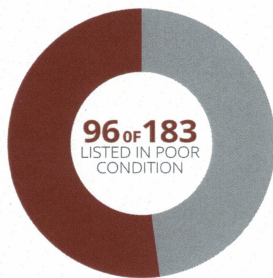


The Need for Funding for Construction and Repair of BIE Schools and Public Schools in Native Communities



The facilities for Native students attending Bureau of Indian Education (BIE) schools and public schools on and near Indian lands are unacceptable. Student health and safety is jeopardized by rodent-infested buildings, roofs that collapse under snowfall, and failing temperature control systems.



96 BIE schools have been identified as in poor condition out of the 183 BIE schools and dormitories located in 23 states.

Public schools on or near tribal lands also are often in poor condition and face significant barriers in school construction: federal law prohibits the collection of property taxes on Indian lands, limiting public funding options for construction.

The Scope of Need: Funding School Construction in Native Communities

BIE schools and public schools that serve high Native student populations are in need of over \$14.3 billion in repairs and construction.¹ In 2016, the BIE named the top 10 schools for replacement, identifying \$649 million in urgently needed repairs and construction. A Government Accountability Office (GAO) report later that year found that at least

\$1.3 billion is required to fully address current needs for construction, maintenance, and repair in BIE schools. In addition to the need in BIE schools, a 2017 study from the National Association of Federally Impacted Schools shows that federally impacted public schools need \$4.2 billion to address the most urgent construction issues and \$13 billion to fully repair and build necessary facilities.²

Estimated cost to fully repair and replace necessary facilities in Native communities: \$14.3 billion.

Native Communities Do Not Have Equal Opportunity to Meet Facility Needs

Low budgets for school construction present a unique and immediate problem for schools on and near Indian lands that have no local tax base structure. BIE schools and public schools that serve high Native student populations rely on federal funding to build and repair facilities. On average, only 0.2% of school construction funding comes from federal appropriations.³ As a result, BIE schools and public schools that serve high Native student populations do not have access to the 99.8% of school construction funding that comes from state and local governments.

Unique Challenges to School Facilities for Native Students

Opportunities for construction are also impacted by the school's location. In many tribal communities, rural isolation and high rates of low-income students create significant challenges for schools that need to fix, replace, or expand existing facilities. Rural schools face the highest rates of inadequate broadband and safety features, including faulty or nonexistent sprinklers, fire alarms, and smoke detectors.⁴

Implications for Native Students in BIE schools

Schools in the BIE system are woefully outdated and, in some cases, dangerous for students and staff. For BIE schools, the 2016 School Replacement List tells the story: To be considered eligible for replacement, BIE schools must be at least 50 years old and educate over 75 percent of students in portable facilities. These criteria are unacceptable. The status of schools on this list demonstrates a failure to fulfill the federal trust responsibility, contributing to the barriers that face Native students seeking to reach their fullest potential academically and in life.

The Opportunity: Investments in Native Education

Better school buildings lead to improved conditions for learning, academic outcomes, and student achievement. Through improved student outcomes, school construction provides long term investments in better economic growth. In 2008, the Gross Domestic Product of the U.S. would have been half a trillion dollars higher, or roughly 3 to 5 percent of the United States' economic output if the gap between low-income students and their peers had already been narrowed.⁵

The Federal Trust Responsibility for Native Students

Since its inception, the National Indian Education Association's (NIEA) work has centered on reversing negative trends within Native education, a feat that is possible only if the federal government upholds its trust responsibility to tribes. Established through treaties, federal law, and U.S. Supreme Court decisions, this relationship includes a fiduciary obligation to provide parity in access and equal resources to all American Indian and Alaska Native students, regardless of where they attend school. Congress must uphold the federal trust responsibility. Doing so means fully funding Native education programs and construction for schools that serve Native students.

Endnotes

¹ BIA'S Top 10 List at <https://www.bia.gov/WhoWeAre/AS-IA/OFECCR/index.htm> accessed August 4, 2017.

² "Foundations for Learning: The Facilities Needs of Federally Impacted Schools," National Association of Federally Impacted Schools (August 2017).

³ Of the \$1.26 trillion in K-12 capital outlays—funds to build and rebuild schools—between 1994 and 2013, about 81 percent came from local sources, and 19 percent came from the states. See Filardo, Mary, "2016 State of Our Schools: America's K-12 Facilities," 21st Century School fund, Washington, DC (2016). <https://kapost-files-prod.s3.amazonaws.com/publis hed/56f02c3d626415b792000008/2016-state-of-our-schools-report.pdf?kui=wo7vkgV0wWOLGSjxek0N5A>

⁴ Alexander, Debbie, Laurie Lewis, and John Ralph, "Condition of America's Public School Facilities: 2012-13" National Center for Education Statistics (March 2014) <https://nces.ed.gov/pubs2014/2014022.pdf>

⁵ "The Economic Impact of the Achievement Gap in America's Schools," McKinsey and Company (April 2009) http://dropoutprevention.org/wp-content/uploads/2015/07/ACHIEVEMENT_GAP_REPORT_20090512.pdf

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