses; and (d) lack of Internet access in students' homes. Coronavirus Aid, Relief, & Economic Security (CARES) Act funding is

helping TCUs address *some* of these critical issues, but as challenges continue to mount, more funding is needed.

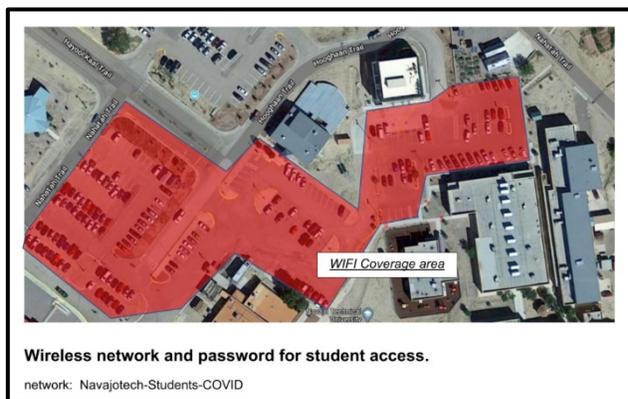
Like SKC, virtually all TCUs moved to online or distance instruction to finish the spring 2020 semester, and many offered online courses for the summer. To transition to effective, community-based online or physically distant course delivery, TCUs required:

- (a) Reliable high-speed Internet access -- campus technology and internet speed upgrades and accessible community-based connectivity;
- (b) Instructional delivery and access systems/devices (course/communication tools);
- (c) Faculty professional development to create and maintain quality, engaging online programming; and
- (d) Student computer/online literacy training for adoption of successful online learning strategies.

TCUs are using funding appropriated under the Coronavirus Aid, Relief, & Economic Security (CARES) Act to address these needs, to the (somewhat limited) extent that we are able. This summer, AIHEC organized an intensive 6-week online training program for 390 TCU faculty in effective online teaching with a special component to help ensure that whether online or in person, TCU instruction is conducted from a Native world view.

TCU governing boards, presidents, faculty, and staff are embracing the challenges we face as an opportunity for expanding postsecondary education to more American Indians/Alaska Natives, including the 67 percent of tribal members living in urban areas. In addition to providing instruction online, TCUs are developing new ways of providing critically needed social, academic, and mental health support to students and communities.

Early in the pandemic, President Charles M. Roessel of Diné College noted that his TCU is “*servicing a Nation that has been knocked down.*” Diné College, like all TCUs, quickly transitioned many courses online; began providing students with emergency financial aid, both from funding received under the CARES Act and from the American Indian College Fund. Diné College and Navajo Technical University (NTU) staff risked their own health to keep college doors open. These two colleges, like other TCUs, kept some dormitories open for students who could not safely live at home, or who had no home to go to. Their cafeteria staff provided free meals to first responders as well as students who would sit for hours in their cars in the colleges’ parking lot, accessing the Internet wirelessly to complete their coursework.



NTU, located in Crownpoint, New Mexico, developed online fliers and significantly expanded its online messaging to students through Facebook and other forms of social media, providing tips, encouragement, and other outreach to keep students engaged as they practiced physical distancing. The college worked with the Navajo Nation and IT providers to establish wireless Internet hot spots on the eastern part of the Nation and converted a fleet of college vans into the “Homework Express,” delivering printed assignments to students who lacked Internet access, and picking up completed assignments. NTU quickly transitioned its summer enrichment “camps” to virtual camps, including a 6-week STEM skill building program for dual credit (high school) students and a robotics academy, offered with support from NASA, to Native youth.



At Bay Mills Community College in Michigan’s Upper Peninsula, faculty and staff developed online tutoring opportunities for students, organized “BMCC Cyber Social Hours” for students to talk with one another, and launched a multi-week “Mental Health Power Hour,” covering topics such as stress, youth issues, and adapting to change.

Faculty and staff at Cankdeska Cikana Community College on the Spirit Lake Dakota reservation in North Dakota “are meeting students in parking lots, at the grocery store, at the gas station, to give them a laptop or a card to get phone minutes because they’re trying to do the college homework on a TracFone,” says President Cynthia Lindquist. All TCUs have used significant amount of CARES Act funding to loan or provide students with laptops, as most students do not have laptops of their own.

Like most other TCUs, Cankdeska Cikana Community College is also continuing to serve the broader tribal communities. Cankdeska administrators worked with their tribe to provide COVID-19 testing in the college parking lot, while even the president herself delivers meals, food, and supplies tribal members in need. BMCC, Cankdeska, and NTU served their tribes and region in other ways as well: early in the pandemic, these colleges used their 3-D printers – normally reserved for advanced manufacturing instruction – to produce hundreds of face shields for tribal and regional health care providers and first responders. Later, as local governments began easing stay-at-home restrictions, the colleges provided face shields to local business to help keep their workers safe. BMCC also made valves for ventilators used in local hospitals.

Overall, the TCU students who have been able to access the Internet and who have received laptops or smart phones from their college appear to be adapting to this “new normal”; however, none of the TCUs have been able to reach all of our students. Some – primarily those living on the vast areas of our reservations without Internet access – are lost to us. TCUs have not been able to locate all of the students who were enrolled and attending classes in spring 2020 prior to the pandemic, and we do not yet know the extent to which enrollment will decline in the fall, even if we offer classes onsite and in person. The challenges will be greater for those TCUs that must offer courses entirely online. The lack of widespread and affordable Internet access in Indian Country remains a barrier that TCUs alone cannot address. At Tohono O’odham Community College (TOCC), which serves students throughout the rural 2.8 million-acre

Tohono O’odham Nation -- roughly the size of Connecticut -- the percentage of courses completed with passing grades dropped from 64 percent to 52 percent in spring 2020. (TOCC transitioned from over 90 percent face-to-face course delivery to 100 percent online on March 30.) TOCC faculty say that a 52 percent pass rate was better than expected but *“it cannot be the standard going forward,”* says TOCC President Paul Robertson.

TOCC students, like many TCU students, face double challenges: finding Internet access, and being able to pay for it if they can find it. For many students (as with TCUs), the cost is prohibitively high. President Robertson notes that *“some TOCC students were thwarted by lack of access to the broadband they needed to complete their coursework. Others could not afford the cost of an Internet subscription from the sole supplier on the Tohono O’odham Nation, nor could they access Internet from parking lots in front of fast-food establishments and Starbucks, something some urban students have been reduced to. The Shell gas station in Sells has a few “wi-fi parking” spots and some students have driven long distances to take advantage of that. That is not a solution. It should not be happening.”* But if the choice is paying a monthly Internet connection fee or feeding your family, what are TOCC students to do?

Academic Year 2020-21: Although all TCUs moved to online or distance education programs for spring 2020, the landscape looks much different for Fall 2020 (AY2020-21). Of the 37 TCUs, 25 have announced decisions:

- **17 TCUs plan to open with a hybrid class schedule**, with some classes online and others in person with physical distancing precautions.
- **7 TCUs will open with online classes only**, although some of these colleges will open their dorms in a limited capacity.
- **1 TCU will open with in-person, onsite classes only**, with no distance education courses at this point. Chief Dull Knife College (Lame Deer, MT) made this decision due to the small class sizes, ability to physically distance, and unreliable Internet access on the reservation, which makes online courses virtually impossible.

Diné College, with faculty whose average age is 65, is typical of the 17 TCUs that plan to offer a mix of online and in-person classes in the fall: Diné College hopes to implement a comprehensive \$6.4 million technology upgrade as rapidly as possible, given funding and infrastructure limitations. Just this month (July 2020), the foundational phase was implemented with the expansion of the college’s Internet speed from 280 Mbps to 2000 Mbps on its main campus. This is the fastest Internet speed (at the main campus) among TCUs. However, Diné College pays significantly for that access. Its Internet costs are \$31,000 per month, the second highest among TCUs (only Iḷisaḡvik College pays more). Prior to the recent upgrade, Diné College cobbled together its Internet access from three different providers. The college also has implemented a laptop loaner program and Wi-Fi device program, including paid Cellular One service for students who do not have readily available Internet access. These changes are key to the college’s ability to offer 350 or more courses completely online this fall, with about 100 classes being offered face-to-face in 31 different classrooms. To assist students, the college already has distributed more than \$600,000 in emergency funding to students and recently announced a 50 percent tuition cut for fall classes. Finally, Diné College is working to establish micro-campuses (small learning centers with physically distant onsite instruction capacity) at key locations across the Navajo Nation, such as shopping centers and government buildings close to

students' homes. Students can learn and work together in a safe environment at the micro-centers, and to the extent possible, K-12 students might also be able to use the facilities.

RECOMMENDATIONS TO ADDRESS CHALLENGES TCUS FACE IN OPENING FOR AY2020-21:

Although it is difficult to predict how deeply TCUs, their students, and their communities will suffer due to the COVID-19 pandemic, experts predict that the pandemic will peak in the western U.S., where most TCUs are located, much later than other parts of the country. As TCUs begin to plan for an uncertain future (2020-2021 academic year), we turned to data on past economic, academic, and community patterns to help inform the following recommendations on specific and known TCU needs, which will help TCUs operate safely in AY2020-21:

1. \$65 million in the Interior-Bureau of Indian Education account to help Tribal College and Universities address projected AY-2020-21 losses: Tribal support & tuition cuts; increased tuition write-offs.

Most TCUs start their fiscal year on July 1. As TCUs plan for FY2021 (Academic Year 2020-21), we face:

- **A significant drop in support from chartering Tribal governments** due tribal enterprise revenue losses, the need for tribes to divert scarce resources to address COVID-19 emergency public health issues, community safety net expenses, and the ongoing and staggering loss of casino revenue. As mentioned earlier: Tribal TCU Payments: 2018-19: \$33,331,078; 2017-18: \$31,049,542 (AIHEC AIMS).
- Projected **declines in enrollment** as students drop out or fail to return because they lack Internet connectivity and cannot participate in online classes or because they need to increase work hours (if jobs are available) to help support families in economic crisis. Total TCU Tuition Received: 2018-19: \$23,188,584 (AIHEC AIMS); 2017-18: \$25,503,359 (IPEDS).
- Inability of most TCUs to conduct **summer classes**, due to the need for intensive faculty professional development in online learning, advising, and assessment to maintain regional accreditation and the need to complete extensive course and management redesign for the fall semester because of increased online teaching. Summer Tuition and Fees: 2018-19: \$1,692,995 (AIHEC AIMS)
- Growing financial challenges facing students who persist and try to complete their degree programs, resulting in TCUs having to **write off more tuition payments** than in previous years. Annual TCU Tuition Write-off: 2018-19: \$4,000,595; 2017-18: \$2,906,650 (AIHEC AIMS).
- **American Council on Education (ACE) “Survey of COVID-19 Costs of Reopening for Institutions of Higher Education”**: In June 2020, ACE conducted a national survey on the costs of reopening campuses and/or delivering classes online in academic year 2020-21. (This survey was like one conducted by AIHEC early in the pandemic.) ACE surveyed IHEs in eight areas: PPE; disinfectant level cleaning, including supplies; testing; new housing; lost revenue and increased revenue costs: housing, staffing, IT; isolation/quarantine; social distancing (retrofitting classrooms and other campus spaces); and other. U.S. Department of Education IPEDS data was to calculate a per student cost. Using only institutions that could estimate costs by category (4-year, larger institutions),

ACE averaged the costs and then divided by total IPEDS student enrollment of the surveyed IHEs. **The additional cost per student is estimated at \$2,400.**

For TCUs, this figure is **higher** because: (a) IPEDS does not accurately reflect enrollment at TCUs using FTE, because of the high number of part-time students at TCUs; (b) historic inequities in funding and geographic location (e.g. lower IT access, capacity, and equipment; cost of providing services in rural areas the size of some states versus in compact urban areas); (c) student demographics (As stated earlier, TCUs serve students at higher risk than mainstream institutions – **84 percent receive Pell benefits**, as opposed to 31 percent nationally); and (d) the ACE survey did not include mental/behavioral health counseling; faculty professional development/training (for online instruction); and certain sunk costs that are incurred regardless of size with lower student numbers to spread costs across. To account for these factors, increasing the cost by one quarter for TCU students, the **overall TCU need is estimated at \$66,000,000.**

2. **\$24 million in existing USDA-Rural Utilities Service Program funds for a permanent Rural TCU-IT Fund.**

To address a key part of the digital divide/homework gap and long term IT capacity building in Indian Country, Congress should establish a permanent **TCU Fund** under the USDA-Rural Utilities Service, in either the Community Connect fund or the Reconnect program. Approximately \$24 million in TCU set-aside funds is needed for this program, based on AIHEC's extensive and data informed analysis. (See Appendix A.)

If TCUs had adequate funding currently for IT infrastructure support, they would have put in place many of the community-based mobile hot spots needed to address the "homework gap" on many reservations. *It is important to note that any program to provide tax credits to existing Internet Service Providers for providing free internet access to students provides little or no help in Indian Country because the IT infrastructure does not exist: 68 percent of those on rural Tribal lands lack access to fixed broadband, according to a 2016 FCC Broadband Progress Report.* And for TCUs that do have broadband access, Internet capacity is inadequate. **More than one-third of all TCUs (16) have Internet speeds at 100 Mbps or less – four are below 50 Mbps**, compared to national averages of 513 Mbps for 2-year institutions and 3.5 Gbps for 4-year institutions.

Establishing specific funds for Land-grant institutions is not unusual. In the last reauthorization of the Farm Bill, for example, Congress established a permanent \$40 million scholarship fund for 1890 Land-grant institutions (Historically Black Colleges and Universities), and Congress annually funds a modest TCU communities facilities construction set-aside program within the USDA-Rural Development Community Facilities program.

3. **\$500 million in the Interior-BIE account for a TCU Deferred Maintenance & Rehabilitation Fund, as authorized under the Tribally Controlled Colleges and Universities Assistance Act.**

AIHEC recently conducted a survey of 22 TCUs, which revealed a list of chronic facilities-related needs, including student and faculty housing, classrooms, libraries, and laboratories.

The 22 TCUs have an estimated total need of \$332.5 million in deferred maintenance and rehabilitation and need \$558 million to fully implement existing master plans. Extrapolating this to all 37 TCUs, the total *current* need is: ***Deferred Maintenance/Rehabilitation: \$500 million; Completion of Master Plans: \$837 million.*** (See Appendix B.)

4. **Inclusion of all “Tribal Colleges and Universities”**: To ensure that all TCUs are included in new federal programs and opportunities, the term “tribal colleges and universities”, defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c), should be used:

TRIBAL COLLEGE OR UNIVERSITY.—The term “Tribal College or University” means an institution that— (A) qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a note); or (B) is cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note). (20 U.S.C. 1059c)

There are five different types of TCUs:

- 29 Tribally chartered colleges funded under Titles I and II of the Tribally Controlled Colleges and Universities Assistance Act (TCU Act);
- 2 Tribally controlled career and technical colleges funded under the Carl Perkins Act and more recently, Title V of the TCU Act;
- 2 BIE-operated colleges;
- 1 Congressionally chartered AI/AN college; and
- 1 State/Tribal hybrid college chartered by the state of Minnesota and one Indian tribe.

5. **Ensure Inclusion of TCUs in BIE/DOI Education Planning – Address BIE/DOI Neglect of TCUs in Long-term Planning**: Within the various levels of the U.S. education system, “the Bureau of Indian Education (BIE) serves as the principal government agency in upholding the United States’ educational obligations to Indian tribes and their eligible Indian Students.” ([DOI FY 2021 Budget Justification, p. 7](#)) Beginning with early childhood education, the BIE provides funding for the BIE Family and Child Education Program (FACE) which serves children and adults through home-based and preschool-based services. For K-12 education, the BIE often serves in a “State Education Agency (SEA)” capacity, providing direct support and funding to 183 elementary and secondary schools and dormitories. For postsecondary education, the BIE administers grants to operate 29 TCUs, two tribal technical colleges, two federally operated postsecondary institutions, and several postsecondary scholarship programs. However, the TCUs, which serve about 44,000 students each year in academic program, or about **40 percent of all students in schools funded by the BIE**, often are neglected or discounted by the Department of the Interior and BIE in planning efforts, new initiatives, annual budgeting processes, and most recently, in the BIE share of COVID-19 Emergency Stabilization Fund support.

For example, the annual BIE budget justification to Congress routinely includes funding requests for construction, facilities, improvements, repairs, and employee housing for BIE elementary and secondary schools but consistently fails to include any request for TCU facilities, maintenance, or renovations. Congress and BIE have the ability to provide desperately needed infrastructure funding to TCUs through section 113 of the Tribally

Controlled Colleges and Universities Assistance Act, which authorizes a TCU facilities report and construction program (25 U.S.C. 1813). However, the program has *never* been funded in the 42 years since its enactment.

Additionally, the BIE FY 2021 budget justification includes a \$5 million request for broadband expansion to “support high-cost special fiber construction efforts and increased monthly circuit costs *for remaining schools without access*” (emphasis added) and upgrades “to recommended educational standards [100 mbps] to provide appropriate internet connectivity to keep pace with public schools” ([DOI FY 2021 Budget Justification, p.5](#)). As stated earlier, TCUs also experience similar barriers in obtaining affordable and consistent Internet connectivity, but the BIE has yet to include a TCU broadband funding requests in its annual budget justification. (Note: BIE K-12 elementary and secondary schools participate in the federal E-rate program, which provides discounted Internet service and equipment up to 90 percent. TCUs are not eligible to participate in this program.)

Similarly, on July 8, 2020, during a BIE virtual listening session regarding the distribution of \$153.75 million in CARES Act Education Stabilization Fund support, the BIE announced its plan to reserve 10 percent of the \$153.75 million fund for Bureau-directed activities (approximately \$15.375 million), \$5 million of which would be used to support “five BIE K-12 schools to bring them up to a minimum Internet service of 100 Mbps” (apparently disregarding the fact that four TCUs also have Internet speeds below 50 Mbps) and \$8 million to support mental/behavioral health at BIE K-12 schools; \$108 million would be provided directly to BIE K-12 schools (for a total of about \$121 million), and TCUs would receive \$30 million. This announcement is in complete disregard to the previous 2.5 virtual listening sessions and submitted comments regarding the distribution of BIE Education Stabilization Fund support: during the listening session and in subsequent written comments, the overwhelming majority of participants – and virtually all Tribal leaders who spoke – requested that the funding be apportioned between K-12 schools and the TCUs equitably, based on the percentage of students, which would be a split of roughly 60-40 percent, or \$103 million for K-12 schools and \$50 million for TCUs. While every school and community is facing challenges as we work to provide services supporting learning during this pandemic, we are extremely disappointed in the BIE’s decision to exclude TCUs from BIE-led emergency support initiatives and to disregard repeated calls for equity in funding.¹

While the entire BIE system has been chronically underfunded, the ongoing global pandemic has intensified to the need for long-term investment in IT infrastructure for TCUs and BIE K-12 schools. To address these issues, Congress recently passed the Great American Outdoors Act (H.R. 1957) which includes funding for the BIE. The forthcoming National Parks and Public Land Legacy Restoration Fund includes funding for “priority deferred maintenance projects” at Bureau of Indian Education schools (5 percent of the fund). AIHEC strongly

¹ The Historically Black Colleges and Universities Preservation Building Fund (54 U.S.C. 302101) is another example of TCU exclusion by DOI. Despite DOI’s treaty and trust obligations and failure to support TCU infrastructure, DOI provides grant funding to HBCUs to document, preserve, and stabilize historic structures on HBCU campuses. Since program inception in 1988, DOI has awarded over \$60 million to HBCUs to assist in repairing historic buildings. No similar funding has been provided to TCUs, even though TCUs – including Haskell Indian Nations University, which the BIE/DOI owns and operates -- have historic structures on their campuses.

recommends that DOI and BIE develop a plan to equitably include TCUs in this fund and future budget requests; otherwise, TCUs will continue to be neglected.

6. **Increase BIE Share of the Education Stabilization Fund to at least 1 percent and Specify TCUs as Beneficiaries, Along with Elementary and Secondary Schools:** Through the CARES Act “one half of one percent” was provided to the BIE for “programs operated and funded” by the BIE. We recommend the following clarifications for any funding under the Education Stabilization Fund, established in the CARES Act:
 - **Increase funding for BIE to at least 1 (one) Percent:** Combined with historical and chronic underfunding, students at BIE schools, including TCUs, have been impacted more profoundly than any other students in the country. To provide better support for all students at BIE schools, including TCUs, and help more schools open in the fall, additional support is need.
 - **Specify BIE K-12 schools AND Tribal College and Universities as funding recipients; require equitable distribution between BIE K-12 schools and TCUs based on students served:** As evidenced with the CARES Act-BIE Education Stabilization Fund, if Congress does not include direct and specific language to fund the TCUs, DOI may not provide funding to TCUs, or will under-fund TCUs for arbitrary reasons. Because the CARES Act did not specify a distribution formula between BIE K-12 schools and TCUs for the \$153 million BIE Education Stabilization Fund, Department of Education (ED) staff first recommended that TCUs receive *no* funding under this fund. DOI and ED then decided to conduct several tribal consultation sessions about this funding, which further delayed the release of funds. Three months after the enactment of the CARES Act, BIE released only 20 percent of the fund to TCUs, while the rest was used for BIE K-12 schools and other BIE contracts. **It is important to note that of the overall BIE student count, TCUs serve 40.84 percent and K-12 schools serve 59.15 percent.** Based on this experience, we are fearful that without a specific directive to include TCUs *with a requirement to equitably distribute funds based on the number of students served*, DOI and ED will exclude or reduce funding for TCUs in future relief aid.
7. **Provide 10 percent for TCUs from any Department of Education Minority Serving Institution (MSI) Education Stabilization Fund/ Emergency Education Relief Fund:** Under the CARES Act, Congress provided 7.5 percent of the Higher Education Emergency Relief Fund for TCUs, HBCUs, HSIs, other minority-serving institutions and other institutions funded under Title III, Title I, and Title VII of the Higher Education Act. This funding totaled approximately \$1.046 billion. Congress allocated this funding to each institutional category according to the percentage allocated in FY 2020 appropriations. Using this allocation method limited TCUs to **5 percent** of the MSI Fund, which resulted in \$50.469 million to be split among 35 TCUs. While the overall funding made available to the MSI community was sizeable, allocation of funding among MSI categories based on FY 2020 appropriations further perpetuates the inequitable funding of TCUs. **TCUs need at least 10 percent** to support pandemic-related needs and to partially account for past inequities and the growth of new TCUs over the past 10 years. (Chronic inequities in funding *cannot* be addressed using formulas that helped create the inequities in the first place.)

CARES ACT FUNDING				
Institutions	Total Number of Institutions or Students	BIE Funding	ED Funding	Total CARES Act
TCUs	35 TCUs 31,767 AI/AN Students	\$69 million Fund: \$22.9 M BIE ESF: \$30.7 M BIE Total: \$53.6 M	MSI-TCU Fund: \$50.47 M 90 Percent Fund: \$13.55 M ED Total : \$64.0M	\$117.6 M
BIE K-12	46,000 AI/AN Students	\$69 million Fund: \$ 47 M BIE ESF: \$121 M BIE Total: \$167 M	NA	\$167 M
HBCUs	99 HBCUs	NA	MSI-TCU Fund: \$577.59 M 90 Percent Fund: \$352.91 M ED Total: \$1.11 B	\$1.11 Billion
Non-Tribal "Native Serving" Colleges (10 percent of self-reported students)	29 State/Private Colleges	NA	MSI-NASNTI: \$ 6.12 M 90% Fund: \$54.98 M ED Total: \$61.1 M	At least \$61.1M, unsure of State ESF support

8. Department of Education Stabilization Fund/Education Emergency Relief Fund vs. BIE Direct Supplemental: AIHEC Recommends Funding from *Both* ED and BIE Due to Inequities: Both agencies should provide funding to TCUs, as illustrated in the chart above. As federal agencies, treaty and trust obligations apply to *both* departments. Both must be held accountable in their support of tribal sovereignty regarding both K-12 and higher education. The federal government has neglected and historically underfunded American Indian and Alaska Native education, particularly higher education, and both funding sources should be provided, particularly during the national pandemic. While most public institutions of higher education receive funding from both state and federal sources, TCUs do not receive funding from states. TCUs rely on the BIE for operating funding. For these reasons, we recommend that TCU funding be provided through both vehicles: ED Education Stabilization Fund/Education Emergency Relief Fund and BIE direct support.

Thank you for the opportunity to provide testimony today. We look forward to continuing to work with the Senate Committee on Indian Affairs in the coming weeks and months, as we strive to safely reopen our schools, communities, and the entire nation.

AIHEC APPENDIX A:

Tribal Colleges and Universities Information Technology and Cyberinfrastructure Needs

The American Indian Higher Education Consortium (AIHEC) was awarded a grant in 2017 from the National Science Foundation to conduct a detailed study of the information technology and cyberinfrastructure systems at the nation's 37 Tribal Colleges and Universities. The *Study of Tribal College and University Cyberinfrastructure (CI) and Supported STEM Programs* goals are to:

- a) conduct a comprehensive examination of the cyberinfrastructure of all 37 of the nation's Tribal Colleges and Universities and
- b) facilitate capacity-building at TCUs that will enable the colleges to participate in national CI-enabled research and education programs, which will significantly strengthen AI/AN participation in the national STEM workforce and bring STEM-based economic opportunities to AI/AN communities.

In fall 2017, AIHEC assembled a team of nationally-recognized higher education information technology (IT) professionals, including network engineers, chief information officers and systems specialists, to assist with the study. The technical lead is Dale Smith, University of Oregon network engineer. The management lead is Jim Bottum, retired Clemson University chief information officer. AIHEC partnered with EDUCAUSE, the nation's premier association of higher education Information technology professionals to conduct a survey of the current status of TCU information technology (IT) and cyberinfrastructure (CI) systems. Twenty-four TCUs participated in the AIHEC IT EDUCAUSE survey. Over the past two years, the AIHEC IT/CI team conducted in depth site visits and evaluations at 35 TCUs (site visits do not include the College of Menominee Nation and San Carlos Apache College).

Preliminary findings based on the AIHEC IT EDUCAUSE survey and AIHEC site visits include:

- TCUs average 336 Mbps Internet connectivity, with a maximum reported 1.06 Gbps, and minimum of 6 Mbps.
- Average TCU equipment replacement rate of 8.29 years; industry standard rates is 3-5 years
- While the colleges have made investments in Gigabit Ethernet, a number of the colleges continue to use old 10/100 Ethernet ports. Approximately one-third of responding TCUs have faster 10 Gigabit equipment installed.
- All TCUs have WiFi networks on their campuses. Many of the colleges are using outdated WiFi technology; approximately 15% are using current state of the art WiFi systems.
- Approximately 25% of the TCUs have not properly separated network servers from the rest of the campus network due to lack of funding, resulting in privacy compliance issues.

Current TCU Connectivity Speeds:

Many TCUs are paying connectivity rates that are significantly higher than the national average, and therefore cannot afford connectivity levels that are typical for 2-year and 4-year institutions nationally.

- Average connectivity based on 2015 National EDUCAUSE Survey of Institutions of Higher Education
 - AA/AS degree granting institutions: 513 Mbps
 - BA/BS degree granting institutions: 3.5 Gbps
 - MA/MS degree granting institutions: 3.3 Gbps
 - Average TCU campus connectivity: 336 Mbps
 - Maximum TCU Campus connectivity: 1.06 Gbps
 - Minimum TCU Campus Connectivity: 6 Mbps
 - Three TCUs reported a speed of 1,000 Mbps or better

Current TCU Connectivity Costs:

- Average TCU Internet Connectivity Cost: \$40,000 per year
 - Maximum expenses:
 - \$250,000 for per year for Ilisagvik College, single location
 - \$367,000 for per year for Diné College, includes 2 satellite locations
- Tohono O'odham Community College (Sells, AZ) pays \$70/Mbps per month, a monthly cost of \$3,500 for 50 Mbps service.
- The national average for a faster 1 Gbps is \$1,000 per month (based on the rate of \$1/Mbps per month).

Based on the AIHEC IT EDUCAUSE survey results, the TCU IT equipment replacement rates lags behind industry standard rates. For core devices such as firewalls, core switches, and routers, the average replacement rate at TCUs is 8.29 years. The industry standard replacement rates is between 3 to 5 years.

As many as 25% of TCUs have not properly separated their network servers from the rest of their campus network and may not meet the most basic compliance issues such as Payment Card Instruction compliance (credit card processing), Family and Educational Rights and Privacy Act compliance (protecting student information), and Gramm-Leach-Bliley Act compliance (student and consumer privacy).

Cost estimates

Enhanced Internet Access for students and faculty to teach and study remotely. TCUs are in isolated rural regions where most students lack access to Internet service at their homes. This category provides additional access locations on tribal lands and connection speed enhancements at all College campus locations.

1. **Internet Access at TCUs:** This estimate uses the average annual cost of \$40,000 for Internet connectivity.

Annual recurring cost of \$40,000 per year; cost x 37 Main TCU locations x 1 year = \$1.48M

Annual recurring cost of \$12,000 per year; cost x 35 TCU satellite locations x 1 year = \$420,000

2. **IT Equipment Improvements:** This includes network hardware upgrades to support higher speeds and additional Internet capacity at each location needed for online teaching and learning.

One time cost of \$20,000 per location; Cost x 72 campus locations = \$1.44M

Annual recurring cost of \$10,000 per year; cost x 72 locations x 1 year = \$720,000

3. **Public WiFi hot spot locations** distributed in locations on tribal lands to optimize student and faculty Internet access close to home. Intended primarily for individuals to access from their personal vehicles. Some of these hotspot sites will be served by point-to-point wireless, others by DSL or telecom provided Internet.

One-time cost of \$10,000 per location; Cost x 72 campus locations = \$720K;

Annual recurring cost of \$1,200/year/location; cost x 72 locations x 1 year = \$87K

4. **Building Staff and IT Administrative Capacity:** TCUs are challenged to maintain adequately staffed and trained IT departments. Current staff levels and skills sets much match the requirements of campus technology operations, maintenance and user community support. Funds will allow colleges to achieve adequate staffing and provide professional development in critical IT skills set needs.

Annual recurring cost of \$150,000 per year: cost x 37 locations x 1 years = \$5.55M

5. **Enterprise Resource Planning Systems:** Funds are needed to support annual licensing costs of the colleges' administrative systems and to provide regular training and technical support by the ERP provider to the campus user community.

Annual recurring cost of \$400,000 per year cost x 37 TCUs x 1 years = \$14.8M

Total: First Year Funding \$23,990,000
Recurring Annual Funding: \$21,577,000

2017-2018 AIHEC IT EDUCAUSE survey data summary

The EDUCAUSE survey was completed by 24 TCUs.

Information Technology Expenses

	Total IT Expenses	Staff Expense	Student Staff Expense
Average	\$484,088	\$245,997	\$1,007
Max	\$1,978,377	\$593,916	\$10,100
Min	\$120,064	\$70,590	\$0

Information Technology Staffing

	Full Time Staff	Student Staff*
Average	4.21	0.89
Max	12	8
Min	1	0

*Several TCUs employ students in their IT departments. Student employment can expand IT support resources in a cost-effective manner.

Size of Institution

	# Buildings on Main Campus	# of Branch Campuses
Average	12.78	2
Max	54	12
Min	2	0

National Research and Education Network

State/regional R&E Networks: State and regional networks provide access to the national network of research and education resources that are essential to the national STEM research enterprise. The Northern Tier Network is a regional research and education network serving the region within which most of the TCUs are located. As can be seen from the maps below, colleges, although some colleges are located relatively close to a network and with some investment in fiber or wireless technology to bridge the "last mile" would be able to connect, for most the distance and therefore cost of connecting is prohibitive for small under-resourced institutions. The benefits of participating in a state or regional network are many. A high level of cybersecurity, regular system upgrades that improve performance across the network, and most important, membership in a community of practice from which all TCU IT departments can benefit through access to a broad range of technical expertise and support.

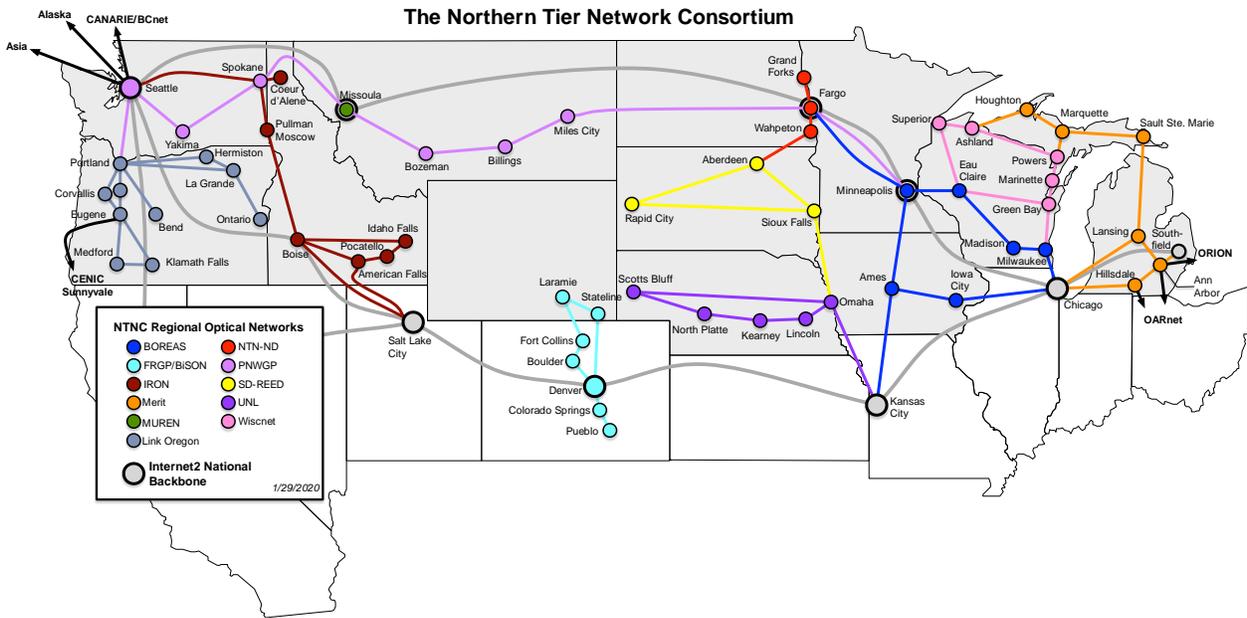


Figure 1.1. Geographical map of the Northern Tier Network Consortium as of 2020 (excluding Alaska).

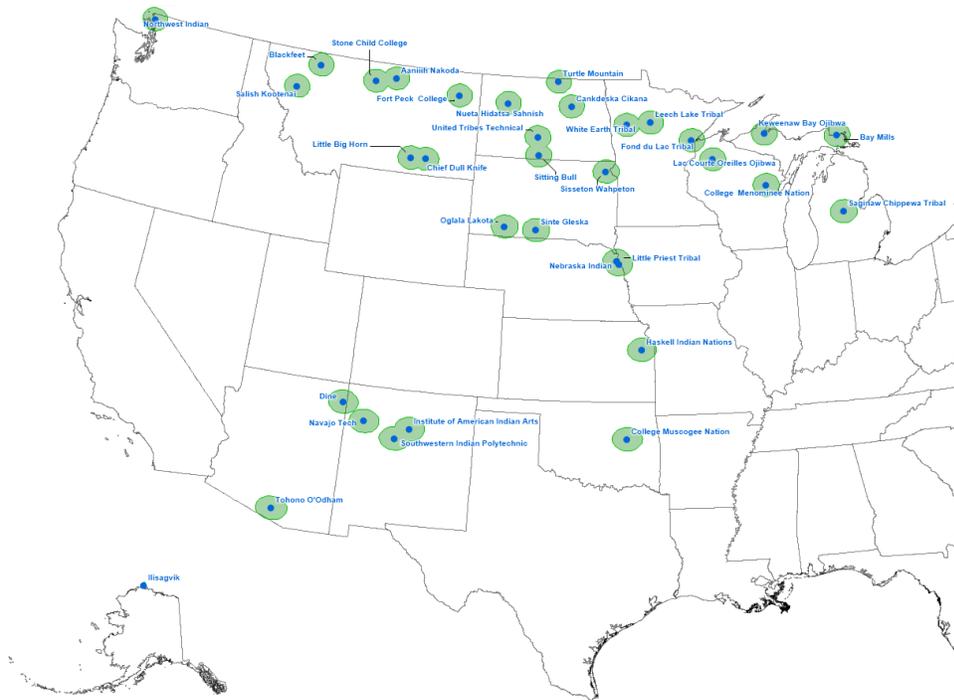


Figure 1.2. Tribal Colleges and Universities in the U.S. (AIHEC, 2018)

AIHEC APPENDIX B:

**Tribal College University Deferred Maintenance Master Plan Infrastructure Needs: 22 TCUs
July 2018, Reaffirmed/Updated: May 2020**

State	TCU Name	Top NEW Facility Needs	Estimated CURRENT Deferred Maintenance & Rehabilitation Needs	Campus Master Plan	TOTAL amount needed to fully achieve Campus Master Plan
AK	Iłisaġvik College	Entire new campus including classrooms, Labs, student center, dorm and family housing	\$0	Yes	\$175,000,000
AZ	Tohono O'odham Community College	Chemistry wet lab; dorms (32 beds now) for students who live 60+ miles away & lack transportation; Multi-purpose facility (faculty offices, student areas, cafeteria)	\$5,500,000	Yes, 2010 (reaffirmed, 2016)	\$25,000,000
KS	Haskell Indian Nations University	STEM Building (classrooms, labs) - \$20,578,199; Dorm - \$15,144, 928; Child Care Center - \$1,538,432	\$195,922,424	Yes	\$170,760,186
MI	Bay Mills Community College	Connector from classroom bldg. to Library	\$604,600	Yes	\$1,000,000
MI	Saginaw Chippewa TC	New Campus: classrooms, laboratories, student center, administration offices, faculty offices, library	\$0	Yes	\$32,000,000
MN	Fond du Lac T&CC	Classroom space with ITV capabilities, expansion to complete the original footprint of the building	\$10,000,000	Yes	\$25, 000,000
MN	Red Lake Nation College	Dorms/Student Housing	\$12,000,000	Yes	\$20,000,000
MN	Leech Lake Tribal College	Faculty Offices/Commons (Student Center)	\$7,000,000	Yes	\$75,000,000
MT	Aaniih Nakoda College	Student Center	\$20,000,000	Yes	\$12,000,000
MT	Chief Dull Knife College	Classrooms and Laboratories	\$5,780,165	Yes	\$39,490,557
MT	Fort Peck Community College	Health Center and Gymnasium	\$10,000,000	Yes	\$20,000,000
MT	Salish Kootenai College	Dorm (\$1.8M); Allied Health/Nursing Bldg (\$2M); STEM lab/facility (\$1.5M); Career/Tech Ed Bldg. (\$2M); Academic Support/Testing Center (\$1.5M)	\$12,000,000	Yes	\$18,000,000

State	TCU Name	Top NEW Facility Needs	Estimated CURRENT Deferred Maintenance & Rehabilitation Needs	Campus Master Plan	TOTAL amount needed to fully achieve Campus Master Plan
NE	Little Priest Tribal College	Dorms/Student Housing	\$0	In development	\$50,000,000
ND	Cankdeska Cikana C.C.	Student/faculty housing: \$5-12,000,000	\$500,000	Yes	\$12,000,000
ND/SD	Sitting Bull College	Cafeteria and Wellness Center	\$500,000	Yes	\$30,000,000
OK	College of the Muscogee Nation	STEM Classrooms	\$8,000,000	Yes	\$21,000,000
SD	Oglala Lakota College	New Instructional Center at Pejuta Haka; New Road to lower dust at Kyle Head Start; 4 Buildings for Early Head Start Centers; Head Start Administration and Garage Building; Faculty Housing	\$8,000,000	Yes	\$12,000,000
SD	Sinte Gleska University	Student and faculty housing	\$15,000,000	No	unsure
SD	Sisseton Wahpeton	Voc-Tech Bldg for Auto, Diesel, Ag Mechanics w/bays & Classrooms; Dorms; Gym/PE Facility	\$0	Yes	\$7,700,000
WA	Northwest Indian College	Workforce Training Bldg; Health and Wellness Center/Gymnasium; Administration Bldg	\$15,000,000	Yes	\$25,000,000
WI	College of Menominee Nation	Dorms; Visiting Faculty Housing; Student & Wellness Center; Classrooms	\$1,200,000	(needs updating)	\$12,000,000
WI	Lac Courte Oreilles Ojibwa C.C.	Dorms	\$6,078,000	In development	
TOTAL: Deferred Maintenance and Rehabilitation Needs:			\$332,480,589		
TOTAL: Master Plan Completion:			\$557,950,743		