



NATIONAL INDIAN EDUCATION ASSOCIATION

NATIVE EDUCATION APPROPRIATIONS

Rooted in treaties between Tribal Nations and the federal government, the US Constitution, and decades of legal precedent, Congress has a direct fiduciary responsibility to provide federal funding that supports Native students. Due to the complex nature of competing interests with states for taxation authority, Tribal governments do not collect tax revenue which elevates the federal responsibility to provide resources for Native education. Native students must have access to the funding and services necessary to thrive.

Native Education

Nearly 48,000 Native students across the country are enrolled in schools run by the Bureau of Indian Education (BIE) or Tribally Controlled Schools which were originally intended to fulfill the federal governments trust and treaty responsibility to Native education. Today, ninety-three percent of American Indian, Alaska Native, and Native Hawaiian students across the United States attend public schools. The federal trust responsibility extends to these students as well.

Due to the underfunded, rural, and remote nature of Native communities, Native students often do not have access to high-quality culture-based education options that provide opportunities to thrive. Safe and healthy classrooms that center language and culture are essential to success in education for Native students across the nation. From early childhood through postsecondary education, Native students must have access to programs and resources that provide them the best chances for the future.

Appropriations Request

NIEA partners with Tribal Nations, Native educators, students, and allies to ensure funding for Native education throughout the country. Considering the current economic situation, it is more important than ever to have a diverse workforce that is prepared to develop the American economy at every level. Tribal Nations represent one of the largest economic forces in rural and remote areas and are in dire need of additional support to educate their future workforces. An educated citizenry has the potential to boost tribal economic productivity and growth through a more skilled and competitive workforce, which can attract new businesses, reduce rampant unemployment, stimulate tribal economies, and foster entrepreneurial endeavors that enable tribal citizens to become more self-sufficient.

Full funding for all Native-serving institutions is essential to ensuring that Native students have access to the resources they need to thrive in the modern world. To give tribal nations the necessary foundation for economic success and prosperity, the federal government must live up to its trust and treaty responsibilities by adequately supporting a quality education for Native people and strengthening education sovereignty. Only through full funding of Native education and complete support for Tribal Self-Determination will our students find to find culturally relevant, high-quality education, from increased funding for facilities to Native language programs to culture-based mental and behavioral health services.

Fiscal Year 2025

NIEA urges Congress to pass an appropriations bill that fully funds the Bureau of Indian Education and other programs that serve Native students to ensure that educational services and programs in Native communities remain uninterrupted. For the Department of the Interior, NIEA urges Congress to include Mandatory Appropriations for the Bureau of Indian Education (BIE), alongside the provisions for the Indian Health Service. The priorities below are items NIEA has identified as critically important for consideration of FY 2025 funding. They are not a complete list, but they are worth highlighting as important:

DEPARTMENT OF THE INTERIOR

*Numbers based on Tribal Interior Budget Council FY 2025 Budget Submission

- **Provide \$950 million for ISEP Formula Funds.**

These funds provide the core budget account for BIE elementary and secondary schools by covering salaries for teachers, aides, principals, and other personnel. Indian School Equalization Program (ISEP) funds are often reallocated to cover the program cuts in other areas of education. ISEP must have adequate funding to ensure all program needs are fulfilled and must not be reduced to provide funds for new initiatives that have not been vetted by tribal nations.

- **Provide \$10 million for Tribal Education Departments.**

Tribal Education Departments and Agencies (TEDs/TEAs) are responsible for administering and implementing education priorities of Tribal Nations and are equal partners with state and federal education entities serving Native students. However, as Tribal Nations lack parity with states, local governments, and the federal government within the tax code, TEDs and TEAs do not receive tax revenue to fund their programs. Instead, TEDs and TEAs use Tribal Education Department Funding under BIE.

- **Provide \$114.5 million for Tribal Grant Support Costs and provide funding as mandatory appropriations.**

Tribal Grant Support Costs fund the administrative costs of existing tribally operated schools and are required to be covered by the federal government. It is critical that tribal governments are funded at the same level as the federal government when they exercise self-governance and tribal control over education programs by allocating funding for administrative costs such as accounting, payroll, and other legal requirements. If these are not covered, the BIE must move discretionary funding to cover these costs.

- **Provide \$109 million for BIE facilities operations.**

- **Provide \$100 million for BIE facilities maintenance.**

BIE schools use *facilities operations* funding for costs such as electricity, heating fuels, communications, vehicle rentals, custodial services, and other operating expenses. For years, schools have only received roughly 70 percent of funding needed for these expenses.

BIE schools use *facilities maintenance* funding for both preventative and routine upkeep, as well as for unscheduled maintenance of school buildings, grounds, and utility systems. Underfunding of maintenance continues to be an issue as buildings are in poor conditions and cannot maintain proper standards. In 2019 DOI's Assistant Secretary for Management testified before the House Committee on Appropriations that the total identified deferred maintenance for education facilities and education quarters was \$725 million.

- **Provide \$430 million for education construction.**

The Department of Interior has estimated that more than \$639 million would be needed to fix only the most pressing deferred maintenance issues for BIE schools. Beyond this it will take over an estimated \$1 billion to cover all the associated costs for Replacement School Construction, Replacement Facility Construction,

Replacement/New Employee Housing, Employee Housing Repair, and Facilities Improvement & Repair, to bring BIE schools up to a quality which would be considered adequate for the federal education trust responsibility.

- **Provide \$55.2 million for the Johnson O'Malley (JOM) Program (TPA)**

The JOM program has supplemented basic student needs since 1934. It is currently being used in innovative ways to assist with the unique educational needs of Native students in public schools. In 1995 the federal government allocated \$98 per student in JOM funding in 1995. In today's dollars, factoring in inflation, that would equate to \$195 per student. It would take additional funds of *at least* \$230 million to fully address this drastic disparity. That investment has steadily declined, while this funding oftentimes remains the only source through which Native students in public schools can engage in basic cultural education activities.

DEPARTMENT OF EDUCATION

- **Provide \$198 million for Formula Grants to Local Education Agencies (ESSA Title VI, Part A, Subpart 1).**

Through grants for the unique culturally relevant academic needs of Native students, funds under this program are used for academic enrichment, professional development, basic cultural awareness, and instruction for student achievement. These funds specifically support additional education funds for schools that serve a large number or percentage of Native students and their uses are determined on a local level by the LEAs.

- **Provide \$76.6 million for Special Programs for Indian Children (ESSA Title VI, Part A, Subpart 2).**

This program addresses the critical issues of teacher shortages, evidence-based work at the state and local level, and locally driven strategies to empower Native youth. These professional development grants are essential to improving teaching in rural communities.

- **Provide \$20 million for Indian Education – National Activities (ESSA Title VI, Part A, Subpart 3).**

*and add specific line items into the appropriations bill separating these programs and provide funding under Title VI, Part A for program administration

- *Provide \$5 million for Grants to Tribes – Tribal Education Agencies*

The funding under this program was initially allocated to ensure funding for Tribal Education Agencies and Departments which do not have tribally controlled schools, and therefore do not receive funding for their agencies from the Bureau of Indian Education funding. This funding has pivoted to another, equally important program, the STEP program which covers a different portion of the congressional intent.

- *Provide \$5 million for Grants to Tribes – State-Tribal Education Partnerships (Section 6132).*

The State-Tribal Education Partnership Program (STEP) program is Congress's recognition of the call for tribal leadership in education. In 2016 and 2017, Congress appropriated roughly \$2 million dollars for the STEP program to five participating tribal nations under the Tribal Education Departments appropriations. For tribal control of education to continue to succeed, the program should be funded at \$5 million in appropriations in FY 2025. Under ESSA, state, tribal, and local control is the clear trend. Funding STEP is a critical extension of the principle of local self-governance and sovereignty.

- *Provide \$7 million for Native Language Immersion Schools and Programs (Section 6133).*

This funding ensures Native languages as an option for the medium of instruction where Native communities have the capacity and desire to engage in immersion instruction. Funding for

immersion programs is critical to furthering the federal government's commitment to improving the educational outcomes of American Indian and Alaska Native students.

- *Provide \$3 million for Native American Language Resource Centers (Section 6133).*

The Native American Language Resource Center program was established in the explanatory statement accompanying the Department of Education Appropriations Act for Fiscal Year 2022 and has since been expanded into full implementation through the Native American Language Resource Center Act and requires continued annual appropriations to support the implementation.

- ***Provide \$2 million for Indian Education – Federal Administration with a specific line item for the National Advisory Council on Indian Education (ESSA Title VI, Part A, Subpart 4)***

The Federal Administration Support ensures representation across the Department of Education for the needs of Native Students. The National Advisory Council on Indian Education (NACIE) is a congressionally mandated advisory council but is currently unfunded. Instead, the cost of administration and travel is covered by other offices' discretionary funding accounts. In order for both the Department of Education to fund proper staffing to administer all programs for Native students and for NACIE to be as effective as congressionally intended, it is necessary that NACIE maintain their own line item in order to ensure their funding for technical assistance and regular convenings is protected.

- ***Provide \$47.9 million for Education for Native Hawaiians (ESSA Title VI, Part B)***

This grant program funds the development of curricula and education programs that address the unique needs of Native Hawaiian students to help bring equity to this population. The Native Hawaiian Education Program empowers innovative, culturally appropriate programs to enhance the quality of education for Native Hawaiians. These programs strengthen the Native Hawaiian culture and improve educational attainment, both of which are correlated with positive economic outcomes.

- ***Provide \$47.9 million for the Alaska Native Education Equity (Title VI, Part C)***

An increase is needed as this assistance program funds the development of curricula and education programs that address the unique educational needs of Alaska Native students, as well as the development and operation of student enrichment programs in science and mathematics. This funding is crucial to closing the gap between Alaska Native students and their non-Native peers, as eligible activities include professional development for educators, activities carried out through Even Start Programs and Head Start programs, family literacy services, and dropout prevention programs.

- ***Provide \$3 billion for Impact Aid and provide forward funding***

Impact Aid provides direct payments to public school districts as reimbursement for the loss of traditional property taxes due to a federal presence or activity, including the existence of an Indian reservation. With nearly 93 percent of Native students enrolled in public schools, Impact Aid provides essential funding for schools serving Native students. The Impact Aid Program provides support to Local Education Agencies (LEAs) for the loss of traditional property taxes due to federally owned properties, including non-taxable Native land. The program has not been fully funded since the 1960s, this particularly burdens those LEAs on or near Native lands in rural and remote areas.

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