

**EXAMINING THE COVID-19 RESPONSE IN NATIVE
COMMUNITIES: NATIVE EDUCATION SYSTEMS
ONE YEAR LATER**

HEARING

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS

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**EXAMINING THE COVID-19 RESPONSE IN
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WEDNESDAY, APRIL 28, 2021

U.S. SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:37 p.m. in room 628, Dirksen Senate Office Building, Hon. Brian Schatz, Chairman of the Committee, presiding.

**OPENING STATEMENT OF HON. BRIAN SCHATZ,
U.S. SENATOR FROM HAWAII**

The CHAIRMAN. Good afternoon. This hearing will come to order. Before we get started, I would just like to acknowledge that this is the first time chairing a hearing that I am not wearing a mask. It feels great. I have been vaccinated; the people in this room have been vaccinated. These are the among the freedoms that you get back if you have been vaccinated and waited the full period to achieve your immunity.

So to business. Nine months ago, this Committee examined the Bureau of Indian Education's COVID-19 response and the administration of COVID-19 relief funds. This hearing will expand the conversation to include the voices of Native school administrators, including principals from non-BIE schools.

For over a year, we have found ourselves navigating through unprecedented loss and change due to the coronavirus. In our schools, the pandemic has impacted learning and disrupted foundational support services for students across the Country. Congress responded by providing supplemental funding in the CARES Act to support schools and education programs in their COVID-19 response, including more than \$222 million for the BIE. The Fiscal Year 2021 Omnibus Funding Bill provided additional funding resources to help schools with their COVID needs.

But for many Native leaders, educators and school officials, critical Federal resources have been difficult to access or even non-existent. That is not acceptable, especially during a pandemic. The United States must fulfill its trust obligation to support Native-serving schools and provide comprehensive educational opportunities to American Indians, Alaska Natives and Native Hawaiians.

That is why this Committee worked to ensure President Biden's American Rescue Plan contained more than \$2.5 billion for Native

students, including the first dedicated funding for Native Hawaiian and Alaska Native education organizations to address their COVID related needs. Indeed, help is here.

Our Committee's work, however, must continue. During today's hearing we will explore lessons learned from COVID-19's impact on Native students and schools, underscore mental health and support services needs for Native students and their communities and examine Native schools' infrastructure priorities to improve school safety and enhance digital learning capabilities.

Before I turn to my Vice Chair, I would like to welcome Dr. Kamana and extend our thanks to our witnesses for joining us today. I look forward to hearing from each of you.

Vice Chair Murkowski.

**STATEMENT OF HON. LISA MURKOWSKI,
U.S. SENATOR FROM ALASKA**

Senator MURKOWSKI. Thank you, Mr. Chairman. Yake'i ixw sateeni, which in Tlingit means "it is good to see you." I will be corrected by my Tlingit friends.

Today we are going to hear from our witnesses on a very important issue to American Indians, Alaska Native communities. That is the focus that we have today, on education. Education is one of the greatest tools I think we have to achieve opportunity and success. It is why so many communities place such high importance on ensuring that we have high quality, culturally relevant education that prepares young people to achieve their highest potential.

The COVID-19 pandemic has created real uncertainty for our Country and the education system has not escaped the impacts. Many tribes and States have had to develop and implement protocols to ensure that our young people continue their education while navigating the COVID new normal.

The BIE and the U.S. Department of Education are responsible for working with tribes to ensure that American Indian and Alaska Native youth are equipped for the skills and knowledge necessary to prepare them to meet the challenges. According to BIE, there are 183 bureau-funded elementary and secondary schools located on or near 64 reservations across 23 States. This is approximately 42,000 Indian students. I would note that we don't have any of these BIE schools in Alaska.

BIE is also responsible for serving and providing resources to 26 of the 32 fully-accredited tribal colleges and universities. This includes Ilisagvik in Barrow. The college describes itself as being unapologetically Inupiaq, which the school defines as exercising the sovereign inherent freedom to educate our community through and supported by our Inupiaq world view, values, knowledge, and protocols.

When you think about that, the saying really describes well the philosophy of self-determination and local control that many tribal schools adopt throughout Indian Country.

In June of last year, I was pleased to see that Assistant Secretary of Indian Affairs, Tara Sweeney, announced a series of consultation sessions to discuss proposed Department of Interior guidance for the reopening of BIE schools. This action by the Depart-

ment reflected a recognition of the importance of working on a government-to-government basis with tribes.

So I am looking forward to hearing from Director Dearman on how those consultation sessions went, what the Department is doing to incorporate the comments and recommendations that they received during the consultations.

Finally, I look forward to hearing from the department of Interior on how they are using the resources that Congress appropriated to the BIE to assist in COVID related response and the mitigation efforts at our tribal schools. Mr. Chairman, you have noted that through the CARES Act, Congress, appropriated \$69 million directly to the BIE, an additional \$153 million through DOE's education stabilization fund, and in December, Congress provided further \$819 million for outlying areas and BIE operated and funded schools and tribal colleges and universities through the coronavirus response and relief supplemental.

Recently, then, in the American Rescue Plan Act, Congress appropriated an additional \$850 million to the BIE and \$190 million for the BIE through Department of Education to assist on COVID related activities. So resource are out there. Our job, our role, our responsibility is to understand where and how and what more we might be able to do in terms of exercising oversight.

I thank our witnesses for participating today and look forward to their comments and our opportunities to question. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Vice Chair Murkowski.

I would like to turn it over to Senator Cortez Masto to introduce the testifier from Nevada.

**STATEMENT OF HON. CATHERINE CORTEZ MASTO,
U.S. SENATOR FROM NEVADA**

Senator CORTEZ MASTO. Thank you, Mr. Chairman. Thank you, Ranking Member, I appreciate your calling the hearing on this important topic. And thank you to all of the witnesses for being here today. I am eager to hear from all of you about what lessons we can learn from the past year, as we reopen our schools.

I am especially excited to have before us today Mr. Lance West. Mr. West is the principal of Schurz Elementary School in Mineral County, Nevada, a school that sits on the Walker River Paiute Reservation and serves predominantly Native students. He is also vice chairman of the Pyramid Lake School Board, and that is a BIE school in northern Nevada.

Mr. West taught across Nevada for 17 years in Reno, McDermitt and Spring Creek, before he returned to his home in Schurz to serve as principal of the Schurz Elementary School. He has a passion for improving education for Native students, you are going to hear that today, and a breadth of experience as both an educator and administrator. I am so proud to have him here to provide his testimony on how we can improve Native education in Nevada and across the Country. Welcome, Mr. West.

The CHAIRMAN. Thank you, Senator Cortez Masto.

Now to Senator Hoeven to introduce a testifier from his home State.

He is not on the line right now. We will do that later.

Let me turn to the witnesses. First, we have Ms. Melissa Emrey-Arras, Director of Education-Workforce-Income Security Issues at GAO; Mr. Tony Dearman, the Director of the Bureau of Indian Education; Mr. Lance West, Principal at Schurz Elementary School, Vice Chairman, Pyramid Lake Junior/Senior School Board of Education in Pyramid Lake, Nevada; Dr. Kauanoë Kamana, the Principal of Nawahi on the Big Island, Hawaii Island; and Dr. Michelle Thomas, the Superintendent of Belcourt School District, in Belcourt, North Dakota.

I want to remind our witnesses that your full written testimony will be made part of the official hearing record. Please keep your statement to no more than five minutes. We do have a vote starting in about 45 minutes. We have some flexibility; but to the extent that our testifiers can constrain their remarks to five minutes, that would be very, very helpful.

Ms. EMBREY-ARRAS. you may begin.

**STATEMENT OF MELISSA EMREY-ARRAS, DIRECTOR,
EDUCATION, WORKFORCE, AND INCOME SECURITY ISSUES,
GOVERNMENT ACCOUNTABILITY OFFICE**

Ms. EMBREY-ARRAS. Thank you, Chair Schatz, Vice Chair Murkowski, and members of the Committee.

I am pleased to be here today to discuss GAO's review of distance learning at BIE schools during the pandemic. I will focus my remarks on two issues. One, the extent to which BIE has provided schools with distance learning guidance during the pandemic; and two, the extent to which students have had the technology they need for distance learning.

Beginning with a look at BIE's guidance, we found that BIE did not release comprehensive guidance for distance learning, despite most schools providing distance learning during the pandemic. In March of 2020, BIE issued a short memo including one page of guidelines. It directed schools to deliver flexible instruction and teach content. But it did not offer specific information on how to do so.

Later, in August of 2020, BIE issued a return to learn guide for the 2021 school year. The guide was primarily an in-person schooling guide and provided little information on distance learning. Although school officials we surveyed over the summer wanted information on how to develop distance learning programs to meet student learning needs, this information was not in the guide. Additionally, the guide provided few details on how schools could implement distance learning in areas without broadband.

Accordingly, we are recommending that BIE develop comprehensive guidance on distance learning to help schools both during the current pandemic and in the event of future school building closures.

Now, turning to whether students have the technology they need for distance learning, we found that BIE helped improve students' internet access, especially in remote and rural communities. For example, BIE and Interior's Acquisitions Division used CARES Act funds to distribute thousands of wi-fi hotspots to students enrolled at BIE-operated schools. In addition, BIE installed wi-fi on school

buses, and some schools parked these buses in remote tribal communities to serve as internet hubs for students.

While BIE helped improve students' internet access, we found that most students at BIE-operated schools did not have laptops to access online distance learning for most of the fall. Interior experienced delays with ordering laptops, receiving them, and distributing them to students. In terms of ordering laptops, Interior officials did not order the majority of laptops for BIE-operated schools until September of 2020. The order was delayed because officials lacked accurate, up to date information on schools' IT needs, and didn't know initially how many laptops were needed.

Accordingly, we are recommending that Interior implement procedures for collecting timely information on BIE-operated schools' IT needs. This will help ensure BIE students have the technology they need now as well as in the future. This is especially important, given that BIE schools will be integrating technology into their everyday curricula.

After the delayed laptop order, nationwide IT shortages also contributed to the delayed delivery of the laptops to the schools. None of the laptops were delivered to schools until more than one month after school began. Some deliveries were delayed until January 2021. As of the end of March, one school had not yet received laptops from the vendor.

BIE schools also experienced delays distributing the laptops to students. As of the end of December, over 80 percent of the laptops ordered in September had not been distributed to students. BIE officials said that a lack of IT expertise and staff capacity at schools contributed to these distribution delays. Interior officials noted that the agency was developing a workforce plan to support BIE's IT workforce needs.

In conclusion, we believe that BIE and Interior can do more to support distance learning both now and in the future. Implementing GAO's recommendations can help ensure that students continue to learn when school buildings are closed.

This completes my statement. I would be pleased to answer any questions you may have.

Thank you.

[The prepared statement of Ms. Emrey-Arras follows:]

PREPARED STATEMENT OF MELISSA EMREY-ARRAS, DIRECTOR, EDUCATION, WORKFORCE, AND INCOME SECURITY ISSUES, GOVERNMENT ACCOUNTABILITY OFFICE

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.¹ 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

¹ 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.

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.² 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.

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

²Pub. 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>.

students, according to agency officials.³ In addition to these annual funds, BIE also received more than \$220 million under the CARES Act.⁴ BIE used about 69 percent of these funds to support tribally controlled and bureau-operated schools' response to the 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.⁵

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.

The Deputy Assistant Secretary-Management

- 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 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.⁶

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.⁷ Similarly, there is a gap in broadband access between rural areas and rural tribal lands. FCC reported

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

⁴The 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.

⁵The 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.

⁶For the purposes of this statement, we refer to the Division of Acquisitions as Acquisitions.

⁷2020 *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).

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.⁸ However, as we have told this Committee, the manner in which FCC collected data for these estimates led to overstatements of fixed broadband availability on tribal lands.⁹

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.

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.¹⁰ For example, an estimated 70 percent of 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. Over a third of all BIE schools are located in Navajo Nation.

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.¹¹

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.

- BIE has participated in FCC's E-rate program,¹² providing BIE with additional funding to increase Internet bandwidth at schools.¹³ 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.¹⁴
- 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-

⁸ 2020 *Broadband Deployment Report*, 2020 WL 2013309 at 19 para. 47, FCC 20-50. For more information, see GAO-21-24.

⁹ 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).

¹⁰ 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.

¹¹ GAO-21-24.

¹² 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.: Sept. 16, 2020).

¹³ 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.

¹⁴ The National Broadband Availability Map, administered by the National Telecommunications and Information Administration, is a platform for sharing information compiled from federal, state, and commercially available data sources to better inform broadband projects and decisionmaking.

to-point coverage, and is currently used to provide broadband service by legacy educational licensees and commercial providers that lease the spectrum.

- 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.¹⁵
- The American Rescue Plan Act of 2021 appropriated more than \$7 billion for the establishment of an Emergency Connectivity Fund, for which FCC has the responsibility for distributing funding to eligible schools or libraries.¹⁶ 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.¹⁷ 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.¹⁸ 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.¹⁹

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.²⁰

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 Na-

¹⁵ Federal Communications Commission, 2.5 GHz RURAL TRIBAL WINDOW, accessed Mar. 22, 2021, <https://www.fcc.gov/25-ghz-rural-tribal-window>.

¹⁶ Pub. L. No. 117-2, tit. III, sub. D, § 7402(c), 135 Stat. 4,109.

¹⁷ 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).

¹⁸ 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).

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

²⁰ 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.

tional 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.²¹ 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 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.²² 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. How-

²¹The 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.

²²Respondents 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.

ever, 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.

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.²³ 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.²⁴ 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.

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.²⁵ 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

²³ U.S. Department of the Interior, Bureau of Indian Education Communications Plan (Washington, D.C.: Sept. 2015).

²⁴ GAO, Standards for Internal Control in the Federal Government, GAO–14–704G (Washington, D.C.: Sept. 2014).

²⁵ 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.

hubs for Internet access for students and families.²⁶ BIE also provided CARES Act funds to tribally controlled schools, which allowed some schools to improve Wi-Fi access for students (see below).

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.²⁷ 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.²⁸

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.²⁹ 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.³⁰

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 early September had been delivered to schools, according to Interior information. In contrast, Acquisitions ordered laptops for two schools during spring 2020, each of which re-

²⁶In 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, 116th Cong. 4 (2020) statement of Tony L. Dearman, Director, Bureau of Indian Education.

²⁷U.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).

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

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

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

ceived laptops before the school year began.³¹ 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. As of the end of March 2021, one school still had not received 100 laptops from the vendor, according to Interior information.

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.³² 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.

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 decisionmaking.³³ 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.³⁴ 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 IT training. BIE officials stated in March 2021 that OIMT had contracted for an

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

³² 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.

³³ GAO-14-704G.

³⁴ U.S. Department of the Interior, *Bureau of Indian Education Strategic Direction 2018–2023*, (Washington, D.C.: Aug. 2018).

IT workforce assessment and was developing a workforce plan to support the IT needs of BIE in all its major IT functions.³⁵

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.³⁶ 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.

Conclusions

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, according to Interior information. 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.

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)

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.

The CHAIRMAN. Thank you very much.

Next, we have Mr. Tony Dearman, Director of the Bureau of Indian Education. Before you begin, I just wanted to note that Rule 4(b) of this Committee requires that testimony be submitted on

³⁵ 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.

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

time. It was late; and actually, our rule requires that you testify as to why this testimony was submitted late.

I will waive that in the interest of getting to the substance of the matter. But I will just note that we have had some difficulty as a committee getting information out of BIE. I would like to reset expectations, and not just comply with the letter of our rule and our procedures, but more generally be able to conduct oversight, which is going to require more responsiveness than we have seen in the past.

With that said, Mr. Dearman.

STATEMENT OF TONY L. DEARMAN, DIRECTOR, BUREAU OF INDIAN EDUCATION, U.S. DEPARTMENT OF THE INTERIOR

Mr. DEARMAN. Good afternoon, Chair, Vice Chair, Committee members. Thank you for the invitation to appear before you on behalf of the BIE.

As you can imagine, the pandemic caused many hardships to our tribal communities and our schools. BIE had its own personnel losses, with 9 school staff passing and nearly 200 COVID-19 cases reported. Please know that BIE, Indian Affairs, and the Department considers any single death as one too many, as we pay our respects to those lost and to their families.

BIE schools are operating in-person, hybrid and remote learning, guided by local decisions to keep students, educators, and communities safe. BIE school leaders and their staff dedicated themselves to ensure students had a scholastic environment to learn.

BIE agency staff worked hard with their schools, communities, States and tribal leaders to support local academic and behavioral needs of students and staff. They coordinated with tribes as they exercised their sovereign right to protect their people.

While BIE's goal has been and remains on-site learning to the extent it is safe, BIE is using the latest updated Department of Education and CDC guidance to inform school site reopening activities. The decision is made locally, at the school level, in coordination with our field staff, public health officials, alongside tribal governments, as we honor their sovereignty and decision-making authority.

To support our students and staff, with the geographic isolation of many BIE schools, we prioritized the need to bridge the gap in the internet connectivity and access to IT hardware to support distance learning. Our team works across Indian Affairs to support high-speed broadband access to all BIE school sites.

BIE ordered more than 8,000 hotspots and jet packs to provide internet for students at home, and supplied more than 10,000 laptops to school leaders to determine delivery to their students. Our goal is to support fully a full connectivity infrastructure in the communities we serve, as outlined under the President's American Jobs plan.

BIE is also working with a team to integrate a unified learning management system that will support long-term digital curriculum and our ability to implement our first-ever standards assessment and accountability system. Our entire team has worked to ensure that our BIE direct appropriations are helping schools and improving operations as effectively and efficiently as possible.

Of the [indiscernible] \$153 million of Department of Education CARES Act funding, more than 93 percent has been obligated. Sixty-seven .5 percent of the \$409 million in BIE funding through the second tranche of relief funds has also been obligated. Most recently, the American Rescue Plan provided an additional \$850 million to BIE, which was distributed this past week after consultation with tribes.

While technology and funding relief has been critical in supporting our schools locally, reopening our school sites safely also requires safe and modern school facilities. BIE coordinated with our Indian Affairs Public Health and Safety Program for a school reopening health and safety training summit over the past year. The program is also working with a third party to conduct school ventilation system assessments to provide recommendations for site improvement supported by COVID relief funds.

With 86 schools in poor condition, 44 are prioritized for action. However, 73 school projects remain unfunded. Funding is a key factor in our ability to provide modern, inspiring, and safe schools. Currently, the average cost of replacing a school in poor condition is \$62 million, putting the total cost of replacing BIE schools in poor condition at roughly \$4.5 billion.

I also want to note that during consultation in March, a tribal leader shared that tribes are deeply invested in educating our children, because we know our kids are the future community leaders, cultural protectors and language speakers. Unfortunately, COVID-19 has disproportionately affected our elder population, who are often the community's remaining Native speakers. This year, BIE awarded \$14 million in language immersion awards to 17 schools who are working to get funding distributed more efficiently to help schools conduct classes aimed at increasing Native language proficiency and support the cultural needs of our communities.

BIE has increased our employment from 43.6 percent filled in 2018 to a high of 70.3 filled in recent months. Staff also implemented the BIE's first ever standards assessment and accountability system to better align academic supports to the needs of our students and schools.

Thank you again for the invitation to appear today. I look forward to answering your questions.

[The prepared statement of Mr. Dearman follows:]

PREPARED STATEMENT OF TONY L. DEARMAN, DIRECTOR, BUREAU OF INDIAN
EDUCATION, U.S. DEPARTMENT OF THE INTERIOR

Good afternoon Chairman Schatz, Vice Chairman Murkowski, and Members of the Committee. Thank you for the invitation to appear again on behalf of the Bureau of Indian Education (BIE). I am glad to join you today to discuss the BIE regarding "Examining the COVID-19 Response in Native Communities: Native Education Systems One Year Later."

As you may know, COVID-19 death rates for Native people are disproportionately higher than for other demographic groups. BIE has had its own personnel losses from COVID-19 over the last year. So, please know that BIE, Indian Affairs, and Department of the Interior leadership considers any single death related to COVID-19 as one too many. I am also personally cognizant, from my own family experiences, that such loss can affect an entire school and local community, so BIE is working to provide personnel supports, where appropriate, as well as help our schools and staff as we all work to recover from the last year.

BIE career and school staff across the country also understand well the toll the pandemic has taken on our schools and communities as many work locally and have

experienced hardships alongside many of our students and school staff. As such, I want to acknowledge the faculty and staff we have lost to, or have been personally affected by, COVID-19. We pay our respects to those lost and to their families. We lost nine school staff members and tracked nearly 200 cases of COVID-19 to-date.

Our school leaders have dedicated themselves each day to ensure students have as normal a learning environment as possible as schools work to physically reopen their local sites. BIE staff across the organization are actively working with their schools, communities, states and tribal leaders to better understand local conditions as well as to address behavioral health and wellness needs of our students during these trying times.

Across the organization, BIE staff are working with tribal communities to ensure we emphasize collaboration among school administration, parents, staff, tribal leaders, and their communities. We respect tribal public health orders, we reaffirm our commitment to tribal sovereignty, and active and ongoing coordination helps us support our tribal, school and community leaders.

Student and School Support: COVID-19 Recovery

Through the pandemic, BIE has been, and continues to be, focused on supporting our students, schools, tribal communities, and stakeholders by meeting a broad range of challenges. BIE staff across the organization are dedicated to supporting the following priorities as a result of direct engagement and consultation with Indian Country over the last year, including:

- School Site Closures and School Year 2021–2022 Reopening Planning
- Mental and Behavioral Health Supports and IHS Coordination
- Student Connectivity and IT Infrastructure
- COVID-19 Relief Funding
- Native Language Supports

I also include several congressional recommendations that may assist with ensuring BIE is better situated to continue its support to our schools and students. We want to help increase parity among BIE students with their non-Native peers under these unique circumstances.

School Site Closures

As the COVID-19 pandemic spread, BIE and its Indian Affairs partners worked to transition school sites to remote learning operations as quickly and safely as possible. BIE worked to provide distance learning supports and critical services at the local level such as providing onsite school lunches where it was safe. When tribes requested additional support, such as at Navajo Nation, BIE worked with its partners across Indian Affairs to directly provide specific guidance that addressed the requests of the tribe and the needs of the local community. We did this collectively to protect our students, educators, staff and communities to the extent practicable during the quickly changing COVID-19 environment.

As part of the site closure work in the spring 2020, BIE used its emergency management (EM) team and its dedicated personnel with specific roles and responsibilities to support schools and address mitigation needs. Using the BIE chain of command, the EM team and support staff from BIE's School Operations Division provided dedicated support to schools and has continued that support. BIE leadership communicated specific points of contact for the field to improve BIE support to schools, such as providing additional personal protective equipment (PPE) or mitigation services for instances of COVID-19.

Today, BIE-funded school opening status is different from the initial onset of COVID-19. BIE is now using Department of Education (ED) and Centers for Disease Control and Prevention (CDC) reopening guidance¹ for our schools as they look to reopen activities and support the mix of students learning on-site, remotely, or through a hybrid model that combines distance and on-site learning. As has been the case throughout the pandemic, the goal remains to support on-site learning. This decision is made locally at the school level, in coordination with our field staff and public health officials, and alongside tribal governments as we honor their sovereignty and decisionmaking authority. The below statistics relate to the status of BIE-funded schools as of mid-April 2021. These numbers change weekly based on the priorities and direction of tribal governments and the needs of local commu-

¹Volume 1: *Strategies for Safely Reopening Elementary and Secondary Schools and COVID-19 Handbook*, Volume 2: *Roadmap to Reopening Safely and Meeting All Students' Needs*.

nities. BIE continues to support local and tribal coordination as BIE staff honors the best path forward to keep students and community members safe.

Bureau Operated Schools: Of the 22 Bureau Operated Schools, no schools are operating under a traditional, on-site classroom setting, while seven schools are operating with a hybrid learning model consisting of onsite and remote learning models. The remaining 15 schools are operating completely remotely using distance learning educational models to support educational continuity for students.

Tribally Controlled Schools: Of the 98 Tribally Controlled Schools, 15 schools are operating under a traditional, onsite classroom setting, while 32 schools are operating with a hybrid learning model consisting of onsite and remote learning models. The remaining 51 schools are operating completely remotely using distance learning educational models to support educational continuity for students.

BIE Navajo Schools: To adhere to local Tribal orders, of the 64 schools serving the Navajo Nation (both Bureau Operated and Tribally Controlled Schools), 62 schools are operating remotely using distance learning educational models to support educational continuity for students and one school site is now operating under a hybrid model. Richfield Residential Hall, a Tribally Controlled peripheral dormitory facility that supports a local public high school, is open for onsite services for Native youth.

School Year 2021–2022 Reopening Planning

BIE staff are working to address the needs of students who have been disrupted by the pandemic. BIE is determining the best means for assessing the gaps in learning due to the lack of traditional face-to-face instructional hours. As such, we plan to consult with tribes and stakeholders on May 4–5 regarding the extent to which BIE-funded schools can administer BIE’s assessments this year and whether BIE should request an assessment waiver from ED. BIE will also host school reopening consultations on May 10 for Grades K–12 and BIE residential facilities and May 11 for post-secondary institutions to determine if supplemental reopening guidance is needed due to the unique nature of our system. BIE staff is also working with schools to identify summer school options with eight tribally controlled schools and 17 Bureau Operated Schools that have plans to host summer school. BIE is implementing plans to expand operational capacity through BIE’s first-ever bureau-wide learning management system (LMS), which will align student data, communications, and curriculum for learning inside the classroom and in a remote environment interchangeably. We are also providing additional hotspots and other hardware, working across Indian Affairs to provide dedicated Information Technology (IT) support staff, and improving BIE’s IT infrastructure more broadly that will support BIE schools, students and families for years to come.

Through consultation with tribal leaders and stakeholders, BIE will work to identify gaps in existing ED and CDC reopening guidance respective to our unique education system, such as BIE’s residential facilities. As BIE staff gathers recommendations for reopening, they will work with schools to assist in the updating of locally and culturally responsive individual school reopening plans to prepare for the 2021–2022 school year. Further, BIE is partnering with states with high Native populations through our ED-funded comprehensive center to exchange best practices for reopening and also supporting school leaders by providing opportunities for cross-collaboration and professional development. Directives provided from Washington, DC must allow for local flexibility to be successful due to the unique local needs of tribes and BIE schools.

Mental and Behavioral Health Supports and IHS Coordination

The BIE, through the efforts of our Student Health Program Specialist, implemented the agency’s first-ever comprehensive behavioral health and wellness program to support those in need during and post-pandemic. The \$2.1 million proposal is providing behavioral health/crisis support services for students, families, and staff in Bureau-Operated and Tribally Controlled Schools as well as at the agency level to meet their unique and local needs presented as a result of the COVID–19 pandemic. The Student Health Program Specialist researched and met with other federal agencies before finalizing the proposal. The supports under the contract will work to address the following at a national level:

- The expansion of BIE’s current Employee Assistance Program (EAP) contract to include students and Tribal school staff for a minimum of five months (approximately \$1.5 million). Services would include a BIE-specific 24/7 toll-free number connecting individuals to a licensed mental health professional; virtual counseling sessions (three sessions per individual); and proactive mental health/suicide prevention screenings.

- The creation of a specific wellness, emotional support, and telehealth contract (approximately \$2 million) with a Native-owned vendor focusing on: weekly virtual wellness events/trainings, a resource library specific for BIE staff and students, and telehealth counseling support with licensed clinicians from the University of New Mexico.
- The creation of a specific clinical/therapeutic service contract (approximately \$400,000 for 200 hours of service delivery) with a Native-owned clinical provider. This vendor employs the following types of mental health service providers: adult/child psychiatrists (MD), licensed clinical social workers, adult/child psychologists (Both PhD and Masters level clinicians), traditional counseling (using Native specific traditional interventions), and case managers.

Additionally, BIE initiated communication with the Indian Health Service (IHS)-Division of Behavioral Health (IHS Headquarters) and IHS Regional Office behavioral health consultants in 2020 to begin COVID-19 coordination for BIE off-reservation boarding schools. BIE is also hiring additional behavioral health staff members in each of its three divisions (Bureau Operated, Tribally Controlled, and Navajo Schools) to expand capacity to better support schools while coordinating nationally with BIE Central Office. BIE also continues to coordinate with IHS at the occurrence of a student or employee death to support counseling services that IHS may have available for students, families, and school employees.

Through our partnership with IHS on various issues, a weekly coordination call has expanded direct coordination with IHS on counseling/crisis support and local memoranda of agreement for specific behavioral health supports in Bureau-operated schools. BIE leadership also meets weekly with IHS personnel and leadership, as necessary, to support IHS COVID-19 vaccination efforts to prioritize BIE school staff and employees due to their essential status, which will support local school reopening, where feasible.

Student Connectivity and IT Infrastructure

Due to the geographical isolation of BIE schools, we understand connectivity challenges well. We are coordinating across Indian Affairs to support high-speed broadband access at all BIE school sites. We made rapid gains over the last year to provide high-speed Internet to BIE students in remote environments. To further support this work, the funding request in the President's American Jobs Plan proposal for broadband expansion as well as inter- and intra-Departmental coordination will also help BIE and tribal communities address gaps in access. We are not content to rely solely on hotspots and jetpacks to expand access. Our goal is to support the better, more expansive solution of full connectivity infrastructure in the communities we serve as outlined more broadly under the American Jobs Plan.

In the near term, BIE staff are responding to issues pertaining to Internet connectivity as well as having the correct device, often dictated by the age of the student, to access the Internet for learning. BIE not only ordered more than 8,000 hotspots or jetpacks that provide Internet for students at home, but we also piloted a project to create 25 "smartbuses" for the BIE's 25 longest bus routes that can also be parked near centralized housing locations or in parking lots for students to access Wi-Fi while remaining socially distant during the pandemic. BIE ordered more than 10,000 laptops, and to date, 99 percent have been delivered to schools for school leaders to determine how best to deliver the new hardware to their respective students. BIE staff coordinated and continue to hold calls several times per week with Indian Affairs staff to plan for new students and potential hardware repair needs as identified by school leaders.

We also continue to focus support for IT through implementation of BIE's LMS as described above. However, we face continued challenges, including the inability of jetpacks to receive a signal in student homes and powering devices in homes without electricity. To meet these challenges, BIE staff used school check-in calls to assist with Wi-Fi extension supports and investigated how solar chargers might be used to support distance learning.

Understanding the need to continue local support, BIE plans to provide extensive professional development for educators that support improvements in instructional design. Staff members are working to empower teachers, academic aides, and school administrators to effectively use technology to support student learning. BIE's LMS is expected to be in place later this year to facilitate and support student learning. BIE-funded Tribally Controlled Schools will continue to use their own systems. Field staff are working to engage families in using technology by providing support, such as tutorials on the use of technology and platforms provided by the school. And, BIE, through coordination with Indian Affairs, also identified a dedicated IT support group to assist schools with IT problems as they arise.

COVID-19 Relief Funding

BIE—U.S. Department of the Interior (DOI) funds under the Coronavirus Aid, Relief, and Economic Security (CARES) Act has targeted immediate student needs related to mental health and safety, staff training, and IT investments. The identified goals of the more than \$46 million in DOI CARES funding targeted for K–12 schools are distinct but complementary to ED Education Stabilization Funding (ESF) of \$153 million. When I testified last year, we discussed the importance of getting BIE funding to communities and schools as quickly as possible to make the most impact.

Our entire team has worked to ensure that our BIE direct appropriations are helping communities and improving operations as effectively and efficiently as possible. As of early April, I can report that 92 percent of the BIE direct appropriations have been obligated. Of the initial \$153 million ED Stabilization dollars, more than 90 percent has been obligated. The ED ESF–2 funding of \$409 million under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) is 33 percent obligated. The American Rescue Plan (ARP) funding also provides an additional \$850 million, on which BIE consulted, in coordination with Indian Affairs, to receive further input from Indian Country on BIE uses of relief funding. The ARP funding was routed to recipients by April to meet the 45-day funding deadline.

The relief funding equips individual schools with the necessary resources to provide customized solutions to locality-specific reopening challenges. In locations where a school has unfortunately had COVID–19 related cases and/or deaths, the relief funding equips school leaders with the ability to provide staff and students critical mental health support through contract services. Other relief funding, such as that from ED, is designed to provide schools the ability to plan for and address mid-to-long-term challenges in providing continuation of instruction, such as gaps in IT infrastructure. Because each BIE-funded school faces unique COVID–19 related challenges, and pursuant to current ED guidelines, specific percentages of expenditures vary by school location. Providing schools with this flexibility to match funding to the immediate reopening needs of each school is critical to ensuring that schools expedite a return-to-traditional operations as quickly and safely as possible.

Safe and Modern Facilities

Reopening schools safely also requires safe and modern school facilities. BIE coordinated with our Indian Affairs public health and safety program for a School Reopening Health and Safety Training Summit. The Summit addressed a wide range of needs and guidance regarding safe practices to mitigate transmission of COVID–19, face coverings, social distancing, cleaning, disinfecting, ventilation systems, and appropriate measures for water systems like flushing and testing, as well as procedures for COVID–19 related requests, emergency preparedness, and opportunities for one-on-one virtual site visits and consultation. The Public Health and Safety Program is also moving forward with a third party to conduct school ventilation system assessments and provide recommendations. CARES Act and ARP funding will help address these needs.

In the long term, the President’s American Jobs Plan will also help modernize our nation’s schools and upgrade federal facilities that service our students. We are modernizing our schools through additional resources provided under the Great America’s Outdoor Act and improved management actions, such as our new site assessment and capital investment process and the use of smart acquisition vehicles. However, modernizing our schools will take time. There are currently 86 Grades K–12 schools in poor condition, 44 schools prioritized for action, and 73 unfunded schools. Resources are a key factor in our ability to provide modern, inspiring schools.

The average cost of replacing a school in poor condition is \$62 million, putting the total cost of replacing BIE schools in poor condition at roughly \$4.5 billion.

Native Language Supports

During formal tribal consultation in March 2021 a tribal leader from the Fort Belknap Indian Community told BIE staff that “tribes are deeply invested in educating our children because we know these kids are our future community leaders, cultural protectors, and language speakers.” Unfortunately, COVID–19 has also disproportionately affected elder populations who are most often a community’s remaining Native speakers.

Through this loss, COVID–19 has taken away primary support structures for our students. Native language immersion and nest programs are also directly supported through the U.S. Department of Health and Human Services’ Administration for Native Americans (ANA), Native American Language (NAL) grants from ED under Title VI of the Elementary and Secondary Education Act (ESEA), and Native American and Alaska Native Children in School Program (NAM) Grants from ED under

Title III of the ESEA. Also, the BIE, ANA, and ED collectively have hosted an annual Native Languages Summit to provide cross departmental language support resources.

The BIE continues to focus its Native language development funding through Indian School Equalization Program (ISEP) and Education Program Enhancements. Due to the pandemic, local implementation may have varied over the last year in delivery. But, in general, schools conduct classes aimed at increasing Native language proficiency during the instructional day. Schools also provide teachers with professional development to incorporate Native language use in their curricula and integrate language and culture into instruction. The Education Program Enhancement subactivity enables BIE to provide services and necessary resources to meet the unique needs and priorities of individual tribes and their schools. BIE local Education Resource Centers use the Enhancement Program to fund professional development and technical assistance at all levels of the BIE school system to improve student outcomes.

The ISEP funding formula generated \$27.9 million for Language Development in BIE-funded schools in School Year 2018–2019, and \$27.6 million in School Year 2019–2020. In accordance with the congressional set-aside for Native language immersion, the BIE also distributed \$2 million in grant funds in each of Fiscal Year 2018 and 2019 to 30 Bureau-funded schools to increase oral Native language proficiency by expanding or creating language immersion programs. For this year, BIE has awarded \$14 million in language immersion awards to 17 schools. Of the 17 schools, 16 were tribally controlled schools like Navajo Prep School, Hopi Junior High and High School, Pine Hill School and one BIE-operated school.

Conclusion

Throughout the pandemic, I have consistently witnessed the dedication of our local-level school staff and our employees in the field. It has been a difficult year for all, but whether they are essential staff providing direct on-site services at a school or support staff working virtually to indirectly support our agency's mission, BIE employees have continued to improve our services. BIE has worked to improve school-level supports and has ensured Bureau-wide projects continued under often stressful conditions by continuing to increase our agency-level capacity even during the pandemic. This includes a position filled rate of just 43.6 percent filled in 2018 to a high of 70.3 percent filled in recent months with more hires in process. Staff have also continued their work to implement the BIE's first-ever Standards, Assessment, and Accountability System to better align academic supports to the needs of our students and schools.

Through this work and support for other national Bureau priorities, BIE staff are focusing attention on the needs of our schools and communities as well as upholding our trust responsibility to Indian Country and our dedication to tribal sovereignty. Whether our employees were making sure students had food, bus drivers were making photocopies and delivering paper packets to students with poor connectivity, or field employees had to work virtually, the support of BIE staff members for our communities has been dedicated and always cognizant of the need to partner and support the students and tribes we serve.

However, no system is perfect and the unique environment under COVID-19 required coordination on an unprecedented scale and consistent support from BIE leadership and the field to school leaders. Early on, BIE Central Office and field staff like Education Program Administrators held calls directly with school leaders to improve communication and identify solutions to problems in real time. Through direct engagement with our schools and support to our field staff, I am proud that when nearly 46 percent of the BIE workforce was retirement eligible in 2018, and with that eligibility rate increasing annually, our staff has remained on the job, our capacity is increasing, and we are resilient to provide improved education services to BIE students.

Chairman Schatz, Vice Chairman Murkowski, and Members of the Committee, thank you again for the invitation to appear today. I look forward to answering your questions and our continued partnership in improving educational services to BIE students as we plan for the 2021–2022 school year. I appreciate the opportunity to share the needs of BIE students in our schools and the supports BIE provided over the last year. Thank you again for your leadership and the continued support you provide for our students and BIE schools.

The CHAIRMAN. Thank you very much.

Next is Mr. Lance West, Principal of Schurz Elementary School in Nevada.

**STATEMENT OF LANCE WEST, PRINCIPAL, SCHURZ
ELEMENTARY; VICE CHAIRMAN, BIE PYRAMID LAKE
SCHOOL BOARD**

Mr. WEST. Chairman Schatz, Vice-Chair Murkowski, and Committee members, thank you for the invitation to testify on behalf of the Agai Dicutta, Walker River Paiute, and Cui-ui Dicutta, Pyramid Lake Paiute. How mu. Nu Lance West me nanea. Nu Cui-ui Dicutta. Nu poenabe tunedooedu. How are all of you? My name is Lance West. I am an enrolled member of the Pyramid Lake Paiute Tribe.

I am an elementary school Principal for Schurz Elementary School, a public K-6 school located on the tribal lands of the Walker River Paiute Reservation. I am also an elected school board member for Pyramid Lake Junior/Senior High School, a 6-12 BIE-funded school, located in Nixon, Nevada on the Pyramid Lake Paiute Reservation.

First, Pesa mu. Thank you all for your continued support as members of this important Committee. You allow for our voice to be heard and concerns to be presented that can result in policy-making for the benefit of our people.

Your work as a committee and with Senatorial colleagues to advocate for all Indian children, including the 70 Schurz Elementary Students and 150 Pyramid Lake students that I get the privilege and honor to serve every day is recognized and greatly appreciated. Pesa mu.

I will summarize one strength and one area of improvement. One strength identified during the past year is recent high speed internet connectivity and access for Schurz Elementary School and Walker River Paiute Tribal Community. Historically, both the school and community endured poor, unreliable internet access. The only options were a nationwide cellular network or satellite-based internet.

This lack of high-speed access prevented our educators' ability to provide a 21st century education to our students. How could our teachers incorporate internet-based projects if only a small percentage of students had internet access from home?

In 2018, I advocated for school internet infrastructure improvements, recognizing immediately the inequity that existed when comparing ourselves to nearby districts and towns. Thanks to my advocacy, the Mineral County School District applied and was approved for E-Rate grant funding. As of late spring last year, right in the midst of the pandemic, Schurz Elementary School began running at 1 gigabyte internet speed.

The Walker River Paiute Tribe were also included in the E-Rate grant, attaining high speed access. All of our students' homes received installation and high-speed internet access, thanks to a partnership between Walker River Paiute Tribe and a local internet company using CARES Act funding.

I consider this a major accomplishment for myself, for the tribe and for each of you on this Committee. Pesa mu.

One area of improvement that must receive attention is this. As a school board member, there was very little guidance and direction provided from BIE with respect to reopening last summer. Unlike my experience in Mineral County, where a committee com-

posed of parents, teachers, certified and classified staff, and administrators, developed a reopening plan over several meetings, Pyramid School's reopening plan was created primary by staff and administrators.

Sitting in school board meetings over the summer during discussion of reopening, I could not help but think of all of the guidance and the direction provided to the school districts from the Nevada Department of Education. All the while, my question was, where is BIE in all of this? Where is their guidance and direction? We were missing important stakeholder input, which would have been extremely valuable to the planning.

If there were BIE deadlines and submission requirements for the reopening plan, I was not made aware, nor was the school's leadership team. To the staff's credit, they did a fantastic job creating a plan. All reopening plans deserve high quality review and support, especially with the damage COVID could do to our Native communities. As a BIE-funded school board member, I believe questions should be asked.

In conclusion, during the past year, the pandemic has impacted every facet of the lives of our Native students, particularly their education. As you know, statistically, prior to the pandemic, the achievement gap comparing Native students to their white counterparts was wide. Now that gap has increased.

Our tribal governments and school districts that serve high Native student populations need access to timely, reliable and accurate achievement data for all students, K-16. How can you ask tribes to exercise their educational sovereignty when they, one, do not have access to the most recent data on their students, enrolled tribal members, and two, are not trained to interpret and support students effectively based on this data?

I ask each of you to provide Federal support for a statewide framework for data sharing resources that tribal governments can use to effectively support and maintain K-12 and higher institution student achievement. No defined structure exists for tribes to quickly acquire vital short term and long-term achievement data. This includes grades, State and national test results, attendance and discipline data.

Once a system is established a tribe will require highly qualified and effective professional development to understand how to interpret and implement education services.

The second ask is expansion of funding from the Office of Indian Education's Indian Professional Development Program. Our Native students must see more of themselves represented in the classroom. Service and post-service programming that recruits and retains highly qualified culturally responsive Native teachers and administrators must become a priority.

As of today, no higher education institution in Nevada offers such a program. The time to act is now. The Federal Government should also encourage the importance of growing your own teacher preparation programs in tribal communities as well.

With that, I look forward to answering any questions you may have for me. Pesa mu.

[The prepared statement of Mr. West follows:]

PREPARED STATEMENT OF LANCE WEST, PRINCIPAL, SCHURZ ELEMENTARY; VICE
CHAIRMAN, BIE PYRAMID LAKE SCHOOL BOARD

Chairman Schatz, Vice-Chair Murkowski, and committee members, thank you for the invitation to testify on behalf of the Agai Dicutta (Walker River Paiute) and Cui-ui Dicutta (Pyramid Lake Paiute). How mu. Nu Lance West me nanea. Nu Cui-ui Dicutta. Nu poenabe tunedooedu. How are all of you. My name is Lance West. I am an enrolled member of the Pyramid Lake Paiute Tribe. I am an Elementary School Principal for Schurz Elementary School, a public K-6 school located on the tribal lands of the Walker River Paiute Reservation. I am also an elected school board member for Pyramid Lake Junior/Senior High School, a 6-12 BIE-funded school, located in Nixon, Nevada on the Pyramid Lake Paiute Reservation.

First, Pesa mu. Thank you all for your continued support as members of this important committee. You allow for our voice to be heard and concerns to be presented that can result in policymaking for the benefit of our people. Your work as a committee and with Senatorial colleagues to advocate for all of Indian children, including the seventy Schurz Elementary Students and one-hundred fifty Pyramid Lake students that I get the privilege and honor to serve every day is recognized every day is greatly appreciated. Pesa mu.

My experiences as a public school administrator and BIE school board member serving in high native student communities during the past year will provide you with a full perspective of how this pandemic has impacted Indian Education in Nevada. My perspective will focus on strengths found, areas of improvements, and realistic solutions moving forward which I believe each of you need to be aware

I am currently in my third year as Principal and sixteen months into my role as a Pyramid Lake Schools Board of Education member.

I am a realist. Realism is the philosophy I have lived and worked by in my profession the last nineteen years. This approach has received criticism at times that my outlook is viewed as pessimistic, where my focus is that on the negative. Improvements to Indian Education requires one to acknowledge the conditions found in educational systems today in order for progress to be made. Those conditions include acknowledging and addressing systemic racism, inequities for students of color, and the deficit mindset. One personal goal that I strived for since my acceptance into the University of Nevada Reno's College of Education's Teacher Program all those years ago is this: Improving education for the young Native people in my community.

The opportunity, or achievement gap, between students of color and their white counterparts, has widened, make no mistake, due to the Pandemic. Despite improvements to tribal Internet connectivity and access to technology for students, the Digital Divide remains. Once the funds associated with the pandemic are long gone, Indian Education continues. My schools, along with all other high Native student population schools in Nevada and throughout the country, will continue with the business of preparing students for college and/or careers after high school. The current education system in place, before the pandemic, has yet to build capacity for success for our Native American children will continue, business as usual. The achievement gap has widened, make no mistake. Additional funding for interventions, mental health, Native teacher recruitment and retention pre- and post-service programming, and culturally relevant pedagogy should become the priority of this committee.

The Pandemic and the murder of George Floyd are defining moments for me and many of my fellow Indigenous educators the past year. A group of us Indigenous educators and community activists realized that rather than wait around for the help from the state's department of education to provide solutions to Indian Education in Nevada to problems that have existed for far too long, that we organize and become the voice of Native communities in our state. Our organization, Indigenous Educators Empowerment, regularly collaborates with NDE's Indian Education Department, the Nevada Indian Commission, universities/community colleges, and school districts. This collaboration discusses all the issues and concerns that we have seen in Indian Education locally for years. We have solutions, but we cannot do it alone.

I look forward to answering any and all questions you may ask of me. Pesa mu.

Strengths—Student Access to Technology

PLHS staff early in the pandemic recognized the need for technology and didn't hesitate to request funding for purchase. Same with the Internet for students at home. In collaboration with PLPT, full time distance learners were provided with devices for Internet access. At Schurz Elementary, WRPT had developed a relationship with a local Internet provider and utilized COVID CARES funding to pay for

installation and funds toward monthly payment of Internet services. The provider, Preferred Internet, provided enough bandwidth to support live streaming video for students learning from home. At MCS D, getting technology into the hands of our Schurz students was not an issue. Schurz Elementary was at a 1 to 1 student/Chromebook ratio and with the support of MCS D district office, were able to provide our JH/HS students attending Hawthorne the technology. Food services for both communities was well coordinated by all staff.

Veteran staff as well, not accustomed to technology in their normal teaching schedule, were hesitant as well and struggled with the transition to the blended learning model. The lesson was learned, but it took an entire semester to figure out a revised approach, at semester, there was a push to bring struggling students back in person. This approach was very helpful and continues to be the right decision.

Area of Improvement: Addressing the Widening Opportunity (Achievement) Gap

Academic achievement for Native students in grades 3–12 is lower than their white counterparts. Nevada has a Nevada School Performance Framework (NSPF) that rates schools on a number of factors from state assessment results to chronic absenteeism. his rating is based on a scale from 0–100 and one to five stars. Schurz Elementary School has been rated a Rising Star (one star) school for all three years. Last year (2019–2020 SY), no testing took place so we were rated based on the 2018–2019 data. The majority of high Native student population schools in Nevada have a similar rating. This was before the pandemic. Now, with the gap widening due learning from home and/or hybrid learning. We have interventions in place, but have had no time to implement due to the reopening plan requirements such as social distance. For us this meant to create two sessions, one AM and the other PM. All of our in-person learners at Schurz Elementary School are on campus for no more than 3 hours each day. That is just enough time to eat lunch or breakfast (depending on your session) and 90 min of Reading and Math blocks. There is no time for Intervention. Another requirement of our reopening does not allow our classes to interact. Typical Intervention programming allows a student, below grade level, to interact with students with the same skill level. So a 3rd grader, behind academically in Reading, would be allowed to work in a small group with 2nd graders during our Intervention Block (30–40 minutes).

There are distance learners' parent/guardians who have not allowed them to take their quarterly MAP assessments in Reading, Math, Science, and Language Usage because of their own concerns, despite the protocols in place. We respect their concerns and allow them not to test. However, without a baseline, our teachers are in the dark in this area. There are other data points of course, such as grades, attendance, unit test scores, and projects to determine any re-teaching to those students.

We are currently in the middle of completing our state SBAC testing. Now, our distance learners will return to test this week, we can only hope for the best.

Next year, we will need to maximize Intervention blocks to a level never seen before. With my small staff, that will not be possible without more feet on the ground. This means hiring more teacher aides, an Interventionist, a Literacy Strategist, a PD Coach, a Student/Parent Involvement Coordinator, a Counselor, etc. I need these positions.

Strengths—BIE funding to Address Additional Staffing Needs

Pyramid Lake Schools have a large budget for being a smaller school. School administration has been hiring additional staff to support our students during their return to hybrid learning second semester. As a board member, we will continue to monitor student data points and identify areas of need with the confidence that hiring qualified staff to support student achievement is a top priority.

Strengths—Strict Tribal Community Lockdowns

Tribal leadership in both communities and lockdown of the reservation with curfews and restrictions for visitors helped keep overall COVID numbers and deaths down.

Each of the two community's tribal governments early on took immediate action to protect our people such as enacting strict lockdowns and curfews. This approach, in hindsight, reduced the number of infections and loss of life. This approach could not be ignored by both schools. As board member, no decision by the board was made without thorough discussion regarding the impact it would have on our vulnerable populations. As Principal, all matters were shared with Walker River Paiute tribal leadership. Over the summer both schools designed and implemented reopening plans in collaboration with tribal leadership and emergency response teams. During planning, My Superintendent would always remind district leader-

ship to keep in mind the tribe's pandemic policies and to be respectful, always, of their decisions.

Strengths—Upgraded Internet Connectivity/Infrastructure

Another strength was Internet connectivity. Historically, the town of Schurz, located on the Walker River Paiute Reservation, had poor Internet access. Nationwide cellular network or satellite Internet were the primary and reliable options. Of course, there would be an Internet provider business that would pass through the town, but would eventually move on. As an educator, the thought of assigning any work that required home Internet access, was out of the question. For years, the digital divide was evident in the community. Our children were not prepared for a 21st Century education. You might be asking yourself, "If the community had poor Internet access, what about the school's?" Schurz Elementary School's current building is 21 years old. Until late Spring 2020, the school had a network infrastructure that fell way below the standard of all academic institutions. The Internet was delivered to the school via a satellite dish that was aimed directly at another satellite installed on top of the El Capitan Casino in Hawthorne. It was horrible. So, yes, generations of students were not receiving a 21st Century education with adequate Internet access. Thanks to a collaborative effort between the school district and the Walker River Paiute Tribe, MCSD applied for an E-Rate grant. It was approved and CC Communications was awarded the contract. As of Spring 2020, our school was outfitted with one gigabyte of Internet. Fiber optic lines were run and connected up to the school. The final quarter of the school year, like all other schools in the state, we sent home paper packets. Over the summer, we were directed by NDE to provide distance learners using an acceptable and proven LMS (Learning Management System). We were allowed to choose a platform. We selected Google Classroom, rather than Canvas.

Returning to the inconsistent community Internet access, a company began marketing high speed Internet, six months before the Pandemic, it was much better and reliable. It could stream! The community began replacing their bulky satellite dishes with smaller dishes. There were still way too many families without Internet. Thanks to the COVID-19 relief CARES Act, the tribe used the funding to pay for installation and months of Internet access. By the start of the school year, 95 percent of our families were connected from home. Eventually, every family had high speed and reliable Internet. A lesson, however, was going to be learned. Limited Teacher Technology Literacy.

Pyramid Lake Schools also had a combination of nationwide cellular network and Internet access.

Strength—In Person and Distance Learner Curricular Alignment

Pyramid Lake School teacher expectation was to provide live instruction via Google Classroom and Google Meet at the start of the school year. The roll out of distance learning, like all other schools, was shaky. Nonetheless, the PL teachers persisted. Professional Development was provided with weekly meetings to address concerns with shifting their curriculum to accommodate distance learners. The first nine weeks of the school year, all students were distance learning. In hindsight, this forced teaching staff no other option for providing instruction except with Google Classroom. This, in my opinion, was a good thing. As any school reopening plan will mention, should there be an exposure of students by someone who tests positive for COVID, the class, or depending on contact tracing, the entire school, may shut down for two weeks at a time. Transitioning their curriculum and fine tuning it the first nine weeks was of great benefit to students; with administration providing feedback and support.

Fast forward to the end of March. I was conducting class walkthroughs with the PL school principal. In every classroom I observed the teachers were easily alternating between the in-person learners and distance learners seamlessly. Back at Mineral County School District, you would not see such a thing, particularly at their junior high/high school.

My expectation as principal was the same at Schurz Elementary School. Live instruction, every day. You provide distance learners the same content as in person learners. Equity.

Area of Improvement—In-Person and Distance Learner Curricular Inequities

How would you feel, if your child was at home learning, with no real, formal way to communicate with any of their seven teachers? It took months for the school to enact something in the way of teacher contact information. How would you feel if your child was at least two years below grade level in ELA? Yet, the curriculum content was at grade level? Your child would struggle.

Lessons learned specific to academics for our distance learners was rolling out distance education without time to test and create a system that could accommodate all learners. Both community's teachers frantically changed and revised curriculum to meet the needs of distance learners with only a few days of professional training. Professional learning was real time. What didn't work was dropped and replaced on a whim. In the meantime, our students below grade level or working from home was not an optimal situation and struggled while our teachers figured out a best approach. The emphasis of using online credit recovery programs such as Edgenuity did more damage as our learners below grade level struggled with at-grade level content.

A large majority of the WRPT 7–12 students attending MCSD were full time distance learners. Elementary and Secondary teachers and leadership took two different approaches when it came to providing instruction for distance learners. Elementary emphasized daily live instruction via Google Meet and Classroom, while Secondary educators decided against daily live instruction. Instead, secondary educators in MCSD chose an online credit recovery program called Edgenuity. Rather than daily live interactions between student and teacher, all 7–12 Walker River students would complete activities using this program. Direct communication was found in the program's built-in email system. When a student encountered issues with their progress, failed quizzes, exams, or missing required files, they emailed teachers. Now, the teachers also were responsible for their in-person learners as well as their distance learners. But, the instruction, when comparing the two groups, were completely different. Student issues and questions were answered immediately by in-person learners, while distance learners waited days on end for a response or "unlocking" of the next content area within the Edgenuity software. Every one of our Walker River students experienced this. They would contact me at the elementary school to ask me to follow up. Or, I would hear about their lack of progress and inquire directly with the high school administrator and teachers.

The entire first semester was a waste due to poor communication, on-grade level content for students below grade level, and inequities between distance learner and in-person curriculum. Our parents and guardians accepted and acknowledged they were the "last in line". That the teachers would "get to us, when they get to us." An acknowledgement that was painful to hear because they were accepting that there were not important enough to have their concerns addressed. The educational system, in the middle of the pandemic, failed our Walker River Paiute 7–12 students attending Mineral County School District during the Fall Semester of 2020.

As I reflect on the past year, a pattern of behavior among our student's parents and guardians emerged that was concerning.

These experiences and interactions with our 7–12 students and parents/guardians reminded me of a response to trauma. The awful feeling of accepting that you may not matter nor be valued. It reminds me of our Native people visiting our local Indian Health Clinic, with genuine health concerns and an optimism that our IHS resident doctor will do everything he/she can to let us know everything will be ok. Hoping that their every ounce of expertise will be dedicated to us. Then, to find out the reality that the doctor dismisses or invalidates your concern or your community tells you how horrible the doctor is. You try not to believe it. You hold judgement and remain optimistic. You make excuses such as, "He was busy" or "Maybe I'm not as sick as I think I am."

Over time, perhaps your interactions continue to be similar and the advice and affirmation that the doctor does not care about you or the community sinks in. "I don't have insurance, just IHS, how am I going to afford to see another doctor?" You are stuck with the same health care system, the clinic. These realities present themselves and maybe, you resign yourself to the notion that our health care is not acceptable, but the only one I have, so the sooner you accept and acknowledge that you will be given poor health care for the rest of your life.

This is the attitude I have seen with our parents/guardians here the past three years. They believe they have no power or control of the quality of education their child receives. They have accepted the fact that their child will receive a poor to modest education. What reality checks did they encounter to validate their resignation? Cycling through school principals yearly, continued rumors about Schurz Elementary School closing, low quality teacher hirings, and non-existent teacher communication have all contributed to this reality to name a few.

Our parents/guardians feel marginalized in this school system in which I work as elementary school principal.

I see it, I feel it and it fuels the fire inside me. I acknowledge the resignation. I know this feeling all too well as a person of color. I respond to this equity with solutions.

Area of Improvement—Limited Educator Technological Capacity

An area of improvement discovered was the teacher’s technological capacity. In a school culture where limited Internet service was the norm for generations and lack of emphasis in digital curriculum, high quality and consistent professional learning for teachers must be a priority.

Strengths—Organized MCS D Reopening Committee

Mineral County School District created a reopening committee composed of staff, parents, and administrators. Multiple meetings were held.

Summer reopening meetings were often, with plenty of backtracking and re-interpretation of CDC guidelines. Eventually, Schurz Elementary Reopening Team had a reopening plan that was approved by the school board, Nevada Department of Education, and tribal emergency management leadership.

Area of Improvement—Limited Stakeholder Input in PLHS Reopening Planning

PLHS Reopening Plan was an agenda item for every board meeting held in late Spring leading up to September 2020. PLHS Administration reopening presentations were met with the typical concerns and questions referencing social distancing, cleaning and sanitation protocols, daily screenings, COVID indirect/direct contact protocol, and distance learning planning.

We hired a new administration team early summer. In the meantime, staff developed what would become the reopening plan. Most of our reference and reopening template focused on nearby district state submissions. School administration confirmed what I had noticed in board meetings with reopening plans on the agenda. There was very little from BIE. There was no direction from BIE. The school board and I looked to the administration for direction, the administration should be able to look to BIE, but without induction and some training, all of us were left with addressing the reopening based on NDE and nearby school district plans. There were missing stakeholders whose input was extremely valuable. Parents, Tribal Leadership, and BIE were noticeably absent from the planning. Annual school improvement plans require input and sign off by all stakeholders. Same with high school accreditation. How could there not be a planning committee for reopening? The absence of parents, tribal leadership, and most importantly BIE, was concerning. There was no listed deadline and/or approval of the school’s reopening. If there was, I was not made aware of it, nor was the school’s leadership team.

PLHS Reopening Plan was an agenda item for every board meeting held in late Spring leading up to September 2020. PLHS Administration reopening presentations met the typical board concerns and questions referencing social distancing, cleaning and sanitation protocols, daily screenings, and COVID indirect/direct contact protocol, and distance learning planning.

My Asks

Provide federal support for statewide frameworks for data sharing resources that tribal governments can use to effectively support and maintain K–12 and higher ed student achievement. No defined structure exists for tribal education departments to quickly acquire vital short and long term achievement data including grades, discipline, attendance, and state and national test results (SBAC, MAP, ACT).

Once a system is established, the tribes, to flex their educational sovereignty rights, will require effective professional development to understand how to interpret and implement services that must include all stakeholders.

Our Native students must see more of themselves represented in the classroom. Recruitment and retention of highly qualified, culturally responsive Native teachers and administrators programming must be implemented. Office of Indian Education has a grant CFDA 84.299B, the Indian Professional Development Program. This highly valuable program should be expanded. The capacity exists in Nevada where this programming can finally become reality like the University of Idaho’s IKEEP program.¹ This program is a Teacher Pre-service program. Here in Nevada, I propose a Higher Education Institution offer both a Teacher and Administrator pre-service program. I formally mentor Natives students from their IKEEP (Indigenous Knowledge for Effective Education Program). Due to this relationship, I have been able to successfully recruit a Native teacher who is now working for Mineral County High School as their new PE teacher. The federal government should encourage the importance of “Grow Your Own” teacher preparation programs in tribal communities.

¹<https://www.uidaho.edu/ed/resources/student/ikeep>

The CHAIRMAN. Thank you, Mr. West.

Now we have Dr. Kauanoë Kamana, the principal of Ke Kua ‘O Nāwahīokalani‘ōpu‘U Demonstration Laboratory School in Keaau, Hawaii. Welcome, and aloha.

STATEMENT OF DR. KAUAÑOË KAMANA, PRINCIPAL, KE KUA ‘O NĀWAHĪOKALANI‘ŌPU‘U DEMONSTRATION LABORATORY SCHOOL

Dr. KAMANA. Aloha, Committee Chair Senator Schatz, Vice Chair Senator Murkowski, and members of the Senate Committee on Indian Affairs.

Mahalo for this opportunity to testify before you on COVID–19 impacts upon Native education systems.

My name is Dr. Kauanoë Kamana. I am an associate professor at the State Hawaiian Language College. My position there is director of laboratory school programs, and I also serve as principal of the largest of the college’s four P–12 laboratory schools, Ke Kua ‘O Nāwahīokalani‘ōpu‘U, also known as Nawahi School.

My testimony will focus on Nawahi. However, it will have some relevance for Native Hawaiian education as a whole. In addition, because Nawahi is the largest Native language medium school in the United States, the challenges of Nawahi are relevant for Native language medium education on a national level.

We at Nawahi School remember your visit to us, Senator Schatz, as one of your first outreach efforts after joining the Senate. We also remember your visits to our community to assess hurricane and lava flow damage. COVID–19 is but the latest emergency that we at Nawahi have faced.

Nawahi shares many of the challenges found among other schools with a Native majority enrollment. We are located in a large rural area with spotty wi-fi connectivity and high poverty. Our distinctive Native-related issues are often poorly addressed or much less understood by State government education authorities.

Prior to COVID, many of our families lacked the necessary technology for distance education. The school’s infrastructure was already insufficient for our expanding enrollment. In order to bring groups of students back to campus, and provide the required social distancing, we needed to make major adjustments to the management and delivery of the overall P–12 program.

However, as a Native language medium school, Nawahi has relied on its cultural strengths to navigate through these challenging times. Those unique strengths come from our Native identity and our shared purpose rooted in the revitalization of our Native language.

Researchers of dual language education describe cognitive advantages of students such as ours. Nawahi is proud of our student outcomes including high school graduation and college attendance rates.

Nawahi was quick to respond to the COVID–19 crisis. We used our own aloha to begin to provide parent learning, student learning, physical and mental health services, technological assistance and food distribution. We have since implemented a safe and timely return to on-campus learning for our most vulnerable populations of students. They include the youngest students, special

education students, students without internet access and other students with academic challenges.

Nawahi faces distinct challenges as a Native language school delivering distance learning and hybrid scheduling. Many parents speak Hawaii Creole English rather than Hawaiian. Their homes cannot provide their children with the Hawaiian language medium environment that exists on campus.

This language gap impacts the maintenance and further development of our students' Hawaiian language proficiency. It also affects their access to academics through Hawaiian, and mastery of standard English as taught formally at Nawahi.

Nawahi continues to struggle with a lack of learning materials through Hawaiian. Distance learning has increased an already difficult situation. Nawahi teachers must create all online lessons on their own. Online lessons are widely available through English for English medium schools.

Lower funding of charter schools compared to standard public schools in our State reduces Nawahi's ability to address challenges in general. Nawahi's language nest preschool component provided through the non-profit 'Aha Punana Leo has been especially impacted by COVID-19. Its private school delivery is extremely vulnerable to economic challenges.

COVID-19 has negatively impacted our already existing teacher and staff shortage. Hawaii faces a 4.9 percent shortage of certified teachers compared to the national average of 2.6 percent. For Hawaiian language medium schools, the shortage of certified teachers is 45 percent. A major contributor to this problem is the lack of scholarship support addressing the distinctive features necessary to develop certified Native language medium teachers.

Mahalo again, Senators, for this opportunity to testify today. I would be happy to answer any questions and can provide additional written information as needed. Mahalo and nui loa.

[The prepared statement of Dr. Kamana follows:]

PREPARED STATEMENT OF DR. KAUAO KAMANA, PRINCIPAL, KE KUA 'O
NĀWAHĪOKALANI'ŌPU'U DEMONSTRATION LABORATORY SCHOOL

Aloha Committee Chair Senator Schatz, Vice Chair Senator Murkowski and members of the Senate Committee on Indian Affairs.

Mahalo for this opportunity to testify before you on COVID-19 impacts on Native Education Systems.

My name is Dr. Kauao Kamanā. I am an Associate Professor at the state Hawaiian language college. My position there is Director of Laboratory School Programs and I also serve as Principal of the largest of the college's four P-12 laboratory schools—Ke Kula 'O Nāwahīokalani'ōpu'u, also known as Nāwahī School.

My testimony will focus on Nāwahī. However, it will have some relevance for Native Hawaiian education as a whole. In addition, because Nāwahī is the largest Native language medium school in the United States, the challenges of Nāwahī are relevant for Native language medium education on a national level.

We, at Nāwahī school remember your visit to us, Senator Schatz, as one of your first outreach efforts after joining the Senate. We also remember your visits to our community to assess hurricane and lava flow damage. COVID-19 is but the latest emergency that we at Nāwahī have faced.

Nāwahī shares many of the challenges found among other schools with a Native majority enrollment. We are located in a large rural area with spotty wi-fi connectivity and high poverty. Our distinctive Native-related issues are often poorly addressed or much less understood by state government education authorities.

Prior to Covid, many of our families lacked the necessary technology for distance education. The school's infrastructure was already insufficient for our expanding en-

rollment. In order to bring groups of students back to campus, and provide the required social distancing, we needed to make major adjustments to the management and delivery of the overall P-12 program.

However, as a Native language medium school, Nāwahī has relied on its cultural strengths to navigate through these challenging times. Those unique strengths come from our Native identity and our shared purpose rooted in the revitalization of our Native language. Researchers of dual language education describe cognitive advantages of students such as ours. Nāwahī is proud of our student outcomes including high school graduation and college attendance rates.

Nāwahī was quick to respond to the COVID-19 crisis. We used our own aloha to begin to provide parent learning, student learning, physical and mental health services, technological assistance and food distribution. We have since implemented a safe and timely return to on-campus learning for our most vulnerable populations of students. They include the youngest students, special education students, students without Internet access and other students with academic challenges.

Nāwahī faces distinct challenges as a Native language school delivering distance learning and hybrid scheduling. Many parents speak Hawai'i Creole English rather than Hawaiian. Their homes cannot provide their children with the Hawaiian language medium environment that exists on campus. This language gap impacts the maintenance and further development of our students' Hawaiian language proficiency. It also affects their access to academics through Hawaiian, and mastery of Standard English as taught formally at Nāwahī.

Nāwahī continues to struggle with a lack of learning materials through Hawaiian. Distance learning has increased an already difficult situation. Nāwahī teachers must create all on-line lessons on their own. On-line lessons are widely available through English for English medium schools.

Lower funding of charter schools compared to standard public schools in our state reduces Nāwahī's ability to address challenges in general. Nāwahī's language nest preschool component provided through the non-profit 'Aha Pūnana Leo has been especially impacted by COVID-19. Its private school delivery is extremely vulnerable to economic challenges.

COVID-19 has negatively impacted our already existing teacher and staff shortage. Hawai'i faces a 4.9 percent shortage of certified teachers compared to the national average of 2.6 percent. For Hawaiian language medium schools, the shortage of certified teachers is 45 percent. A major contributor to this problem is the lack of scholarship support addressing the distinctive features necessary to develop certified Native language medium teachers.

Mahalo again Senators for this opportunity to testify today. I would be happy to answer any questions and can provide additional written information as needed. Mahalo.

The CHAIRMAN. Mahalo.

Next, we have Dr. Michelle Thomas, Superintendent of the Belcourt School District in Belcourt, North Dakota.

**STATEMENT OF HON. JOHN HOEVEN,
U.S. SENATOR FROM NORTH DAKOTA**

Senator HOEVEN. Mr. Chair, may I be allowed to make an introduction?

The CHAIRMAN. Yes, sorry, Senator Hoeven, I wasn't sure if you were online. We would be pleased to have you introduce your testifier.

Senator HOEVEN. Thank you, Mr. Chairman. I appreciate it.

The education of our Nation's youth is an important endeavor. We must strive to uphold our trust and treaty responsibility to this Nation's tribes, and that includes ensuring Indian Country has the resources and tools necessary to provide quality education to students who attend Bureau of Indian Education operated schools. This important responsibility is made even more challenging over the course of the last year due to the COVID pandemic.

With that, I would like to introduce Dr. Michelle Thomas. Dr. Thomas is the Superintendent for the Belcourt School District in

Belcourt, North Dakota. The Belcourt School District serves the Turtle Mountain Band of Chippewa Indians through a cooperative agreement between the school district and the Bureau of Indian Education.

Dr. Thomas was unanimously approved to serve as superintendent in January of 2020. She started her role as superintendent one week before the start of the pandemic. Dr. Thomas has devoted her professional career to educating our youth. She previously served as an assistant principal at both the middle and elementary schools, and is principal of Dunseith Indian Day School. Dr. Thomas has done a commendable job of managing the Belcourt School District in light of the COVID-19 pandemic. I am glad she is here to testify today, and I look forward to learning more about the impacts of the pandemic on the Turtle Mountain education system.

So I thank you, Mr. Chairman, I appreciate it, and welcome to Dr. Thomas.

The CHAIRMAN. Dr. Thomas, please proceed with your testimony.

**STATEMENT OF DR. MICHELLE THOMAS, SUPERINTENDENT,
BELCOURT SCHOOL DISTRICT**

Dr. THOMAS. Thank you, Senator Hoeven. It is hard not to call you Governor, as I remember.

[Laughter.]

Dr. THOMAS. So, Chairman Schatz, Vice Chairwoman Murkowski and members of the Committee, my name is Dr. Michelle Thomas. I am the School District Superintendent in Belcourt, North Dakota. I am a member of the Turtle Mountain Band of Chippewa.

Thank you for this opportunity to submit testimony.

When the pandemic hit the United States, all schools across the Country were forced to rethink pedagogy to reach students without face-to-face instruction. This became an even bigger challenge in Indian Country, where hunger, mental health issues, student safety and technology support were additional disparities in our schools.

Data continuously points to the fact that Native American students in Bureau operated schools operated schools have been significantly behind in reading and math. Since COVID-19 these achievement gaps have increased at an even higher and more rapid rate. Native schools scrambled to continue education with the limited resources they had available while waiting for the necessary support from tribal, State and Federal Government.

The experiences I am about to share with you have always been obstacles in Indian Country. COVID-19 only magnified them. As COVID-19 spread, the shift to remote learning was immediate, as well as other unanticipated challenges in instructional delivery. Many schools incurred a delayed delivery of devices for students due to the high demand. Indian Country incurred longer delays due to the late allocation of ESSER funds from BIE. Many schools were forced to resort to paper and pencil instruction for up to six months.

Unfortunately, once the devices were received, Federal requirements to set them up were cumbersome. Adding to this conundrum was the lack of IT staff at each respective school. The expectation

of immediate delivery to students upon receipt of these devices was unrealistic and frustrated the efforts of school administrators and staff.

Indian Country is also amongst those who struggle most to access broadband due to rural locations. A study in 2016 by the U.S. Government Accountability office revealed that seven of ten tribal residents lack access to broadband. Unfortunately, the effort to provide mobile hotspots and jet packs for students proved to be a struggle as well, due to few carriers in Indian Country, resulting in little to no connectivity.

Fortunately, tribal and State governments stepped in and provided internet broadband support to their ESSER funds, which provided a more level playing field for our Native American students.

Learning management systems also allowed schools to more effectively manage online instruction. Many schools in Indian Country quickly navigated toward specific yet different systems to suit their needs. I have great respect for all tribal nations and their student needs, and it is my hope that the BIE will consider all current learning monitoring systems that individual schools have already embraced before and during the pandemic.

Background checks adhering to the Department of Interior regulations is a process I support, as it protects our students. However, the length of time required to complete these have become a huge obstacle for attaining the highest level of educators. Principals consistently share the frustration of losing valuable and often hard to fill positions due to the length and complexity of this process.

The electronic process poses a problem due to lack of internet connectivity and competency of technology skills of applicants and the short time frame for these responses, which often leads to postponement and even termination of background checks of highly qualified applicants.

Training local professionals could assist BIE's centralized office in an efficient yet just as effective background process. Localized support could ensure a thorough submission of required documents, ultimately moving toward a quicker appointment of applicants.

School year 2021 is the inaugural year for the BIE spring assessment, but very little is known about it at the local level. We need resources to understand what the test comprises, what standards it focuses on per grade level, and the weight each question carries. We also seem to be punishing our Native students by double testing them in order to satisfy Federal and State requirements in cooperative schools such as ours.

Finally, the importance of timely feedback from Federal Government from standardized testing causes great concern as the results of these assessments are often delivered months, sometimes years, later. Considering these points, my recommendation would be to provide a waiver for States to determine which assessment best serves their student population.

As Native Americans, we still strive to recover from more than 100 years of historical trauma and educational malpractice by the dominant culture. Now, during COVID-19, we are quite literally witnessing the loss of language, culture, history, and heritage, with the passing of our tribal elders and community leaders. This emotional toll has drained our school staff to the point where there is

not much left to give, and has pushed many of them closer to their professional, physiological, emotional, and psychological breaking points at a rapid pace.

Now, we are also expecting them to provide mental health support to students when they too have experienced the same historical trauma and COVID-19 loss. Our staff have been trained to be professionals in education, not in health services. Direct counseling support to BIE students and staff is imperative and urgent.

In closing, I must stress that although this pandemic prevented educators from reaching students personally, it also pushed them to find creative and innovative ways to deliver instruction. I humbly ask that this is considered, and that each school initiative be respected when considering government-wide mandates.

As educators, we differentiate based on individual needs of students. We ask the same courtesy to be given to us in BIE funded schools, to allow and support us in determining best practices and platforms to address the unique needs of our students in each school.

I would like to thank you again for this opportunity, and I would be honored to answer any questions you may have.

[The prepared statement of Dr. Thomas follows:]

PREPARED STATEMENT OF DR. MICHELLE THOMAS, SUPERINTENDENT, BELCOURT SCHOOL DISTRICT

Chairman Schatz, Vice Chairwoman Murkowski, and members of the Committee, thank you for the opportunity to submit testimony on behalf of Indian Country in regard to the COVID-19 response. My name is Dr. Michelle Thomas. I am a member of the Turtle Mountain Band of Chippewa. I was born and raised on our reservation, and my school and professional career has been centered on Native education systems. I have been an educator for 26 years: a teacher for ten, a BIE administrator for fifteen, and a School District Superintendent for one (I started my current position one week before the pandemic). Today, I will share my experiences, as well as others within our community, as to how the pandemic impacted our efforts to educate our Native American students.

COVID-19 Impact on Native Education Systems

When the pandemic hit the United States in March 2020, all schools across the country were forced to rethink pedagogy to reach students without face-to-face instruction. This became an even bigger challenge in Indian Country, where the poverty level became a huge obstacle for delivery of effective instruction in a virtual environment. Hunger, mental health issues, student safety and Internet/technology for instruction were only a few disparities our schools were faced with. Now, more than ever, support was needed for technology, highly qualified staff, and mental/behavioral support for both students and staff.

Data continuously points to the fact that Native American students in Bureau Operated Schools (BOS) have been significantly behind in Reading and Math.¹ Federal, state and local governments have endlessly searched for solutions to remedy this tragic failure. Historical implications continue to impact current educational issues in Indian Country. The same problems have been identified for over a century, but a solution has yet to be discovered.

Since the onset of COVID-19, the achievement gaps for Native American students have increased at an even higher and rapid rate, although not unexpected. Educators and administrators scrambled to continue education with the limited resources they had available while waiting for the necessary support from Tribal, State and Federal Government. The entire world became reactive to the pandemic, resulting in delayed and/or weak educational services to students. This is detrimental to our Native Youth.

¹National Indian Education Study (NIES). Retrieved from <https://nces.ed.gov/nationsreportcard/subject/publications/studies/pdf/2017161.pdf>

The experiences I'm about to share with you were always educational obstacles in Indian Country. The COVID-19 Pandemic only magnified these disparities. I urge you to consider the following priorities:

1. Technology Equipment
2. Internet Connectivity
3. Learning Management Systems
4. Background Checks
5. BIE Assessments
6. Teacher and Student Mental/Behavioral Health Support

Technology Equipment

As schools closed down across the country, the shift to remote learning was immediate, and educators were faced with unanticipated challenges requiring flexibility and grace to the students they served. Due to the high and immediate demand for technology, many schools were faced with a delayed delivery of devices for students. However, Indian Country incurred even longer delays due to a late allocation of ESSER funds from the Bureau of Indian Education. Funds were not released until June of 2020, and the process required to order the laptops delayed the delivery until October and November for most schools, and December 2020 in some cases. Many schools were forced to resort to paper and pencil instruction for up to six months of SY 20-21 due to lack of laptops.

Unfortunately, once the laptops were received (approximately in November 2020), federal requirements to set up the laptops were cumbersome and time limited, meaning the setup process for an individual device had to be completed within a 24 hour window, or it would have to be repeated. Adding to this conundrum was the lack of Information Technology staff at the respective schools to image each computer. The expectation of immediate delivery to students upon receipt of the laptops was unrealistic and frustrated the efforts of many school administrators who desperately wanted to deploy a functioning remote learning environment for Native American students.

Laptops that were received from the Federal Government have quickly become defective (such as overheating, camera failure, systems failure), resulting in wasted funds and time. Tribal and State Government assisted in the purchase of chromebooks to provide devices in a quick and efficient manner.

Internet Connectivity

Indian Country is amongst those who struggle most to access broadband due to rural locations. A study in 2016 by the U.S. Government Accountability Office revealed that 7 of 10 tribal residents lack access to broadband. Reasons include inability to access high speed Internet connection due to rural location, affordability, and/or lack of knowledge in Internet capabilities.²

The effort to provide mobile hotspots for students without connectivity proved to be a struggle as well. There are very few carriers in Indian Country, and the data connection is very limited, resulting in little to no connectivity in many households.

Again, on behalf of our schools in Turtle Mountain, Tribal and State Government stepped in and provided Internet broadband support through their ESSER funds, which provided a more level playing field for our Native American students in a remote learning environment.

Learning Management Systems

Learning management systems (LMS) in education allow schools to more effectively manage participation, ensure completion of assignments, and monitor student progress (or lack of it). There are many worthwhile LMS to choose from, and many schools in Indian Country quickly navigated towards specific LMS's to structure online learning in the most productive way possible. I have great respect for all Tribal Nations, and acknowledge that student learning needs differ from tribe to tribe, resulting in different LMS selections. Because of this, a grave concern of mine and others is that the BIE will determine ONE system for all. My hope is that BIE will give consideration to current LMS's that individual schools have already embraced and become fluent in before and during COVID-19.

Background Checks

Background checks adhering to the Department of Interior regulations is a process I support, as it only serves to protect our Native American students. However,

² Broadband Internet: FCC's Data Overstate Access on Tribal Lands. Retrieved from: <https://www.gao.gov/products/gao-18-630>

the length of time required to complete a background check has become a huge obstacle for attaining the highest level of educators. Principals have consistently shared the frustration of losing very valuable (and often hard to fill position) applicants due to the length and complexity of the background check process. Although I applaud the movement to the electronic process for the background check process, the lack of Internet connectivity, incompetency of technology skills of applicants, and short timeframe for responses to continue the electronic process without personal support has resulted in postponement and/or termination of numerous background checks of highly qualified applicants.

Training local professionals could assist the BIE's centralized office in a more efficient, yet just as effective, background clearance process. Providing onsite support would ensure a thorough submission of required documents of the highly qualified staff selected for the position, ultimately moving towards a quicker appointment process. This support would ultimately benefit our students, where obtaining highly qualified staff in Indian Country is an issue in itself.

BIE Assessments

There is a lack of any Memorandum of Agreement between the BIE and States, causing double testing in cooperative school locations. This limited understanding for the need of a triangular relationship many BIE schools must operate within (BIE, State and Tribal) puts strenuous and repetitive expectations on our Native Students.

SY20–21 is the inaugural year for the BIE Spring Assessment, but little is known about it at the local level. We need resources and tools to better understand what the test comprises, which ELA and mathematics standards it focuses on per grade level, and the weight different kinds of questions carry for student scoring. Providing the fundamental understanding of the creation of the BIE Spring assessment could perhaps bring stronger support of it.

Finally, the importance of timely feedback from the Federal Government from standardized testing causes great concern for Indian Country. The results of these assessments serve no purpose to school improvement, as they are often delivered months, sometimes years later. In an ever changing school environment based on current research, many educators and administrators view this additional assessment as another obstacle to accelerated student learning.

Considering double testing of many Native American students, limited information about the BIE Spring Assessment, and the delayed delivery of feedback regarding standardized assessments, my recommendation would be to provide a waiver for states to determine which assessment(s) best serve their student population (State or Federal).

Teacher/Student Burnout/Mental Health Support

The COVID–19 Pandemic forced teachers to work in a technological environment that they had little training or professional development for and zero preparation time. The stress of being an effective and responsive professional while training to maintain personal health and safety has pushed many school staff members closer to their professional, physiological, emotional and psychological breaking points and faster than ever before. Local retirements and resignations are at an all time high resulting from the pandemic.

As Native Americans, we are still trying to recover from more than 100 years of historical trauma and educational malpractice by the dominant culture. Now, during the COVID–19 Pandemic we are quite literally witnessing the loss of language, culture, history and heritage with the passing of tribal elders and community leaders. This emotional toll has drained our school staff to the point where there is not much more that they can give.

Indian Country has been underserved in many health areas, but particularly in the area of mental health. BIE Director Tony Dearman himself cited this significant challenge in testimony provided before the Committee on Indian Affairs in May 2018. Indian Health Service (IHS) providers have always been limited in regard to access to resources, isolated locations of Tribal Nations, and the struggle to recruit and retain qualified personnel to address behavioral needs of our schools, let alone our communities. Now, coupled with the COVID–19 pandemic, IHS service providers have been pushed to their limits as well.

As a result, we are pushing our educational staff to provide the mental health support to their students, when they too have experienced historical trauma and current loss due to COVID–19. Our staff have been trained to be professionals in education, not in health services. The mental health concerns of our Native youth have exponentially increased during COVID–19. Direct counseling to BIE students

and staff is imperative to the survival of our school systems, as the lack of support in this area is an epidemic itself.

Conclusion

In closing, I must stress that it is important to take what works from the past and bring forth to the present moment. COVID-19 did not allow us to be proactive, but rather reactive as we navigated into uncharted waters in education. However, it is crucial to examine what worked for different Tribes on many reservations throughout the United States, and respect the time and effort each respective school took to provide the best education possible during one of the most difficult pandemics in history.

During a pandemic that prevented educators from reaching students personally, it also pushed them to find creative and innovative ways to deliver instruction. I humbly ask that this is considered and that each school initiative be respected when considering government-wide mandates. Allowing the many different tribes the autonomy to determine the most effective platform to deliver instruction empowers educators and students to work on the achievement gaps of Native American students. Whether Chippewa, Sioux, Navajo, Cherokee, etc., those of us working in BIE school systems have witnessed firsthand what works and what doesn't work for our students. This is what we as educators practice—we differentiate based on the individual needs of our students. We ask that the same courtesy apply to us in BIE funded schools—to allow and support us in determining best practices for the unique needs of our students at each respective school.

Thank you again for the opportunity to present this testimony. I appreciate your continued dedication to our Native American students and look forward to working with you to ensure that BIE funded students educated on Tribal lands are provided with the opportunity to achieve academic success in a functional, safe and secure learning environment. I would be honored to answer any questions you may have.

The CHAIRMAN. Thank you to Dr. Thomas, and thank you to all of the testifiers.

We will start with Senator Luján.

**STATEMENT OF HON. BEN RAY LUJÁN,
U.S. SENATOR FROM NEW MEXICO**

Senator LUJÁN. Chairman Schatz, thank you so very much for allowing me to go first. I thank all my colleagues as well for that consideration.

Ms. Embrey-Arras, according to GAO's estimates, what percent of homes on Navajo Nation lack broadband?

Ms. EMBREY-ARRAS. I am going to have to look this one up, but I have it right at my fingers. We noted that in nearly half of all BIE school communities, where data were available, less than 50 percent of households had access to broadband. This is prior to the pandemic. So there are significant broadband access issues.

Senator LUJÁN. It is my understanding that about 70 percent of homes on Navajo Nation lack broadband. We will come back to that.

Ms. EMBREY-ARRAS. Yes, we have several statistics in here. I think there are also some challenges with the data, some data limitations. But your point is well taken, there are significant limitations to broadband access.

Senator LUJÁN. And how many Navajo households do not have a computer?

Ms. EMBREY-ARRAS. We note that about half of the Navajo Nation reservation homes lacked a computer.

Senator LUJÁN. About 51 percent is my understanding.

Ms. EMBREY-ARRAS. Correct.

Senator LUJÁN. Do you know how many BIE schools are located on the Navajo Nation?

Ms. EMBREY-ARRAS. I don't have that number at the tip of my finger, but I can get back to you on that.

Senator LUJÁN. It is my understanding that is over one-third, but I would appreciate if you could get back to us to confirm that.

Ms. EMBREY-ARRAS. Sure.

Senator LUJÁN. Yes or no, did BIE issue guidance on distance learning methods for areas without broadband?

Ms. EMBREY-ARRAS. Yes, but it is extremely limited.

Senator LUJÁN. It is my understanding that BIE's Return to Learn guide for the 2021 school year was 76 pages long. Of these, how many pages were devoted to what schools should provide for students who were unable to access the internet?

Ms. EMBREY-ARRAS. I know that only seven pages were focused on distance learning, and of that, even less was focused on students who did not have access to the internet. So that was one of the main concerns that we uncovered in our survey, was that the guidance that was being provided was not meeting the needs of the school officials that we had surveyed.

Senator LUJÁN. So if could verify this, it is my understanding that of 76 pages, only half a page provided guidance for students who were unable to access the internet.

Mr. Dearman, we know that many students will continue to learn remotely in the foreseeable future, so there is a long term need to provide schools with adequate information as to how to navigate the digital divide. Yes or no, will you commit to including information for schools on what they should provide for their students who are unable to access the internet when BIA releases its guidance for the 2021–2022 school year?

Mr. DEARMAN. Thank you, Senator, and yes, we will definitely work with our schools and other Indian Affairs agencies to make sure that guidance is provided.

Senator LUJÁN. And as was noted earlier, Mr. Dearman, due to the pandemic, many BIE students have been forced to complete their schooling at home. Unfortunately, over 1,400 BIE students have been forced to rely on paper packets to learn over the past year, due to inadequate access to the internet.

In addition to BIE providing many students with computers at hotspots, many live in areas that don't have any connectivity, what we would call dead zones, where they cannot access online instruction. I challenged everyone that I have been able to ask this question, I still don't understand how someone can get in an airplane in Los Angeles, connectivity in the air at 30,000 feet, land in New York or in Miami and stay connected to the internet, yet our students that live in communities where those planes fly over cannot. Students in tribal lands don't have access to fast, affordable internet to simply complete their homework.

It is my understanding that one of the areas that BIE did make investments was wi-fi on school buses. Can you expand on how BIE was able to expand and what difference that made?

Mr. DEARMAN. Thank you, Senator Luján. I agree, it goes even beyond internet access. We still have communities and students that are living in homes without electricity or running water. We do have some issues that we definitely need to make sure that we are addressing, to make sure our students are educated.

We did equip the 25 longest bus routes within BIE with wi-fi. The intent was to make sure the students had access to internet to and from school. Then the pandemic hit. When the pandemic hit, the locations shifted. So depending on the reservation and what the tribe had in place determined how the buses were used. There were some locations that they actually put a bus out into the community and parked it so the students could have access to wi-fi. Then there were also areas to where the restrictions did not allow any transportation or any movement of the buses, and they remained on campus.

So it varied, depending on the situation, as far as the pandemic on each reservation, and what the tribe had in place.

Senator LUJÁN. Thank you, Mr. Dearman.

Chair Schatz, this may be an area where we can also work to get an inventory from BIE, as we have already requested from IHS, of how many households, which households don't have access to electricity, running water, wastewater and broadband.

Thank you, Chair, and I thank my colleagues.

The CHAIRMAN. Thank you, Senator Luján. I think your point is well taken about the lack of data and the lack of a plan. We are still in this period of time where the BIE has to provide guidance about reopening. I have experienced this in the State of Hawaii, where everyone is trying in earnest.

But the truth is that school leaders and educators are not epidemiologists. They are not public health officials. They are rules followers, so they are going to rely on CDC or their own departments of health, or in this case, the BIE for guidance.

So as we think about the vaccine succeeding and eventually being on the other side of this pandemic, one of the tragedies that I think we really aggressively need to avoid is losing the fall of the school year, losing next school year. It is tragic enough, it is devastating enough that kids missed this year of school, but it is somewhat understandable, as devastating as it was for millions of kids.

But if we do it again, shame on all of us, because there will be no public health reason to do that, it will be purely the fault of the adults. So all of us have to be leaning into, at a minimum, where we are going to have in-person school across the Country, in Indian Country, in Alaska Native communities and in Native Hawaiian communities. Assuming the trajectory of the pandemic continues in a positive direction we need for schools to be open this fall.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. Well said. We all recognize that as we are hearing within this Committee, districts are not equally situated, schools may have access to the laptop, but if you can't connect to anything, or if you are in this dead zone, it doesn't really get you where you need to be.

Another issue with access that can be a barrier is the issue of cost. I was on a Zoom call yesterday with some folks from the North Slope Borough School District, so right there at the top of the State of Alaska. They shared with me that while they have internet, the connectivity is pretty poor, but that doesn't mean that they get a bargain rate on the price. They shared with me that prices per month are between \$700 and \$800 per month for families to connect to the internet. So think about what that means, if

you have an internet bill that is close to \$1,000 for your usage, it may as well not even exist if you cannot afford your internet.

So we asked in that situation, and again, I indicated we don't have BIE schools elementary, but we do have a tribal college up there in the North Slope Borough, Ilisagvik. So Ilisagvik is in a place where you have very poor or non-existent broadband, internet connectivity, that again is incredibly expensive.

So the question that I have is whether or not, and this is to Mr. Dearman, whether the Bureau has a plan to assist tribal colleges like Ilisagvik that are located in places like this, where the cost is just exorbitantly high.

When I ask you to answer that question, I would just also share that the FCC is considering now stakeholder comments about how to provide flexibility to schools to use E-Rate funded connectivity and equipment. I don't know whether BIE has submitted comments as part of that process, but I would ask you that question as well, what possible support might be had for those institutions that are experiencing extraordinarily high costs for lousy internet.

Mr. DEARMAN. Thank you, Senator. One of the things that the BIE is trying to really get the data we feel is important [indiscernible] Indian energy [indiscernible] National Telecommuting and Telecommunications Administration and the National Broadband Availability Map program. Because we need to understand where our communities are, do not have [indiscernible] our service areas. So once we get hold of that data, and we are expecting the maps to be available sometime around early summer, we can actually start addressing what we need to do to bring some of the costs down.

You are right about the E-Rate programs, and I will follow up to see how that applies to our TCUs. But we are willing to work with the Committee and any other organization or agency to address the situation that you brought up today.

Senator MURKOWSKI. So in other words, there are no resources. Again, it was outlined in both my opening statement and that of the Chairman that there are significant resources that are coming by way of the American Rescue Plan and the multiple measures that we advanced and put into law last year. Are you looking to perhaps be able to provide some level of financial relief to help offset some of these extraordinarily high internet costs?

Mr. DEARMAN. Again, thank you, Senator. We would be happy, with appropriations we receive from Congress, to provide additional appropriations to our TCUs or anyone else to help bring down and assist with the costs of the high connectivity situation that they are currently in. But that would be determinant on the appropriations that we receive from Congress, how much we can actually help our TCUs in remote locations.

Senator MURKOWSKI. Well, it seems to me that we have, again, we have the American Rescue Plan funds that are coming your way. So again, I would encourage you to look at that aspect of what access means as well.

Last question for you here relates to mental and behavioral health. According to your testimony, BIE has implemented the agency's first ever comprehensive behavioral health and wellness

program. It is available to those in Bureau operated and tribally controlled schools.

So the question is whether BIE is providing behavioral and health crisis support for tribal colleges as well. I think we all recognize the stress that our students, both young and older, have experienced during this time of the pandemic.

Mr. DEARMAN. Yes, Senator, and we did include all the staff and the students at our tribal colleges and universities to make sure that they were covered through the contract. We are in the process of addressing the privacy issues within the contract and we are able to provide [indiscernible] and the direct crisis or TCU staff and students will be included in that contract.

One of the things that we have done, Senator, along with the contract, as a kind of a sidebar, we have also been providing youth mental health first aid contract, which is an eight-hour training. What that does is help staff identify the unique risk and the warning signs of mental health problems. Up to this date, we have 432 staff that have been trained and another 120 that are scheduled for May to have the training complete.

Senator MURKOWSKI. Mr. Dearman, thank you. Unfortunately, some of your comments were cut off. We seem to have a little bit of lag with your particular testimony. I am not sure why. But it just is a reminder that this is the reality that so many face, the connections are there but they are still tough to follow.

I have specific follow-ons to that particular question. I will do so. Mr. Chairman, thank you.

The CHAIRMAN. Thank you very much.

Although I think Mr. Dearman is in Washington, D.C., oh, he is in Oklahoma, I am sorry.

Dr. Kamana, thank you for your great work. It has been a long time since we have seen each other in person. I want to talk about the American Rescue Plan. As you know, \$2.5 billion overall for Native students, including \$85 million specifically for Native Hawaiian education. Can you just talk about the importance of those dollars and specifically what the Congress and the United States Department of Education need to do to make sure that the implementation of these funds works best for you on doing the work?

Dr. KAMANA. Hi, aloha. First of all, mahalo nui, thank you so much for the NHEP funding that we received. Because that essentially is the only way that the money can come directly to the communities.

So in that way then we can spend the money, the funds, in the way that we see as being important and significant within our school community, within our Hawaiian language medium school community. If it weren't for that kind of funding, we would not be able to really pivot in March of last year to do what we did. I did mention that we did things with our aloha and trying to address the issues of technology and distance learning right away.

So for our school, then, we made decisions to do online learning right in March. And for all of our staff, we did virtual work from home and just had the essential people on campus there. We would not be able to really move that quickly if we didn't have that kind of support funding to our schools.

So having designated funding for Native culture and language medium charter schools is very important. Because the regular public school system usually, if Federal funds come through that way, it never really gets to us on time, which is the case this past year also.

Also for Native American language non-profit operated language nests, it is very, very important for our work with revitalizing the language, professional development, curriculum development by our teachers. So our funding would all go to training our people.

We talk about technology or even the people who are working on our campus to work with parents on technology, how to use the computers, how to get online, how to help their children. That needs training, and we don't have that available to us, but we try the best that we can with what we have.

So if we did not have that kind of funding, we would not have been able to provide immediate assistance to our families, to our teachers, and to our staff on campus.

The CHAIRMAN. Thank you very much, Dr. Kamana.

Ms. EMBREY-ARRAS. I want to talk to you a little bit about the institutional capacity issues that landed BIE on the GAO's high risk list in 2017. I am just wondering whether you see those institutional capacity issues flagged by GAO as feeding into the problems that we had in responding to the COVID-19 crisis, understanding that everybody was dealing with an emergency that was totally, in a lot of ways, unforeseeable for most institutions. Unless you are in the CDC you are not thinking about pandemic preparedness necessarily. Lesson learned.

But it seems to me some of these problems that we have experienced have to do with issues unaddressed in the 2017 report. I am wondering if you can speak to that.

Ms. EMBREY-ARRAS. Certainly. We do think that capacity is key to effectively supporting BIE schools. In terms of the vacancy rate right now at BIE, our understanding is that overall it is around 30 percent. However, there is variability within BIE in terms of the vacancy rate and the school operations division has a vacancy rate that I believe is around 50 percent. That division provides assistance to schools with education technology, and there are vacancies for IT positions that are supposed to be supporting schools at the school level.

So I think it makes it harder for BIE to support schools with those vacancies in place.

The CHAIRMAN. Thank you very much.

Mr. Dearman, the last time you testified before the Committee the BIE was unable to confirm the specific number of students forced to use paper packets during distance learning, whether all schools were actually offering some form of learning opportunities, and also how many BIE students and staff are known to have contracted COVID-19.

BIE never responded to questions for the record. I know that you have data collection issues. So this is not to say that you have to magically configure data that may not be possible to gather. But it seems to me not responding at all to a member of the Senate who writes you a question for the record is not the way to allow us to conduct oversight.

So do I have your commitment to respond to all correspondence from members of this Committee on a bipartisan basis to the extent that they are pursuant to our work?

Mr. DEARMAN. Thank you, Chairman. I just want to let the Committee know that BIE takes all Congress inquiries as well as our tribal leaders. We respond very quickly. Once we provide the response, it is put into a clearance system within the Department. Then we lose control of that document.

But what we will do, Chairman, we will definitely take this concern back to the Department and make sure that this was brought up today and see what we can do about improving our response time.

The CHAIRMAN. So in other words, you developed responses and then you sent them upstairs, so to speak, and then they got buried? Is that what happened?

Mr. DEARMAN. Yes, Chairman, we have a data tracking system that we enter all documents into. It is routed through different offices through Interior. So we will definitely go back and address our administration.

The CHAIRMAN. Okay. It seems to me that one way we could sort of build trust and get back into a rhythm of working together but also understanding that we are co-equal branches of government is to respond to those questions that remain unanswered, because they are still relevant to our policy-making process on a going-forward basis. So we will follow up on those QFRs that remain unanswered.

Another thing I would like to do is work with you and members of the Committee on having a school reopening plan. And I understand, first of all, schools are going to have individual needs. Communities are going to have individual, not just idiosyncrasies, but are going to have different situations as it relates to the COVID-19 pandemic. And you have tribal sovereignty, which has to be exercised. So all of that is the context.

Yet, it still occurs to me that BIE needs to display some leadership here on criteria for reopening, on the mechanics of reopening, of how to provide resources from CDC or local health agencies or whomever is most helpful. Because yes, that sovereignty has to be exercised. But it really can't be exercised without the logistical support, without the technical support, without the expertise on the public health side.

So hopefully we can work together on clarifying reopening criteria. Again, a lot of these decisions are going to be made at the local level. But we want to at least get people in a position so they can decide whether or not to open. I lean very strongly towards opening all schools in the fall. But I understand there may be individual circumstances where that becomes difficult.

But we should not, by virtue of our bureaucracy not being mobilized, end up in a situation where an individual principal has to behave like some public health expert. That is not what they are trained to do, and they should be able to rely on our Federal agencies to provide that guidance on when, how, and under what circumstances to reopen.

Senator Cortez Masto.

Senator CORTEZ MASTO. Thank you, Mr. Chairman. I really appreciate the conversation today.

Principal West, let me start with you, focusing on mental health. I know in the past you have talked about how important it was for students' social and emotional well-being to have in-person learning. And you made it possible because Schurz Elementary was able to use a hybrid learning model. It allowed students to see their peers, at least a few hours a week, I am told. And now with more Federal funding coming into Nevada, you will be able to move to 80-20 in person and virtually.

Can you talk about your experience working with students in the classroom, and have you seen an in-person learning boost and better mental health outcomes because of it?

Mr. WEST. Yes, Senator, thank you for the question.

I attribute our increase in in-person students compared to our distance learners through the strict tribal lockdown in both Pyramid Lake and down here at Walker River. From the very beginning, the tribal government took it extremely seriously and implemented signage on the borders of the reservation as well as curfew. So early on, I don't believe that we would have that type of sense of security moving through the pandemic if we didn't have the leadership of our tribal governments to make sure that we had everything we needed in terms of planning.

In the same ways with our reopening plan, everything was well coordinated between the school district down here and the tribal government, and then up at Pyramid Lake as well, there was a lot of back and forth with the tribes and the school.

Another thing has to do with technology. In my written testimony I spoke about areas of improvement. This was spoken earlier, that we didn't know what we were up against. So in terms of distance learning and getting that curriculum online, which most of our teachers have never really done, we provided maybe three to one week of professional development and then said, all right, there you go, you have your training, and now it is time to go out and do your curriculum online.

That was a challenge for some of our students as well, and our parents and guardians saw that as, they were unhappy with it, some of them. And they knew that the best for their children was to attend in person.

Senator CORTEZ MASTO. Was it good for their mental health? My concern during this pandemic and the challenges that we have seen for children particularly, the isolation and not being in normal school, that has impacted their mental health. Did you see that with any of your kids?

Mr. WEST. They are only on campus for three hours a day per session. So we have not seen much because we are so focused on our reading and math blocks and getting the instruction to them as quick as possible. By the time any students have some off time or maybe some episodes of dysregulation occur, it has been rare. But again, they are at home more than they are here.

Senator CORTEZ MASTO. Right.

So let me jump to Mr. Dearman because I know there were some glitches when we were talking about this and your implementation of the agency's first-ever comprehensive behavioral health and

wellness program. I am trying to understand, if I heard you correctly, you said you already have training on mental health and wellbeing for the staff that you have conducted already. Is that correct?

Mr. DEARMAN. Yes, it is.

Senator CORTEZ MASTO. How many have been trained?

Mr. DEARMAN. The current numbers that I have, Senator, 432 have actually been trained in the eight-hour course, with another 120 scheduled to go through the training in May.

Senator CORTEZ MASTO. And then as you develop the curriculum for the training that is necessary to understand the students' mental health and wellbeing, did you work with IHS or any health care professionals?

Mr. DEARMAN. Great question, Senator. We are in weekly contact with IHS for support, and any type of trauma or any type of situation that comes up in any of our school locations, we make sure that we are reaching out and coordinating with Indian Health Services as well as the tribal health agency to make sure that we have counseling there on the ground.

Another thing, Senator, that we have done, is we have identified the need for behavioral health. That has been in my previous testimonies. We have put positions of behavioral health support specialists within the Associate Deputy Director's offices. So all three Associate Directors' offices will have a behavioral health specialist underneath their authority to where they can directly work with the schools within their regions.

We have two of the behavioral health specialists that have been cleared and are now on board. Our third one is still going through the background clearance as we speak.

Senator CORTEZ MASTO. Thank you. I know my time is up.

I have additional questions, I will submit those for the record. Thank you again, everyone, for this discussion.

The CHAIRMAN. And I know Mr. Dearman will respond to those questions for the record.

Senator HOEVEN.

Senator HOEVEN. Thank you, Mr. Chairman.

Dr. Thomas, what do you believe are the most important lessons learned over the past year when it comes to addressing the educational needs during this pandemic?

Dr. THOMAS. Thank you, Senator. In my opinion, as I have stressed in my testimony, it is looking back as to lessons learned, what worked and what didn't work. Because we are a cooperative school within the State of North Dakota, we also followed the State guidelines in regard to a return to learn plan.

So speaking on behalf of North Dakota educators, with the guidance there, I thought we were very well prepared. My biggest fear is that what worked and what was proven effective for our Native students will be dismissed in lieu of trying to get a one size fits all. And I stressed that often in the testimony, that I hope the BIE considers what works at each respective school versus a blanket approach in regard to education.

Senator HOEVEN. So what were the biggest challenges?

Dr. THOMAS. Well, the biggest challenge is the connectivity. As Director Dearman stated, there were hotspots and jet packs. How-

ever, in Indian Country, one of our biggest issues is transportation. So actually getting those students to those hotspots proved to be very difficult. So we tried to set up hotspots within highly populated areas, such as our housing projects, but that doesn't reach those students in rural country with the thick forest, that prohibits the connectivity.

So I would say in that event, it was the actual internet and technology issues.

Senator HOEVEN. Were there things you thought were particularly helpful that are temporary, based on the pandemic, and that we should look at extending or making permanent?

Dr. THOMAS. I have many thoughts. I can tell you our educators have come so far in regard to a hybrid approach. It forced creativity, I wouldn't say forced it, but I am so proud of our educators in Indian Country, because they found every way possible to reach our students.

So that could be a question that could be answered by those who are in the trenches.

Senator HOEVEN. Yes, you might want to ask them that question. Because if there are some things that we should look at those, perhaps in legislation, in terms of continuing them after the pandemic. Are you back in school full time or are you still doing a hybrid?

Dr. THOMAS. Right now, we are still in a hybrid. We have weekly health meetings and luckily, we do have a tribal epidemiologist who assists us. However, there are some barriers that are preventing us from coming back onsite.

In the State of North Dakota, we can provide Binax testing to our students under the clear waiver of DPL. However, we still are waiting on a consent form through the BIE to actually allow our parents to do it. Because we have our students in Federal buildings, we are unable to Binax test for asymptomatic individuals. We have the tests, we have the trained individuals, we just need that consent form to come back to our hands so we can begin.

Senator HOEVEN. And then how about in the area of mental health? Any particular challenges, any particular things, tools, that you found useful that we should be looking at extending or adding?

Dr. THOMAS. Well, as I stated, it is a huge issue. We are limiting the amount of IHS service providers here, and our staff are suffering right now. Because we started in mid-September, the BIE determined our school date would be a month or so behind.

Our staff are going to be teaching into mid-June. They have high burnout. We still have important professional development that we have to present. But at the same time, we know that they are not going to listen. They are tired.

So we need more people in that area to provide direct support services to our staff and our students as well. We don't have enough people.

Senator HOEVEN. I certainly understand that.

Dr. Thomas, thanks for all you are doing and all your service on behalf of the students. It is truly appreciated. Thank you for testifying today.

Dr. THOMAS. Thank you, sir. It was an honor.

The CHAIRMAN. Thank you, Senator Hoeven, and Dr. Thomas.

Let's follow up on the issue of the pending approval at BIE for the ability to test symptomatic students. That seems to be a resolvable issue, but also a very important one.

Senator Smith.

**STATEMENT OF HON. TINA SMITH,
U.S. SENATOR FROM MINNESOTA**

Senator SMITH. Thank you so much, Chair Schatz and Vice Chair Murkowski. Thanks to all of you for testifying today.

I would like to talk a little bit about the state of BIE facilities around the Country. Last month I met with school leaders and educators from the National Indian Education Association. I heard a lot about the challenges that they have faced over this last year because of lack of access to broadband and to technology. This has clearly been a through line in the questions and the discussion that we have had all during this hearing.

They are also worried about what is going to happen to students when they return to the classroom and how these buildings are going to be able to accommodate things like social distancing and staggered student schedules, and all the other adjustments that they are going to have to make. The main concern is making sure that BIE funded schools have the resources they need so that students can learn in a safe environment. Of course, we all know that this is a longstanding issue, annual funding for Bureau of Indian Education has been insufficient for years. The situation at some schools is deplorable. We have experienced this firsthand in Minnesota.

Director Dearman, let me start with you. Could you tell me, what is the maintenance backlog at BIE funded schools across the Country?

Mr. DEARMAN. Thank you, Senator Smith, for the question. That is something that I will definitely have to go back to the Department and provide that to you in writing. I know that we have been addressing the maintenance backlog as I have testified before. Through our inspections [indiscernible] we have taken over in BIE we have actually gone in and assisted schools in making sure that the abatement plans were input into the system to where it captured the estimated cost that it would take to correct all the deferred maintenance issues that we have identified.

So I would be happy to go back and provide that in writing to you.

Senator SMITH. Thank you. I would appreciate that.

I am told that the Department of Interior estimates that there is over \$639 million needed to address just the most dire of needs in BIE schools, not yet all of the needs, but the most dire of needs.

I would like to turn to Dr. Thomas and Dr. Kamana and Dr. West, could you just talk a little bit about what the impact of this maintenance backlog is? Dr. West, I can hear in your voice as I listen to you the stress that educators are under in this moment. I think about all the signals that we are sending to educators and students when we ask them to work in facilities that are not up to par. Maybe you would like to start.

Mr. WEST. Yes, thank you for that question. At our facility at Pyramid Lake Schools we actually have a fairly modern facility. My

only concern is social distancing and what guidance will look like. If they expect all our students to return in person, there is no way we will have the classroom space.

Senator SMITH. Right.

Mr. WEST. So that is our biggest concern right now.

Senator SMITH. It is the space, not having the space, right.

Dr. Thomas, I would love to hear your response.

Dr. THOMAS. The backlogs are extremely frustrating on everybody's part. There are still unsafe conditions that are in each respective school even prior to the COVID pandemic that have yet to be funded. But especially with the onset of the pandemic, the need for more space or adequate space is another problem in itself. Items on backlogs for years have continued to remain there. So I would agree, it is a big problem.

Senator SMITH. I know that this is one of those problems that we have talked about for a long, long time, since way longer than I have been in the Senate. Again, like so many issues, COVID is laying bare the inequities. It is not creating the inequity, but it is showing us what it is.

We are also, both tonight and over the last couple of weeks, we are talking about making trillions of dollars of investment in infrastructure, housing infrastructure, roads and bridges, water systems, all desperately needed all over the Country.

But I think particularly about educational infrastructure for Native learners, and the message that we can send by making this a priority. I am just determined about this, and I appreciate all of you and what you are doing. I look forward, Director Dearman, to hearing back from you.

While I have you, I want to just mention, I know that you and I know that we have been in touch around the issue of Fond du Lac Tribal and Technology College eligibility given their unique status for COVID relief funds. I appreciate the letter that I received from you last month, I think it was, and I would ask if you will continue to stay in close touch, so that we make sure we get this issue resolved for Fond du Lac in a way that works.

Mr. DEARMAN. Absolutely, Senator. Thank you.

Senator SMITH. Thank you, Chair Schatz.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. I am going to be very brief. I am going to excuse myself and go vote, I know we need to do that.

As you know, I am the Vice Chair of the Interior Appropriations Subcommittee. On that committee we had an opportunity to have folks from the IHS before us. So many of the same questions in terms of an inventory of need have been asked for and not received. To have Mr. Dearman say he is going to get back to us on the maintenance backlog, we keep asking, on this Committee, and I keep asking on the Interior Appropriations Committee.

Sometimes you don't want to know how bad the bad news is in understanding the inventory and the maintenance backlog. But in order to adequately address it, we need this kind of information from the agency. We need the information from BIE just as we do from IHS.

Several members have raised it, and I hope it does not fall on deaf ears. We have a new Administration, we have new folks in place. So I would certainly encourage all of us to keep the pressure on to get an accounting of where we are. We know the need is there, but we need to see that in writing.

Thank you, Mr. Chairman, for letting me interrupt before other colleagues.

The CHAIRMAN. Thank you. I couldn't agree more, Senator Murkowski. We have some follow-up oversight to do, and on a bipartisan basis.

If there are no more questions for our witnesses, I want to say thank you for all of your good work. We look forward to continuing our collaboration and exercising our oversight obligations.

Members may also submit follow-up written questions for the record. The hearing record will be open for two weeks. I want to thank all the witnesses and all the staff for their time and their testimony today.

This hearing is adjourned.

[Whereupon, at 4:00 p.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO MELISSA EMREY-ARRAS

Question 1. GAO recommends that BIE provide comprehensive guidance to schools on distance learning as a result of its recent findings. How will GAO evaluate BIE's efforts to address this recommendation?

Answer. We will review the guidance BIE develops in response to the recommendation to see the extent to which it includes information requested by schools. For example, 13 of the 25 schools that responded to our survey said they wanted BIE to provide information on developing and implementing distance learning programs.

Question 2. Your written testimony states, "Different [BIE] field offices provided different [distance learning] trainings to schools in their jurisdiction." Based on GAO's review, does it appear that this decentralized approach to trainings was to provide flexibility to better meet local training needs? Or, was it the result of coordination issues between the education resources centers and BIE central offices?

Answer. We did not evaluate whether BIE's approach to training was to provide flexibility to better meet schools' individual needs, or whether coordination between the education resources centers and BIE central offices was an issue. However, school officials we interviewed and surveyed said that BIE's overall level of support for delivering distance learning was insufficient. For example, officials we interviewed from five schools noted the limited nature of the support BIE provided to help them prepare for the 2020–2021 school year. An official from another school reported that the school felt it had to determine on its own how to deliver distance learning. Additionally, officials from another school told us that its local education resource center offered to provide help when asked, but it did not provide specific assistance.

Question 2a. Does GAO believe that more coordination to share trainings between resource centers and schools would have improved distance learning professional development across BIE?

Answer. We did not evaluate the effectiveness of BIE's approach to providing training to schools during the pandemic. According to BIE officials, a contractor is currently, among other tasks, evaluating BIE's delivery of distance learning to provide recommendations on the training, professional development, and integrated tools available for teachers, school staff and administrators so they can incorporate distance learning in their educational system.

Question 3. Your testimony identifies issues BIE had determining IT needs at its schools as a major contributing factor in the delayed distribution of student laptops during COVID–19 campus closures. It also states: "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." Is GAO aware of the extent to which OIMT and BIE worked together prior to the pandemic to address student and school IT needs?

Answer. We did not evaluate the extent to which BIE and OIMT worked together on school IT issues before the pandemic to address schools' and students' IT needs.

Question 3a. Does GAO believe that OIMT and BIE coordination issues or delays contributed to the delayed distribution of student laptops purchased with COVID–19 relief funds?

Answer. We did not conduct an analysis of coordination between OIMT and BIE on school IT issues.

Question 3b. What role—if any—does GAO recommend OIMT play in addressing its recommendation that BIE establish policies and procedures to ensure it has complete, accurate, and up-to-date information on schools' technology needs?

Answer. The focus of our recommendation was for BIE to work with OIMT to develop and implement policies and procedures to collect information on schools' IT needs.

Question 4. GAO's work on this engagement focuses on BIE's efforts to improve distance learning capabilities for BIE students during COVID-19 related campus closures, but the Committee received reports suggesting teacher Internet access and IT hardware issues contributed to distance learning issues at many BIE schools. Specifically, last year, the Committee heard that deployment of a new BIE email and online portal system in April left many BIE staff without the required Personal Identification Verification (PIV) credential cards necessary to access the online BIE systems after BIE closed all school campuses for the Spring 2020 semester. Did GAO hear from any BIE schools that this credentialing changeover in BIE email systems left BIE staff members unable to access these systems and/or created additional distance learning barriers for BIE schools?

Answer. While this was not a focus of our review, one school official told us in the fall that when BIE migrated emails to a new system over the summer, many teachers and administrators were unable to access email after the migration because BIE did not train them on how to do so.

Question 4a. Is GAO aware of any efforts BIE undertook to ensure teachers and staff had access to the Internet and the IT equipment they needed to offer online instruction and complete their work remotely?

Answer. According to Department of the Interior documentation, Indian Affairs' Division of Acquisitions, along with some BIE-operated schools, purchased over 1,600 laptops for teachers at BIE-operated schools between February and September 2020. Additionally, some school officials told us they provided Internet access to teachers at home. As of March 2021, 37 of the 54 BIE-operated schools reported that at least 90 percent of teachers had access to the Internet at their homes.

Question 5. The Bureau had difficulty providing real-time information on the operational status—in-person or remote—of BIE schools last year. Additionally, media reports suggest that some BIE schools operating remotely lost touch with students or suspended remote instruction completely.

Your written testimony states, "Many [BIE] schools provided learning opportunities while their school buildings were closed.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." Additionally, a footnote related to that portion of your testimony indicates that at least one school did not provide distance learning. Does GAO's footnote mean that the school that did not provide distance learning closed completely? Or, did this school not offer distance learning because its campus remained open for in-person instruction?

Answer. Officials from the school referenced in the footnote reported in our July 2020 distance learning survey that the school ended the academic year on March 11, 2020 as a result of the pandemic-about 8 weeks earlier than scheduled. The school officials also reported that they did not provide any distance education after that time. Our survey defined distance learning broadly to include any educational activity conducted with or assigned to students by school staff or contract personnel through a remote means, including paper instructional packets. We take the school officials' responses to mean that its students did not receive academic instruction of any kind during the last 8 weeks of the 2019-2020 school year.

Question 5a. As part of its work on this engagement, did GAO find any evidence that some schools suspended all instruction and/or lost touch with students during COVID-19 related campus closures?

Answer. Aside from the school discussed above, none of the remaining 24 schools that responded to our July 2020 survey, including the 10 we conducted interviews with in fall 2020, indicated that they had suspended all instruction during COVID-19 related school closures. However, our sample of schools was not generalizable to all BIE schools. Also, we were not able to determine whether the schools we collected information from lost touch with students during school building closures. However, some school officials we interviewed discussed the challenges of engaging with students during the pandemic. For example, one BIE school principal told us that some students had taken jobs during the pandemic and the school responded by recording lessons and making them available online so students could watch them later.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO
LANCE WEST

Question 1. Please describe the infrastructure and facilities needs of the school systems you work with and the federal resources that would most help schools serving Native communities to address these needs.

Answer. Schurz Elementary School requires a modernization of our schools: Adequate playground equipment, artificial grass, and basketball playing surface. Our equipment is badly outdated. Our playground is a dirt lot with an asphalt basketball court. Both are at least 20 years old. We need a baseball field, track field, softball field. We need the basics in our community. Mental health for our youth is in the form of physical activities and extracurricular opportunities. In terms of federal resources, I would ask any Congressmen that sits on the House Education and Labor Committee to help us meet our needs. I ask that the GAO also conduct or include recent surveys and data that validate the need for improvements to infrastructure and facilities with schools that support high native student populations. This could be a coordination effort between the GAO and US Dept of Education. I would ask that the federal government complete a comprehensive review of the Nevada Department of Education and any recent research or recommendations for educational institution's infrastructure in rural Nevada.

- a. In addition—repaving of our parking lot and a physical barrier system to prevent out of control vehicles from driving into our classrooms. Our school is just feet away from a major US highway (US 95).
- b. Replacement of all classroom furniture. Furniture is outdated.
- c. Additional transportation including multiple vans, school vehicles.

Pyramid Lake Junior/Senior HS: Additional buildings to house classrooms and CTE equipment. Our current facilities limit the number of students we can enroll.

- a. A second gymnasium and practice facility.

Question 2. Native school systems have made progress towards closing the digital divide this past year. But it is obvious there is still more work to be done. Will Schurz Elementary continue to utilize digital learning tools once all students return to in-person learning?

Answer. Yes, Schurz will continue to utilize digital learning tools after our students return to in-person learning. We must continue to utilize technology to fully prepare our students with 21st Century skills needed for success in their future careers.

Question 2a. What do we need to concentrate on in this area moving forward - broadband infrastructure, capital investments (e.g., hotspots and laptops), or digital supports (e.g., learning management systems, professional development, and STEM opportunities)?

Answer. All of the above. The CARES Act and ARP funds be expended at some point. My concern is there is not a comprehensive framework that can provide an equitable manner to cycle replacements and repairs of aging/outdated equipment including broadband, laptops/chromebooks. Digital supports focusing heavily on LMS (google or Canvas UIs) require continual professional development opportunities for our educators. STEAM supports cannot be undervalued. Our school and staff are huge supporters of any STEAM kits that are purchased from PCS Edventures! (*PCS Edventures—Experts In Hands-On STEM Education*). Their drone, bricklab, and digital video collections are top notch in providing hands-on and engaging content to our elementary students. Their products and similar companies offer so much benefit.

Question 3. Your testimony mentioned the successful use of a "reopening committee" composed of staff, parents, administrators, and representatives of relevant government entities within the Mineral County School District to guide operating decisions at Schurz Elementary School. Would you recommend BIE schools take a similar approach when planning for the 2021–2022 school year?

Answer. Yes! BIE must step up their support beyond email or phone calls. They must show a full commitment of supporting our BIE-funded school.

Question 3a. Do you have any suggestions on how to ensure that these types of "reopening committees" are successful?

Answer. The best advice I can give is for BIE leadership to submit guidance documents that set specific requirements for reopening to all of their schools. There must be set deadlines that include a required collaboration between the school, tribe, and all stakeholders. A template or model of a "full reopening plan" must also be provided as a blueprint. The approval process must include a sign off my tribal leader-

ship and/or any other local government leaders. I would like to think of the collaboration for full reopening in the same manner as the junior high/high school accreditation process. You seek input and survey the stakeholders. Incorporate those concerns into a living reopening document. Have committees composed of different levels of reopening (food services, transportation, curriculum/instruction, administration). Include parents, students, and community in those committees. There must be follow through and quarterly evaluation of the progress or any changes made by the schools. Documentation of changes or progress are key. The committees/teams should be included and updated as well.

Question 4. You recommended that the Committee prioritize mental health funding as it considers how to support Native education systems' COVID-19 response. In your opinion, are there enough resources for locally-led school mental health initiatives?

Answer. No, there are not enough resources for locally-led school mental health initiatives. The only forms of additional supports have come from the Nevada Department of Education in the form of free tele-doc services where parents/students can meet virtually with licensed mental health professionals. It seems very poorly planned and rolled out too quickly. From what I can recall, this initiative is grant funded. Most tribal communities have very limited funding in social work and/or HIS counselors, psychologists, etc. Most communities have one employee of each type on staff. I have not seen nor heard of any tribes in Nevada using funds to expand/increase staffing in Social Services, or tribal health clinics. All tribal governments continue to express this importance but is quickly forgotten.

Question 4a. What resources do you think schools serving Native communities need to help Native students navigate the mental health challenges posed by COVID-19? And are the needs of BIE schools comparable to those of local public schools serving Native communities?

Answer. Our local public school (Schurz Elementary) must create spaces for extracurricular activities. It is my opinion, based on my experiences this past year and a half, that our kids simply need more to do rather than be at home or play on the playground for 45 min daily or PE. Our community has extremely limited adequate playground, swimming pools, gymnasiums, baseball and softball fields, outdoor running track, football field. We lack so much extracurricular infrastructure that is pathetic. Our kids and their parents cannot be content with the below minimum expectations in our community. We need your help!! This is what mental health supports look like for my students. Of course, I ask for additional funding for more social workers in the school along with a counselor. We are the only school in Mineral County School District that does not have a counselor!!! Our parents constantly advocate for more fun activities and participatory events for their kids. These extracurriculars can also support our parents/guardians/community members as a way to cope with the challenges and stressors due to the Pandemic. The needs of BIE schools are comparable.

Question 5. You also noted that recruitment and retention of highly qualified Native educators is a growing need for many schools serving Native communities, and suggested expanding federal programs that specifically support Native educator training and professional development. Have Mineral County schools and Pyramid Lake seen an increase in teacher and staff vacancies and retirements since March, 2020?

Answer. Yes!

Question 5a. In addition to providing more support for Native teacher training programs, how else could Congress help support pathways for recruiting and retaining Native educators?

Answer. Congress must require state departments of education to collaborate with their respective tribes to develop a framework that can be presented to their respective university/college higher education system leadership. This framework prototype has been created by a local nonprofit organization, Indigenous Educators Empowerment based out of Las Vegas. I would encourage Congressional officials to reach out to this nonprofit for detailed information.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO
DR. KAUANOE KAMANA

Question 1. Your testimony underscores that infrastructure is both a COVID-19 issue and a larger pre- COVID-19 challenge facing Nāwahi School. Can you provide any additional details on the kinds of infrastructure and facilities needs you are fac-

ing? And, what federal infrastructure resources would most help your school and other Native Hawaiian immersion schools?

Answer. As a P–12 laboratory school, Nāwahi faces all the challenges listed in the attached report regarding Hawaiian Culture-Focused Charter Schools. Among those needs are basic facilities funding, culturally relevant facilities, and room for expanding enrollments. The Nāwahi campus includes K–8 programming funded as a charter school, Nāwahi Iki. That portion of the program was included in the data provided for the attached Hawaiian Culture-Focused Charter Schools report. There are other needs at Nāwahi's preschool and high school levels.

Ke Kua 'O Nāwahiokalani'ōpu'u (Nāwahi) is a P–12 laboratory program. It is the largest Indigenous language medium/immersion program in Hawai'i and the United States as a whole with students on three campuses. Nāwahi is an interagency collaboration between the Ke Kua 'O Nāwahiokalani'ōpu'u Iki K–8 (Nāwahi Iki) charter school program, the Pūnana Leo Preschool early education program and the DOE Hilo High School program. All are located on the main campus of Nāwahiokalani'ōpu'u in Kea'au, Hawai'i. The preschool and K–8 charter components include two satellite campuses, one in Waimea, Hawai'i and the other in Wai'anae, O'ahu. All features of the program have infrastructure needs. Our model of growth includes entities that are outside standard sources of funding and are likely to be overlooked. Nāwahi requires constant attention to the provision of support to address the facilities needs at all levels.

The 0–5 early education program on the Nāwahi campuses is operated by the non-profit 'Aha Pūnana Leo (APL) with qualifying four-year old children from certain economic backgrounds being funded through the Nāwahi charter school. The 'APL early education program and K–12 program are also integrated in terms of parent programs, development of curriculum/instruction and teacher in-service. The main campus is owned by the 'APL under an agreement that encumbers the property to the state Office of Hawaiian Affairs (OHA). The satellite campuses are located on Department of Hawaiian Home Lands property.

The Pūnana Leo is the preferred entry level for families seeking Hawaiian medium education at Nāwahi. Its long waiting list and limited space are ongoing barriers to meeting community demand to enroll at Nāwahi. There are ten other Pūnana Leo schools statewide that serve as the base for Hawaiian language medium/immersion public and charter school K–12 programs.

Under COVID–19 restrictions, at the preschool level there is a combined Fall 2021 enrollment of 75 on the three campuses of Naw. Once COVID–19 restrictions are lifted that enrollment is predicted to return to full capacity of 117. That preschool enrollment receives no facilities support from any government agency.

For the Fall 2021 school year, Nāwahi has 575 K–8 charter school students. Neither the state Department of Education nor the state Charter School Commission provides facilities funding for those students.

Nāwahi has a Fall 2021 enrollment of 159 in grades 9–12 that is supported with some resources from the state mainstream public high school system. However, the state public high school system does not provide any facilities support for Nāwahi.

The needs of Nāwahi's collaborative model are more complex than those of most other schools because of Nāwahi's strategic uniting of three distinct organizational entities with a purpose of assuring services through Hawaiian for families. The 'APL has supported Nāwahi building on its main campus, and could build on all campuses if funding were available.

Nāwahi is unable to meet the demand for its program given the facilities and infrastructure that exist at present. At the main campus we need ten more classrooms to meet P–8 needs and another 8 classrooms to meet anticipated high school needs. The preschool utilizes old and deteriorating facilities sufficient to house only half of those who apply yearly. The existing facilities need to be replaced and additional facilities provided in order to serve another 50 students. Our growing enrollment continues to create a need to house performing arts, physical education, a science laboratory as well as an athletic field, all in addition to facilities to accommodate ever changing student academic needs and interests. Similar needs, but on a smaller scale exist at the two Nāwahi satellite campuses.

A challenge for all schools taught through Hawaiian, including Pūnana Leo preschools and K–12 programs is that the state of Hawai'i focuses on funding the mainstream English language medium model of education. Hawaiian language schools historically emerge from grassroots efforts from within the community. Public school principals decide on whether or not to accommodate Hawaiian language medium streams in their schools. Families are dependent on those few schools where principals have decided to offer or maintain Hawaiian medium/immersion education.

Nāwahi has opened two satellite campuses in partnership with the ‘PL to accommodate communities where there is no access to Hawaiian language medium education or where families have faced challenges at existing schools.

On Hawai‘i Island there is a single state Department of Education operated K–12 Hawaiian immersion site. It is in the Kona District. There are no other Department of Education operated K–8 Hawaiian immersion programs on Hawai‘i Island. There are no Hawaiian language medium education schools in the large and remote districts of Ka‘u, North Kohala or Hamakua. In the Hilo and Puna districts Hawaiian medium education is provided solely by Nāwahi and one other charter school. In South Kohala, the sole program for Hawaiian medium education is offered at a satellite campus of Nāwahi.

On Maui, there are three Hawaiian immersion streams in English medium complex areas: Hana School; Pa‘ia Elementary-Kalama Intermediate-Kekaulike High School; Nahi‘ena‘ena Elementary-Lahaina Intermediate-Lahainaluna High School. There are three Pūnana Leo preschools feeding into those streams. Those Pūnana Leo need facilities development support.

On Kaua‘i Island there are no Department of Education-provided Hawaiian immersion sites. Education through Hawaiian on that island is provided by two charters as well as by the nonprofit ‘APL.

On Lana‘i Island, there is no Hawaiian immersion education. The State of Hawai‘i lost a lawsuit regarding access to education through Hawaiian on Lana‘i (Clarabal vs State of Hawai‘i 2019), yet no such education has been provided by the Department of Education there.

Moloka‘i Island has a single Hawaiian immersion stream. It combines the private ‘APL, a Hawaiian immersion stream in an English medium Hawaiian culture-focused K–6 charter in Ho‘olehua, a Hawaiian stream in Moloka‘i Middle School and a Hawaiian stream in Moloka‘i High School. These programs are on four separate sites, only two of which are operated by the state Department of Education.

On O‘ahu, the most populous island, there is one total Department of Education operated K–12 Hawaiian immersion site and five Hawaiian immersion streams in elementary schools. There is a K–8 satellite site of Nāwahi and a P–12 Hawaiian immersion charter.

The difficulty in addressing community demand for Hawaiian immersion education is due to the manner in which the state operates through the Department of Education. The decision to open a Hawaiian immersion stream in an existing Department school rests with principals, who also decide whether such a stream continues and under what conditions such a stream operates. Standard Department of Education schools are not designed to provide education from a Hawaiian cultural base and lack culturally-appropriate facilities to provide such an education.

Charters are the vehicle that communities depend upon to develop Hawaiian culture-focused education, including Hawaiian language medium education for their children. However, the lack of facilities funding and other equity challenges in funding charters, hamper the development of a charter response to community demand for education through Hawaiian. The Hawai‘i State Department of Hawai‘i does not have an effective strategy to meet community demand for Hawaiian medium/immersion education.

In order to assist Nāwahi and other Hawaiian medium/immersion schools, the federal government could possibly provide funding through the one of the following: (1) charter schools, (2) the Hawai‘i State Hawaiian Language College laboratory school program, (3) Native Hawaiian language non-profits (e.g., ‘Aha Pūnana Leo), (4) Office of Hawaiian Affairs, or other entities. Such support could be part of a national effort to support Native American language medium education. It is my understanding that challenges similar to those that exist in Hawai‘i exist for other Native American language medium schools.

Question 2. Your testimony also highlights the unique issues Native language medium schools faced transitioning to distance learning and hybrid scheduling. Could you provide any examples to illustrate the issues created by lack of distance learning language materials created for your teachers and students over the last year?

Answer. Nāwahi teachers are unable to provide education through Hawaiian on a level comparable to that provided by English medium teachers due to lack of distance learning materials and resources in Hawaiian and other teaching materials.

Mainstream English medium education has access to much distance learning material, both for purchase and for free (e.g., Khan Academy). Such distance material can also be used during face to face instruction by a regular teacher or by a substitute when a teacher is unable to teach, for example if the teacher is sick, or has to tend to a sick child. Such materials can also be used by parents to help children learn material when they need to review what was covered by the teacher. Also when a teacher lacks expertise in a particular area, such material can also be used

in face to face education or distance education by the teacher to provide more complete instruction. Distance learning materials include illustrations, video clips, and sound clips that enrich teaching in the digital classroom environment to make up for the lack of field trips and laboratory work.

Nāwahi teachers, students and parents lack such educational materials support.

Native language medium schools already struggled before COVID-19 due to limited resources in the Native American language of instruction. Besides audiovisual resources important for both face to face and distance education, Native American language medium schools have needs in terms of science equipment, art equipment, sports equipment and transportation to and from school and for field trips. Teacher shortages have required Native American language medium schools to assign teachers to instruct in subject areas where they have limited academic content knowledge. Without digital resources and support such teachers are not able to deliver adequate instruction face to face or online. When teachers are absent from work for various reasons, it is often impossible for those substituting or watching over students to provide adequate instruction without digital learning materials and technology. Substitute teachers may not even have the language proficiency to provide any instruction without access to digital materials in the language.

Question 2a. How has COVID-19 and the challenges of the last year impacted Native language medium schools' ability to recruit and retain certified teachers?

Answer. COVID-19 had a major impact on Native language medium schools in Hawai'i and elsewhere relative to recruiting and retaining certified teachers. Teacher shortages in these schools were already dire previous to COVID-19. The pandemic made the situation worse.

Teacher shortages in Hawaiian medium/immersion schools provide an illustration of the problem. In the 2020-2021 school year, 43 percent of those teaching in Hawaiian immersion school classrooms lacked certification (<https://www.hsta.org/crisis/>). The overall state shortage of certified teachers has been around 4 percent. That percentage much lower than that in Hawaiian medium/immersion schools is considered by the state to be a major problem (<https://www.civilbeat.org/2019/05/where-hawaiis-chronic-teacher-shortage-hits-hardest/>). The challenge for Hawaiian medium/immersion education has not been an inability of schools to recruit and retain certified Hawaiian speaker teachers, but a lack of sufficient numbers of such individuals. COVID-19 negatively impacted addressing the need for certified Hawaiian speaking teachers by reducing the numbers of college enrollments—specifically in Hawaiian language courses—the source of teachers for Hawaiian language medium education. COVID-19 also affected the desirability of becoming a teacher under the difficult conditions of teaching whether through distance education or face to face given COVID-19 hazards and restrictions.

Addressing teacher shortages in Native American language medium education requires teacher recruitment and training strategies and programming different from those used to address teacher needs for English medium schools. There is little understanding in mainstream education in the United States, including in Hawai'i, of the distinctive challenges in developing a teaching staff for Native American language medium education. The first and biggest challenge is to develop a pool of highly proficient speakers, readers and writers of the Native American language used in Native American language medium schools.

The U.S. Foreign Service ranks languages by difficulty for English speakers with a recommended number of hours needed to reach professional level proficiency (<https://www.state.gov/foreignlanguage-training/>). Research from the State Hawaiian Language College of the University of Hawai'i at Hilo places Hawaiian and other Native American languages at no less than Tier 3 of the U.S. Foreign Service list. Tier 3 requires 1,100 hours of study by adults to reach professional level proficiency, roughly the equivalent of 30 semester college courses of 3 credits each meeting three times a week.

To my knowledge, the only bachelor level students able to access such a number of hours in Hawaiian or any other Native American language are at the College of Hawaiian language at the University of Hawai'i at Hilo. Others who have access to that level of study of Hawaiian are enrolled in graduate level Hawaiian courses at that College or at the University of Hawai'i at its Manoa and Hilo campuses.

Throughout Native American communities, those who grew up with first language proficiency in Native American languages are generally too old to teach in a K-12 Native American language medium/immersion school. Native American language medium schools therefore must depend on second language learners for teachers. For all Native American languages other than Hawaiian there are limited hours of college coursework available. At no college or university outside Hawai'i are there sufficient course hours available in any Native American language to reach the professional proficiency recommended by the U.S. Foreign Service. In order to develop

teachers' Native American language proficiency, community organizations affiliated with local Native American language medium/immersion schools provide proficiency training in the local Native American language. Such training extends beyond what is available in local tribal colleges or state institutions. Development of that proficiency takes much time. That time is in addition to time required to obtain teacher certification.

For teachers of older students there is a need for additional time to master higher level content in academic areas such as mathematics and science. Furthermore, standard programs in teacher certification and in academic content areas do not typically provide an approach designed for integration with a Native American language and culture. Teaching from a perspective based in the culture and history of the local Native American people is a crucial component of a successful Native American language medium/immersion program such as that of Nāwahi School.

Scholarships for Native students are not generally available for the development of proficiency in a Native American language to a level appropriate for teaching in a Native American language medium school. Furthermore, time limits on general scholarships for Native American students are too short for young adult Native Americans to pursue Native American language proficiency, teacher certification and specialized academic content knowledge under the same scholarship. For Native Hawaiian students, for example, there is currently pressure from university administrations and scholarship providers on students to complete a bachelor's degree in four years. It is impossible to achieve in four years, both Hawaiian language proficiency and content knowledge sufficient to teach through the language in areas such as mathematics, science, or computer science. Furthermore, teacher certification requires additional college coursework.

There are considerable populations of students in the United States in "dual language programs" for foreign languages. Those programs have distinctive teacher needs similar to those of Native American language medium/immersion schools. However, the solutions to obtaining teachers are quite different. Utah is an example of a state with extensive "dual language" programs taught through such foreign languages as Chinese, Portuguese and Spanish. Utah recruits a large portion of such teachers from foreign countries, something impossible to do for Native American language medium teachers.

The reality, then, is that Native American language medium school teacher shortages cannot be met by applying strategies that have worked for bringing in teachers from other states to English medium schools or for bringing in foreign teachers for foreign language immersion/dual language schools.

Question 2b. In addition to providing more scholarship support for Native language teacher training and funding for Native language immersion, how else could Congress help Native language schools and programs address their staffing challenges and the lack of learning materials available in Native languages?

Answer. The following are some possible ways to address staffing and learning materials challenges for Native American language schools:

1. Extend the length of scholarships for those seeking to become teachers in Native American language medium schools to provide for: (a) U.S. Foreign Service recommended hours of study Tier 3 for development of Native American language proficiency; (b) hours of study of an academic content area (e.g., mathematics, science, computer science, history, etc.); and (c) hours of teacher preparation in order to become licensed.
2. Establish a Native American Language Resource Center with a mandate to provide support for higher level study of a wide array of Native American languages. Such study must lead to a level of proficiency sufficient to operate Native American language medium/immersion schools through such languages.
3. Provide regular funding of positions in such a Native American Language Resource Center (which may have dispersed satellite campuses) with individual specialists positions dedicated to the needs of particular languages. Such language specialists shall have the ability to provide distance education through their respective languages to several schools in shared courses. They shall also have the ability to produce high quality distance education resources and other materials when not teaching.
4. Provide regular funding of positions in such a Native American Language Resource Center (which may have dispersed satellite campuses) with individual specialists positions focused on cultural content and cultural-focused science, mathematics, and language arts content regarding a particular Native American cultural area (e.g., the Plains, Woodlands, Northwest Pacific Coast, Pacific Islands, etc.) and language family (Algonquin, Athabascan, Austronesian, etc.).

Such specialists would work in producing materials in cooperation with the specialists listed in 3.

5. Establish distinctive Native American language medium school pathways to meeting the need to demonstrate high quality in teaching. Such pathways should be modeled on best practice. Best practice should be reflective of community values and of actual high school graduation and college attendance. Such distinctive pathways should be an alternative to having Native American language medium/immersion schools demonstrate high quality through single state assessments and/or accreditation under accrediting entities designed for mainstream English medium schools. Such distinctive pathways will allow Native American language medium schools to focus on the development of teachers and materials that address their actual needs. Much effort is currently diverted from best practice when Native American language schools try to fit their programs into frameworks not designed for them and spend time trying to meet expectations that have minimal to no relevance to Native American language medium programs and students.

Question 3. Native school systems have made progress toward closing the digital divide this past year. But it is obvious there is still much work to be done. a. Will Nāwahi School continue to utilize digital learning tools now that students have returned to in-person learning?

Answer. Yes, Nāwahi will continue to utilize digital learning tools into the future. Such tools are important for Nāwahi under a number of circumstances, including: (1) sharing courses with satellite campuses which lack a teacher with expertise in a particular area; (2) serving children who are absent from school due to medical and other emergencies; (3) serving students whose parents move into an area where there is no Hawaiian language medium education; (4) providing extra help to students; (5) accessing dual credit courses through Hawaiian from the Hawaiian language college and other distance resources.

Question 3a. What should Congress concentrate on in this area moving forward—broadband infrastructure, capital investments (e.g., hotspots and laptops), or digital supports (e.g., learning management system, professional development, and STEM opportunities)?

Answer. Broadband infrastructure, learning management systems, hotspots and laptops are essential for any contemporary school in the United States in order to participate in the benefits of technologically assisted education. Certainly, these things are needed and should be provided. I would hope that Congress assures that all Native communities have such resources as a base from which to build. However, infrastructure and technology are of no use if the staff and students at schools lack the skills to use them or lack sufficient Native American language proficiency to deliver content appropriately. Funding for developing high levels of Native American language proficiency is a priority need. There is also an important need for a concerted effort to spread skills in terms of academic content knowledge such as STEM related coursework. A unique need is to provide professional development to teach content knowledge through a Native American language in particular cultural-contexts to which Native students relate.

An effective strategy would be to support the design of approaches that reflect the holistic worldview of a Native American language and culture. It would integrate a variety of resources where areas of study are understood in the context of broader cultural values and Native worldviews.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO
TONY L. DEARMAN

Question 1. Last year, you testified that the Occupational Safety and Health Administration (OSHA) is conducting an investigation into BIE related to the Bureau's handling of school campus closures at the start of the COVID-19 pandemic. Please provide an update on the status of this investigation and any additional information you can regarding the circumstances that triggered this investigation.

Answer. BIE provided responses to three separate OSHA reports during the pertinent timeframe. As such, OSHA closed the three reports with the submission of the BIE Safety Office response.

Question 2. The Department's decision to delay the start of the 2020–2021 school year for Bureau-operated schools caused confusion for BIE staff who work under contract with the Bureau. The Committee heard from a number of such staff concerned about their pay and benefits, including housing for those who reside in Bureau-owned residences; BIE staff also informed the Committee that they received

no direct communication from the Department regarding these matters when it announced the delayed start. How did the Department communicate with BIE staff about the impacts of the school year start delay on pay and benefits?

Answer. The Department did not send out communications directly to BIE staff related to this matter. BIE Leadership coordinated with divisional leadership to notify supervisors and the chain of command while BIE human resources (HR) communicated to BIE staff and faculty. HR sent out notices to BIE employees to provide as much information as possible while BIE Leadership coordinated weekly calls to explain information to the field as they supported their schools directly. BIE HR also actively coordinated with the Union throughout this process.

Question 2a. Did the Department continue benefits, including health insurance coverage, life insurance coverage, and housing without interruption for BIE staff impacted by the school year start delay?

Answer. BIE HR worked with the Department of the Interior Business Center (IBC) and the individual Benefit Plan Providers to ensure all BIE staff benefits continued without lapse. HR also worked with IBC and the Bureau of Indian Affairs (BIA) housing officers to ensure that staff housing was not negatively affected.

Question 3. The Committee received reports last year that deployment of a new BIE email and online portal system in April 2020 left many BIE staff without the required Personal Identification Verification (PIV) credential cards necessary to access the online BIE systems. Is the Department aware of reports that the change-over in BIE email systems left many BIE staff members unable to access these systems?

Answer. The BIE email migration did not start until June 2020 to diminish the interruption at the school level, to the extent practicable. Any reported access issues prior to that time were not the result of the migration. It is likely that these reports are the result of misunderstanding by BIE PIV cardholders between access to DOI online system, such as DOI Talent and email. The Indian Affairs Office of Information Management Technology, which provides direct information technology (IT) support to BIE, completed the migration in tranches while working in conjunction with the BIE Personnel Security Office to ensure migrated users had an active PIV card in their possession.

To support the IT work, BIE HR established a way to activate PIV cards to ensure continuity of employee access to BIE systems. Employees lacking an active PIV card could still access BIE email on the Internal Exchange Servers to minimize disruption. While it took time to convert over all staff, access problems are currently at a minimal level and are addressed on an ongoing, case-by-case basis. Currently, there are 39 users that need to complete a card activation prior to the migration of their account.

Question 3a. What impacts did the inability of BIE staff members to access the Bureau's email system and other online portals have on delivery of distance learning instruction during the spring 2020 term and on the ability of these employees to successfully telework?

Answer. Please see above that BIE is not aware of widespread email or other access issues that would have widely disrupted successful telework by employees. However, similar to school districts across the country, the quick transition to virtual learning affected many BIE schools who had to use education packets and other resources when adequate technology was absent. Over the course of the last year, BIE provided critical technology and hardware, as addressed in its written testimony, to address such gaps and better prepare BIE schools for supporting virtual learning in the future.

Question 4. The Bureau had difficulty providing real-time information on the operational status—in-person or remote—of BIE schools last year. Additionally, media reports suggest that some BIE schools operating remotely lost touch with students or suspended remote instruction completely. Has BIE investigated claims that some schools suspended remote instruction and/or lost touch with students?

Answer. BIE divisional leadership reports to BIE Central Office on an ongoing weekly basis regarding current school operating status and recommendations to address areas of local-level need and gaps in support, where applicable. Remote learning suspension was often attributable to the lack of Internet/wireless services. However, through guidance provided by BIE and coordinated through the chain of command, schools were expected to provide education packets, as needed. Through similar coordination, and as mentioned in the written testimony, BIE Leadership worked to address technology gaps to better support remote learning going forward.

Question 4a. How has BIE ensured that peripheral dormitory residents are able to access distance learning opportunities offered by the non-BIE schools they attend?

Answer. BIE Divisions coordinated with local site leaders and homeliving staff to assist residents, to the extent possible, with accessing non-BIE schools' distance learning opportunities. In many cases, local public schools provided laptops to their respective students and ensured access to online learning for those who lacked Wi-Fi. Public schools also extended flexible hours for students who may not fit the typical school day. They also partnered with Tribal nations by assisting with transportation needs and providing meals for students. In other cases, homeliving specialists contacted former residents to check on enrollment and participation in distance and hybrid learning models. Facilities like Blackfeet Boarding Dormitory provided weekly enhancement and engagement packets to support grant- and other federally-funded work. In another instance, Richfield Residential Hall, remained open throughout the pandemic to ensure supports, IT hardware, and access to online learning for residents continued.

Question 4b. How has DOI ensured that BIE students with disabilities have equal access to educational opportunities and the services identified in their individual education programs during COVID-19-related campus closures?

Answer. Regardless of operating status (on-site, remote, hybrid), each BIE school was required to submit an alternate/distance learning plan that ensured appropriate services to students eligible under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973. BIE field staff provided technical assistance to support school teachers and/or staff as they documented such services provided, and where virtual means may have been limited. BIE school staff made phone calls or delivered packets to students using proper safety protocols. Where students required additional supports, schools worked to convert to a hybrid learning model as quickly and safely as possible to provide the pertinent in-person services students needed.

Question 4c. Is BIE able to review system-wide trends in student absenteeism or performance over the course of the pandemic?

Answer. Yes; BIE's Native American Student Information System (NASIS) now captures Bureau operated school absences data, as part of the BIE's five-year Strategic Direction implementation. For the 2020-2021 school year, absences data, whether excused or unexcused, were reported by schools using the NASIS system.

Question 4d. How has BIE worked to improve its coordination with and monitoring of Bureau funded schools over the course of the COVID-19 pandemic to ensure the educational needs of students are met, regardless of operating status? And will the new learning management system you mentioned in your testimony assist in these efforts?

Answer. When BIE closed school sites in March 2020, BIE's Chief Academic Office worked closely with its divisional leadership to provide initial guidance on access to educational supports. Where gaps persisted during the pandemic, BIE staff worked to provide improved supports to schools as they prioritized instructional access to students no matter the operating status. BIE's Chief Academic Office coordinated daily and weekly calls to discuss how schools were serving students, mental health supports provided, best virtual learning practices, and key IT support needed. As mentioned in BIE's written testimony, BIE schools developed individual school reopening plans that identified needs for reopening virtually and transitioning between hybrid and in-person learning. BIE divisional leadership coordinated calls to ensure schools had the necessary supports in place and coordinated with BIE Central Office where gaps persisted.

BIE divisional leadership and the Chief Academic Office coordinated to assist schools as they updated their individual school plans when transitions from one type of learning mode were made, in accordance with guidance from the Departments of the Interior and Education, and the Centers for Disease Control and Prevention. The coordination activities using the BIE's chain of command have continued throughout the pandemic. As planning continues for the 2021-2022 School Year, weekly divisional reporting has provided high-level updates when strategic support is needed, such as the development of a BIE Learning Management System (LMS), which is expected to assist in efforts to coordinate activities across the BIE system and improve tailored supports to schools and students. The implementation of the LMS is one component to ensure the educational needs of students are met with the vision that students who live in a metropolitan area and the students who live in a rural area, such as many BIE students, have access to the same educational experience.

Question 5. Does BIE plan to expand its "smartbus" pilot program to deploy Wi-Fi-capable buses along more BIE school bus routes? If so, how will BIE prioritize where it expands the pilot? And, would BIE need additional resources to support these efforts?

Answer. BIE leadership is in communication with the incoming Indian Affairs' leadership team to determine next steps on such projects.

Question 6. Your written testimony states that BIE staff "investigated how solar chargers might be used to support distance learning" for students in homes without electricity. What were the results of this investigation? And did BIE ultimately provide solar chargers as part of its efforts to expand access to e-learning during the pandemic?

Answer. Through its field coordination, BIE identified that solar chargers were an option for students in homes without electricity and included it as part of its support framework for distance learning. In cases where students did not have electricity but could access a local Internet provider, these solar chargers were ordered by the local school administrator and distributed with instructions and technical support for distance learning.

Question 7. In your testimony, you noted that BIE's COVID-19 related consultations identified mental health supports as one of five priorities for Indian Country. You also outlined several steps the Bureau has taken in response to this Tribally-identified priority. Regarding the BIE's expansion of its current Employee Assistance Program contract to temporarily include students and Tribally-operated school staff: How did BIE work with the Program contractor to ensure students receive age appropriate supports?

Answer. Throughout the pandemic, BIE HR and supervisors have continued to communicate regarding resources provided by the Employee Assistance Program (EAP) as well as access to other mental health resources, such as self-care webinars. EAP specific federal employee supports are not tailored for students and the current EAP contract with the Department of the Interior does not provide services to tribal school staff.

Question 7a. How has BIE informed students and staff about these new EAP resources?

Answer. Please see the response above regarding eligibility under the EAP contract. However, in addition to EAP resources, BIE created a completely new Behavioral Health and Wellness Program (BHWP) contract that will provide additional supports. The purpose of the BHWP contract is to provide culturally relevant, evidence-based, and trauma-informed behavioral health and wellness services accessible to students and staff at all bureau-funded institutions (BIE Staff, Bureau Operated Schools, Tribally Controlled Schools, and BIE post-secondary institutions).

Led by the BIE's student health specialist and working through the BIE chain of command, BIE has provided information to the field regarding the services provided under the contract. The BHWP contract was awarded in October 2020 to Tribal Tech LLC, a Native-Owned vendor that has significant ties across Indian Country and extensive experience providing behavioral health and wellness supports in a multitude of Tribal communities. To date, the BHWP contractor, in close coordination with BIE staff, has primarily focused on providing behavioral health and wellness trainings while simultaneously creating the infrastructure needed to provide direct behavioral health counseling and crisis intervention services for students and staff at the institutions referenced in the question.

Question 7b. Regarding the new \$2 million telehealth contract with a Native-owned vendor: What is the length of this contract?

Answer. The \$2.1 million BHWP contract currently has one base year with an additional option year, as needed. However, the BIE has plans to continue funding this activity to ensure the behavioral health and wellness needs from across the system are met.

Question 7c. Could you provide examples of the types of trainings and events the vendor will provide?

Answer. The vendor has held culturally-relevant talking circles to support staff in schools with loss of students to suicide during the pandemic as well as the loss of staff due to COVID-19. A few examples of the BHWP's culturally adapted and trauma-informed supports include:

- Virtual Staff Talking Circles to assist staff with processing the impact of the pandemic on the school environment, feelings of grief/anxiety, and other types of mental health or wellness challenges experienced.
- Youth Mental Health First Aid Trainings to equip our schools and staff with evidenced-based skills for helping our students through mental health challenges.
- Direct Technical Assistance to schools and residential programs requesting assistance with wellness and behavioral health challenges.

- Behavioral Health Resource Directories that are tailored to meet the unique needs of a specific school and include Indian Health Service (IHS) and Tribal resources available locally.
- Wellness Wednesdays Webinars focused on staff wellness and self-care, initiated May 12, 2021.
- Drug Prevention Virtual Learning Community using BIE's "Culture and Drugs Don't Mix" curriculum that will kick off this coming school year.

Question 7d. Will BIE have permanent access to the BIE-specific resource library made available through this contract? Or will it only have access during the contract period?

Answer. All materials furnished or produced as a result of the contract, including but not limited to: documents, research, data, reports, and correspondence are the property of the BIE. Such resources shall remain confidential, as appropriate, in accordance with BIE policies and applicable privacy laws including the Privacy Act of 1974 (5 U.S.C. § 552a) and section 444 of the General Education Provisions Act (commonly known as the Family Educational Rights and Privacy Act of 1974) (20 U.S.C. § 1232g) and their implementing regulations.

Question 7e. Regarding the \$400,000 clinical/therapeutic service contract with a Native-owned clinical provider: How will the services offered by this contract differ from or overlap with the "telehealth counseling support with licensed clinicians from the University of New Mexico" offered through the contract referenced in (b) above?

Answer. The University of New Mexico BHWP contract had expired. The current contract now includes training and counseling supports.

Question 7f. It appears BIE will pay \$2,000 per service delivery hour through this contract (\$400,000 for 200 hours of service delivery). Can BIE confirm this price per service delivery hour is correct? And, if so, can BIE provide assurances that such a rate is comparable to the price of these services typically?

Answer. This question references the expired University of New Mexico BHWP contract.

Question 7g. Does BIE need further funding or statutory authority to support school capacity to address the mental health needs of Native students in the long-term?

Answer. BIE funding and statutory requests are included in the President's FY 2022 Budget Request released on May 28, 2021 and specifically outlined in the FY 2022 BIE Budget Greenbook.

Question 8. BIE's COVID-19 consultations also identified Native language supports as another Indian Country education priority during the pandemic. Your testimony outlines supports within BIE for Native language education but also notes that—due to the pandemic—"local implementation [of Native language programs] may have varied over the last year in delivery." Does BIE have any information on which of its schools were able to offer Native language classes or immersion programming during the pandemic?

Answer. Information regarding grantees who provide such supports is collected through BIE's Tribal Education Department grant work. Further, BIE Divisions each have Native language support staff who directly support their respective schools to provide varying Native language services.

Question 8a. Has BIE done any outreach to Native language teachers in Bureau and Tribally operated schools to determine if they need additional supports or resources during the pandemic?

Answer. At the local level, BIE Native language support staff within each division provides direct support and outreach to Native language programs and teachers, usually in the form of providing workshops, summer trainings, sharing curriculum resources, etc.

Question 8b. Is the \$14 million in language immersion awards referenced in your written testimony generated from ISEP funding formula for language development? And, if so, can you explain why the ISEP language development funding decreased from \$27.6 million in the 2019-2020 school year to only \$14 million this year?

Answer. The amount referenced in your question and the written testimony reflects funding awarded at that time. BIE will award additional funds as it obligates funds by the end of the fiscal year.

Question 8c. Does BIE need additional resources to support delivery and expansion of Native language instruction for its students?

Answer. BIE funding and statutory requests are included in the President's FY 2022 Budget Request released on May 28, 2021 and specifically outlined in the FY 2022 BIE Budget Greenbook.

Question 9. Your testimony outlines over \$4 billion in BIE school construction needs. Does this estimate include the facility needs of Tribal Colleges and Universities?

Answer. As stated in the written testimony, the average cost of replacing a school in poor condition is \$62 million, putting the total cost of replacing BIE schools in poor condition at roughly \$4.5 billion. This estimate excludes funding for facility needs at the 37 Tribal Colleges and Universities (TCUs). Indian Affairs (IA) conducted Tribal consultations on May 7, 2021 with TCU leaders and stakeholders to request input on developing a methodology for determining TCU operating and maintenance needs to inform future budget requests. Responses and comments were received through May 21, 2021 and are currently in review. Responses received will assist in developing a transparent and consistent methodology, determining need, and informing future budget requests.

Question 9a. Has BIE looked at any other school infrastructure needs? For example, are there estimates for school bus route improvement needs, addressing maintenance backlogs, or modernizing school heating/ventilation systems?

Answer. IA is engaged in a Deferred Maintenance (DM) backlog initiative which identifies deficiencies related to fire safety, accessibility, life-safety, health, including DM items backlogged for three to five years. Projects are focused at school and quarters locations at Southwestern Indian Polytechnic Institute, Haskell Indian Nations University, and select schools throughout North and South Dakota.

The current DM backlog at educational facilities (non-quarters) is \$823,291,249 and \$102,066,648 at educational quarters. The IA-Public Health Service Program is also working to assess ventilation systems for COVID-19 compliance at 192 school locations.

Question 9b. What other BIE-related needs should Congress consider related to President Biden's American Jobs Plan? For example, does the Department of the Interior have enough contracting officers and support staff to quickly get shovels in the ground if BIE were to receive a significant infusion of infrastructure funding?

Answer. BIE funding and statutory requests are included in the President's FY 2022 Budget Request released on May 28, 2021 and specifically outlined in the FY 2022 BIE Budget Greenbook. BIE continues to work to increase the number of Contracting Officer Representatives with subject matter expertise to improve support for contracts. For projects over a million dollars, BIE works with the IA Deputy Assistant Secretary-Management for contractual support.

Question 10. Mr. West testified at this hearing regarding the successful use of a "reopening committee" composed of staff, parents, administrators, and representatives of relevant government entities within the Mineral County School District. Has BIE considered encouraging its schools to form local-level "reopening committees" in preparation for 2021-2022 school year planning?

Answer. BIE always encourages local coordination among its schools with parents, Tribes, and stakeholders when considering reopening planning that uses the latest guidance from the Departments of the Interior and Education (ED), and the Centers for Disease Control and Prevention (CDC). Using an inclusive approach helps to make sure local needs are better addressed.

Question 10a. How will BIE ensure the views of staff, parents, and Tribal leaders are captured in time to meaningfully inform planning for the 2021-2022 school year?

Answer. BIE held Tribal consultation regarding safe school reopening on May 10-11, 2021 to ensure more timely input regarding the upcoming school year. Stakeholders had 30 days to comment and provide feedback on any gaps related to BIE schools in the latest guidance from ED and CDC. BIE staff compiled feedback and is formalizing the creation of a School Reopening Task Force that includes cross-divisional BIE experts who will support field staff as they work directly with school leaders in their implementation of ED and CDC guidance for safely reopening school sites.

Question 11. Your written testimony stated that nearly 46 percent of the BIE workforce was retirement eligible in 2018 and that the eligibility rate continues to increase annually.

Answer. To clarify, the number of retirement eligible staff has increased annually in recent years. With the priority of expanding staff capacity through hiring, the percentage is now approximately 39 percent. BIE continues to actively hire to further reduce the retirement eligible rate as part of its ongoing workforce planning.

Question 11a. What were the teacher and staff vacancy rates at BIE immediately prior to campus closures in March, 2020?

Answer. For BIE operated schools, which BIE has available information, BIE had a total of two principal and 16 teacher vacancies. For other support staff positions, BIE was at an approximate 5 to 7 percent vacancy rate. That figure includes an average across BIE's 53 directly operated schools, with staff leaving and new staff coming onboard every pay period. In total, from March 2020 to present, BIE has had 198 vacancies (from retirements to separations) with most of these being filled or in the process of being filled.

Question 11b. Has the Bureau seen an increase in teacher and staff vacancies since March, 2020?

Answer. Yes; BIE has experienced a small increase. This is mostly attributable to the locations of many of our positions and the effects of the pandemic, which often make positions often hard to fill.

Question 11c. Has the Bureau seen an increased rate of retirements compared to the previous three years?

Answer. Yes; there was a slight increase of about 21 additional staff member retirements this past year compared to the previous three years.

Question 11d. What resources and/or legislative proposals would best help BIE recruitment and workforce retention efforts?

Answer. BIE funding and statutory requests are included in the President's FY 2022 Budget Request released on May 28, 2021 and specifically outlined in the FY 2022 BIE Budget Greenbook.

