

DOCUMENT RESUME

ED 137 008

RC 009 786

**AUTHOR** Smith, Susan; Walker, Margaret  
**TITLE** Federal Funding of Indian Education: A Bureaucratic Enigma. Legal Action Support Project, Report No. 5.  
**INSTITUTION** Bureau of Social Science Research, Inc., Washington, D.C.  
**REPORT NO** BSSR-534  
**PUB DATE** May 73  
**NOTE** 161p.; Some tables may not reproduce well due to small print size of original document.

**EDRS PRICE** MF-\$0.63 HC-\$8.69 Plus Postage.  
**DESCRIPTORS** \*Agencies; \*American Indians; Comparative Analysis; \*Elementary Secondary Education; \*Federal Aid; Federal Legislation; Federal Programs; \*Public Schools; \*Resource Allocations; State Surveys; Vocational Education

**IDENTIFIERS** BIA; \*Bureau of Indian Affairs; Elementary Secondary Education Act Title I; ESEA Title I; Johnson O Malley Act

**ABSTRACT**

Based on a state-by-state analysis of Federal funding for the education of elementary and secondary American Indian pupils in both public school districts and the Bureau of Indian Affairs (BIA) school system, this report presents information which questions the validity of some of the data produced by Federal agencies. Specifically, this report addresses: (1) Federal Support (except for Elementary Secondary Education Act, ESEA, Title I funds) for BIA Schools (1971 allocations, 1971 grants, and 1968-70 grants); (2) ESEA Title I (history; the process and impact of BIA Title I allocations, including a 1969-71 summary; the public schools program; a comparison of ESEA Title I in public and BIA schools within states and nationwide); (3) Other Federal Programs for Indian Pupils in Public School Systems (Office of Education and Office of Economic Opportunity Discretionary Funds and Johnson-O'Malley Schools); (4) Public School Support Derived from Indian Eligibility (Impact Aid, school construction, and Johnson-O'Malley Peripheral Dormitory Program); (5) Occupational Training Programs for Indians (Neighborhood Youth Corps, Manpower Development and Training Act, Concentrated Employment Program, and Per Capita Allotments). (JC)

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# Legal Action Support Project

## FEDERAL FUNDING OF INDIAN EDUCATION: A BUREAUCRATIC ENIGMA

by  
**Susan Smith**  
**Margaret Walker**

U S DEPARTMENT OF HEALTH,  
EDUCATION & WELFARE  
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Margaret Walker

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1990 M Street, N.W., Washington, D.C. 20036

May 1973

This report is a product of the Legal Action Support Project, an Office of Legal Services-funded social science back-up center for the Legal Services program. The study was undertaken at the request of the Harvard University Center for Law and Education.

The research reported herein was performed pursuant to a grant (No. CG-3611) from the Office of Economic Opportunity, Washington, D.C. 20506. The opinions expressed herein are those of the authors and should not be construed as representing the opinions or policy of any agency of the United States Government.

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## ACKNOWLEDGEMENTS

The preparation of a report like this is dependent upon the cooperation of many people. This report would not have been possible without the generous assistance of numerous officials in government agencies, including those in the discretionary programs in the USOE, the Indian Programs Branch in OEO, the Division of Reports and Analysis in the Manpower Administration in the Department of Labor and the Title I offices of the State Departments of Education. We particularly wish to thank Jerry Waddell, Edward Marich, Alice Hildebrand, Charles Burnett, Warren Tiffany and Julie White, all in the Bureau of Indian Affairs, for providing us with data and promptly responding to our many queries. We also appreciate the contribution of Ira Cisin and Phil Wirtz of the Social Research Group of George Washington University, who reprocessed the OCR Indian enrollment data for us.

Within the BSSR, the careful and constructive critiquing and proofreading provided by Ruth Parsons and Susan Jack contributed greatly to the clarity and accuracy of the final report. Special thanks go to Aubrey Bonds and Balbir Deora who assisted in its final production, particularly to Balbir, who typed the manuscript and designed the charts with exemplary skill and precision.

Finally, we owe thanks to members of our own Staff: Gary Bickel for his intuitive understanding and resolution of our technical problems and Leonard H. Goodman, Director, for his patience and insight, as well as his editing of the final report.

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## I. INTRODUCTION

This report is based on a State-by-State analysis of Federal funding for the education of elementary and secondary Indian pupils in both public school districts and in the Bureau of Indian Affairs school system. Its purpose is to provide policy-makers, Indian organizations and others with the means of assessing the recent distribution of funds under several Federal programs. Shortly after we began the investigation which culminates in this report, we discovered to our surprise that there was nowhere to be found a reliable and comprehensive set of data on this distribution. We trust that our effort will serve what appears to be an obvious need. It would seem that the development of a more rational and equitable allocation policy at the Federal level would have to depend rather heavily on at least reasonably accurate knowledge of the present distribution of funds.

Little of the current official doctrine concerning the Federal funding of Indian education is supported by our findings; as a result of our analysis, we are compelled to question the validity of some of the data produced by Federal agencies. For instance, there is reason to doubt that the Office of Education spends \$80 million a year on education for Indian children as it claims, that the BIA school enrollment is rapidly increasing, that the BIA school system is drastically underfunded, that the Elementary and Secondary Education Act Title I concentration policies benefit disadvantaged groups such as Indians and that BIA pupils are less well supported than Indians in public schools. The findings reported below call into question, among other things, the

adequacy of the USOE's fulfillment of its Title I responsibilities toward Indians, the validity of the BIA's published enrollment figures and the latter's claim as to the average cost of its schools. So far as we could ascertain, in neither the USOE nor the BIA is there one official with a comprehensive grasp of the distribution of Indian education funds or of the policies which govern this distribution. In brief, we have discovered evidence to suggest that national policy on Indian education is ambiguous at best and that much of the information on the allocation of funds is incomplete and misleading.

Although we have had to rely heavily on this information, of necessity, we have also sought to improve its comparability from program to program and from State to State and to correct it on the basis of data independently obtained from individual program and budget officers, budget records and the findings of independent investigators. Therefore, the data reported below are not always identical to those released by the agencies themselves. We believe that our figures, generally, are more valid.

The report should be prefaced by two or three additional caveats regarding matters of interpretation. First, we do not deal with the question whether the BIA schools or their pupils receive benefits commensurate with the funds provided them, much less offer any opinion as to the relationship between funding levels and ultimate benefits. As a corollary to the foregoing, we have not concerned ourselves with the adequacy of Congressional appropriations for BIA schools. Consequently, there would be no justification for any inference drawn from this report to the effect that the appropriations for BIA schools should be either increased or decreased. While our purpose is simply to document the

cost of the BIA schools in each State, we have reason to believe, a propos of this, that, compared to the public schools, a disproportionately large amount of BIA school money fails to reach the schools. Additional inquiry would be required to disclose the extent to which this is so, where these funds are going and what rationale governs their allocation.

The data in the body of the report are presented in both total and per capita amounts--dollars per Indian pupil--regardless of the number of Indian "participants" in any given program. This method permits State-by-State comparisons of Federal funding and reveals the discrepancies among States as no other method would. But the analysis is restricted to the State level: it does not extend down to the school district level, nor to individual schools. Therefore, obviously, no inferences may be drawn about the level of support for any given school, since the funding for a State cannot be averaged out among schools within the State. Nor, with the exception of ESEA Title I, will this report confirm anyone's conclusions regarding the extent of the assistance provided by any single program to its intended beneficiaries.

Throughout the report there are separate discussions and separate presentations of data concerning (1) funds for the BIA schools and (2) funds for Indians enrolled in the public schools. The following chapter analyzes the BIA's basic support for its schools; Chapter III is a discussion of the ESEA Title I program in both BIA and public schools; discretionary programs in the public schools are covered in Chapter IV; Chapter V deals with the Federal funds brought into school districts by virtue of the fact that there are resident Indians (these funds being earmarked to supplement budgets for general school operations); and the more salient findings of the analysis are summarized in Chapter VII.



11. FEDERAL SUPPORT (EXCEPT ESEA TITLE I) FOR  
BUREAU OF INDIAN AFFAIRS SCHOOLS

Overview

The Bureau of Indian Affairs operates 219 elementary and secondary schools in 15 States to educate 49,265 Indian pupils who live on or near Indian reservations. In FY 1971, enrollment in these schools was as follows:

	<u>Number</u>	<u>Per Cent</u>
Day school pupils in day schools	15,647	31.8
Day pupils in boarding schools	5,322	10.8
Boarding pupils in boarding schools	28,296	57.4
Total	49,265	100.0

These pupils comprised about one-quarter of all the pupils residing on Indian reservations, the rest of whom attended public schools or nearby private schools. The U. S. Department of Health, Education and Welfare (Office for Civil Rights) estimates that there were 211,974 Indian pupils enrolled in the public schools in addition to those in the BIA schools. About 11,000 attended private schools.

Thus, the BIA educates about one-fifth and the public schools about four-fifths of all Indian pupils. (Less than four per cent attend private schools.)

The BIA system of schools is unique in this country in that, except for a few schools which have Indian boards of education and their own budgets, both their funding and control are independent of the communities

served.<sup>1</sup> That is, neither local support capability nor local interest has traditionally influenced the operation of schools for these children. Unlike the public schools, the basic support<sup>2</sup> for these schools derives from one legislative act and a single Federal agency, the BIA, which has authority over the allocation of funds and is legislatively permitted wide leeway in their distribution among schools. The legislation states that

. . . the Bureau of Indian Affairs. . . shall direct, supervise, and expend such moneys as Congress may from time to time appropriate, for the benefit, care, and assistance of the Indians throughout the United States for the following purposes: . . . General support and civilization, including education. . . .<sup>3</sup>

#### Federal Schools Program

While many studies have evaluated the effectiveness of the BIA schools, few have analyzed the financial support for them (except in the context of remarks on the inadequacies of staffing and supplies and on the dilapidated condition of buildings), whereupon it is often concluded that these schools are insufficiently funded.

Our findings permit us summarily to dismiss the notion that the U. S. Congress has failed to appropriate funds sufficient to underwrite

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<sup>1</sup>However, some BIA area offices contract with Indian school boards for the administration of some funds. For example, in FY 1971, in the Phoenix area, 80 per cent of Title I funds were under contracts, 65 per cent were contracted in the Aberdeen area and 40 per cent in the Billings area. In addition, a number of tribal groups have community-run schools, including Rough Rock, Arizona and Ramah, New Mexico.

<sup>2</sup>Basic support refers to all costs of education (instruction, support services, administration, maintenance) except capital outlay and interest on debt. See footnote b, Table II-1 for further explanation.

<sup>3</sup>25 U. S. C. 13, Public Law 85, 76th Congress, 42 Stat. 208.

adequate schools for the 50,000 pupils under the jurisdiction of the Bureau of Indian Affairs. (On the contrary, one wonders why they have provided so much money and required so little accountability.) In FY 1971 alone basic support for BIA schools amounted to over \$107 million, or an average of \$2,183 per pupil. If incremental costs associated with boarding pupils are subtracted, then the day school cost is estimated to be \$1641 per pupil. The comparable national average for the public schools that year was \$743.<sup>4</sup> Why are the BIA schools of such poor quality and yet so expensive? A separate and comprehensive inquiry is required to answer this question, but we will present here what we believe to be the minimal series of data needed in order to make some tentative judgments.

This analysis focuses on those funds appropriated under the Snyder Act of 1921, which were allotted to the Federal Schools, and more specifically on the costs of providing day school to all BIA pupils (as distinct from room and board expenses for the 28,296 boarding pupils).

#### FY 1971 Allocations

When the total allotments are converted to per capita figures for each State, the most striking finding is that in all 16 States with BIA schools, the basic support for them was higher than the comparable figure for the public schools (i.e., higher than the per capita expenditures for education from State and local sources).

The smallest difference was in Louisiana, where BIA costs were only 50 per cent higher than the State's per capita support for public schools; the greatest differences were in Montana, where per capita BIA

---

<sup>4</sup>Current Expenditures minus Federal Revenue Receipts, divided by average daily membership. See footnote d, Table II-1.

expenditures were over four times those of the public schools, and Oklahoma, where the BIA investment was five times as great! (See Table II-1, columns 3 and 4.)

These differences are graphically depicted in Chart II-1. The Chart shows the enrollments and the per capita support for public schools (from State and local sources) and for BIA schools (Federal Schools Program) in the sixteen States. The vertical axis shows the per capita support while the horizontal axis shows the cumulative percentage of pupils separately for each series of schools. For example, among all the States, Alaska spends the largest amount for public school pupils (\$1,033), while the amount in the highest BIA State is nearly four times as great: \$3951 in Montana. The lowest per capita support for the BIA schools occurs in Louisiana (\$907) which is only \$100 less than the public school support in Alaska!

Per pupil expenditures in public schools vary more within than among States; generally, one would expect the expenditures in rural public school districts near Indian reservations to be below the State average. If such public school districts are most directly comparable to the BIA schools, then the difference between the per capita investment in basic education in public and BIA schools observed in Chart II-1 is a conservative estimate of the real disparity within each State.

Allocations to BIA schools vary greatly among States, from \$907 in Louisiana to \$3,951 in Montana (Table II-1). However, the data in Chart II-1 reveal that the distribution of funds among pupils is more uniform than the State averages suggest. Three facts stand out:

TABLE 11-1

PER CAPITA ALLOCATIONS FOR BASIC SUPPORT FOR BIA SCHOOLS (FEDERAL SCHOOLS PROGRAM) AND FOR PUBLIC SCHOOLS (STATE AND LOCAL SOURCES), BY STATE: FY 1971

State	Per Cent Day Pupils <sup>a</sup>	Federal Schools		Public Elementary and Secondary Day Schools Current Expenditures from State and Local Sources <sup>d</sup>
		Total Costs <sup>b</sup>	Day School Costs <sup>c</sup>	
	(1)	(2)	(3)	(4)
Oklahoma	-	\$3644	\$2701	\$489
California	-	3481	2538	719
Oregon	-	3434	2491	812
Nevada	-	3197	2254	690
Kansas	-	2708	1765	699
Utah	1.3	2336	1405	558
Arizona	26.3	1964	1270	698
New Mexico	27.7	2779	2097	543
South Dakota	77.8	1522	1313	605
Montana	78.8	1151	3951	733
Mississippi	81.0	1322	1144	378
Alaska	86.7	2161	2036	1033
North Dakota	86.0	1397	1265	604
Florida	100.0	2256	2256	667
North Carolina	100.0	994	994	508
Louisiana	100.0	907	907	614
U. S. average		2183	1641	743

<sup>a</sup>See Table 11-2.

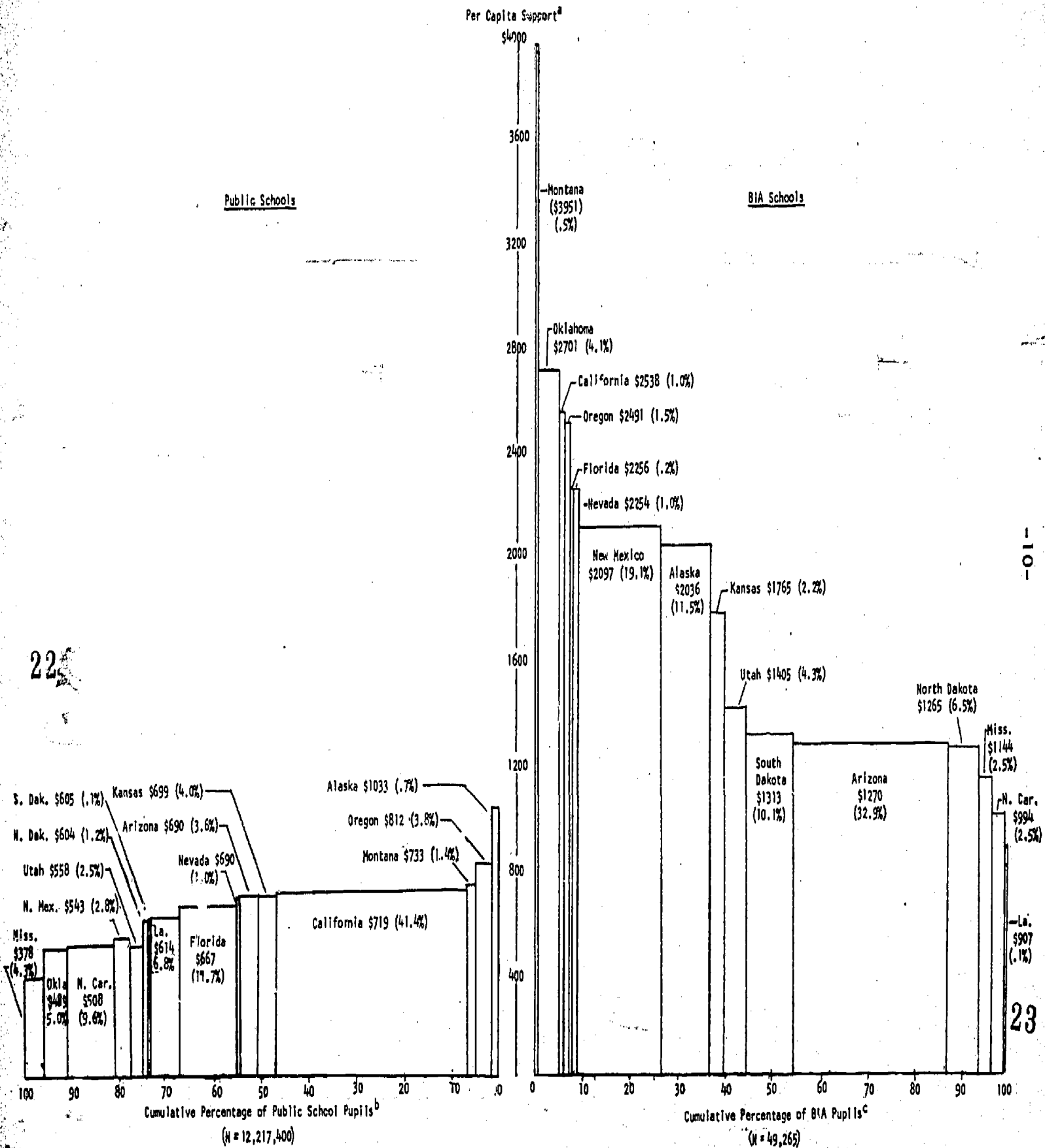
<sup>b</sup>Source: Bureau of Indian Affairs, Office of Education. This figure represents all of the costs of supporting the schools, except long distance pupil transportation and capital outlay for such things as school construction. We were unable to clarify whether or not it included Central Office Administration costs, which, in any case, comprise less than three per cent of the total Federal Schools Program budget of 107 million dollars. Area office support is included. The inclusion of Area and agency costs, when room and board costs for boarding pupils are deducted, makes these figures comparable to the public school figures shown in Column 4. (See footnote d for composition of public school figures.)

<sup>c</sup>The BIA apparently does not keep records of room and board costs separate from costs associated with day school. In order to estimate the cost of day school, it was necessary, therefore, to obtain an estimate of the cost of providing room and board for boarding pupils which could be multiplied by the number of boarding pupils in a State. The product could then be subtracted from the total Federal Schools expenditures in that State. The remaining amount would represent an estimate of the cost of day school, which could be converted to a per pupil basis.

The best estimate of room and board costs that the BIA could make was derived from another Snyder Act program (for Federal Facilities) which supports the BIA peripheral dormitories. Since this budget includes only room and board costs and no support for education, it seemed to offer a reliable basis for the estimate. In FY 1971, 3,920 pupils were housed with a budget of \$3.7 million, or \$943 per pupil. This was the estimate we used.

<sup>d</sup>National Education Association, Estimates of School Statistics, 1971-72, 1971, pp. 10, 34, 36. Derived from Total Current Expenditures for Public Elementary and Secondary Day Schools minus Federal revenue receipts, divided by the number of pupils, in average daily membership. Current expenditures include costs of instruction, administration, operation, maintenance, fixed charges and other school services at all levels of administration--State, intermediate, and local. It excludes capital outlay and interest on school debt, postsecondary and nonpublic school education, summer school and community services.

PERCENTAGE DISTRIBUTIONS OF PUPILS AND PER CAPITA BASIC SUPPORT FOR BIA SCHOOLS AND FOR PUBLIC SCHOOLS, BY STATE: FY 1971



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- 10 -

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<sup>a</sup>For BIA schools, represents estimated per capita funds for education under Federal Schools Program. For public schools, represents current expenditures from State and local sources. (See Table 11-2).

52 per cent of the BIA pupils attend schools in four States (Mississippi, North Dakota, Arizona and South Dakota) that were allotted between \$1,144 and \$1,313 per capita. Thirty-one per cent are in two States (Alaska and New Mexico) which have allotments of \$2,036 and \$2,097, respectively; and about eight per cent in five States (California, Oregon, Nevada, Montana and Florida) which received over \$2,097 per pupil.

Finally, there is the matter of per capita allocations to States for total support of the Federal Schools (for boarding and day pupils combined). States with boarding pupils only (Oklahoma, Kansas, Oregon, California and Nevada) received an average of \$3,338 per pupil compared to an average of \$994 per pupil in States with day pupils only (Florida, North Carolina and Louisiana). (See Table II-1, Column 2; the enrollment in each State is shown in Table II-2.)

Some explanations of the allocations.--Why are per pupil expenditures in certain States so high and why are there such variations among States?

We were not very successful in answering either of these questions. It is likely, however, that one reason why the Federal School appropriation is so high may have to do with the method by which the Bureau of Indian Affairs counts its pupils. The official publication showing enrollments in their schools (Statistics Concerning Indian Education) actually presents a duplicated count of pupils. It is based on the total number of pupils who attended each school at any time during the year, so that, for example, a pupil who attended three schools would be counted three times. While this may be a legitimate method for some purposes, it is questionable for purposes of appropriating funds.

TABLE 11-2

BIA SCHOOL ENROLLMENTS, BY STATE: FY 1971

State	Boarding Schools		Day Schools	Total	
	Day	Boarding		Number	Percentage
Arizona	1,842	11,948	2,426	16,216	32.9
New Mexico	453	6,806	2,155	9,414	19.1
Alaska	-	750	4,903	5,653	11.5
South Dakota	1,679	1,099	2,180	4,958	10.1
North Dakota	356	446	2,385	3,187	6.5
Utah	27	2,081	-	2,108	4.3
Oklahoma	-	2,043	-	2,043	4.1
Mississippi	779	238	238	1,255	2.5
North Carolina	-	-	1,232	1,232	2.5
Kansas	-	1,106	-	1,106	2.2
Oregon	-	723	-	723	1.5
California	-	510	-	510	1.0
Nevada	-	496	-	496	1.0
Montana	186	50	-	236	0.5
Florida	-	-	85	85	0.2
Louisiana	-	-	43	43	0.1
Total	5,322	28,296	15,647	49,265	100.0

Source: Unpublished December 31, 1970 enrollment survey, Bureau of Indian Affairs, Office of Education Programs, Washington, D.C., 1971.



Another enrollment survey is made annually on December 31, when schools count those pupils enrolled on that day, producing an unduplicated count; these data are not published by the BIA but are available, if it occurs to one to ask. The difference between the two counts is quite large. For example, for FY 1971, the December unduplicated total count of pupils was 49,265, whereas the cumulative enrollment the following June was reported as 52,591, which is seven per cent higher. For some individual schools, the difference was more than 20 per cent. (Throughout this report, we have used the unduplicated count.)

Another aspect of BIA's counting of pupils is also significant. At the time the December count is made, BIA projects enrollments one, two and three years ahead. The two-year projection is the basis for determining the Federal Schools allowance in the Budget of the United States. The projections are consistently high. For example, the estimate made in December, 1969, projected an FY 1971 enrollment of 56,587--15 per cent higher than it actually was in 1971; in 1969, BIA projected 58,500 pupils for FY 1972, nearly 9,000 more than the actual 1972 enrollment!<sup>5</sup>

The pupil counts provided to the Office of Management and Budget and the Congress are based on these projections as noted above, which

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<sup>5</sup>The actual enrollment in the BIA Schools (based on the annual December 31 survey) changed by the following amounts between FY 1968 and FY 1972:

1968 to 1969	up	1.99%	} Average annual increase: 0.32%
1969 to 1970	down	2.35%	
1970 to 1971	up	0.89%	
1971 to 1972	up	0.76%	

In the 1974 Budget of the United States, the estimated enrollment for BIA schools for FY 1974 is 56,566 pupils; this represents a 14.82 per cent increase over the actual FY 1971 enrollment. This prediction seems grossly inaccurate, considering that in the previous four years, the enrollment increased only 0.32 per cent annually!

may partially account for the high per capita allowance in the Budget. Table II-3 shows the difference it makes whether one pupil count or another is used in determining the FY 1971 appropriation of \$107,538,423 for the Federal Schools. If our assumption is correct, then the low figure (\$1902) may represent the intended level of support while the high figure (\$2183) represents the actual level.

TABLE II-3  
ALTERNATIVE SOURCES FOR DETERMINING BIA SCHOOL ENROLLMENT  
FOR FY 1971

Source	FY 1971 Enrollment	Resulting FY 1971 Per Pupil Appropriation
Unduplicated enrollment on December 31, 1970	49,265	\$2,183
Duplicated enrollment on June 1971	53,591	2,045
Projection for FY 1971 made December 31, 1969	56,537	1,902

The other possible explanations for the high appropriation are related to the needs of the Indian pupils and the BIA schools. BIA is responsible for educating about one-fourth of the Indian pupils living on reservations (since the others attend public schools), which, they maintain, are the "most geographically isolated or have atypical social conditions in the home or have emotional or economic problems which cannot be handled in a traditional school setting."<sup>6</sup> This suggests

<sup>6</sup>General Accounting Office, Opportunity to Improve Indian Education in Schools Operated by the Bureau of Indian Affairs, April 27, 1972, p. 34.

expensive schools staffed by specialists, in addition to classroom teachers, who deal with these problems. But in fact, during the 1969 Hearings on Indian Education, the Assistant Commissioner for Education testified that there were very few specialists in BIA schools. He reported the following data on a five-hundred pupil unit:<sup>7</sup>

	Ratios of Specialists to Pupils	
	Day Schools	Boarding Schools
Guidance and counseling		
Supervisor	0	1:500
Counselor	0	1:500
Counselor or aide	0	-
Special education		
Supervisor	0	-
Special education teacher (ratio to special education pupils)	0	-
Aide (ratio to special education technicians)	0	-
Clinical specialists (ratio to special education pupils)	0	-
School Health specialist	0	-
Psychological services		
Psychologist	0	-
Psychologist assistant	0	-
Psychometrist	0	-
Social development		
Senior school social worker	0	-
School social worker	0	-
School social worker aide	0	-
Environmental living aide	0	1:24
Environmental living specialist	0	-

This was the situation in 1969, at which time the Assistant Commissioner requested funds for many more specialists. Nevertheless, given the apparent difficulty in changing the BIA schools, it seems unlikely

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<sup>7</sup>U. S. Congress, Hearing on the Study of the Education of Indian Children, Part 1, March 27, 1969, p. 445.

that by 1971 very much of the \$107 million was being spent for specialized personnel.

Other explanations for the high cost have been offered. One BIA official, as well as Levitan and Hetrick,<sup>8</sup> attributed the comparatively high per pupil expenditures to the real costs of educating children in the BIA schools. They indicated that the small size of many of the schools prevents economies of scale and that because many of the schools are located in remote areas the cost of supplies and services is higher. In addition, some officials say that isolated pupils are more dependent on the schools for services than are pupils elsewhere. Again, this reasoning can be neither substantiated nor refuted without additional data.

The rationale for the variations in per capita investment in the Federal Schools Program in different States remains unclear. Others who have recently studied the program have either stated that the basis for policy decisions on allocation of funds is elusive and obscure<sup>9</sup> or have described the structure of the decision process without discussing the criteria used in allocating funds.

In his testimony before the Senate Subcommittee on Indian Education, Dr. Osview noted that "policy decisions . . . are very hard to trace." The reason becomes clear when one examines the process of allocating Federal Schools Program funds. Nearly two years prior to a given program year, the process begins with the local agency's submission of a school budget to the BIA Assistant Area Director. The Assistant Area Director submits to the Assistant Commissioner for Education in

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<sup>8</sup>Sar Levitan and Barbara Hetrick, Big Brothers Indian Programs, With Reservations, New York: McGraw-Hill, 1971, p. 38.

<sup>9</sup>Senate Hearings, February 24, 1969, Testimony of Dr. Leon Osview, Part 2, Appendix p. 286.

Washington a line-item budget for his Area as a whole, minus program descriptions and State and school breakdowns. The Area budgets are compiled by the Assistant Commissioner into one line-item for the Department of Interior's Budget, which is submitted to the Office of Management and Budget where it becomes part of the President's Budget. After the Congress has considered the Budget and appropriated the funds, the line-item is sent back through the same channels, becoming increasingly specific until the agency receives an allocation.

At each level, the official can and frequently does make changes in the prior official's request. Since the entire process from agency to the Congress and back to the agency takes place over a two-year period and passes through 11 organizational levels (and many more individuals), a local agency's final allocation may or may not resemble his original request. More importantly, the reasons for the changes made at each level are varied, unrecorded and not dictated by specific guidelines, formulae or programmatic priorities. It is not unusual, particularly at the agency-Area Commissioner levels, for modifications to be made in a budget request without negotiation with or the knowledge of the official on the lower level. Osview pointed out that in 1969 the BIA was in the process of installing a PPBS system which would replace the traditional budget process described above. However, he contended that the BIA, like other Federal domestic agencies, is unlikely to adopt the new system in the near future, since there is a lack of analytical tools, and an absence of program objectives and measures of performance.<sup>10</sup>

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<sup>10</sup>There is still no adequate, practical information system according to the GAO. See Opportunity to Improve Indian Education in Schools Operated by the Bureau of Indian Affairs, April, 1972.

History of allocations, 1968-1971. --During the four-year period, 1968-1971, the funding for Federal Schools steadily increased from less than \$72 million (\$1399 per pupil) to over \$107.5 million (\$2183 per pupil). The annual per pupil costs associated with day school (excluding incremental costs for boarding pupils) are estimated at \$1093, \$1126, \$1357 and \$1641, respectively, for the four years. (See Table 11-4.)

TABLE 11-4  
FEDERAL SCHOOLS PROGRAM ALLOTMENTS,  
FOR ALL PURPOSES AND FOR DAY SCHOOL,  
U.S.: FISCAL YEARS 1968-1971

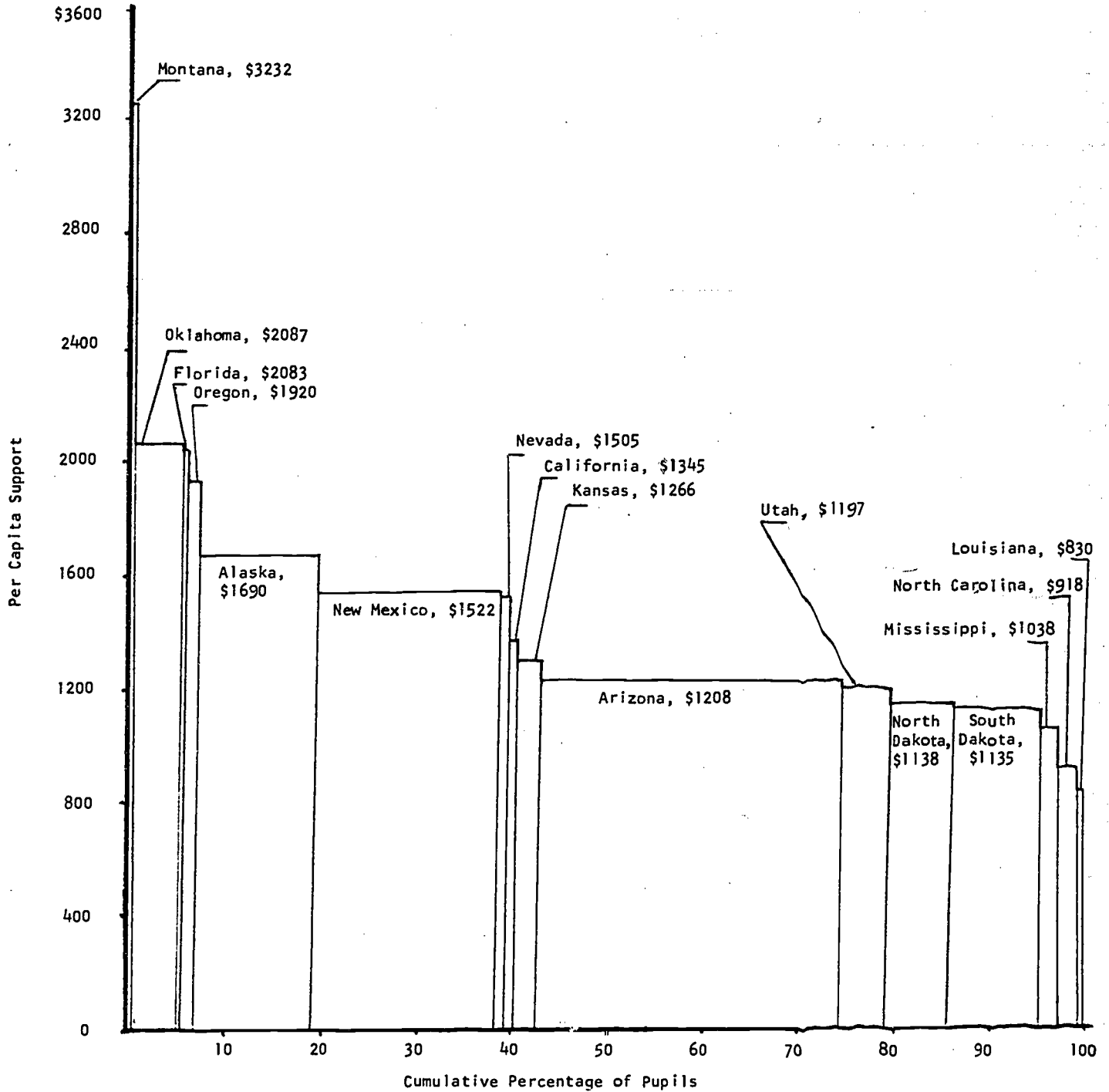
Fiscal Year	All Purposes		Day School	
	Total	Per Capita	Total	Per Capita
1968	\$71,968,564	\$1,399	\$56,261,741	\$1,093
1969	77,930,961	1,557	56,386,018	1,126
1970	89,955,570	1,842	66,283,434	1,357
1971	107,538,923	2,183	80,855,295	1,641

<sup>a</sup>See Tables 11-5, 11-7 and Appendix Table A-4.

Between 1969 and 1971, the per capita cost of day school, aggregated within States, ranged from \$830 in Louisiana to \$3232 in Montana. States at the extremes enroll very few pupils: Montana enrolled only one half of one per cent of the total, while North Carolina and Louisiana, each of which received less than \$1,000 per capita, enrolled only 2.4 per cent of them. (State allotments and percentages of the total enrollment are given in Chart 11-2.)

CHART 11-2

PERCENTAGE DISTRIBUTION OF PUPILS AND PER CAPITA SUPPORT FOR DAY SCHOOL,  
BY STATE: FISCAL YEARS 1969-71



Source: Derived from figures in Tables 11-2 and 11-7 and Appendix Tables A-1 to A-3.

<sup>a</sup>Costs are for day school for all BIA pupils, i.e. excluding incremental costs associated with boarding pupils. See footnote c, Table 11-1 for further explanation.

The pupils in the highest quartile received 32.3 per cent of the funds, or 7.3 per cent more than they would have had the funds been equally distributed, while those in the lowest quartile received 20.3 per cent of the funds, or nearly five per cent less than this equivalent. These differences may appear small, but if the top quartile's "extra" 7.3 per cent were redistributed to the pupils in the lowest two quartiles, they would provide an extra \$200 per pupil. The reasons for these differences in States' allocations are obscure; clearly, there should be some attempt to explain them.

The annual per capita allotments for day school costs in each State in Fiscal Years 1968-1971 are shown in Table II-5, and the BIA school enrollment, along with estimated total day school costs on which these figures are based are shown in Tables II-6 and II-7.

#### Supplemental Funds for BIA Schools

In addition to the Federal Schools Program, the Federal government subsidizes the BIA schools through ten supplemental programs, seven of which are discussed here:<sup>11</sup> ESEA Title II and NDEA Title III (instructional materials and equipment), NDEA Title V-A (guidance and counseling), ESEA Title VII (Bilingual Education), Follow Through, Community Action Agency (educational services) and Teacher Corps.

Three of these, ESEA Title II and NDEA Titles III and V-A, are authorized under the U. S. Office of Education (USOE) which makes a lump sum grant to the BIA.

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<sup>11</sup>ESEA Title I is covered in Chapter III: neither Upward Bound nor Talent Search monies could be identified separately for BIA or for public school Indians; thus these programs are discussed separately in Chapter IV.



TABLE 11-5

ESTIMATED PER CAPITA SUPPORT FOR DAY SCHOOL  
UNDER THE FEDERAL SCHOOLS PROGRAM,  
BY STATE AND FISCAL YEAR<sup>a</sup>

State	Fiscal Year			
	1968	1969	1970	1971
Arizona	\$ 850	\$1098	\$1253	\$1270
New Mexico	1133	1041	1429	2097
Alaska	1165	1439	1641	2036
South Dakota	808	942	1139	1313
North Dakota	785	944	1193	1265
Oklahoma	1380	1620	2051	2701
Utah	1152	1142	1061	1405
Mississippi	771	925	1034	1144
Kansas	678	890	1125	1765
North Carolina	613	835	911	994
Oregon	1113	1433	1912	2491
California	610	736	1119	2538
Nevada	506	723	1575	2254
Montana	2012	2276	3653	3951
Florida	1654	1779	2208	2256
Louisiana	-	1000	647	907
Iowa	471	-	-	-
U.S. average	1094	1126	1357	1641

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D.C.

<sup>a</sup>All estimates are based on enrollments and amounts shown in Tables 11-2 and 7 and Appendix Tables 11-1, 2 and 3. (FY 1968 amounts are based on end-of-year duplicated enrollment count. Therefore these estimates are lower than the actual per capita amounts.)

TABLE 11-6

BIA SCHOOLS ENROLLMENT, BY STATE AND FISCAL YEAR<sup>a</sup>

State	Fiscal Year			
	1968	1969	1970	1971
Arizona	15,335	15,525	15,833	16,216
New Mexico	9,720	9,544	8,913	9,414
Alaska	6,793	6,545	6,407	5,653
South Dakota	5,046	4,706	4,822	4,958
North Dakota	3,049	2,882	2,857	3,187
Oklahoma	2,629	2,513	2,214	2,043
Utah	2,640	2,552	2,164	2,108
Mississippi	1,157	1,143	1,192	1,255
Kansas	1,220	1,080	1,031	1,106
North Carolina	1,047	1,047	1,158	1,232
Oregon	876	834	763	723
California	816	785	661	510
Nevada	655	516	459	496
Montana	297	285	244	236
Florida	83	81	79	85
Louisiana	27	17	34	43
Iowa	58	-	-	-
Total	51,448	50,055	48,831	49,265

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D.C.

<sup>a</sup>Based on annual December 31 enrollment survey, except for 1968 which is cumulative enrollment. (See Table 11-3 and Appendix Tables A-1, 2 and 3 for boarding and day school breakdown.)

TABLE 11-7

ESTIMATED TOTAL SUPPORT FOR DAY SCHOOL UNDER THE FEDERAL SCHOOLS PROGRAM,  
BY STATE AND FISCAL YEAR<sup>a</sup>

State	Fiscal Year			
	1968	1969	1970	1971
Arizona	\$13,587,506	\$17,044,034	\$19,842,292	\$20,587,907
New Mexico	16,230,574	9,933,302	12,733,052	19,744,176
Alaska	7,950,838	9,420,638	10,512,288	11,510,975
South Dakota	4,090,846	4,432,966	5,493,200	6,512,195
North Dakota	2,415,278	2,721,411	3,407,908	4,032,416
Oklahoma	3,735,150	4,070,247	4,541,986	5,517,711
Utah	3,161,330	2,915,385	2,295,634	2,961,661
Mississippi	903,990	1,057,840	1,232,626	1,435,147
Kansas	879,024	960,717	1,160,218	1,952,134
North Carolina	642,288	873,969	1,054,888	1,224,811
Oregon	1,012,408	1,194,953	1,459,042	1,800,742
California	533,248	577,655	739,694	1,294,270
Nevada	359,650	373,180	722,722	1,117,922
Montana	595,050	648,568	891,428	932,461
Florida	137,256	144,153	174,456	191,767
Louisiana	-	17,000	22,000	39,000
Iowa	27,305	-	-	-
Total	\$56,261,741	\$56,386,018	\$66,283,434	\$80,855,295

<sup>a</sup>Estimates are based on the methodology described in footnote c, Table 11-1 and the total school costs and enrollments shown in Appendix Table A-4. Incremental costs associated with boarding pupils were as follows: 1968, \$685; 1969, \$733; 1970, \$866; 1971, \$866.

The latter's responsibility for the administration of the program is similar to that of the State departments of education regarding public school grants, including responsibility for establishing criteria for selecting grantees, awarding grants and monitoring and evaluating the local projects. In the case of the BIA, however, most of this is left to the Area Offices.

Under Follow Through (authorized under the Economic Opportunity Act of 1964 and delegated to the USOE) and Bilingual Education (ESEA VII), the USOE has discretionary authority over the funds; that is, it selects the grantees without the binding limits of a legislative formula or minimum per capita investment or SEA preferences. BIA schools or tribal councils may apply for funds under these two programs on the same basis as public school districts. The decision to fund BIA schools rather than eligible public school districts is a matter of policy preference initiated by the USOE, rather than fulfillment of program regulations or a legislative mandate.

The Community Action Agency (CAA) and the Teacher Corps make grants on a basis similar to that of Bilingual Education and Follow Through. However, Teacher Corps grants are made to universities which independently subsidize individuals who receive teacher training. (The funds discussed below are those supporting trainees in BIA schools.) CAA funds comprise only a small portion of the local CAA budgets: those supporting educational assistance to BIA pupils.

Our analysis of these funds is based on per capita allocations to States, which take into consideration all of the Indian pupils enrolled in the BIA schools (regardless of allocations to particular schools), a measure which permits comparison of the allocation of these resources among States.

### FY 1971 Grants

We found immense differences among States in the amounts of funds received in FY 1971, the most recent year we studied. In three States, no BIA schools received any supplemental funds at all that year, while schools in Montana obtained grants equal to \$850 for every BIA pupil! Following Montana, the high-ranking States were North Carolina (\$354), Mississippi (\$297), and South Dakota (\$198). The others received grants amounting to between \$7 and \$99 per capita. Arizona alone was successful in acquiring funds for BIA schools under all seven of these programs, although they amounted to only \$68 per pupil. (The figures are shown in Table 11-8.)

Half of the \$2,052,000 awarded to BIA schools in FY 1971 came from the Follow Through program, while another third derived from the Community Action Agency (\$618,000) and Bilingual Education (\$685,000). The grants made to each State under each program are listed in Table 11-9.

### Grants During Fiscal Years 1968-1970

In the three years just prior to 1971, BIA schools received only slightly more monies under these programs than they did in FY 1971 alone. Some of these programs could not legally fund BIA schools in the earlier years, but the large increase in 1971 can also be attributed to the improved organization and militancy of Indian groups, the Senate hearings on Indian education in 1969 and widespread publicity concerning Indian needs.

Ordinarily, once a school is funded, its grant is renewed in subsequent years. Thus, in the period 1968-1970, the seven States which enroll about three-quarters of the BIA pupils received all of the Indian-designated monies.

TABLE 11-8

SUPPLEMENTAL FEDERAL FUNDS FOR BIA SCHOOLS, BY STATE: FY 1971<sup>a</sup>

State	Total Grants	Enrollment <sup>b</sup>	Per Capita <sup>c</sup> Grants	Number of Programs <sup>d</sup>
Arizona	\$1,101,674	16,216	\$ 68	7
New Mexico	422,116	9,414	45	4
Alaska	170,612	5,653	30	2
South Dakota	977,191	4,958	197	5
North Dakota	314,723	3,187	99	4
Oklahoma	19,742	2,043	10	2
Utah	1,000	2,108	e	1
Mississippi	373,268	1,255	297	3
Kansas	f	f	f	f
North Carolina	436,701	1,232	354	3
Oregon	43,791	723	61	3
California	-	510	-	-
Nevada	-	496	-	-
Montana	209,956	236	890	4
Florida	600	85	7	1
Louisiana	-	43	-	-
<b>Total</b>	<b>\$4,071,374</b>	<b>49,265</b>		
<b>U.S. Average</b>			<b>\$ 83</b>	

<sup>a</sup>See Table 11-9 for programs included.

<sup>b</sup>December 31, 1970 enrollment survey. Source: BIA Office of Education Programs.

<sup>c</sup>Total grants divided by total enrollment.

<sup>d</sup>The number of programs under which grants were received.

<sup>e</sup>\$0.47 per capita.

<sup>f</sup>Because Kansas BIA pupils are post-secondary, they are not eligible for these programs.

TABLE 11-9

SUPPLEMENTAL FEDERAL FUNDS FOR BIA SCHOOLS, BY STATE: FY 1971<sup>a</sup>

State	ESEA Title II	ESEA Title III	ESEA Title VII	Teacher Corps	Follow Through	NDEA Title III	Community Action Agency (Education)	Total
Arizona <sup>b</sup>	\$ 53,744	\$ 27,000	\$165,000	\$222,707	\$ 292,391	\$26,190	\$314,642	\$1,101,674
New Mexico	4,406	27,800	365,000	-	-	-	24,910	422,116
Alaska	26,195	143,917 <sup>c</sup>	-	-	-	-	-	170,612
South Dakota	9,956	47,000	155,000	-	701,710	-	63,525	977,191
North Dakota	8,000	25,000	-	-	275,923	5,800	-	314,723
Oklahoma	7,122	-	-	-	-	12,620	-	19,742
Utah	-	-	-	-	-	1,000	-	1,000
Mississippi	2,474	17,000	-	-	353,794	-	-	373,268
Kansas	-	-	-	-	-	-	-	-
North Carolina	2,428	-	-	-	347,148	-	87,125	436,701
Oregon	1,714	37,687	-	-	-	4,390	-	43,791
California	-	-	-	-	-	-	-	-
Nevada	-	-	-	-	-	-	-	-
Montana	594	357	-	-	81,250	-	127,755	209,956
Florida	600	-	-	-	-	-	-	600
<b>Total</b>	<b>\$117,233</b>	<b>\$326,261</b>	<b>\$685,000</b>	<b>\$222,707</b>	<b>\$2,052,216</b>	<b>\$50,000</b>	<b>\$617,957</b>	<b>\$4,071,374</b>

<sup>a</sup>Source: Budget and Program offices in USOE, OEO and BIA. Upward-Bound and Talent Search grants are not shown; see Table IV-6, footnotes a and e, p. 78 for these amounts and further explanation.

<sup>b</sup>Excludes funds for Rough Rock, which is independent.

<sup>c</sup>\$99,717 of this was State Discretionary.

The differences in the per capita grants to the recipient States which we observed for FY 1971 were apparent in these earlier years. In Fiscal Years 1969 and 1970, respectively, Montana received \$430 and \$798 per pupil; in FY 1970 North Carolina received \$229 per pupil, Mississippi \$349 and South Dakota \$136; these were large grants, as they were in FY 1971. These amounts and other States' per capita grants in Fiscal Years 1969 and 1970 can be seen in Table 11-10. (Grants for 1968 could not be computed on a per capita basis because pupil enrollments for December 31, 1967 are not available.) The total grants to each State under each program are shown in Tables 11-11, 11-12 and 11-13.



TABLE 11-10

SUPPLEMENTAL FEDERAL FUNDS FOR BIA SCHOOLS, PER CAPITA INDIAN PUPIL, BY STATE: FISCAL YEARS 1969, 1970, 1971<sup>a</sup>

State	Fiscal Year		
	1969	1970	1971
Arizona	\$ 27	\$ 59	\$ 68
New Mexico	1	5	45
Alaska	-	-	30
South Dakota	6	136	197
North Dakota	26	46	99
Oklahoma	-	-	10
Utah	-	-	47
Mississippi	88	349	297
Kansas	b	b	b
North Carolina	-	229	354
Oregon	-	-	-
California	-	-	-
Nevada	-	-	-
Montana	430	798	890
Florida	-	-	7
Louisiana	-	-	-

<sup>a</sup>See Tables 11-11, 12 and 13 for programs included and total amounts of funds. Total pupil enrollments are shown in Table 11-3.

<sup>b</sup>Kansas has no eligible pupils.

TABLE 11-11

SUPPLEMENTAL FEDERAL FUNDS FOR BIA SCHOOLS, BY STATE: FY 1970<sup>a</sup>

State	Teacher Corps	Follow Through	Community Action Agency	Total
Arizona	\$354,531	\$ 427,600	\$146,849	\$ 928,980
New Mexico	-	-	42,310	42,310
Alaska	-	-	-	-
South Dakota	-	653,853	-	653,853
North Dakota	-	121,770	9,288	131,058
Oklahoma	-	-	-	-
Utah	-	-	-	-
Mississippi	-	415,812	-	415,812
Kansas	-	-	-	-
North Carolina	-	265,000	-	265,000
Oregon	-	-	-	-
California	-	-	-	-
Nevada	-	-	-	-
Montana	-	66,663	127,992	194,655
Florida	-	-	-	-
Total	\$354,531	\$1,950,698	\$326,439	\$2,631,668

<sup>a</sup>See footnote a, Table IV-10. (Upward Bound and Talent Search amounts are shown in Table IV-5.)

TABLE 11-12

SUPPLEMENTAL FEDERAL FUNDS FOR BIA SCHOOLS, BY STATE; FY 1969<sup>a</sup>

State	Teacher Corps	Follow Through	Community Action Agency	Total
Arizona	\$181,155	\$123,154	\$114,168	\$418,477
New Mexico	-	-	9,169	9,169
Alaska	-	-	-	-
South Dakota	-	26,092	-	26,092
North Dakota	-	29,139	45,751	74,890
Oklahoma	-	-	-	-
Utah	-	-	-	-
Mississippi	-	100,788	-	100,788
Kansas	-	-	-	-
North Carolina	-	-	-	-
Oregon	-	-	-	-
California	-	-	-	-
Nevada	-	-	-	-
Montana	-	-	123,806	123,806
Florida	-	-	-	-
Total	\$181,155	\$279,173	\$292,894	\$753,222

<sup>a</sup>See footnote a, Table IV-10. (Upward Bound and Talent Search grants are shown in Table IV-4.)

TABLE 11-13

SUPPLEMENTAL FEDERAL FUNDS FOR BIA SCHOOLS, BY STATE: FY 1968<sup>a</sup>

State	Teacher Corps	Follow Through	Community Action Agency	Total
Arizona	\$270,000	\$123,200	\$219,839	\$ 613,039
New Mexico	-	-	19,637	19,637
Alaska	-	-	-	-
South Dakota	-	26,100	30,763	56,863
North Dakota	-	45,500	108,197	153,697
Oklahoma	-	-	-	-
Utah	-	-	-	-
Mississippi	-	100,800	-	100,800
Kansas	-	-	-	-
North Carolina	-	-	-	-
Oregon	-	-	-	-
California	-	-	-	-
Nevada	-	-	-	-
Montana	-	-	83,267	83,267
Florida	-	-	-	-
Iowa	-	-	-	-
<b>Total</b>	<b>\$270,000</b>	<b>\$295,600</b>	<b>\$461,703</b>	<b>\$1,027,303</b>

<sup>a</sup>See footnote a, Table IV-10. (Upward Bound and Talent Search amounts are shown in Table IV-3.)

### III. ESEA TITLE I

Title I of the Elementary and Secondary Education Act of 1965 (ESEA), the largest Federal aid-to-education program, provided in FY 1972 alone, \$1.4 billion for supplementary assistance to disadvantaged pupils in elementary and secondary schools. Two components of Title I are considered in this report. The first is the "Public Schools Program," which in 1971 granted \$1.3 billion to 15,000 public school districts. It is administered primarily by the State departments of education which monitor and evaluate locally-run projects according to the USOE regulations, policy guides and advisory statements.

The other component is the Bureau of Indian Affairs Title I Program under which a lump sum is allotted directly to the BIA, which administers this component in the Federal Schools pursuant to the policies of the USOE, which is responsible for oversight of the entire ESEA Title I program. In FY 1972, the BIA allocation was \$12.5 million.

In this chapter, we describe the process of a distribution of ESEA Title I funds under both components of Title I, and compare the investment in Indian pupils under each in the different States.

#### History of ESEA Title I Appropriations

Early in 1966, the Congress expanded ESEA Title I to include for the first time an appropriation for the BIA and the Outlying Areas (Guam, Trust Territories, Puerto Rico, etc.), initially providing for grants equal to one per cent of the "Part A" appropriation for the BIA and one per cent for the Outlying Areas, to establish Title I projects

during the remaining months of the Fiscal Year. "Part A" includes the Local Educational Agencies Program (here referred to as the Public Schools Program) and programs for handicapped, neglected, delinquent and migratory children. In FY 1967, the proportion for both the BIA and Outlying Areas was raised to three per cent and the BIA share alone was fixed at 0.82 per cent of the "Part A" appropriation. These percentages have remained in effect in subsequent years.

When these initial calculations were made, BIA's share was less than that of the public schools: in FY 1967, BIA was allotted \$104 per eligible pupil while the Public Schools Program was supported at \$164 per eligible pupil. But since that year, the BIA's 0.82 per cent has yielded more and more funds though its eligible population has fluctuated. The number of eligible pupils was only 500 more in 1972 than in 1967, though their allocation more than doubled during that period. By FY 1972, the BIA was receiving \$239 per capita compared to the Public Schools' allocation of \$168. During this period, the Public Schools' per capita allotment was fairly constant, going only as low as \$149 and as high as \$175, while the BIA's ranged from \$97 to \$239.<sup>1</sup> Approximately \$283 is available in FY 1973.<sup>2</sup> Table III-1 and Chart III-1 on the following pages summarize the investment in the two programs over the past five years.

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<sup>1</sup>If BIA dormitory pupils are not counted among the BIA eligible pupils, then the per capita amounts become even higher, amounting to \$258 per capita in FY 1972. These pupils attend public schools, where they may also receive services under Title I.

<sup>2</sup>Memorandum of April 6, 1972 to BIA Area Directors from the Acting Field Services Administration.

TABLE III-1

TOTAL AND PER CAPITA ALLOTMENTS UNDER ESEA TITLE I, FOR PUBLIC SCHOOLS AND BIA SCHOOLS,  
FISCAL YEARS 1967-1972<sup>a</sup>

Fiscal Year	Public Schools <sup>b</sup>				BIA Schools				
	Total Allotment	Number of Eligible Pupils	Allotment Per		Total Allotment	Number of Eligible Pupils <sup>c</sup>		Allotment Per Eligible Pupil	
			Eligible Pupil	Participant		Including Dormitory Pupils	Excluding Dormitory Pupils	Including Dormitory Pupils	Excluding Dormitory Pupils
1972	\$1,364,707,215	8,109,501	\$168	\$167	\$12,477,000	52,252	48,449	\$239	\$258
1971	1,300,043,478	7,414,303	175	165	11,702,304	52,020	48,100	225	243
1970	1,183,157,449	6,952,268	170	150	10,660,353	51,500	47,713	207	223
1969	990,088,747	6,665,386	149	125	9,000,000	52,728	48,874	171	184
1968	1,068,480,946	6,377,731	168	135	9,000,000	52,885	48,946	170	184
1967	989,935,591	6,019,192	164	109	5,000,000	51,807	48,005	97	104

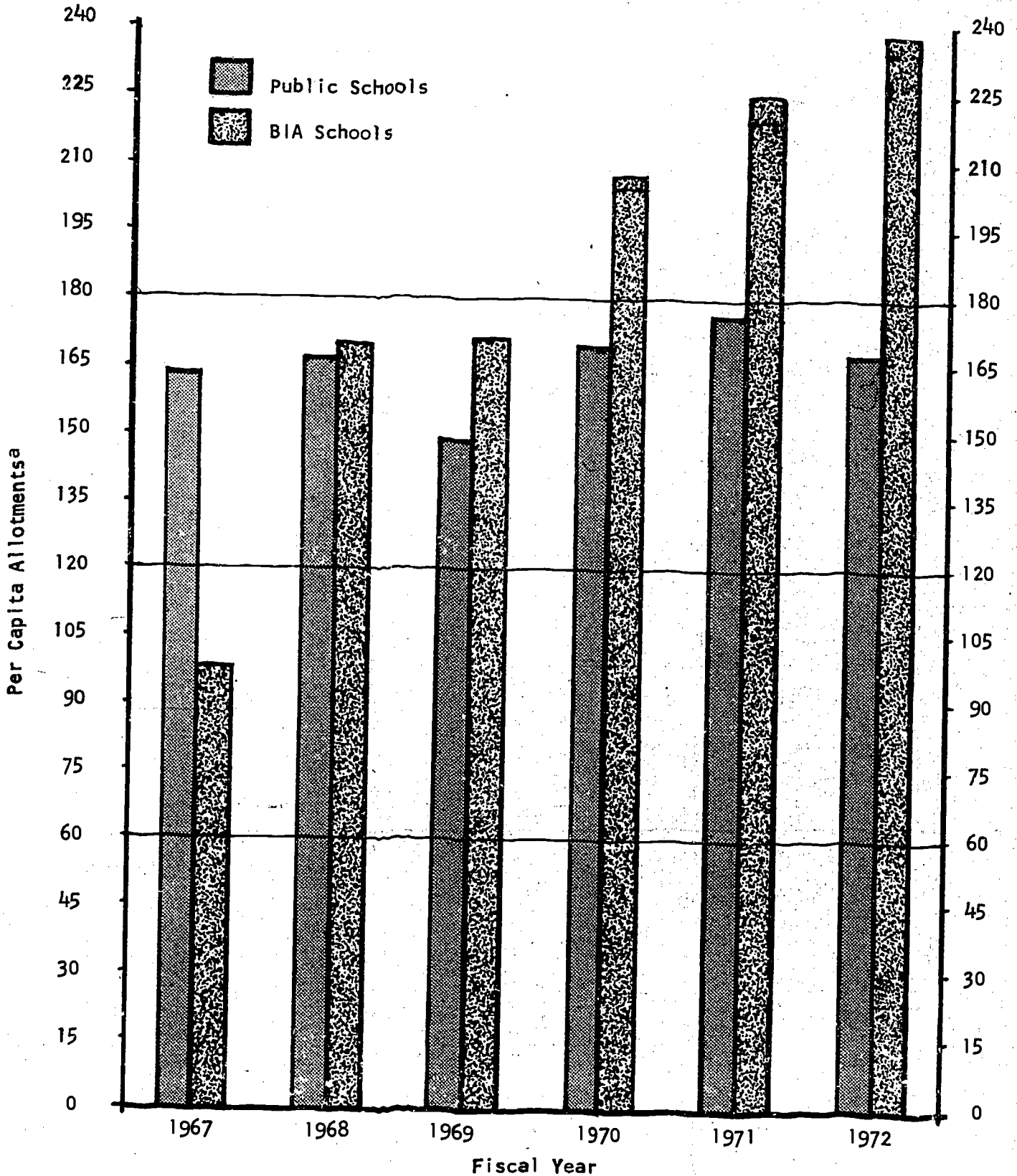
<sup>a</sup>Except where otherwise noted, from U. S. Office of Education, Division of Compensatory Education, Fiscal Office.

<sup>b</sup>Formally, the "Local Education Agencies" section of "Part A." Amounts shown are for the 50 States and the District of Columbia.

<sup>c</sup>BIA Office of Education; from annual December 31 enrollment survey; excludes post-secondary BIA pupils, who are not eligible for Title I. (See Appendix Table B-4.)

CHART III-1

PER CAPITA ALLOTMENTS FOR BIA AND FOR THE PUBLIC SCHOOLS UNDER ESEA TITLE I,  
U.S.: FISCAL YEARS 1967-1972



Source: See Table III-1.

<sup>a</sup>Per eligible pupil. For BIA, includes dormitory pupils.



Allocation of BIA Title I Monies:  
The Process

The BIA is assigned a lump sum Title I allotment from the U. S. Office of Education, which has delegated to the BIA the authority to allocate its monies among the BIA schools at its own discretion (within the legislative intent of Congress).

In the early years of BIA Title I, the BIA Central Office retained a fairly large proportion of the Title I funds (one-third in 1968)<sup>3</sup> for centrally designed curriculum development projects, teacher training or classroom-based activities planned in cooperation with schools or agencies. However, most of the funds (93% in FY 1971) are now distributed to agencies and schools through a combination of a bottom-to-top (school-agency-Area-Central Office) proposal review process simultaneous with a top-down communication on what those proposals should contain.<sup>4</sup> This system is difficult to describe precisely, because it changes from time to time and because the BIA officials and evaluators do not agree entirely on just how it works.

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<sup>3</sup>AVCO Economic Systems Corporation, Report of Evaluation of BIA Total ESEA Title I Program, Fiscal Year 1969 (September 30, 1968), p. 530. In 1967: \$750,000; 1968: \$2,620,237; 1969: \$1,953,930; 1970: \$907,164; 1971: \$150,000.

<sup>4</sup>In contrast, the ESEA Title I legislation provides a formula for the allocation of the Public Schools Program funds to counties, based on the national or State average per pupil expenditure and the number of "eligible" children reported by the Local Educational Agencies with that county. The counties, then under the State department's auspices (the SEA must approve the county's criteria for suballocation) allocates its entitlement to the LEA's within its boundaries, utilizing the best recent data on the incidence of economic disadvantage. While this method has certain built-in inequities, its legislative origins preclude ad hoc modifications in funding or the application of subjective criteria. As will be discussed later, the wide variability in allocations occurs below the school district level in the selection of schools and pupils for participation in the Public Schools Program.

In the Spring, Area Directors are informed by the Central Office of their tentative Area allocations for the following school year. Generally, the Area offices then inform agencies of their approximate allocations, although some agencies do not receive this planning information. Then, from April through July, schools and agencies submit project proposals which call for an expenditure of funds approximating their per capita share of their Area's allocation. These proposals are approved up the line by the agency, Area, and finally, by the BIA Central Title I Office. Modifications can be made at each stage, in either the amount of the grant or the educational design, though, at least at the Central Office level, the latter is far less frequent than the former. In addition, outside factors such as a Congressional decision on funding or a USOE policy change may influence the approval at any level.

Two stages in this process are critical: the decision of the Central Office on allocations to the Areas and the decision by each Area Director on funding the agencies under his control. These are discussed in the following section.

#### Central Office Allocations to Areas

The BIA has never formally issued a formula or set of criteria for the allocation of Title I funds from the Central Office to the Areas. Except for the funds retained by the Central Office, the primary basis for allocations has apparently been the number of pupils enrolled,<sup>5</sup> with

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<sup>5</sup>That is, each Area receives a base allotment for each pupil enrolled, based on the enrollment on December 31 prior to the Fiscal Year for which the allocations are made; e.g., the December 31, 1970 enrollment was used to allocate the FY 1972 (school year 1971-72) funds. Thus, all the elementary and secondary school pupils are considered "eligible." While the public schools Title I standards for eligibility are more precise, apparently most of the BIA pupils would be eligible

the exception of supplemental grants to certain locales with special needs. Not all of the latter could be identified, although we were told by BIA officials that the Juneau Area (Alaska) is regularly given extra funds because of the high cost of living, as is the Miccosukee Area (Florida), because of the high unit costs of operating these small isolated schools.<sup>6</sup> BIA officials also indicated that other considerations include such things as crises in the school or community, previous allotments and "special needs" of the Area as indicated in project proposals. Since documentation of such factors is not readily obtainable, it was not possible to associate them with particular Area allocations.

#### Area Office Allocations to Agencies and Schools

Generally, Area Directors possess great discretion in the management of the BIA operations within their jurisdictions, and the Title I

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under those standards: according to the 1971 Manpower Report of the President (p. 77), three-fourths of the Indians in urban areas are poor and 80 per cent of reservation Indians are below the poverty line, with an average family income of \$1,500.

<sup>6</sup>The main criterion for allocation of monies has consistently been identified as per capita, in varying forms, though this is not fully corroborated by our per capita computations. The two main sources are the national evaluators (AVCO) and BIA officials. In 1969, AVCO reported that the distribution was in proportion to "enrollment" (p. 530). (They said that apparently neither merit of proposals nor educational needs is a factor; in fact, Areas are informed by the Central Office of their allocation prior to the writing of proposals and generally agencies are likewise informed by Area Directors, though there are exceptions.) In 1970, AVCO reported that the allocation was primarily by "formula," based on Average Daily Attendance (87.3% of BIA's official duplicated enrollment figures). The "formula" was not shown. In 1971, AVCO mentioned that the allocation was on a "per capita" basis. In conversation with the ESEA Title I Staff in Albuquerque, New Mexico, in April, 1972, we were informed that the monies are currently allocated to Areas on a per capita basis, using the December 31 enrollment of the previous school year, with adjustments for Areas with special needs. This was confirmed by an April 6, 1972 memorandum from BIA Acting Field Services Administrator to Area Directors.

program is no exception. Neither the BIA Director of Education Programs nor the Director of the Title I program (located in the Central Office) has line authority over the Area Directors, who report directly to the Commissioner of Indian Affairs. Apparently the Central Title I office neither regularly participates in nor monitors the Area Offices' decisions on Title I funding of individual agencies or schools. Consistent with this, apparently any extant Area Office criteria for funding are not communicated either up to the Central Office or down to the agencies. (Likewise schools and agencies are not required to submit specific data in their applications related to any such criteria.<sup>7</sup>) USOE recognized this independence in their July, 1971 memorandum to the BIA, in which they stated that the BIA central staff "was unaware of the methods used by the area to suballocate Title I funds among schools." In the same memorandum, the USOE recommended that "criteria be established for sub-allocation of Title I funds among schools in each area. Such criteria might be developed by each area to reflect the most urgent educational needs of the local children but should be approved at the Central Office level."

The 1971 national evaluation of the BIA Title I program addressed the question of sub-Area allocations, finding that both the factors and the priorities given them varied among Areas. The findings were as follows:<sup>8</sup>

The question asked was, "What are the bases for allocation of funds to projects within your Area? Indicate to what extent various factors are considered. Include need, school size, merit of proposal and other considerations in addition to per capita basis if they

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<sup>7</sup>A new application is being instituted which may change this.

<sup>8</sup>AVCO Economic Systems Corporation, "Evaluation of Fiscal Year 1971 Title I Programs." June 30, 1971, p. 78.

apply in your Area." The seven Areas who answered this item mentioned the following as criteria of allocation. Where several criteria are cited, they are ranked in descending order of importance.

<u>Aberdeen</u>	Needs/Merit
<u>Albuquerque</u>	Quality/Priority
<u>Anadarko</u>	Per Capita
<u>Billings</u>	No Response
<u>Central Office</u>	No Response
<u>Juneau</u>	Need; Per Capita; Capability; Feasibility; School Size; Merit
<u>Muskogee</u>	1971 = Request; 1972 = Per Capita
<u>Navajo</u>	Per Capita; Merit; School Size; Deprivation; Special
<u>Phoenix</u>	Need; School Size; Merit
<u>Portland</u>	No Response

Allocation of BIA Title I Monies: The Impact

Allocations to Areas (FY 1971)

In FY 1971, the initial allocation of Title I funds to the Areas (and schools reporting directly to the Central Office) ranged from \$173 per pupil in the Cherokee Area to \$678 in the Seminole Area. However, 76 per cent of all the pupils were enrolled in six Areas with per capita allocations between \$204 and \$215.<sup>9</sup> These were: Portland, Aberdeen, Phoenix, Navajo, Muskogee and Choctaw. Those receiving extremely high

<sup>9</sup>The uniformity in the distribution is reflected in the coefficient of variation, which was 13.42. This measure permits comparison of the scatter within two series of data which have different medians. It reveals the ratio of the average deviation from the mean to the mean. The formula is:

$$CV = \frac{\sum_{i=1}^n \frac{(f|x_i - \bar{x}|)}{N}}{\bar{x}} (100)$$

Where x = per capita investment;  
N = number of pupils in all States; and  
 $\bar{x}$  = weighted U. S. average per capita investment.

allocations, Seminole (\$678); Miccosukee (\$544); and Billings (\$470), together enrolled one per cent of all the pupils, and Cherokee, which received the least (\$173), enrolled only two and four-tenths per cent of them. These per capita allocations, shown in Table III-2, represent funding decisions made in the Central Office in the Spring of 1970, based on the enrollment on December 31, 1969. The Area Offices' subsequent distribution of funds among individual schools may offer a more precise comparison of allocations; these are shown in the State per capita data in the following section.

#### Allocations to Agencies and Schools (FY 1971)

Allocations to agencies and schools are a subset of Area allocations, though the States and the Areas are not coterminous. (See map of BIA system.) Again, the range among average per capita allocations (when aggregated by State) is large (\$523), although three States (Arizona, New Mexico and South Dakota) containing nearly 61 per cent of the pupils have a range in per pupil allotments of only \$15. And the States at the extremes enroll very few pupils: the five that receive over \$300 per pupil (Florida, Montana, California, Oklahoma and Nevada) enroll 6.2 per cent of the pupils while the two with the smallest allotments (North Carolina and Mississippi) have 7.8 per cent of the total. These data are shown in Table III-3.

BIA officials explained that Florida receives a large allocation (\$669) because the two schools there are so small. While this holds true there, the four States receiving the next highest allocations (Montana, California, Oklahoma and Nevada) contain only one school among their total of nine which has an enrollment below the national average of 225 pupils.

TABLE III-2

PER CAPITA ALLOCATIONS UNDER BIA ESEA TITLE I, BY AREA: FY 1971<sup>a</sup>

Area	Per Capita Allocations	Cumulative Percentage of Pupils	Average School Enrollment
Seminole	\$678	99.7	50
Miccosukee	544	99.6	35
Billings	470	99.6	236
Juneau	307	99.0	103
Albuquerque	258	85.6	168
Anadarko	244	81.7	377
Portland	215	78.4	723
Aberdeen	209	76.8	254
Phoenix	209	60.8	211
Navajo	204	50.8	374
Muskogee	204	6.4	268
Choctaw		5.0	185
Cherokee	173	2.4	1232
U. S. average \$228		(N = 48,100)	225

<sup>a</sup>Total FY 1971 Area allotments divided by December 31, 1969 enrollments, the count used by the BIA in these initial allocations to Areas. Allotments exclude administrative costs above the agency level and costs for BIA dormitory Title I programs. For allocations and enrollments from which these figures were derived, see Appendix Table B-5. FY 1972 Area allocations are shown in Appendix Table B-6.

<sup>b</sup>BIA combined funds for Muskogee and Choctaw.

TABLE III-3  
 PER PUPIL ALLOCATIONS UNDER ESEA TITLE I FOR BIA SCHOOLS,  
 BY STATE: FY 1971<sup>a</sup>

State	Per Capita Allocations	Cumulative Percentages of Pupils	Number of Schools	Average School Size
Florida	\$669	99.7	2	42 <sup>b</sup>
Montana	486	99.6	1	236
California	399	99.1	1	510
Oklahoma	334	98.0	6	340 <sup>c</sup>
Nevada	315	93.8	1	496
Alaska	275	92.7	69	82
Utah	252	81.0	3	703 <sup>d</sup>
North Dakota	248	76.3	10	319
Oregon	227	70.1	1	723
Arizona	214	68.9	48	338
New Mexico	212	34.9	41	228
South Dakota	199	15.5	24	207
North Carolina	162	5.2	1	1232
Mississippi	146	2.6	6	209 <sup>e</sup>
Total		(N = 48,100)	214	
U. S. average	\$230			225

<sup>a</sup>Total FY 1971 approved project funds, as amended, aggregated by State, divided by the number of pupils enrolled on December 31, 1970. These data exclude administrative costs above the agency level and costs for the BIA dormitory Title I programs. For enrollments and allocations from which these figures were derived, see Appendix Table B-9.

<sup>b</sup>Reflects two schools with enrollments of 50 and 35.

<sup>c</sup>Reflects six schools with enrollments of 591, 361, 349, 281, 274 and 187.

<sup>d</sup>Reflects three schools with enrollments of 1739, 336 and 33.

<sup>e</sup>Reflects six schools with enrollments of 663, 188, 166, 106, 74 and 58.



And four of the nine schools have more than 300 pupils. Mississippi, receiving the lowest average State allocation, contains six schools, five of which have fewer than 200 pupils and one of which has 663. Alaska's schools average only 82 pupils, yet they receive a great deal less per capita than five other States. (See Table III-3.) This cursory analysis would suggest that school size does not provide a very convincing explanation for the level of allocation.

Conclusion

It turns out that Area Directors' distribution of the monies among schools (as aggregated by States) directly reflected that of the Central Office of the Areas.<sup>10</sup> A comparison of the weighted quartile averages reveals, for both levels, great uniformity in State average per capita allocations in the first three quartiles of pupils (a range of \$8 for Areas and \$26 for States), but both series show a much greater difference between the third and the fourth quartiles (\$74 for Areas and \$72 for States), reflecting the extraordinarily high allocations to certain schools. This can be seen in the following:

Quartile of Pupils	Quartile Weighted Average Per Capita Allocation	
	Areas	States
First	\$201	\$195
Second	204	213
Third	209	221
Fourth	283	293

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<sup>10</sup>The coefficient of variation was 14.2 per cent among States and 13.4 per cent among Areas.

We are left, then, with several observations: the majority of BIA pupils benefit from approximately equal expenditures under Title I; yet, 70 per cent reside in States which have benefit levels below the program's average national per capita funding of \$230, and pupils in five States receive huge allocations, while those in two receive very small ones. Thus, it seems that the exceptions to equal allocations are prominent enough to warrant some official justification. While there is a possibility that the exceptions are objectively determined and legitimate within the Title I legislation and regulations, this seems unlikely. At least, we were unable to obtain any precise documentation of the criteria used in determining them. Moreover, the national evaluations indicated little evidence anywhere of needs assessment relative to applications for funds.<sup>11</sup> At the very least, it seems that the criteria for allocation used by both the Central Office and the Areas routinely should be made available to Areas, agencies and schools to provide the opportunity for them to present evidence of meeting these standards and thus to qualify for the bonuses.

#### A Three-Year Summary (1969-1971)

Over the three years 1969-1971, nearly three quarters of the BIA pupils attended school in States with average allotments less than the three year national average appropriation of \$175. The three-year State averages ranged from \$150 in South Dakota to \$557 in Florida. Six States

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<sup>11</sup>In their 1969 evaluation report, AVCO Economic Systems Corporation reported that there is no real needs analysis done on the local level in planning for the Title I program. When they asked Title I administrators how many pupils needed Title I assistance, they typically received one of two answers: either all pupils, or exactly the number who were already receiving it.

enrolling 14 per cent of the pupils were favored over these years; they received the following amounts: Utah, \$215; Mississippi, \$231; California, \$237; Oklahoma, \$238; Montana, \$270; and Florida, \$557. However, 86 per cent of the pupils attended schools in the remaining eight States with average investments that were between \$150 and \$179. (These data are shown in Table III-4 and Chart III-2.)

The ranking of the States in average per capita allocation in 1971 was very similar to that of the three years together. The main exceptions were Nevada, which received the fifth highest allocation in 1971 compared to ninth over the three years, and Mississippi, which was ranked sixth over the three years but received the least of any State in 1971. (See Table III-4.)

### The Public Schools Program

#### Overview

Information for the examination of the Title I investment in Indian pupils in the Public Schools Program is much more elusive than that required for analysis of the BIA Title I Program, simply because public school Indians comprise only a tiny percentage of all the potential Title I participants enrolled there and because no funds under the public schools portion are specifically designated for Indians. Analysis is additionally hampered by the fact that there are no uniform data available by State on the type and extent of participation of Indians or on the amount of Title I monies spent for them. (It should be pointed out here that the available information on the public schools is no less adequate than that on the BIA program. The BIA doesn't maintain records on the cost or intensity of participation either; it is easier to compensate for these deficiencies in the BIA analysis because all BIA pupils are eligible and, apparently, most are educationally disadvantaged.)

TABLE III-4

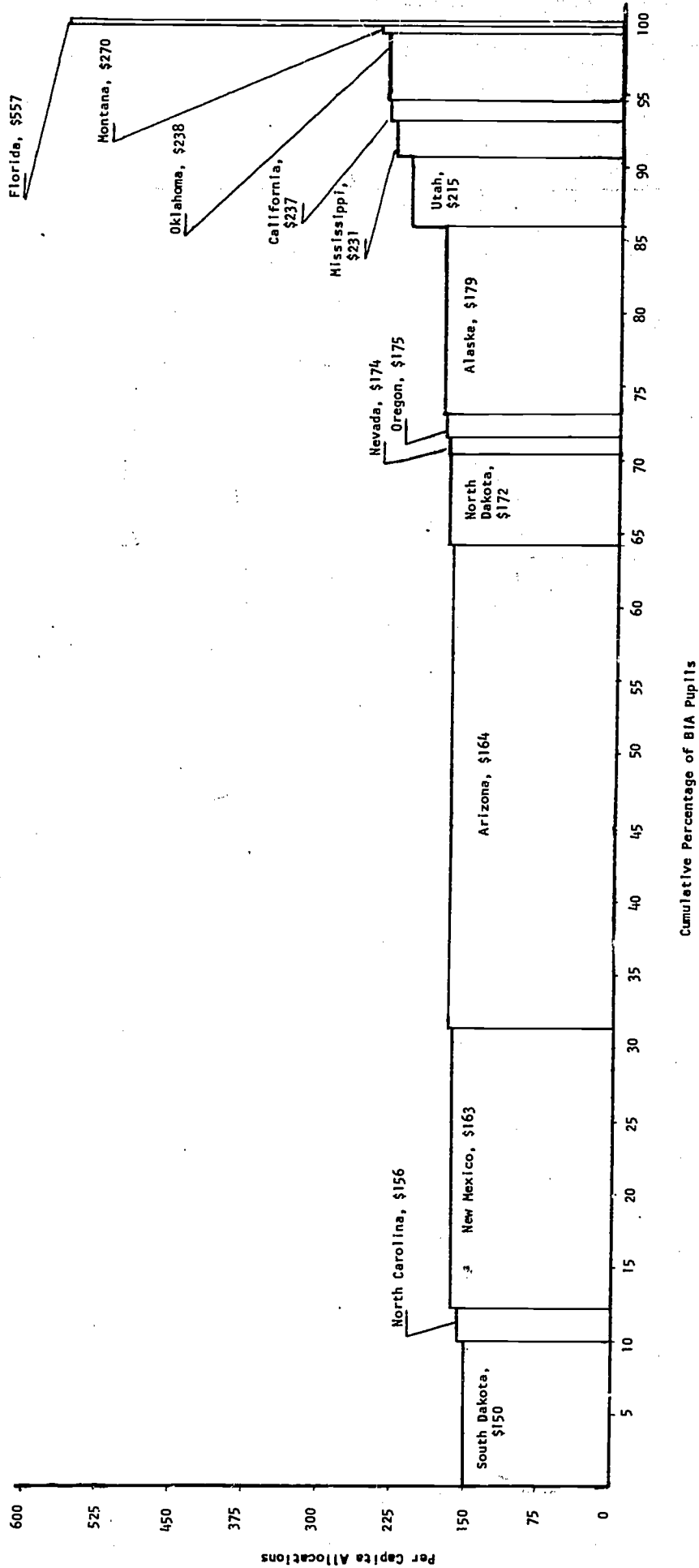
PER CAPITA ALLOCATIONS UNDER BIA TITLE I, BY STATE: FISCAL YEARS 1969-1971<sup>a</sup>

State	Three-Year Average <sup>b</sup>			FY 1971	
	Per Capita Allocations	State Rank	Cumulative Percentage of Pupils	Per Capita Allocations	State Rank
Florida	\$557	1	100.0	\$669	1
Montana	270	2	99.8	486	2
Oklahoma	238	3	99.3	334	4
California	237	4	94.6	399	3
Mississippi	231	5	93.3	146	14
Utah	215	6	90.8	252	7
Alaska	179	7	86.1	275	6
Oregon	175	8	73.2	227	9
Nevada	174	9	71.6	315	5
North Dakota	172	10	70.5	248	8
Arizona	164	11	64.4	214	10
New Mexico	163	12	31.5	212	11
North Carolina	156	13	12.4	162	13
South Dakota	150	14	10.0	199	12
U. S. average	\$175			\$230	

<sup>a</sup>Based on annual December 31 enrollments and State allocations. (See Appendix Tables B-2, 4, 7, 8 and 9.)

<sup>b</sup>Based on the sum of allocations for the three years divided by the sum of the enrolled pupils over the three years.

CHART 111-2  
ESEA TITLE I BIA PROGRAM: ALLOCATIONS PER ELIGIBLE PUPIL AND PER CENT OF PUPILS AT DIFFERENT LEVELS OF INVESTMENT, FISCAL YEARS 1969-71



Source: See Table 111-4

In the absence of precise cost data, we will present in this section for each State the SEA's estimate of the rate of Indian participation in the Public Schools Program along with its investment per participant, from which we can draw useful impressions of the adequacy of the Title I coverage of Indians as well as a comparison of the differences among States' investments.

Indian Participation

Nationwide.--The first question one might ask is, "Do Indian pupils participate in the Title I Program?" The U. S. Office of Education estimates that nationwide in 1970 about one-third of the Indian pupils enrolled in public elementary schools received assistance under the Title I Program. They also estimate that 70 per cent of the Indian pupils in public elementary schools were educationally disadvantaged, and that about one-third of these participated in the Program. These figures are as follows:<sup>12</sup>

INDIAN PUPILS ENROLLED IN PUBLIC ELEMENTARY SCHOOLS, FY 1970  
(In Percentage)

	Participants	Nonparticipants	Total
<i>Not</i> Educationally disadvantaged <sup>13</sup>	9.1	20.4	29.5
Educationally disadvantaged	24.6	45.7	70.3
Total %	33.7	66.1	99.8
	(N = 47,434; grades 2, 4 and 6)		

<sup>12</sup>Unpublished information from the 1970 Elementary School Survey, Bureau of Elementary and Secondary Education, U. S. Office of Education. Based on grades 2, 4 and 6 in a nationally representative sample of public elementary schools.

<sup>13</sup>Based on responses of teachers, who were asked to indicate whether pupils in the sample had "persistent academic problems" in math, reading or language arts. Pupils with a positive response in any of the three subjects were considered educationally disadvantaged.

By State.--Of the 26 States of which inquiries were made,<sup>14</sup> 17 were able to report the number of Indian pupils who participated in the Title I Program in FY 1971. Colorado and Texas reported that all Indians participated in FY 1971 and only four others, Mississippi (97%), Oklahoma (75%), New Mexico (52%), Arizona (54%), North Carolina (49%), and South Dakota (44%), reported that more than a third participated. The rates were lowest in Nevada (11%) and Florida (13%). The rate for each State is shown in Table III-5.

The reasons why so few Indians participate are speculative. While we must not rule out the effects of discrimination in individual cases or the wariness of some teachers to work intensively with pupils whom they may perceive to be the most difficult to teach, the structures of the Title I Program and school districts automatically preclude some otherwise eligible pupils from participating. Funds are allocated directly to counties and then to school districts by legislative formula, on the basis of the number of "eligible" pupils enrolled and the per pupil expenditure of the district.<sup>15</sup> While this allocation is fixed by Federal law, the selection of schools and pupils for participation in the program is the responsibility of the local school district, which must comply with the Federal and State Title I policies. The Federal guidelines require that schools selected for Title I must have a high proportion of pupils from poor families, compared to other schools in the district and that within those schools only educationally disadvantaged pupils may receive Title I assistance.<sup>16</sup>

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<sup>14</sup>All those that enroll over 1,000 Indian pupils were contacted.

<sup>15</sup>The formula for allocation to a county is (the sum of the number of eligible children in the county) x (50% of the State or national average per pupil expenditure, whichever is greater), ratably reduced.

<sup>16</sup>To identify who should participate, each district must rank its schools by the percentage of pupils enrolled from poor families (based on the best available data) and then select for participation in the program those schools which have more than the average proportion of poor pupils throughout the district.

TABLE III-5

PUBLIC SCHOOL: PER CENT OF INDIAN PUPILS  
WHO PARTICIPATED IN THE ESEA TITLE I,  
BY STATE: FY 1971

State <sup>a</sup>	Percentage <sup>b</sup>
Nevada	11
California	-
Montana	-
Wisconsin	28
Minnesota	21
Oregon	20
Colorado	100
North Carolina	49
Michigan	19
Florida	13
Utah	28
Illinois	-
Washington	-
Missouri	-
Mississippi	97
Arizona	54
Texas	100
South Dakota	44
Nebraska	32
Kansas	-
New Mexico	52
New York	33
North Dakota	-
Oklahoma	75
Alaska	-
Idaho	-
U. S. average	34 <sup>c</sup>

<sup>a</sup>States shown are those with at least 1000 Indians enrolled in public schools, with BIA schools, or both. They are in rank order of public school Indian enrollment.

<sup>b</sup>States with no percentages shown do not keep records on Indian participation in the Title I program. Source: State Title I Coordinators.

<sup>c</sup>See footnote 12, p. 50.



Thus, among other factors, the dispersion of Indian pupils among schools and among other poor pupils in their district would influence whether or not their schools were selected for Title I. In fact, in 1970, only about two-thirds of the public school Indian pupils were enrolled in schools designated by their districts for Title I assistance.<sup>17</sup>

#### State Variations in Per Capita Investment in Title I Participants

In the absence of more precise data on the Title I investment in Indians enrolled in the public schools, we will present in this section two measures of the average level of Title I investment in Title I participants in each State. The first measure, allocation per eligible pupil, is derived by dividing the total State allocation (the aggregate of all the county allocations) by the total number of "eligible" pupils in the State.<sup>18</sup> The other measure, investment per participant, is derived by dividing a state's total allocation by the total number of participants<sup>19</sup> in the program. The data for each of these are presented by State in Table III-6 on the following page.

District and State policies on the concentration of funds have significantly altered the equalizing effect of the formula allocations. (This can be seen at a glance by comparing the difference between the two figures for each State shown in Table III-6.)

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<sup>17</sup>See footnote 12, p. 50.

<sup>18</sup>"eligible pupils" are those children from families whose income is less than \$2,000 (1960 Census) plus children from families who receive more than \$2,000 per year from AFDC payments, neglected or delinquent children in local institutions and children in foster homes. Beginning in FY 1973, the 1970 Census will be used.

<sup>19</sup>A "participant" is any pupil who receives at least some Title I supported assistance during the year.

TABLE 111-6

ALLOCATIONS PER CAPITA ELIGIBLE PUPIL AND AVERAGE INVESTMENT  
PER PARTICIPANT IN THE PUBLIC SCHOOLS ESEA TITLE I  
PROGRAM, BY STATE: FY 1971

State	Allocation Per Eligible Pupila	Investment Per Participant <sup>b</sup>
New York	\$274	\$201
Alaska	222	112
Minnesota	185	324
New Mexico	182	178
Michigan	176	305
Wisconsin	173	352
Oregon	166	288
California	165	399
Florida	165	228
Mississippi	164	189
North Carolina	162	232
South Dakota	162	167
Ohio	161 (median)	291
Oklahoma	161	116
Missouri	160	224
Idaho	159	55
Montana	159	354
Nebraska	158	166
Arizona	157	169
Kansas	156	158
Washington	153	183
Utah	150	227
North Dakota	149	107
Texas	147	156
Colorado	144	238
Nevada	140	368
U. S. average	\$175	\$165

Source: USOE, Division of Compensatory Education, Fiscal Office.

<sup>a</sup>Total allotment divided by number of eligible pupils. See Appendix Table B-10.

<sup>b</sup>Total allotment divided by number of participants.

This is consistent with the goal set forth in the Federal policy guides which urge States to direct Title I Services to carefully selected schools and pupils. The result is that if you are a potential Title I participant, it makes a great deal of difference where you go to school. For example, California, which received \$165 for each eligible pupil, limited participation in the program to the extent that \$399 was available for assistance to each participating pupil. (This is a substantial amount, since the average per capita expenditure from State and local funds was \$719 in that State.) In contrast, Idaho, by expanding participation, diminished per capita investment to a Statewide average of only \$55 per participant. These figures for each State are shown in Table III-6.

Against this background on differences in the concentration of the funds, we may now turn to the question of the relationship between the rate of participation of Indians and the average investment per participant in each State.

To address this question, we computed an "index of concentration of funds" for each State, which would show the relationship between the per capita allocation received and the per capita investment in participants. A high score on this index indicates that a State actually spent its funds on fewer pupils than allowed for in its initial allotment, whereas a low score indicates a relatively greater dispersion of funds. The formula is as follows:

$$\text{Concentration Index} = \frac{(\text{dollars per participant}) - (\text{dollars per eligible pupil})}{(\text{dollars per eligible pupil})} \times (100)$$

Curiously, it appears that in States where funds were concentrated beyond the level implicit in the initial allocation, the participation rate of Indian pupils was relatively low. That is, when the decision was

made to spend more Title I funds on fewer pupils, apparently it was not the Indians who were selected for the program. This finding was amazingly consistent. Of the nine States which scored above the mean on the Concentration Index (and for which the Indian participation rate was available), seven (Nevada, Wisconsin, Minnesota, Oregon, Michigan, Florida and Utah) had less than 30 per cent Indian participation. In all of the States with lower than average scores on the Index (i.e., low concentration of the funds), more than a third of the Indians participated. Within the latter group, Colorado concentrated funds on relatively few pupils but reported that all the Indians participated, thus achieving the highest aggregate potential benefit to Indians of any State reported here. These figures are shown in Table III-7.

State measures such as these have certain inherent limitations-- a State's score on the Index does not necessarily reflect the policies of those particular districts in which Indians are enrolled. In some districts, participating Indians surely are receiving much more service than indicated here and in others, much less. Yet, we suggest that these measures, when considered together, provide a useful look at the State responsibility for concentrating funds sufficiently to render an effective level of service while insuring that the neediest pupils are served.

TABLE III-7

PUBLIC SCHOOLS: PARTICIPATION OF INDIANS IN ESEA TITLE I  
AND INDEX OF CONCENTRATION OF FUNDS, BY STATE: FY 1971

State <sup>a</sup>	Percentage of Indians Who Participated <sup>b</sup>	Index of Concentration of Funds <sup>c</sup>
Nevada	11	162.9 (High)
California	-	141.8
Montana	-	122.6
Wisconsin	28	103.5
Minnesota	21	75.1
Oregon	20	73.5
Colorado	100	65.3
North Carolina	49	43.2
Michigan	19	42.3
Florida	13	38.2
Utah	28	33.9
Illinois	-	31.6
Washington	-	28.1
Missouri	-	23.7
Mississippi	97	15.2
Arizona	54	7.6
Texas	100	6.1
South Dakota	44	3.1
Nebraska	32	5.1
Kansas	-	1.3
New Mexico	52	-2.2
New York	33	-26.6
North Dakota	-	-28.2
Oklahoma	75	-38.8
Alaska	-	-49.6
Idaho	-	-65.4 (Low)
Median Score		25.9

<sup>a</sup>The States listed are those with at least 1,000 Indians enrolled in public schools, with BIA schools, or both. They are rank ordered by public school Indian enrollment.

<sup>b</sup>States for which no percentage is given do not keep records on Indian participation in the Title I program. Source: State Title I Coordinators.

<sup>c</sup>This Index shows the relationship between per capita monies received per eligible pupil and the per capita expenditure per participant in the program, i.e., the "concentration" of funds. See formula, p. 55 above.

A Comparison of ESEA Title I in Public and  
in BIA Schools

Within States

As noted above, the BIA Title I program is better funded than its counterpart in the public schools in terms of the funds available per capita eligible pupil. This difference is reflected in the State allotments, so that in every State, the average allocation per capita eligible pupil is higher in the BIA program than in the Public Schools. However, if the investment in Public School participants is compared to the BIA investment, then there are only nine instances (Oklahoma, Arizona, New Mexico, Montana, Alaska, South Dakota, Utah, Florida and North Dakota) in which BIA per capita allotments are higher. In four States (North Carolina, Oregon, Nevada and Mississippi), public school pupils are better supported, and in one (California) the allocations are identical. These data are shown in Table III-8 on the following page for those States which have both a BIA and a Public Schools program.

Nationwide

Our earlier observations about the two programs are even more apparent in Charts III-3 and III-4 which show for each program the percentage of all pupils that are enrolled in each State and the corresponding average per capita allocations. It may be seen that in the BIA Program 65 per cent of the pupils are enrolled in States with average investments that are between \$199 and \$227 per pupil; and over 90 per cent are in States receiving between \$162 and \$275 per capita. Less than ten per cent are in the remaining States, which have either extremely high or extremely low investments. The public school distribution does

not exhibit these extremes (except for Idaho at \$55), showing a gradual decline in investment from a high of \$399 to a low of \$107 (North Dakota).<sup>20</sup>

TABLE III-8  
PER PUPIL ALLOCATIONS UNDER THE ESEA TITLE I PROGRAM IN PUBLIC SCHOOLS  
AND IN BIA SCHOOLS, BY STATE: FY 1971

State <sup>a</sup>	Public Schools		BIA Schools: Eligible Pupils <sup>c</sup>
	Participants <sup>a</sup>	Eligible Pupils <sup>b</sup>	
California	\$399	\$165	\$399
Nevada	368	140	315
Montana	354	159	486
Oregon	288	166	227
North Carolina	232	162	162
Florida	228	165	669
Utah	227	150	252
Mississippi	189	164	146
New Mexico	178	182	212
Arizona	169	157	214
South Dakota	167	162	199
Oklahoma	116	161	334
Alaska	112	222	275
North Dakota	107	149	248

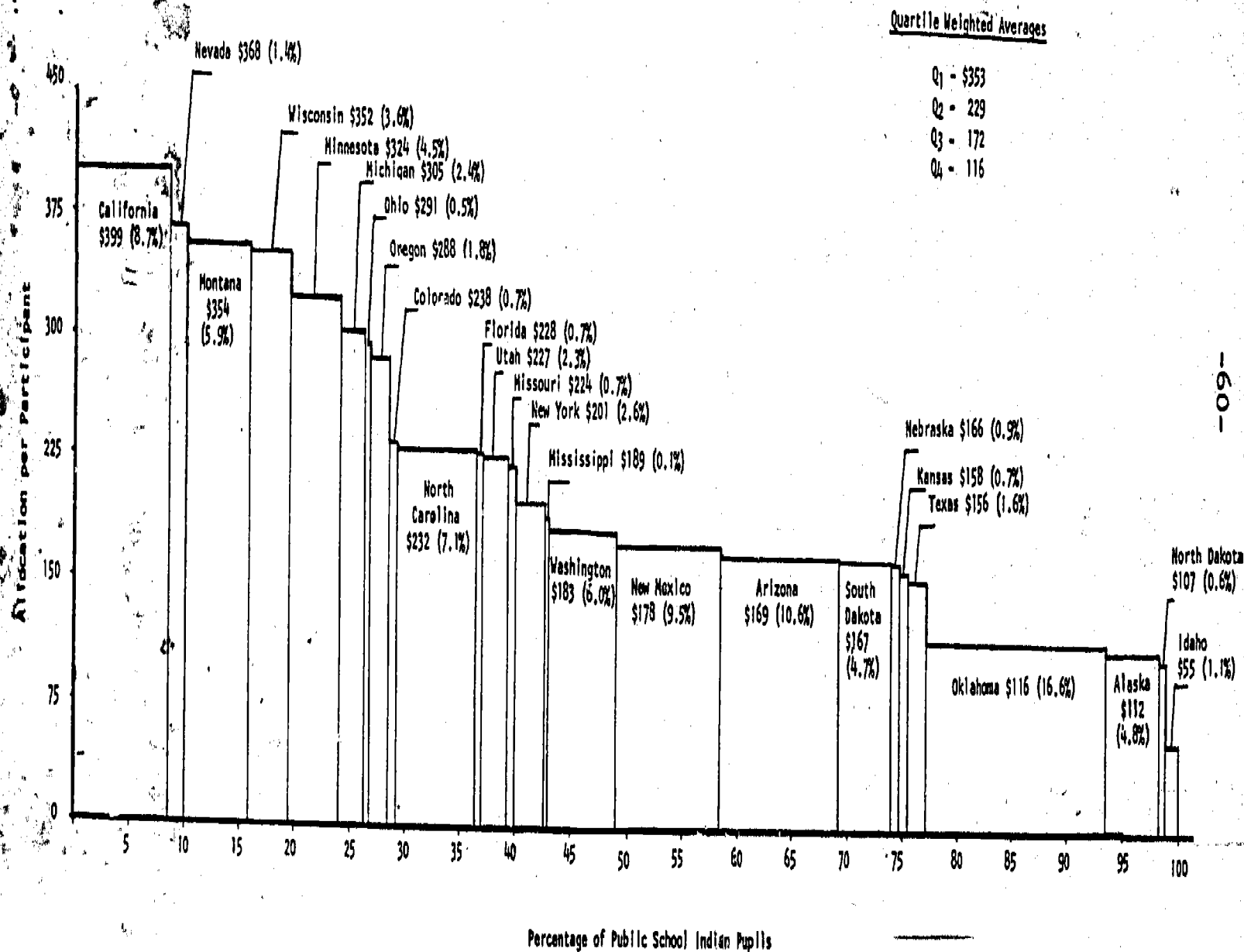
<sup>a</sup>See Table III-6.

<sup>b</sup>See Table III-6.

<sup>c</sup>See Table III-3.

<sup>20</sup>In interpreting these figures, it is important to note that they are State averages, computed by dividing each State's total allocation by the number of pupils; per capita allocations to individual schools or districts are dispersed around the respective State averages; some will be considerably higher or lower.

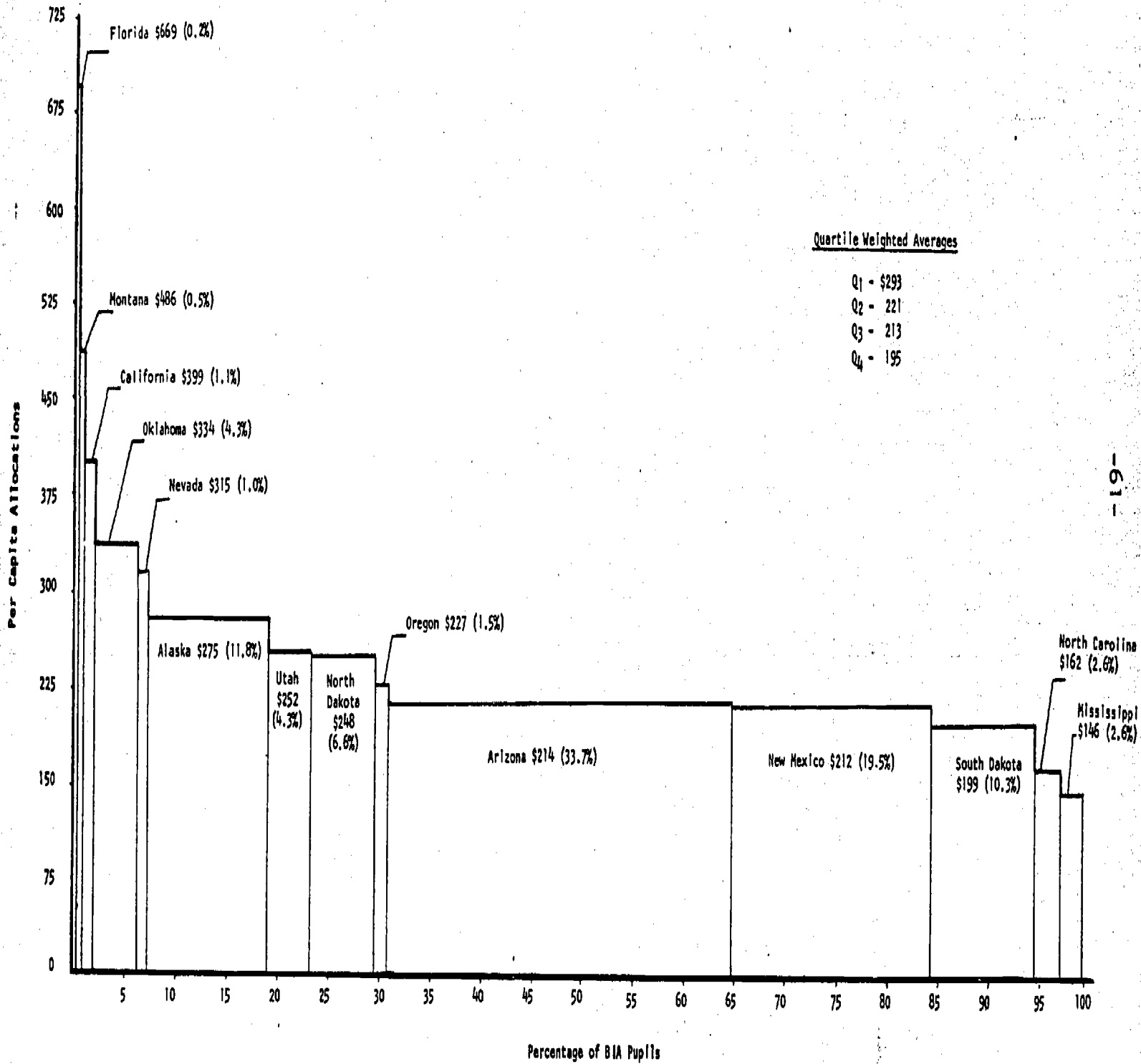
ESEA TITLE I PUBLIC SCHOOLS PROGRAM: INVESTMENT PER PARTICIPANT AND PERCENTAGE OF INDIAN PUPILS AT DIFFERENT LEVELS OF INVESTMENT, FY 1971<sup>a</sup>



<sup>a</sup>Percentages reflect the percentage of all public school Indian pupils that are enrolled in each state. The states shown are those with at least 1,000 Indian pupils enrolled in the public schools, which all together enroll 94.6 per cent of the public school Indian pupils. Percentages have been converted to scale of 100 per cent. See Table 111-8 for source of data. Allocation per participant represents the state's average for all Title I participants.



ESEA TITLE I BIA PROGRAM: ALLOCATIONS PER ELIGIBLE PUPIL AND PER CENT OF PUPILS AT DIFFERENT LEVELS OF INVESTMENT, FY 1971<sup>a</sup>



<sup>a</sup>See Table 111-3 for origin of data. Allocations per eligible pupil are used in the absence of any data on BIA participants. BIA estimates that nearly all eligible pupils participate.

The difference in the dispersion of dollars under the two programs can also be seen by comparing the average per capita investment within corresponding quartiles of pupils under each program (shown in the two charts). In the Public Schools component, the differences between the quartile weighted averages are \$56, \$57 and \$124, respectively, while in the BIA program the differences are much less: \$18, \$8 and \$72, respectively.

Finally, a similar comparison can be made by using the quartile distribution of public school pupils as a basis for arraying the BIA data. Table III-9 shows the range in per pupil expenditure represented by each quartile of Indian pupils in the Public Schools Program,

TABLE III-9  
PERCENTAGES OF BIA PUPILS IN STATES WITH TITLE I PER CAPITA INVESTMENTS  
CORRESPONDING TO THE QUARTILE DISTRIBUTION  
OF PUBLIC SCHOOL INDIAN PUPILS

Public Schools Title I		BIA Title I
Quartiles of Public School Indian Pupils	Range in State Per Capita Investment	Percentage of BIA Pupils in States With Corresponding Levels of Per Capita Investment
First Quartile	\$ 55-158	2.6
Second Quartile	158-178	2.6
Third Quartile	178-305	87.9
Fourth Quartile	305-400	6.3
		Over \$400 per pupil      0.6
		Total %      100.0

followed by the percentage of BIA pupils that were enrolled in States with comparable per capita investment under the BIA program. Within the range (\$55-158) represented by the first quartile of public school pupils, are only 2.6 per cent of the BIA pupils and only 2.6 per cent more lie within the second quartile. On the other hand, 87.6 per cent of the BIA pupils benefit from the level of investment equal to the third quartile, and 6.3 per cent are at the level of the highest quartile of public school Indians.

#### IV. OTHER FEDERAL PROGRAMS FOR INDIAN PUPILS IN PUBLIC SCHOOL SYSTEMS

The 17 Federal programs covered in this chapter are those which, in addition to ESEA Title I, provide support for the education of Indian pupils enrolled in the public schools. They include the ESEA programs, Follow Through, Teacher Corps, Career Opportunities Program, Upward Bound, Talent Search, Johnson-O'Malley and several other smaller ones.<sup>1</sup>

They support a diverse range of services, including academic instruction, cultural activities, counseling, health services and teacher training, most of which are provided within classrooms. These funds must be used for supplemental assistance to the beneficiaries, i.e., in addition to the schooling regularly provided pupils in the beneficiaries' schools.

Only Johnson-O'Malley is required by law (except in Oklahoma) to spend its entire appropriation on Indian pupils,<sup>2</sup> though the legislation for several others designates the funds for educationally disadvantaged pupils, and at least two others (Upward Bound and Bilingual Education) have given high priority in recent years to programs designed to serve Indian pupils.

The success of any State or district in obtaining a grant under a particular program depends on a combination of many factors, including

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<sup>1</sup>See Tables IV-3 to IV-6 for a complete listing. An attempt was made, through formal requests and interviews with program and budget officers, to obtain information from all elementary and secondary education programs funded by the U. S. Office of Education, the Office of Economic Opportunity and the Department of Labor.

<sup>2</sup>In practice, this requirement is frequently violated.

the quality of its proposal, the visibility of its problems, the organization of the Indians living there, its reputed achievement under previous grants, its communication with the Federal program officers and the clarity of its perceptions, of their preferences, as well as its political contacts in the U. S. Congress.

We discovered huge differences in the amounts of monies the different States have received for Indian education from these sources in recent years: these amounts ranged from millions of dollars in several States to none at all in others.

No one knows the number of proposals submitted from each State during this period or the resources invested in proposal preparation or the rate of success of any particular State. Nor could we, within the scope of this research, identify the combination of factors that contributed to the impressive ability of some States and the failure of others to obtain Federal funds for Indian education.

#### Office of Education and OEO Discretionary Funds

##### The Funding Process

The USOE programs can be classified into three groups according to the funding process. Fourteen are "USOE Discretionary"<sup>3</sup> (see Tables IV-3 through IV-6), under which the U. S. Commissioner of Education has the authority to select recipients within the legislative intent and conditions for eligibility, but generally without legal limits on the geographic distribution of the monies or the per pupil support levels,

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<sup>3</sup>The Community Action Agency education program, administered by the Office of Economic Opportunity, has a similar funding structure.

and independently of the State departments of education.<sup>4</sup> Proposals for funding go directly from the applicant to the USOE, which reviews, amends and funds them according to its own policies, judgment, philosophies and priorities and in negotiation with the applicants.

For new applicants, some of these programs issue broad directions for preparing proposals, which outline the intent of the legislation and list general criteria for funding decisions. However, a large proportion of the funds each year are taken up in grant renewals; in many cases, it is understood in the initial year of the project that it will be sustained for several years, though the amount of the grant and perhaps the educational design are negotiated annually.

The second group of programs may be called "State Discretionary." They are distinct from the first in that the State departments of education receive lump sum grants in amounts at least partially mandated by the legislation and thereafter control allocations within the State (with much the same authority as that held by USOE in the USOE discretionary programs). This category includes ESEA Title V, under which States receive grants for the improvement of their own agency operations. (ESEA Title II and NDEA Titles III and VA, for which funds for Indians were not available, have the same funding structure.)

Two programs may be called "Mixed Discretionary," since control of the funds is divided between the USOE and the States. ESEA III has had a changing balance of control, moving from total USOE discretionary at its inception in 1965 through FY 1968, to a three-fourths State--

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<sup>4</sup>Under some of these programs, proposals are submitted to the respective State education agencies at the time they are sent to the USOE, and frequently USOE program officers confer with the State personnel before making funding decisions. But recommendations by the State people are advisory; approval authority rests with the USOE.

one-fourth USOE arrangement in FY 1969, to complete State control in FY 1970 and, finally, to 85 per cent State--15 per cent USOE in FY 1971 and FY 1972. The Vocational Education Exemplary Program was half USOE Discretionary and half State Discretionary during the single year when it granted funds for Indian education.

A Four-Year Summary

During the Fiscal Years 1968 through 1971, the total funds spent for Indians under these programs increased dramatically from less than \$3 million in 1968 to more than \$8 million in FY 1971. These grant amounts were as follows:

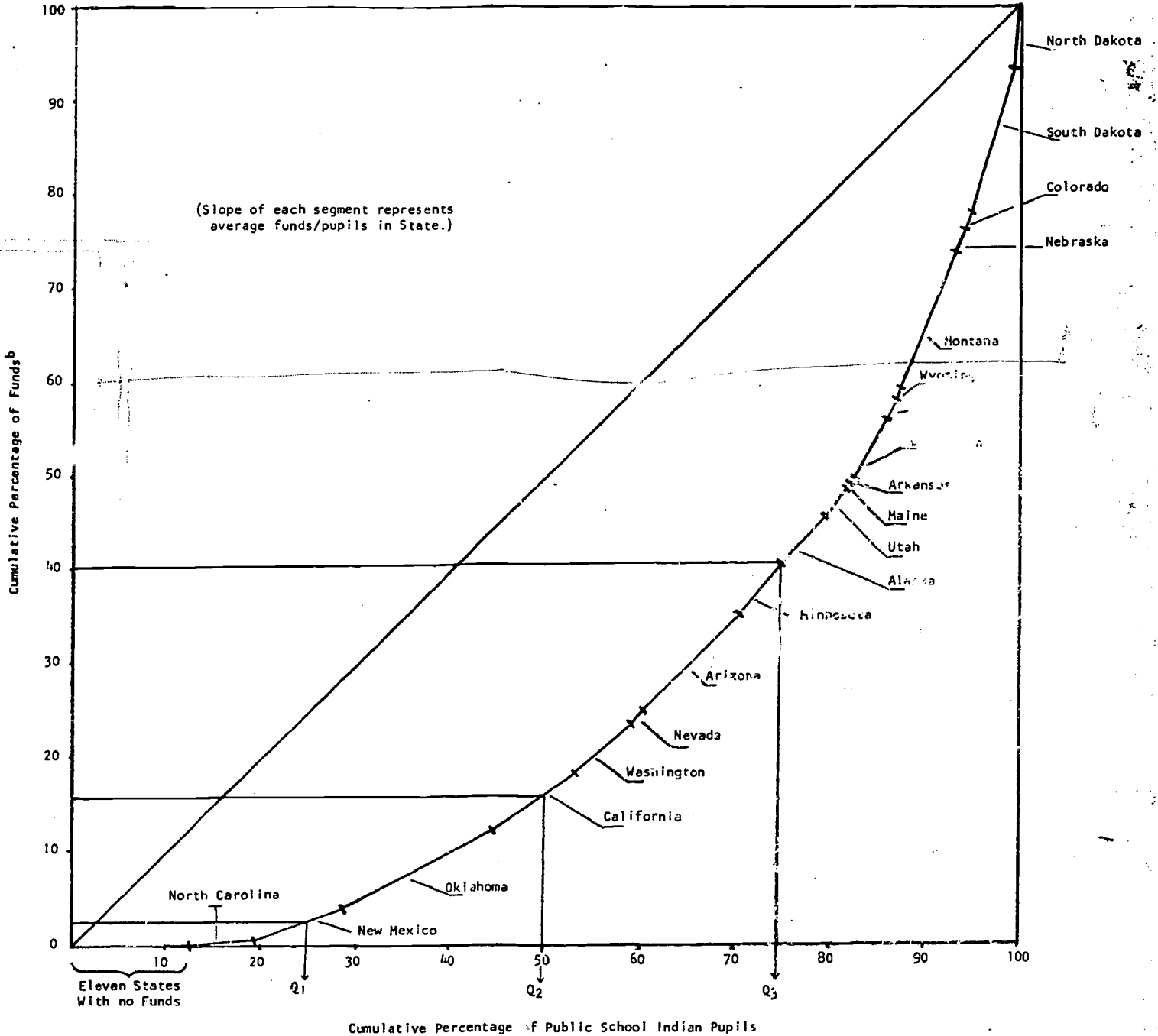
<u>Fiscal Year</u>	<u>Grants<sup>5</sup></u>
1968	\$2,673,149
1969	2,661,937
1970	5,264,060
1971	8,126,140
Total	<u>\$18,725,286</u>

Chart IV-1 on the following page shows at a glance the nationwide distribution on these funds (except those disbursed under Upward Bound and Talent Search) over the four years, in relation to the distribution of Indian pupils. The vertical axis represents the cumulative percentage of the total funding, while the horizontal axis shows the cumulative percentage of all Indian pupils in the country attending public schools.

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<sup>5</sup>These amounts exclude Upward Bound and Talent Search grants in those States where the portion for public school Indians could not be distinguished from that for BIA pupils.

CHART IV-1  
 RELATIVE DISTRIBUTION OF INDIAN PUPILS AND DISCRETIONARY FUNDS,  
 BY STATE: FISCAL YEARS 1968-1971<sup>a</sup>



<sup>a</sup>States are rank ordered according to the size of the ratio of the percentage of funds to the percentage of pupils (see Table IV-1); thus, North Dakota at the top had the most favorable ratio (and the highest per capita allocation) while the eleven States with no funds shown at the bottom had the worst.

<sup>b</sup>Funds are those shown in Tables IV-3, 4, 5 and 6, except Upward Bound and Talent Search.



Thus, if the relative distribution of funds (i.e., the distribution of average funds per Indian pupil) were equal among all the States involved, the curve of relative distribution would be the diagonal straight line shown in the chart. (This situation could also be described as one in which the distribution of funds among the various States was directly proportional to the distribution of Indian pupils among the States.) The greater the distance between this line and the curve of the actual figures, the greater the degree of inequality among all the States in the distribution of the funds.

The States are ranked on the chart according to the average funds received per pupil, the States with the highest ratios of dollars to pupils plotted at the upper right and those with the lowest ratios falling near the lower left. For example, North Dakota with 6.5 per cent of the money and only 0.6 per cent of the pupils ranks at the top, while New Mexico with 3.3 per cent of the funds but close to ten per cent of the pupils, ranks near the bottom (and 11 States with no funds rank at the very bottom).

The percentages of pupils and dollars and the ratios between the two figures are shown in Table IV-1. By cumulating data at the top and bottom ends of the table (representing the ends of the curve in Chart IV-1), we arrive at the fact (a) that five States (North Dakota, Colorado, South Dakota, Nebraska and Idaho) enrolled only 7.8 per cent of the pupils but received 30 per cent of these funds and the fact (b) that 13 States at the other extreme enrolled 13 per cent of the pupils but received a miniscule one-tenth of one per cent of the funds. Phrased differently, these 13 States had over 130 times as large a share of the pupils as of the dollars!

TABLE IV-1

PERCENTAGE DISTRIBUTION OF INDIAN PUPILS AND DISCRETIONARY DOLLARS, BY STATE: FISCAL YEARS 1968-1971<sup>a</sup>

State	Discretionary Funds (Percentage) <sup>b</sup>	Indian Pupils (Percentage) <sup>c</sup>	Ratio Dollars/Pupils (Slope)
North Dakota	6.5	0.6	10.9
South Dakota	15.0	4.5	3.4
Colorado	2.2	0.7	3.1
Nebraska	2.6	0.9	2.9
Montana	14.2	5.8	2.5
Wyoming	1.1	0.5	2.2
Idaho	2.3	1.1	2.1
Wisconsin	6.5	3.5	1.9
Arkansas	0.3	0.2	1.4
Maine	0.5	0.4	1.3
Utah	2.9	2.3	1.3
Alaska	5.6	4.7	1.2
Minnesota	4.7	4.3	1.1
Arizona	10.7	10.2	1.0
Nevada	1.3	1.3	1.0
Washington	5.3	5.9	0.9
California	6.2	8.4	0.7
Oklahoma	8.0	16.0	0.5
New Mexico	3.3	9.2	0.4
North Carolina	0.7	6.9	0.1
Maryland	None	0.2	-
Iowa	None	0.4	-
Ohio	None	0.5	-
Missouri	None	0.7	-
Kansas	None	0.7	-
Florida	None	0.7	-
Illinois	None	1.3	-
Texas	None	1.5	-
Oregon	None	1.8	-
Michigan	None	2.4	-
New York	None	2.5	-
Total	99.9	100.1	

<sup>a</sup>Excludes Upward Bound and Talent Search funds.

<sup>b</sup>Based on data shown in Column 1, Table IV-2.

<sup>c</sup>Based on FY 1971 enrollment. (See Table IV-6.) Enrollments are not available for earlier years.

The inequality is also illustrated by the distribution of the dollars among the quartile distributions of the Indian pupils as follows:

Discretionary Monies, 1968-1971

Quartiles of Number of Pupils	Percentage of Total Dollars
First	2.6
Second	13.2
Third	24.4
Fourth	59.6
Total <sup>a</sup>	99.8

<sup>a</sup>Does not add to 100 per cent due to rounding.

This shows, for example, that the 50 per cent of the pupils in the lower half of Table IV-1 are in States which receive only 15.8 per cent of the total discretionary funds, whereas the 25 per cent of the pupils at the other end (the fourth quartile) are in States which receive nearly 60 per cent of the total funds.<sup>6</sup> (The quartile markers in Chart IV-1 illustrate this.)

The data on which Chart IV-1 and Table IV-1 are based are given in Column 1 of Table IV-2, which also includes the Upward Bound and Talent Search grant figures, broken down into two groups: the first shows grants to States which enroll Indian pupils only in the public schools; the second lists grants to States with both BIA and public school Indians, where the beneficiaries could not be separated out.

<sup>6</sup>Again, it must be realized that these data are State averages: dollars invested in individual Indian pupils or available to particular districts may vary greatly from the mean.

TABLE IV-2

TOTAL USE AND OEO-DISCRETIONARY PROGRAM GRANTS FOR THE EDUCATION OF INDIAN PUPILS: FISCAL YEARS 1968-1971<sup>a</sup>

State	Total Grants Excluding Upward Bound and Talent Search Grants (1)	Upward Bound and Talent Search Grants	
		Combined (Public Schools and BIA Schools) <sup>b</sup> (2)	Public Schools Only (3)
Oklahoma	\$ 1,215,458	\$ 832,527	\$ -
Arizona	1,620,851	903,986	-
New Mexico	504,971	740,764	-
California	933,251	347,370	-
North Carolina	104,870	232,872	-
Washington	799,890	-	273,784
Montana	2,154,535	624,940	-
Alaska	850,200	843,863	-
South Dakota	2,274,853	538,391	-
Minnesota	706,148	-	1,033,087
Wisconsin	987,902	-	52,584
New York	None	-	176,881
Michigan	None	-	135,067
Utah	436,867	288,659	-
Oregon	None	279,900	-
Texas	None	-	-
Nevada	201,450	199,100	-
Illinois	None	-	107,196
Idaho	346,983	-	381,152
Nebraska	400,100	-	86,036
Kansas	None	5,715	-
Colorado	333,789	-	146,586
Florida	None	-	-
Missouri	None	-	-
North Dakota	987,905	448,399	-
Ohio	None	-	62,352
Wyoming	167,190	-	162,830
Iowa	None	18,000	59,755
Maine	80,000	-	131,110
Arkansas	41,500	-	167,010
Maryland	None	-	1,143
<b>Total</b>	<b>\$15,148,713</b>	<b>\$6,304,486</b>	<b>\$3,576,573</b>

<sup>a</sup>See Tables IV-3 - IV-6 for source of data.

<sup>b</sup>These grants could not be separately identified with BIA or public school beneficiaries.

Allotments for Indians in Fiscal Years 1968 through 1971 are shown separately for each of these Discretionary programs, by State in Tables IV-3 through IV-6, where the States are listed in descending order of size of Indian pupil enrollment in the public schools in FY 1971.

#### FY 1971 Funds

Of the funds spent for Indian education under these programs during the four-year period 1968-1971, nearly one half were allotted in 1971. Half of the 1971 monies went to only five States: South Dakota (\$1,378,500), Montana (\$1,349,700), Arizona (\$693,100), North Dakota (\$561,499) and Minnesota (\$548,119). (See Table IV-6.)

Of all the States, North Dakota was the most successful (on a per capita basis) in obtaining funds that year, receiving an amount which was equivalent to at least \$450 (and possibly as much as \$565)<sup>7</sup> for every Indian enrolled in the public schools. This State spends, on the average, only \$604 per pupil from State and local sources! Five other States also received over \$100 per capita Indian pupil from these programs: Wyoming (\$200), South Dakota (between \$148 and \$161), Idaho (\$137), Maine (\$136) and Montana (between \$114 and \$123). Together, these six States received nearly 48 per cent of the discretionary funds in FY 1971 (excluding Talent Search and Upward Bound), but they enrolled only 12.5 per cent of the Indian pupils. Ten other States, with 14.8 per cent of the pupils, received \$5 or less per capita, or a total of nine-tenths of one per cent of the total funds.

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<sup>7</sup>The difference between \$450 and \$565 is the range of possible expenditure under Talent Search and Upward Bound. See footnote e, Table IV-3, for explanation of this.

TABLE IV-3

DISCRETIONARY PROGRAM GRANTS TO PUBLIC SCHOOLS FOR INDIAN EDUCATION, BY STATE: FY 1968<sup>a</sup>

State <sup>b</sup>	USOE Discretionary						State Discretionary	CEO Discretionary <sup>c</sup>	Total	Combined (Public and BIA) <sup>d</sup>	
	Follow Through (1)	Talent Search (2)	Teacher Corps (3)	Upward Bound (4)	Civil Rights IV (5)	ESEA III (6)	ESEA V (7)	Community Action Agency (Education) (8)		Talent Search (10)	Upward Bound (11)
Oklahoma	\$ -	\$ e	\$ 51,400	\$ e	\$ -	\$ 159,772	\$ -	\$ -	\$ 211,172	\$ 13,000	\$ 129,600
Arizona	-	e	134,000	e	-	99,000	-	-	233,000	70,000	172,700
New Mexico	-	e	-	e	-	16,000	-	-	16,000	38,000	187,800
California	19,700	-	165,800	e	-	68,190	-	-	253,690	-	76,500
North Carolina	-	-	-	e	-	18,000	-	-	18,000	-	37,700
Washington	-	-	33,500	32,900	-	-	-	10,208	76,608	-	-
Montana	-	e	102,500	e	-	102,500	-	-	152,400	25,000	121,800
Alaska	-	-	-	e	-	-	-	-	-	-	104,500
South Dakota	-	e	-	e	-	75,224	-	-	75,224	15,000	96,000
Minnesota	-	-	251,142	192,800	120,824	-	11,000	-	575,766	-	-
Wisconsin	22,500	-	-	149,000	-	100,000	-	-	271,500	-	-
New York	-	-	-	33,400	-	-	-	-	33,400	-	-
Michigan	-	-	-	24,400	-	-	-	-	24,400	-	-
Utah	-	-	-	e	-	-	-	-	-	-	31,100
Oregon	-	e	-	e	-	-	-	-	-	18,000	51,500
Texas	-	-	-	e	-	-	-	-	-	-	12,700
Nevada	-	-	-	e	-	-	-	-	-	-	-
Illinois	-	-	-	27,900	-	-	-	-	27,900	-	-
Idaho	-	-	-	104,600	-	17,000	-	7,593	129,193	-	-
Nebraska	-	-	232,800	22,400	-	-	-	-	255,200	-	-
Kansas	-	-	-	-	-	-	-	-	-	-	-
Colorado	-	75,000	-	-	-	-	-	-	75,000	-	-
Florida	-	-	-	-	-	-	-	-	-	-	-
Missouri	-	-	-	-	-	-	-	-	-	-	-
North Dakota	-	e	-	-	-	137,696	-	-	137,696	18,500	66,800
Oklahoma	-	-	-	17,300	-	-	-	-	17,300	-	-
Oklahoma	-	-	-	40,100	-	-	-	-	40,100	-	-
Oklahoma	-	-	-	e	-	-	-	-	-	-	18,000
Oklahoma	-	-	-	33,400	-	-	-	-	33,400	-	-
Arkansas	-	-	-	16,200	-	-	-	-	16,200	-	-
Maryland	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>\$42,200</b>	<b>\$75,000</b>	<b>\$918,542</b>	<b>\$694,400</b>	<b>\$120,824</b>	<b>\$793,382</b>	<b>\$11,000</b>	<b>\$17,801</b>	<b>\$2,673,149</b>		

<sup>a</sup>Source: Unpublished information from program and budget offices.

<sup>b</sup>A State is included if it (a) enrolled at least 1,000 Indian pupils in elementary and secondary public schools in FY 1971 or (b) received funds under any of the programs covered in this chapter. In FY 1971, these States enrolled approximately 97.5 per cent of the public school Indians. Source: U. S. Department of Health, Education and Welfare, Office For Civil Rights and State Education Agencies. See Appendix Table C-1 for more detail.

<sup>c</sup>The Community Action Agency Program is administered by the Office of Economic Opportunity. Funds shown here represent projects for elementary and secondary public school Indian pupils.

<sup>d</sup>Amounts shown are for both BIA and public school Indian pupils. It could not be determined what percentage of the program funds served public school Indian pupils. (See footnote a.)

<sup>e</sup>This program provides support for Indian pupils, but USOE program officers cannot distinguish monies for Indians enrolled in public schools from monies for those enrolled in BIA schools in States with both types of pupils. The combined grants for both types of Indian pupils are shown in the last two columns of the table.

TABLE IV-4

DISCRETIONARY PROGRAM GRANTS FOR INDIAN EDUCATION, BY STATE: FY 1969<sup>a</sup>

State <sup>b</sup>	USOE Discretionary							State Discretionary	Mixed Discretionary 75% State 25% USOE	OEO Discretionary <sup>c</sup>	Total	Combined (Public and BIA) <sup>d</sup>	
	ESEA VII Bilingual Education (1)	ESEA VIII Dropout Prevention (2)	Follow Through (3)	Talent Search (4)	Teacher Corps (5)	Upward Bound (6)	Civil Rights IV (7)	ESEA V (8)	ESEA III (9)	Community Action Agency (Education) (10)	(Sum of Columns 1 through 10) (11)	Talent Search (12)	Upward Bound (13)
Oklahoma	\$ 98,500	\$ -	\$ -	\$ e	\$298,919	\$ e	\$25,000	\$ -	\$ -	\$ -	\$ 422,419	\$ 7,000	\$144,027
Arizona	-	-	-	e	97,545	e	-	-	98,500	-	196,045	78,811	191,277
New Mexico	5,100	-	-	e	-	e	-	-	16,000	-	21,100	38,000	208,705
California	6,35	-	19,652	-	-	e	-	-	-	-	26,037	-	85,000
North Carolina	-	-	-	-	-	e	-	-	18,000	-	18,000	-	41,900
Washington	-	-	-	-	-	36,584	-	-	-	23,351	59,935	-	-
Montana	-	-	-	e	-	e	-	-	40,000	-	40,000	25,000	132,312
Alaska	-	-	-	e	2,500	e	-	-	-	-	2,500	40,000	116,160
South Dakota	-	220,000	-	e	-	e	-	-	75,224	-	295,224	21,000	106,620
Minnesota	-	10,000	-	32,300	-	214,255	25,000	16,005	-	4,200	301,760	-	-
Wisconsin	-	-	22,500	-	-	165,573	-	-	-	7,750	195,823	-	-
New York	-	-	-	-	-	37,100	-	-	-	-	37,100	-	-
Michigan	-	-	-	-	-	27,125	-	-	-	-	27,125	-	-
Utah	66,500	-	-	e	-	e	-	-	-	-	66,500	13,000	34,495
Oregon	-	-	-	e	-	e	-	-	-	-	-	17,000	57,166
Texas	-	-	-	-	-	-	-	-	-	-	-	-	-
Nevada	-	-	-	-	-	e	-	-	-	-	-	-	14,136
Illinois	-	-	-	-	-	31,000	-	-	-	-	31,000	-	-
Idaho	-	-	-	-	-	116,262	-	-	-	-	116,262	-	-
Nebraska	-	-	-	-	167,300	24,858	-	-	-	-	192,158	-	-
Kansas	-	-	-	-	-	-	-	-	-	-	-	-	-
Colorado	-	-	-	71,586	247,943	-	-	-	-	-	319,529	-	-
Florida	-	-	-	-	-	-	-	-	-	-	-	-	-
Missouri	-	-	-	-	-	-	-	-	-	-	-	-	-
North Dakota	-	-	15,480	-	-	e	-	-	-	-	15,480	23,000	74,200
Ohio	-	-	-	-	-	19,200	-	-	-	-	19,200	-	-
Wyoming	-	7,590	-	-	-	44,550	-	-	-	-	52,140	-	-
Iowa	-	-	-	-	-	20,000	-	-	-	-	20,000	-	-
Maine	-	-	-	-	-	37,100	-	-	-	-	37,100	-	-
Arkansas	41,500	-	-	-	-	108,000	-	-	-	-	149,500	-	-
Maryland	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>\$217,985</b>	<b>\$237,590</b>	<b>\$57,632</b>	<b>\$103,886</b>	<b>\$814,207</b>	<b>\$881,607</b>	<b>\$50,000</b>	<b>\$16,005</b>	<b>\$247,724</b>	<b>\$35,301</b>	<b>\$2,661,937</b>		

ce: Footnotes a through e are the same as those in Table IV-3, p. 75.

TABLE IV-5

DISCRETIONARY PROGRAM GRANTS FOR INDIAN EDUCATION, BY STATE: FY 1970<sup>a</sup>

State <sup>b</sup>	USOE Discretionary									State Discretionary		OEO Discretionary <sup>c</sup>	Total	Combined (Public and BIA) <sup>d</sup>	
	ESEA VIII Bilingual Education	ESEA VIII Dropout Prevention	Career Opportunities Program	Follow Through	Pupil Personnel Services	Teacher Training in Bilingual Education	Talent Search	Teacher Corps	Upward Bound	ESEA V	ESEA III	Community Action Agency (Education)	(Sum of Columns 1 through 12)	Talent Search	Upward Bound
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Oklahoma	\$188,701	\$ -	\$ -	\$ -	\$ -	\$ -	\$ e	\$ -	\$ e	\$ -	\$ -	\$ -	\$ 188,701	\$ 68,612	\$ 235,410
Arizona	-	-	223,573	-	-	72,519	e	177,798	e	-	24,822	-	498,712	35,000	211,470
New Mexico	7,869	-	-	94,500	-	-	e	-	e	-	-	-	101,369	108,695	42,560
California	8,838	-	138,395	17,500	-	-	-	-	e	-	69,849	-	234,582	-	94,430
North Carolina	-	-	-	-	-	-	-	-	e	-	-	-	-	-	46,550
Washington	-	-	250,000	33,000	-	-	50,000	52,138	73,150	-	-	-	458,288	-	-
Montana	172,496	-	162,500	133,527	-	-	e	81,340	e	-	62,611	-	612,474	50,000	166,250
Alaska	158,000	-	-	80,250	-	-	e	160,000	-	95,000	-	-	493,250	45,000	69,160
South Dakota	-	218,600	106,215	-	115,558	-	e	85,559	e	-	-	-	525,932	47,000	134,330
Minnesota	-	-	-	-	-	-	52,600	-	243,390	11,000	-	6,600	313,590	-	-
Wisconsin	-	-	250,000	77,332	-	-	-	114,719	192,850	-	141,000	25,476	801,377	-	-
New York	-	-	-	-	-	-	-	-	41,230	-	-	-	41,230	-	-
Michigan	-	-	-	-	-	-	-	-	33,250	-	-	-	33,250	-	-
Utah	107,000	-	47,485	-	-	-	e	-	e	-	12,000	-	166,485	16,500	63,840
Oregon	-	-	-	-	-	-	e	-	e	-	-	-	-	15,000	43,800
Texas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nevada	-	-	-	84,000	-	-	e	-	e	-	-	-	84,000	50,000	53,200
Illinois	-	-	-	-	-	-	-	-	34,580	-	-	-	34,580	-	-
Idaho	-	-	87,390	-	-	-	-	-	91,770	-	-	-	179,160	-	-
Nebraska	-	-	-	-	-	-	-	-	31,920	-	-	-	31,920	-	-
Kansas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Colorado	35,970	-	-	-	-	-	-	-	-	-	6,000	-	41,970	-	-
Florida	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Missouri	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
North Dakota	-	-	95,000	62,730	-	-	e	115,500	e	-	-	-	273,230	40,000	82,460
Ohio	-	-	-	-	-	-	-	-	21,280	-	-	-	21,280	-	-
Wyoming	-	-	-	-	-	-	-	-	43,890	-	-	-	43,890	-	-
Iowa	-	-	-	-	-	-	-	-	22,610	-	-	-	22,610	-	-
Maine	-	-	-	-	-	-	-	-	41,230	-	-	-	41,230	-	-
Arkansas	-	-	-	-	-	-	-	-	19,950	-	-	-	19,950	-	-
Maryland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>\$678,874</b>	<b>\$218,600</b>	<b>\$1,360,558</b>	<b>\$582,839</b>	<b>\$115,558</b>	<b>\$72,519</b>	<b>\$102,600</b>	<b>\$787,054</b>	<b>\$891,100</b>	<b>\$106,000</b>	<b>\$316,282</b>	<b>\$32,076</b>	<b>\$5,264,060</b>		

Note: Footnotes a through e are the same as those in Table IV-3, p. 75.



TABLE IV-6

DISCRETIONARY PROGRAM GRANTS FOR INDIAN EDUCATION, BY STATE: FY 1971<sup>a</sup>

State <sup>b</sup>	Indian Pupil Enrollment		USOE Discretionary											Mixed Discretionary		OEO Discretionary	Total	Combined (Public and BIA) <sup>d</sup>	
	Number	Percentage	ESEA VII Bilingual Education	ESEA VIII Dropout Prevention	Career Opportunities Program	Emergency School Assistance Program	Follow Through	Pupil Personnel Services	Teacher Training in Bilingual Education	Talent Search	Teacher Corps	Upward Bound	Urban/Rural Schools	50% State	85% State	Community Action Agency (Education)	(Sum of Columns 1 through 14)	Talent Search	Upward Bound
														50% USOE	15% USOE				
Oklahoma	33,036	15.6	\$ 343,181	\$ -	\$ -	\$ 29,649	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,336	\$ -	\$ 393,166	\$ 68,000	\$ 166,878
Arizona	21,105	10.0	-	-	324,010	-	-	74,990	e	111,688	e	-	-	-	182,406	-	693,094	35,000	109,728
New Mexico	19,938	9.0	106,764	-	-	152,955	-	-	e	-	e	-	-	-	-	-	365,502	85,000	32,004
California	17,938	8.2	9,476	-	170,700	18,766	-	-	e	-	e	-	-	220,000	-	-	418,942	-	91,440
North Carolina	14,938	6.7	-	-	-	68,870	-	-	e	-	e	-	-	-	-	-	68,870	45,000	61,722
Washington	12,057	5.7	-	-	-	49,400	-	-	e	198,290	81,153	150,000	-	-	-	-	478,843	-	-
Montana	11,867	5.6	265,000	-	417,125	162,500	-	-	e	355,036	e	150,000	-	-	-	-	1,349,661	52,000	52,578
Alaska	9,631	4.6	170,000	-	100,000	84,450	-	-	e	-	e	-	-	-	-	-	354,450	125,000	344,043
South Dakota	9,344	4.4	-	368,200	123,000	-	-	515,851	63,861	e	307,561	e	-	-	-	-	1,378,473	69,000	49,441
Minnesota	8,933	4.2	-	237,500	-	-	-	-	60,000	-	237,744	-	-	-	-	12,875	548,119	-	-
Wisconsin	7,145	3.4	-	-	-	-	94,970	-	-	15,175	145,161	85,000	-	-	-	27,480	371,786	-	-
New York	5,174	2.4	-	-	-	-	-	-	-	-	65,151	-	-	-	-	-	65,151	-	-
Michigan	4,885	2.3	-	-	-	-	-	-	-	-	50,292	-	-	-	-	-	50,292	-	-
Utah	4,682	2.2	133,900	-	54,600	-	-	-	e	-	e	-	-	15,382	-	-	203,882	52,000	77,724
Oregon	3,627	1.7	-	-	-	-	-	-	e	-	e	-	-	-	-	-	-	34,000	43,434
Texas	3,173	1.5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nevada	2,755	1.3	-	-	-	117,450	-	-	e	-	e	-	-	-	-	-	117,450	37,000	32,064
Illinois	2,584	1.2	-	-	-	-	-	-	-	-	13,716	-	-	-	-	-	13,716	-	-
Idaho	2,217	1.0	-	-	235,000	-	-	-	-	-	68,520	-	-	-	-	-	303,520	-	-
Nebraska	1,871	0.9	-	-	-	-	-	-	-	-	6,858	-	-	-	-	-	6,858	-	-
Kansas	1,470	0.7	-	-	-	-	-	-	-	-	e	-	-	-	-	-	-	-	5,715
Colorado	1,396	0.7	43,876	-	-	-	-	-	-	-	-	-	-	-	-	-	43,876	-	-
Florida	1,394	0.7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Missouri	1,381	0.7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
North Dakota	1,247	0.6	-	-	119,250	142,142	-	-	e	300,107	e	-	-	-	-	-	561,499	60,000	83,439
Ohio	1,055	0.5	-	-	-	-	-	-	-	-	4,572	-	-	-	-	-	4,572	-	-
Wyoming	968	0.5	-	159,600	-	-	-	-	-	-	34,250	-	-	-	-	-	193,890	-	-
Iowa	850	0.4	-	-	-	-	-	-	-	-	17,145	-	-	-	-	-	17,145	-	-
Maine	733	0.4	80,000	-	-	-	-	-	-	-	19,380	-	-	-	-	-	99,380	-	-
Arkansas	485	0.2	-	-	-	-	-	-	-	-	22,860	-	-	-	-	-	22,860	-	-
Maryland	373	0.2	-	-	-	-	-	-	-	-	1,143	-	-	-	-	-	1,143	-	-
<b>Total</b>	<b>205,912</b>	<b>97.5%</b>	<b>\$ 1,152,197</b>	<b>\$ 765,300</b>	<b>\$ 1,543,685</b>	<b>\$ 98,519</b>	<b>\$ 826,633</b>	<b>\$ 515,851</b>	<b>\$ 138,851</b>	<b>\$ 60,000</b>	<b>\$ 1,287,857</b>	<b>\$ 767,985</b>	<b>\$ 385,000</b>	<b>\$ 105,783</b>	<b>\$ 438,124</b>	<b>\$ 40,355</b>	<b>\$ 8,126,140</b>		

Note: Footnotes a through e are the same as those in Table IV-3, p. 75.



These per capita data are graphically presented in Chart IV-2, p. 71 (which is derived from Table IV-6), where each bar shows the State's per capita grants under all the discretionary programs. In those States where Upward Bound and Talent Search funds could not be separately identified for BIA and for public school Indians, the bar is extended to reflect the possible range in additional per capita expenditure from these two programs. (See footnote a of Chart IV-2 for further explanation of this arrangement.) The rank order of the States is on the basis of per capita grants, regardless of this extension.

### Johnson-O'Malley (Schools)

#### Overview

The original Johnson-O'Malley legislation construed the program broadly, authorizing the Secretary of Interior to make contracts with any State "for the education, medical attention, agricultural assistance, and social welfare of Indians." To carry out this mission, the Secretary was authorized "to perform any and all acts and to make such rules, and regulations, including minimum standards of services as may be necessary and proper. . . ." The House and Senate Committee Reports at that time indicated that the program would aid areas where "the Indian tribal life is largely broken up and in which the Indians are to a considerable extent mixed with the general population."<sup>8</sup>

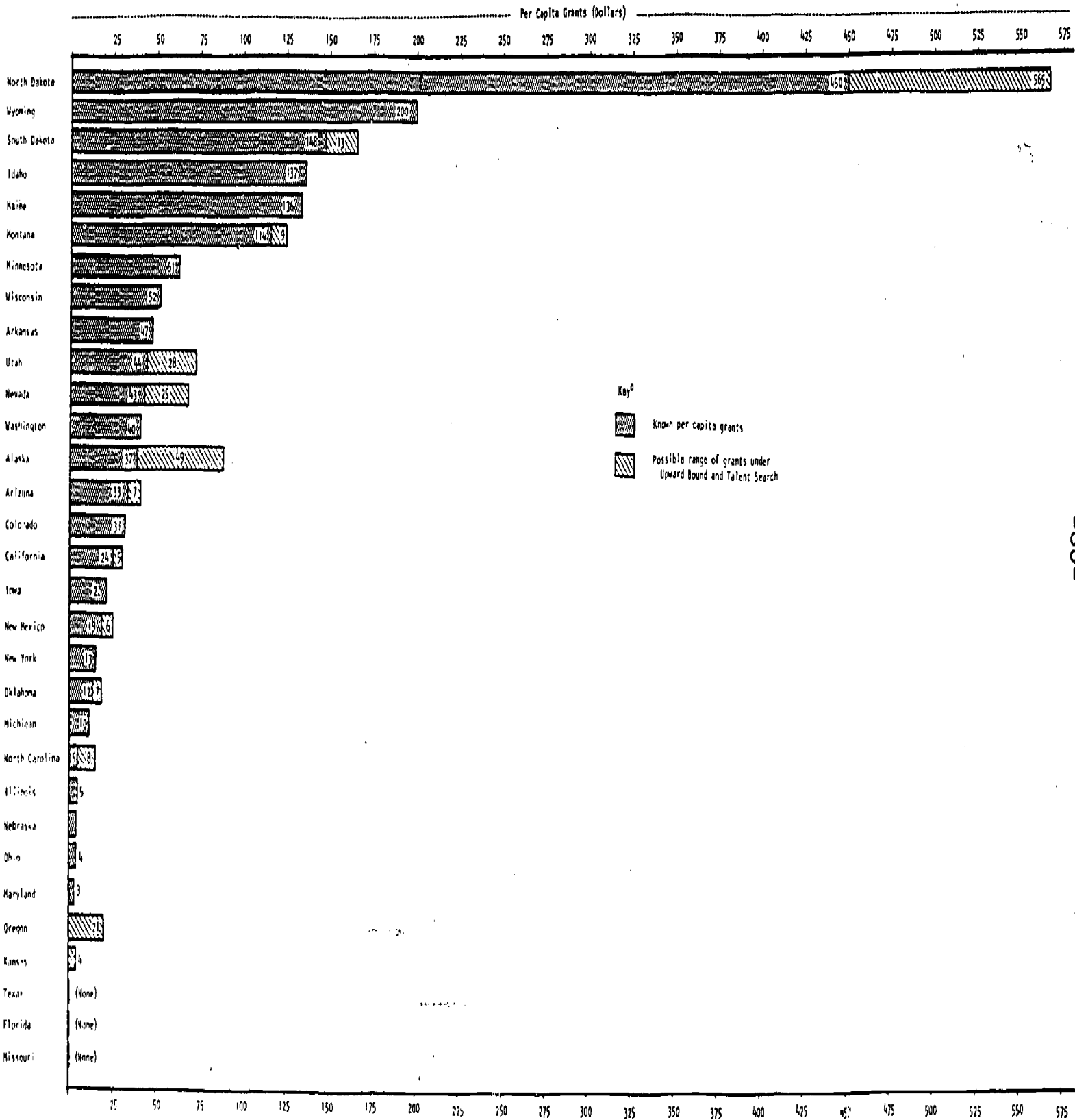
The current controversy surrounding the JOM program impinges on nearly every aspect of its policies, including charges that the BIA has designed regulations that are inconsistent with the law and with Congressional intent; that the BIA has failed to enforce its own

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<sup>8</sup>U.S. House of Representatives Report #864, March 2, 1939.

CHART IV 2

DISCRETIONARY PROGRAM GRANTS FOR THE EDUCATION OF INDIAN PUPILS,  
PER CAPITA INDIAN PUPIL, BY STATE: FY 1971



<sup>a</sup>Computed from data in Table IV-b. Each State's amount is equal to the state's total grants under all the programs divided by the number of Indian pupils enrolled in the public schools in the same state. States with a bar divided into two segments are those where Upward Bound and Talent Search grants could not be separately identified as being for BIA or for public school Indians. In these states, the second segment of the bar indicates the possible range in per capita grants from these two programs, from the lowest possible per capita amount (if none of the monies had gone for public school Indians) to the highest possible per capita amount (if all of it had gone for public school Indians).

regulations; that the regulations are inconsistent with administrative actions; and that the State departments of education misallocate funds and that school districts misuse them. Critics have raised two major points that are germane to the subject of this report:<sup>9</sup>

1. While the original legislative intent of Congress was to provide JOM funds to nonreservation Indian pupils, the regulations require that the funds be allocated only to districts which enroll Indians residing on nontaxable lands; and

2. Although the regulations require that the allocations be based on the district's need for supplemental funds to maintain an adequate school after a reasonable tax effort has been made and other funds are exhausted, in fact, these requirements are frequently not enforced.

This section briefly describes these two issues, examines data on the actual per capita allocations of funds and discusses some bases for examining the present distribution of funds.

The original JOM legislation was written at a time when most Indian pupils either resided on reservations and enrolled in BIA schools or lived away from the reservations and attended public schools. However, since the days of the BIA's "termination policy" in the 1950's, school districts near Indian reservations have enrolled a large number of Indian pupils who, under previous BIA policies, would have attended BIA schools. It is argued that since they do not live on taxable property, their enrollment in public schools has put financial pressure on those districts,

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<sup>9</sup>See Indian Education Hearings before the Special Subcommittee on Indian Education, 1968; Comptroller General of the United States (GAO), Administration of Program for Aid to Public School Education of Indian Children Being Improved; NAACP Legal Defense and Educational Fund, An Ever-Chance.

creating a need for supplemental financial assistance. To meet this need, the BIA began in 1951 to redirect the JOM funds to these districts, and in 1958 revised their regulations to require that all JOM aid go to such districts. The regulations require that:

. . . the program will be administered to accommodate unmet financial needs of school districts related to the presence of large blocks of nontaxable Indian-owned property in the district and relatively large numbers of Indian children which create situations which local funds are inadequate to meet. This Federal assistance program shall be based on the need of the district for supplemental funds to maintain an adequate school after evidence of reasonable tax effort and receipt of all other aids to the district without reflection on the status of Indian children.<sup>10</sup>

(However, in 1959, recognizing the potential for awarding funds for identical purposes under Impact Aid and Johnson-O'Malley, the BIA ruled that districts which received funds under both programs should limit their JOM program to "meeting educational problems under extraordinary and exceptional circumstances including special services to Indian children that may best be met under an education contract."<sup>11</sup> Because of the similarity in the two programs, currently, except in Oklahoma, all of the districts that receive JOM aid also receive Impact Aid funds. Theoretically, then, nearly all JOM funds are to be used to provide special services to Indian pupils. In fact many districts absorb all or part of the JOM grant into their general operating budgets. Unfortunately, further discussion of this important problem is beyond the scope of this report.)

The other criteria for allocating funds are found in the BIA manual, which requires that, to be eligible, a district:

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<sup>10</sup>25 C.F.R. § 33.4(b).

<sup>11</sup>62 Indian Affairs Manual 3.2.8.

(1) have eligible Indian children attending its schools (2) maintain standards of educational services equivalent to those required by the State, (3) levy school taxes at a rate not less than the average for all similar-type school districts in the State, or otherwise show that local tax effort is all that can be reasonably required because of State constitutional tax limitations or other factors, and (4) show that tax-exempt Indian-owned land within the district is creating a financial burden that justifies assistance under the approved State plan.<sup>12</sup>

Theoretically, these criteria are applied annually when a representative of the Division of Indian Education in each State Education Agency (SEA) works out a budget with each applicant school district, according to the district's self-identification of need for JOM funds and BIA requirements. These district budgets are then compiled by the State office, submitted to the BIA Area office and then to the BIA central office in Albuquerque. There, the entire BIA budget is assembled, with a single page on JOM for each State, which becomes a single line item in the Department of Interior's budget.

In their 1970 report on the JOM program, the Government Accounting Office (GAO) reported that the BIA had delegated full responsibility for the administration of the program (including allocation of funds to districts), to the Indian Education Offices in the States and, furthermore, that the States' annual statistical and financial reports were of little potential help to the BIA in assessing whether or not the funds were appropriately allocated. The GAO was also critical of the States' failure to require proper documentation of need from districts applying for funds and charged that in at least one State over half of the monies were distributed to districts on the basis of special agreements rather than on the basis of need. It also found that in some States the State Plan provisions for allocation of funds to districts were not followed.

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<sup>12</sup>Op. cit., GAO Report, p. 12.

Other students of the JOM program have corroborated the GAO's findings. Efforts to clarify or amend the Federal regulations or to have them (or the provisions of the State Plans) enforced have generally failed. Most simply, each State seems to run its program independently, complies with program requirements when it is convenient and is rarely held accountable to anyone.

### The Allocation of Funds

The remainder of this section concerns the actual per capita allocations to each State based on the BIA's count of eligible Johnson-O'Malley pupils (i.e., land-based Indian pupils enrolled in public school districts which received JOM monies) and presents some alternative bases for allocation which contrast with present practices and point up inequities in them.

Between Fiscal Years 1968 and 1971, the States' average per pupil allocations ranged from \$58 in Oklahoma to \$932 in Alaska. The five States that received over \$300 (\$304 to \$932) enrolled 4.9 per cent of the pupils that were counted for Johnson-O'Malley; 39 per cent of the pupils in a middle range, comprised of nine States, received from \$187 to \$252 per pupil. The largest Johnson-O'Malley State, Oklahoma, which enrolls over 23 per cent of the JOM pupils and which also has the largest total public school Indian enrollment, received the smallest per capita allocation of all the JOM States over the four years. These data will be found in Table IV-7. Table IV-8 shows the States' per capita amounts for each of the four years; Table IV-9 shows the total allocations to states under the Program; and Table IV-10 shows the number of eligible pupils in each State.

TABLE IV-7.

PUBLIC SCHOOLS: JOHNSON-O'MALLEY PER CAPITA  
ALLOTMENTS, FOUR-YEAR AVERAGE, BY STATE:  
FISCAL YEARS 1968-1971<sup>a</sup>

State	Dollars Per Pupil	Percentage of Johnson- O'Malley Pupils
Alaska	\$932	3.4
Iowa	616	0.2
Utah	378	b
Nebraska	355	1.1
Kansas	304	0.2
Colorado	252	1.1
Arizona	248	20.7
California	245	0.2
South Dakota	233	6.2
Mississippi	233	b
Wisconsin	227	1.9
North Dakota	227	2.4
Minnesota	205	4.1
Idaho	187	2.4
New Mexico	158	18.2
Wyoming	146	0.5
Montana	121	4.8
Washington	101	6.2
Florida	78	0.4
Nevada	70	2.7
Oklahoma	58	23.3
Total		100.0
U. S. average	\$230	

<sup>a</sup>For source, see footnote a, Table IV-8. For total State grants and the number of eligible pupils, see Tables IV-9 and IV-10.

<sup>b</sup>Rounds to less than one-tenth of 1 per cent.



TABLE IV-8

JOHNSON-O'MALLEY PER PUPIL ALLOTMENTS, BY STATE: FISCAL YEARS 1968-1971<sup>a</sup>

State	Fiscal Year							
	1971		1970		1969		1968	
	Dollars	Rank	Dollars	Rank	Dollars	Rank	Dollars	Rank
Alaska	\$1168	1	\$910	1	\$769	1	\$690	1
Iowa	767	2	743	2	473	3	431	3
Kansas	455	3	358	5	170	11	231	6
Nebraska	441	4	381	4	284	5	287	4
Wisconsin	303	5	257	12	185	10	152	10
Colorado	289	6	249	14	261	6	202	8
South Dakota	285	7	295	8	197	9	150	11
Minnesota	256	8	297	7	140	12	110	13
Arizona	251	9	256	13	248	7	236	5
Utah <sup>b</sup>	250	10	701	3	-	20	-	20
North Dakota	247	11	269	10	210	8	177	9
California <sup>c</sup>	245	12	-	21	-	20	-	20
Idaho	232	13	264	11	131	14	108	14
Montana	212	14	135	16	56	17	55	16
Mississippi	200	15	276	9	300	4	225	7
New Mexico	188	16	174	15	133	13	135	12
Washington	184	17	116	18	54	18	40	18
Wyoming	91	18	323	6	476	2	626	2
Oklahoma	88	19	63	20	40	19	38	19
Florida	77	20	130	17	63	15	47	17
Nevada	71	21	89	19	63	16	60	15

<sup>a</sup>Division of Public School Relations, Bureau of Indian Affairs, U. S. Department of Interior. JOM ANNUAL REPORT FISCAL YEAR 1970. Albuquerque, New Mexico, Pp. 15, 19, 22, 25, 29, 33, 36, 40, 43, 46, 50, 53, 58, 61, 64, 68, 71, 74, 77, 80 and 83. For total State grants and number of eligible pupils, see Tables IV-9 and IV-10.

<sup>b</sup>Utah did not receive JOM money in FY's 1969 or 1968.

<sup>c</sup>California did not receive JOM money in FY's 1969 or 1968. In FY 1970, \$35,000 was provided by BIA to the California State Department of Education to establish an Indian education unit to administer the reinstated JOM Program beginning in FY 1971. JOM Annual Report, pp. 21, 22.

TABLE IV-9

JOHNSON-O'MALLEY CONTRACT AMOUNTS, BY STATE: FISCAL YEARS 1968-1971

State	1971	1970	1969	1968
Oklahoma	\$ 1,550,000	\$ 1,015,000	\$ 610,064	\$ 550,000
Arizona	3,965,000	3,668,843	3,379,455	3,012,411
New Mexico	2,553,000	2,197,487	1,621,148	1,524,870
California	130,000	25,300 <sup>a</sup>	-	-
Washington	790,000	560,000	214,599	150,025
Montana	710,000	577,987	179,914	127,045
Alaska	3,505,000	2,594,000	1,492,600	930,800
South Dakota	1,320,000	1,197,000	769,571	629,000
Minnesota	850,000	796,500	369,165	283,000
Wisconsin	425,000	326,500	230,795	180,000
Utah	10,000	11,223	-	-
Nevada	190,000	141,500	104,998	92,000
Idaho	450,000	395,000	193,215	161,450
Nebraska	390,000	282,000	191,521	193,498
Kansas	50,000	48,000	21,763	21,000
Colorado	250,000	182,427	171,200	142,620
Florida	25,000	28,000	14,600	10,328
North Dakota	450,000	441,200	310,200	274,500
Wyoming	100,000	70,000	20,000	12,525
Iowa	135,000	113,000	78,975	50,000
Mississippi	10,000	5,250	4,500	4,500
Total	\$17,858,000	\$14,676,217	\$9,978,283	\$8,349,572

Source: Division of Public School Relations, Bureau of Indian Affairs, U. S. Department of Interior. JOM Annual Report Fiscal Year 1970, Albuquerque, New Mexico.

<sup>a</sup>This amount was allotted for administrative purposes. (See footnote c, Table IV-8.)

TABLE IV-10

JOHNSON-O'MALLEY ELIGIBLE PUPIL COUNT,  
BY STATE: FISCAL YEARS 1968-1971

State	1971	1970	1969	1968
Oklahoma	17,657	16,081	15,282	14,584
Arizona	15,809	14,322	13,605	12,765
New Mexico	13,555	12,620	12,204	11,320
California	530	a	a	a
Washington	4,297	4,823	3,957	3,763
Montana	3,354	4,287	3,191	2,300
Alaska	3,000	2,851	1,942	1,349
South Dakota	4,632	4,058	3,911	4,187
Minnesota	3,319	2,680	2,634	2,577
Wisconsin	1,404	1,269	1,249	1,183
Utah	40	16	a	a
Nevada	2,665	1,593	1,669	1,535
Idaho	1,940	1,496	1,471	1,492
Nebraska	885	741	674	675
Kansas	110	134	128	91
Colorado	864	733	655	707
Florida	325	216	230	219
North Dakota	1,825	1,639	1,479	1,553
Wyoming	1,100	217	42	20
Iowa	176	152	167	116
Mississippi	50	19	15	20
Total	77,537	69,947	64,505	60,456

Source: Division of Public School Relations, Bureau of Indian Affairs, U. S. Department of Interior, Albuquerque, New Mexico. JOM Annual Report, Fiscal Year 1970.

<sup>a</sup>BIA shows no eligible pupil in States which receive no JOM funds.

Some Hypothetical Distributions  
of JOM Funds

Those who have studied the JOM program have recognized the difficulty in applying any uniform set of criteria for allocating the monies to districts because of variations among States in sources of school funds, in accounting and in the bases for determining need. The program employs numerous criteria and policies, resulting in great variations among State allocations with no documentation that these differences are equitable, that they reflect district needs or that they are consistent with the law.

We offer here as alternatives to this medley of contradictions several possible methods of allocation. They will serve to point up potential inequities in the current method of funding.

The simplest way to allocate funds is to accept the States' counts of "eligible" Indian pupils and to apportion the funds evenly among them. In FY 1971, the total JOM appropriation provided the equivalent of \$230 for each of these pupils. Table IV-11 shows hypothetical State allocations based on this figure, along with the differences between these and the actual allocations.

The second hypothetical distribution is based on an interpretation of the original JOM legislation to the effect that all public school Indian pupils are eligible. If the FY 1971 funds were distributed accordingly, at the rate of \$84 per pupil, then the resulting allocations would be those shown in Table IV-12, which also provides a comparison with the actual FY 1971 allocations.

TABLE IV-11

ACTUAL VERSUS HYPOTHETICAL EQUAL PER CAPITA ALLOCATIONS OF JOM FUNDS  
AMONG ELIGIBLE PUPILS, BY STATE: FY 1971

State	FY 1971 Allocations (1)	Hypothetical Allocations (\$230 per pupil) <sup>a</sup> (2)	Differences (Column 2 Minus Column 1) (3)
	\$	\$	\$
Oklahoma	1,550,000	4,066,686	2,511,110
Arizona	3,965,000	3,641,062	-328,930
New Mexico	2,553,000	3,121,931	564,650
California	130,000	122,067	-8,100
North Carolina	None	-	-
Washington	790,000	989,667	198,310
Montana	710,000	772,479	61,420
Alaska	3,505,000	690,947	-2,815,000
South Dakota	1,320,000	1,066,823	-254,640
Minnesota	850,000	764,418	-86,630
Wisconsin	425,000	322,363	-102,080
New York	None	-	-
Michigan	None	-	-
Utah	10,000	9,213	-800
Oregon	None	-	-
Texas	None	-	-
Nevada	190,000	613,792	422,950
Illinois	None	-	-
Idaho	450,000	446,813	-3,800
Nebraska	390,000	203,829	-186,450
Kansas	50,000	25,335	-24,700
Colorado	250,000	198,993	-51,280
Florida	25,000	74,853	49,750
Missouri	None	-	-
North Dakota	450,000	420,326	-30,250
Ohio	None	-	-
Virginia	None	-	-
Wyoming	100,000	253,397	153,000
Iowa	135,000	40,536	-94,520
Maine	None	-	-
Indiana	None	-	-
Arkansas	None	-	-
New Jersey	None	-	-
Maryland	None	-	-
Louisiana	None	-	-
Mississippi	10,000	11,516	1,500
Total	\$17,858,000 <sup>b</sup>	\$17,857,996 <sup>b</sup>	

<sup>a</sup>Computed on the basis of \$230 per pupil designated as "eligible" under JOM in FY 1971.

<sup>b</sup>Totals are not identical due to rounding.

TABLE IV-12

ACTUAL VERSUS HYPOTHETICAL EQUAL PER CAPITA ALLOCATIONS OF JOM FUNDS  
AMONG ALL PUBLIC SCHOOL INDIAN PUPILS, BY STATE: FY 1971

State	Actual FY 1971 Allocations (1)	Hypothetical Allocations (\$84 per pupil) (2)	Differences (Column 2 Minus Column 1) (3)
	\$	\$	\$
Oklahoma	1,550,000	2,775,024	1,225,024
Arizona	3,965,000	1,772,820	-2,192,180
New Mexico	2,553,000	1,599,192	-953,808
California	130,000	1,451,436	1,321,436
North Carolina	None	1,189,188	1,189,188
Washington	790,000	1,012,788	222,788
Montana	710,000	996,828	286,828
Alaska	3,505,000	809,004	-2,695,996
South Dakota	1,320,000	784,896	-535,104
Minnesota	850,000	750,372	-99,628
Wisconsin	425,000	600,180	175,180
New York	None	434,616	434,616
Michigan	None	410,340	410,340
Utah	10,000	393,288	383,288
Oregon	None	304,668	304,668
Texas	None	266,532	266,532
Nevada	190,000	231,420	41,420
Illinois	None	217,056	217,056
Idaho	450,000	186,228	-263,772
Nebraska	390,000	157,164	-232,836
Kansas	50,000	123,480	73,480
Colorado	250,000	117,264	-132,736
Florida	25,000	117,096	92,096
Missouri	None	116,004	116,004
North Dakota	450,000	104,748	-345,252
Ohio	None	88,620	88,620
Virginia	None	81,900	81,900
Wyoming	100,000	81,312	-18,688
Iowa	135,000	71,400	-63,600
Maine	None	61,572	61,572
Indiana	None	61,152	61,152
Arkansas	None	40,740	40,740
New Jersey	None	39,564	39,564
Maryland	None	31,332	31,332
Louisiana	None	21,000	21,000
Mississippi	10,000	8,568	-1,432
Other States <sup>a</sup>	None	349,208	349,208
Total	\$17,858,000	\$17,858,000	

<sup>a</sup>Excludes States that enroll fewer than 1,000 Indians in the public schools and did not receive funds under any of the programs covered in this chapter. They comprise less than 5 per cent of the total public school Indians.

The basis for the third approach is the JOM Federal program regulation requiring that the monies be allocated to districts which have large numbers of Indian children living on "large blocks" of nontaxable Indian-owned property. While many Congressmen, Indian organizations and students of this program agree that this regulation is a bad one, it seemed appropriate to obtain some indication of the extent to which it is used as a basis for determining eligibility. We were unable to locate another source for the number of land-based Indian pupils enrolled in the public schools in each State, but a close approximation can be found in school districts' applications to the U.S. Office of Education for Impact Aid funds. This count includes Indian pupils whose parents live and/or work on Federal property, which seems to be a reasonable definition for JOM purposes.

In 15 States, it turns out, fewer pupils were counted under JOM than under Impact Aid, while in nine the reverse was true. In four States (Oklahoma, Minnesota, Nevada and Alaska), the JOM count was at least 100 pupils more than those claimed in Impact Aid applications, the most extreme cases being Oklahoma (where the difference was 7,791 pupils) and Minnesota (where the difference was 656 pupils).

Among the 15 States where more pupils were counted under Impact Aid than under JOM, there were 13 which differed by more than 100 pupils. In eight of the latter (Wyoming, South Dakota, Washington, Arizona, Utah, California, Montana and New Mexico), the difference was over 1,000 pupils. Curiously, for California and Utah, which had no Johnson-O'Malley aid at all, the BIA reports no "eligible" pupils.

The number of "eligible" Indian pupils under Impact Aid and JOM in FY 1969 (the most recent year for which the Impact Aid data are available) and the differences between the two figures appear in Table IV-13.

TABLE IV-13

NUMBER OF ELIGIBLE INDIAN PUPILS UNDER THE JOHNSON-O'MALLEY  
AND THE IMPACT AID PROGRAMS, BY STATE: FY 1969

State	Number of Pupils		Differences (Column 2 Minus Column 1) (3)
	JOM <sup>a</sup> (1)	Impact Aid <sup>b</sup> (2)	
Oklahoma	15,282	7,491	7,791
Minnesota	2,634	1,978	656
Nevada	1,669	1,466	203
Alaska	1,942	1,754	188
Nebraska	674	585	89
Wisconsin	1,249	1,171	78
Idaho	1,471	1,451	20
Mississippi	15	None	15
Florida	230	218	12
Iowa	167	173	-6
North Dakota	1,479	1,569	-90
Kansas	128	263	-135
Michigan	None	187	-187
Colorado	655	992	-337
North Carolina	None	287	-287
Oregon	None	749	-749
Wyoming	42	1,203	-1,161
South Dakota	3,911	5,267	-1,356
Washington	3,957	5,394	-1,437
Arizona	13,605	15,547	-1,942
Utah	None <sup>c</sup>	2,094	-2,094
California	None <sup>d</sup>	2,430	-2,430
Montana	3,191	5,621	-2,430
New Mexico	12,204	17,779	-5,575

<sup>a</sup>Bureau of Indian Affairs, Division of Public School Relations, Albuquerque, New Mexico, JOM Annual Report Fiscal Year 1970.

<sup>b</sup>Unpublished Information, U. S. Office of Education, Bureau of Elementary and Secondary Education, Division of School Assistance in Federally Affected Areas.

<sup>c</sup>Utah had 16 eligible pupils in FY 1971.

<sup>d</sup>California had 530 eligible pupils in FY 1971.



Some of these differences can probably be attributed to design differences between the two programs. Under Impact Aid, eligibility is determined by a single Federal office, and the criteria are quite definitive, while the JOM figures reflect each State department's determination of the numbers of eligible pupils under very general Federal guidelines and separate State Plans. Nevertheless, the differences in some States are so great as to suggest that they may not be legitimate under the Program's requirements and that, in any case, they warrant careful analysis and perhaps reconsideration of their use as a basis for allocation of the funds. However, this task must be left for those specialists who are familiar with each district's and each State's circumstances.

## V. PUBLIC SCHOOL SUPPORT DERIVED FROM INDIAN ELIGIBILITY

Right now the average Indian near a reservation has \$700 or \$800 riding on his head because they are in the general impact aid program, and that has been rising. But 15 years ago, nobody wanted an Indian student. Now the high schools and the elementary schools in and around the reservation are all fighting for them. They want to keep them there. They want them happy, and they want the parents happy. Everybody likes Indians.

Senator Walter Mondale, Hearings on Equal Educational Opportunity, Select Committee on Equal Educational Opportunity, September 28, 1971.

Senator Mondale's comment is applicable to all of the programs discussed in this chapter. They are different from those described in Chapters III and IV in that in most cases school districts need not spend their monies for the direct benefit of Indian pupils even though it is on the basis of Indian eligibility that the funds are received.

The rationale is that Indian pupils residing on nontaxable Federal lands constitute a financial burden on the school districts where they are enrolled, necessitating a Federal payment in lieu of local property taxes. Thus, these monies become part of the recipient district's general operating fund.

The programs included in this chapter and the amount of monies awarded under each one during the Fiscal Years 1968 through 1971 are as follows:

	1968	1969	1970	1971
Impact Aid (P. L. 81-874)	\$16,977,000	\$17,837,000	\$18,784,000	\$23,096,000
School Construction (P. L. 81-815)	1,188,500	2,668,533	934,000	5,081,332
Johnson O'Malley (Peripheral Dormitories)	1,510,964	1,589,766	1,716,069	1,782,425

Impact Aid (P. L. 81-874)<sup>1</sup>

The Impact Aid program was created by the Congress in 1950 to aid those school districts which, because they include Federal property, have a reduced tax base which in turn inhibits their ability to provide "suitable free public education" to pupils residing there. These properties include military bases; U.S. Forest Service, National Parks Service and General Services Administration buildings and property; transportation facilities, such as roads, airports and waterways; and, since 1960, Indian reservations. Generally, a school district's eligibility for funds is conditioned on the presence of land on which school children reside and/or on which their parents are employed. In Fiscal Year 1970, in districts receiving Impact Aid funds, these pupils nationwide comprised 11 per cent of the total district enrollments, while Impact Aid funds comprised three per cent of the districts' budgets. Of the 4603 districts that applied for aid in Fiscal Year 1971, 4476 received funds.

Over 90 per cent of the Impact Aid funds are distributed under Title I, Section 3 of the Act, which is the section considered here. For the most part, those districts which receive Impact Aid on the basis of Indian eligibility have enrolled large numbers of Indian pupils from nearby reservations since the 1950's when the BIA's "termination policy" called for transferring reservation Indians from BIA to public schools.

To qualify, a district must have (a) at least 400 pupils whose parents live and/or work on Federal property, or as many as three per cent of the district's average daily attendance (ADA),

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<sup>1</sup>See U. S. Office of Education, Administration of Public Laws 81-874 and 81-815, Twentieth Annual Report of the Commissioner of Education, June 30, 1970, 1971, pp. 1-13.

whichever is less, and (b) at least 10 such pupils. A district's maximum payment (ratably reduced depending on appropriations) is set by legislative formula which is:

$$\text{District's Maximum Payment} = \sum \left[ \left( \text{ADA of pupils whose parents live and work on Federal property} \right) + \left( \frac{1}{2} \text{ ADA of pupils whose parents live or work on Federal property} \right) \right] \times \text{Rate of payment}$$

The rate of payment is the cost of educating pupils in "comparable" school districts in the State less the amount of State aid available in the applicant district for these children. Comparable districts are identified by the State and the U. S. Office of Education. Once an applicant's eligibility has been established, the grant is determined according to the formula, with only limited discretionary modifications allowable by the U. S. Office of Education.

Since the legislative intent is to provide these grants in lieu of local tax funds, a district's grant becomes part of the general operating budget of the district and need not be spent for the direct benefit of those pupils on the basis of whose eligibility the funds were received. Thus, Impact Aid should not be construed as a program for Indian pupils. Rather, the data presented here simply reveal the amount of monies brought into the States by Indian pupils because of the circumstances of their residences.

Table V-1 shows for FY 1971 each State's estimated total and per capita payments based on Indian pupil eligibility along with the percentage of each State's entire Impact Aid funds under this section that these payments represent. The latter is a significant proportion in many States, particularly Nebraska (83.5%), Wyoming (34.9%), Iowa (77.1%), Montana (77.0%), Wisconsin (68.3%), North Carolina (49.9%), Arizona (46.6%) and Colorado (44.7%).

TABLE V-1

ESTIMATED IMPACT AID PAYMENTS FOR INDIAN PUPILS AND PERCENTAGES OF TOTAL PAYMENTS, BY STATE: FY 1971<sup>a</sup>

State <sup>b</sup>	Estimated Payments <sup>c</sup>		Indian Payments as Percentages of Total Payments <sup>d</sup>
	Total	Per Capita Eligible Indian	
Oklahoma	\$ 1,937,849	\$235	17.6
Arizona	4,700,517	275	46.6
New Mexico	4,677,816	239	34.8
California	471,057	176	7.8
North Carolina	73,553	233	49.9
Washington	1,226,190	207	19.3
Montana	2,403,224	389	77.0
Alaska	1,049,621	544	5.2
South Dakota	1,862,745	322	13.2
Minnesota	630,864	290	72.8
Wisconsin	354,669	275	68.3
New York	None	-	-
Michigan	46,252	225	19.4
Utah	500,660	217	6.5
Oregon	307,538	373	20.4
Texas	None	-	-
Nevada	360,248	223	7.4
Illinois	None	-	-
Idaho	361,874	227	22.8
Nebraska	245,641	382	83.5
Kansas	66,205	229	18.0
Colorado	365,118	335	44.7
Florida	55,105	230	2.4
Missouri	None	-	-
North Dakota	471,060	273	27.3
Ohio	None	-	-
Wyoming	871,831	659	84.9
Iowa	50,220	264	77.1
Maine	None	-	-
Arkansas	None	-	-
Maryland	None	-	-
Mississippi	None	-	-
Total	\$23,089,857	-	-

<sup>a</sup>Source: U. S. Office of Education, Bureau of Elementary and Secondary Education, Division of School Assistance in Federally Affected Areas.

<sup>b</sup>States are rank ordered, largest to smallest according to the size of the public school Indian enrollment.

<sup>c</sup>Extrapolated from final Fiscal Year 1969 payments.

<sup>d</sup>Based on Fiscal Year 1969 payments under P. L. 81-874, Title I, Section 3. This is the most recent year for which final data are available. Each percentage represents that part of the State's total payment under this section that is attributed to Indian eligibility.

The level of per capita payments varies widely among states, from \$176 in California to \$659 in Wyoming. This is not surprising, since the grants are based on the financial condition of both the applicant and "comparable" districts in the same State. However, six States which enroll over 56 per cent of the eligible Indian pupils receive between \$235-275. This can be seen in Table V-2 which shows the States arranged in rank order of average per capita payments in FY 1971 and the percentage distribution of eligible Indian pupils.

Finally, Table V-3 shows the payments made from FY's 1969 through 1971 and the percentage of eligible Indian pupils residing in each State compared to the percentage of the total funds received by each State. The difference between these two percentages is shown in the last column where a negative difference means that the proportion of eligible pupils exceeds that of funds allocated; a positive difference indicates a smaller proportion of pupils than of funds. States with the largest negative differences (the least desirable situation) are New Mexico, Oklahoma, Washington and California; those most favored are Montana, Alaska, Wyoming and South Dakota.

Further conclusions about the legitimacy of the variations among States' allotments are unwarranted, since the allocation process provided for in the legislation calls for awarding grants to meet specific financial needs in selected communities. However, if in the future a State's ability to support education should be taken into account in determining the rate of compensation under Impact Aid, then the data presented here along with measures of State wealth and effort will provide the basis for identifying disparities which are potentially inequitable.

TABLE V-2

ESTIMATED IMPACT AID PER CAPITA PAYMENTS FOR INDIAN PUPILS  
AND PERCENTAGE OF PUPILS, BY STATE: FY 1971<sup>a</sup>

State	Estimated Per Capita Payments	Estimated Per Cent of Pupils <sup>b</sup>
Wyoming	\$659	1.6
Alaska	544	2.3
Montana	389	7.4
Nebraska	382	0.8
Oregon	373	1.0
Colorado	335	1.3
South Dakota	322	7.0
Minnesota	290	2.6
Wisconsin	275	1.5
Arizona	275	20.5
North Dakota	273	2.1
Iowa	264	0.2
New Mexico	239	23.5
Oklahoma	235	9.9
North Carolina	233	0.4
Florida	230	0.3
Kansas	229	0.3
Idaho	227	1.9
Michigan	225	0.2
Nevada	223	1.9
Utah	217	2.8
Washington	207	7.1
California	176	3.2
Total		99.8
U. S. average	\$267	

<sup>a</sup>See footnote a, Table V-1, for source.

<sup>b</sup>Pupils are those Indian pupils claimed against Indian lands for purposes of allocation of funds under P. L. 81-874, Title I, Section 3. This estimate is based on FY 1969, the most recent year for which final data are available. Percentages do not add to 100 due to rounding.

TABLE V-3

IMPACT AID, ESTIMATED PAYMENTS FOR INDIAN PUPILS AND PERCENTAGES OF PUPILS, BY STATE: FISCAL YEARS 1969-1971<sup>a</sup>

State	(1) Estimated Payments (FY 1969-1971)		(2) Estimated Pupils Claimed (Percentage) <sup>b</sup>	(3) Difference <sup>c</sup> (Column 1 Minus Column 2)	(4) Rank
	Dollars	Percentage <sup>b</sup>			
New Mexico	\$12,040,016	20.1	23.5	-3.4	23.0
Arizona	11,975,117	20.0	20.5	-0.5	18.0
Oklahoma	5,079,849	8.5	9.9	-1.5	21.0
Montana	6,210,224	10.4	7.4	3.0	1.0
Washington	3,276,090	5.5	7.1	-1.6	22.0
South Dakota	4,820,545	8.1	7.0	1.1	4.0
California	1,282,457	2.1	3.2	-1.1	20.0
Utah	1,308,060	2.2	2.8	-0.6	19.0
Minnesota	1,613,464	2.7	2.6	0.1	8.5
Alaska	2,700,321	4.5	2.3	2.2	2.5
North Dakota	1,209,760	2.0	2.1	-0.1	14.0
Nevada	946,648	1.6	1.9	-0.3	17.0
Idaho	952,274	1.6	1.9	-0.3	16.0
Wyoming	2,225,831	3.7	1.6	2.1	2.5
Wisconsin	942,069	1.6	1.5	0.1	8.5
Colorado	946,518	1.6	1.3	0.3	5.5
Oregon	787,438	1.3	1.0	0.3	5.5
Nebraska	620,011	1.0	0.8	0.2	7.0
North Carolina	187,053	0.3	0.4	-0.1	14.0
Florida	135,805	0.2	0.3	-0.1	14.0
Kansas	181,705	0.3	0.3	0.0	11.0
Michigan	120,952	0.2	0.2	0.0	
Iowa	130,920	0.2	0.2	0.0	11.0
Total	\$59,693,127	99.7	99.8		

<sup>a</sup>Estimates of pupils and dollars are based on Fiscal Year 1969, the most recent year for which final data are available. Source: U. S. Office of Education, Bureau of Elementary and Secondary Education, Division of School Assistance in Federally Affected Areas.

<sup>b</sup>Percentages do not add to 100 due to rounding.

<sup>c</sup>Differences are obtained by subtracting Column 2 entries from Column 1 entries. The differences are rank ordered from largest positive to largest negative. One might also ask whether the difference between estimated percentage of payments and percentage of pupils has the same meaning in States of unequal sizes. For instance, "does a difference of 0.1% have the same value in Minnesota, with 2.7% of the dollars and 2.6% of the pupils, as it does in Florida, which has 0.2% of the monies and 0.3% of the pupils"? To compensate for the absolute differences in size of the States, we computed a standardized difference, by dividing the simple difference shown in Table V-3 by the per cent of the dollars, so

$$\text{Standardized difference} = \frac{\text{per cent dollars} - \text{per cent pupils claimed}}{\text{per cent dollars}}$$

By this method, the 12 States with the most desirable ratios of dollars to pupils were the same ones as those using a simple difference (shown above), though there were slight differences in placement. Among the remaining States, three (Florida, North Carolina, and Arizona) had a considerably lower ranking (less desirable) than previously and two (Oklahoma and New Mexico) had a considerably higher ranking. The standardized scores and rankings of States under the standardized difference are as follows: 1 Wyoming .567; 2 Alaska .489; 3 Montana .288; 4 Oregon .231; 5 Nebraska .200; 6 Colorado .187; 7 South Dakota .136; 8 Wisconsin .062; 9 Minnesota .037; 11 Iowa, Michigan, Kansas: 0; 13 Arizona .025; 14 North Dakota .050; 15 New Mexico .169; 16 Oklahoma .176; 17.5 Idaho and Nevada: .187; 19 Utah .273; 20 Washington .291; 21 North Carolina .333; 22 Florida .500; 23 California .524.



School Construction (P. L. 81-815)

Under Section 14 of P. L. 81-815, school districts may receive payments for construction of schools for the education of children who reside on Indian lands, provided (a) that the district has not counted them under other provisions of the Act or (b) that they have large Indian reservations within their boundaries, the tax-exempt status of which substantially impairs the district's ability to finance school construction. The size of the grant is determined by the U. S. Commissioner of Education and is limited to the amount required in excess of other available local, State and Federal funds.<sup>2</sup>

Historically, because other sections of the Act have been given priority in funding, from Fiscal Years 1968 through 1971, no funds were appropriated for construction of schools for Indian pupils, although 1967 appropriations were obligated during those years. Table V-4 shows by State the funds obligated for construction under Section 14 for the years 1968 through 1972.

Johnson-O'Malley Peripheral Dormitory Program

The BIA maintains eight dormitories near Indian reservations to house about 2,000 Navajo Indian children from remote areas while they attend nearby public schools. This arrangement was begun in 1954 when the BIA constructed the dormitories and made twenty-year agreements with the adjacent school districts whereby the districts would enroll the dormitory pupils for the duration of the period and the BIA would house them while subsidizing the districts for the full cost of their education. Dormitory maintenance and room and board have been funded

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<sup>2</sup>See U. S. Office of Education, Administration of Public Laws 81-874 & 81-815, Twentieth Annual Report of the Commissioner of Education, June 30, 1970, 1971, pp. 13-16.

under the Snyder Act while the Johnson-O'Malley program has provided instructional support. Tables V-5, 6 and 7 show the enrollments in the dormitories over the past four years and the total and per capita support for room and board and instruction under the two programs. No financial data was available on individual dormitories.

TABLE V-4

PUBLIC SCHOOLS: FUNDS OBLIGATED UNDER SECTION 14, P. L. 81-815,  
BY STATE: FISCAL YEARS 1968-1972<sup>a</sup>

	1968	1969	1970	1971	1972
Oklahoma	\$ 25,800	\$ -	\$ -	\$ -	\$ -
Arizona	1,026,900	2,262,900	934,000	1,989,400	1,000,725
New Mexico	135,800	-	-	-	-
Montana	-	323,500	-	-	-
South Dakota	-	12,000	-	-	-
Utah	-	22,981 <sup>b</sup>	-	-	-
Nebraska	-	-	-	2,502,398	128,872
North Dakota	-	-	-	589,534	172,380
Washington	-	-	-	-	250,026
Total	\$1,188,500	\$2,621,381	\$934,000	\$5,081,332	\$1,552,003

<sup>a</sup>Source: U. S. Office of Education, Bureau of Elementary and Secondary Education, Division of School Assistance in Federally Affected Areas.

<sup>b</sup>Excludes \$47,138 deobligated in FY 1972.

TABLE V-5  
 ENROLLMENT IN BIA PERIPHERAL DORMITORIES,  
 FISCAL YEARS 1968-1971<sup>a</sup>

State/Dormitory	Fiscal Year			
	1971	1970	1969	1968
<u>Arizona</u>				
Flagstaff	321	313	309	<div style="border: 1px solid black; padding: 5px; display: inline-block;">Not Available</div>
Snowflake	125	123	131	
Holbrook	447	428	409	
Winslow	265	248	250	
<u>New Mexico</u>				
Albuquerque	288	340	300	
Aztec	142	135	136	
Gallup	370	383	449	
<u>Utah</u>				
Richfield	128	122	129	
Total	2086	2092	2113	2198

<sup>a</sup>See footnote a, Table V-6.

TABLE V-6

NUMBER OF PUPILS ENROLLED AND TOTAL ALLOCATIONS FOR SUPPORT OF BIA DORMITORY PUPILS, FISCAL YEARS 1968-1971

Fiscal Year	Number of Dormitory Pupils (reservation and peripheral) <sup>a</sup>	Snyder Act Allotments (room, board and operation) <sup>b</sup>	Number of Peripheral Dormitory Pupils <sup>c</sup>	Johnson-O'Malley Allotments for Peripheral Dormitories: (education) <sup>d</sup>
1968	3939	\$2,700,000	2198	\$1,510,864
1969	3854	2,999,000	2113	1,589,766
1970	3787	3,500,000	2092	1,716,069
1971	3920	3,700,000	2086	1,782,425

<sup>a</sup>Unpublished information from annual December 31 enrollment survey, BIA Office of Education.

<sup>b</sup>Unpublished information, BIA Office Education.

<sup>c</sup>Unpublished information from annual December 31 enrollment survey, BIA Office of Education.

<sup>d</sup>Op. cit., p. 87, JOM Annual Report Fiscal Year 1970.

TABLE V-7

PER CAPITA ALLOCATIONS FOR BIA PERIPHERAL DORMITORIES, FISCAL YEARS 1968-1971<sup>a</sup>

Fiscal Year	Room and Board and Maintenance (Snyder Act)	Education (Johnson-O'Malley)	Total
1968	\$685	\$687	\$1372
1969	778	752	1530
1970	924	820	1744
1971	944	854	1798

<sup>a</sup>Computed from data shown in Table V-6.

The General Accounting Office analyzed the Peripheral Dormitory program under Johnson-O'Malley in Arizona and New Mexico,<sup>3</sup> where over 90 per cent of the peripheral dormitory pupils live. They found that both the BIA and the two States are in agreement that "the education of Indian children is a responsibility of the States and that, as a resident of a State, an Indian child has a right to the same education program that the State provides for other citizen children."<sup>4</sup> Nevertheless, through the Johnson-O'Malley program the Federal government is paying for the full cost of educating the children. Furthermore, they found that the State of New Mexico provided the school districts with the full per capita State aid which the districts would normally receive for pupils enrolled in their schools. The GAO estimated that about one-third of the cost of the Johnson-O'Malley program in these States could be saved if funds were not used to supplant State Aid. They did not estimate the savings relative to local aid, though they found that a large number of the pupils were residents of the districts and counties where their dormitories are located.

The Bureau of Indian Affairs, in response to the GAO findings, stated that they recognized a need to renegotiate the agreement with the States, but not until the 20-year agreement had expired.

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<sup>3</sup>Comptroller General of the United States, Report to the Congress, Administration of Program For Aid to Public School Education of Indian Children Being Improved, May 28, 1970.

<sup>4</sup>Ibid, p. 26.

## VI. OCCUPATIONAL TRAINING PROGRAMS FOR INDIANS

In FY 1971, approximately \$7 million was spent as follows, under four Department of Labor (DOL) programs for occupational training for Indian youth:<sup>1</sup>

Neighborhood Youth Corps--Summer	\$4,112,794
Neighborhood Youth Corps--Out-of-School	1,847,408
Manpower Development and Training Act-- Institutional	647,440
Concentrated Employment Program	509,470
	<hr/>
Total	\$7,144,112

Although all of these programs are required to serve the disadvantaged, none of them is legislatively mandated to serve Indian youths. For the most part, the local sponsor selects the participants. The purpose of each program, the basis for allocating funds and the per capita and total grants are described below.

### Neighborhood Youth Corps

Over 80 per cent of the support for occupational training of Indian youth derives from the Neighborhood Youth Corps Out-of-School and Summer programs, which provide skill training and work experience to disadvantaged youth who have dropped out of school or who need summer employment in order to return to school in the fall; the goal is to provide the participants with skills needed for regular employment.

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<sup>1</sup>A program is included here if it meets the following requirements: (1) had Indian youth under age 19 participating; (2) contained an education component; (3) provided services which bore some relationship to school retention; (4) and had State data on Indian participation which could be used to estimate the dollar investment in Indian youth. See Table VI-2 for the derivation of the amounts shown here.

Local sponsors (public agencies and private, nonprofit organizations) manage the services under DOL Manpower Administration monitoring.

The funds must be distributed "equitably" among the States according to family income levels, unemployment, etc. Local sponsors contribute ten per cent of the cost and Regional Offices of the Manpower Administration allocate funds to individual projects.

#### Manpower Development and Training Act--Institutional Training

The MDTA--Institutional Training program offers occupational training and related supportive services (counselling, day care, etc.) to unemployed and underemployed persons through private skill-training centers or public or private vocational schools. Eighty per cent of the funds are allocated among States according to a formula based on the size of the State's labor force, the rate of unemployment, the availability of full-time employment, the average level of unemployment benefits paid by the State and the percentage of insured persons who are unemployed. The remaining 20 per cent of the funds are allocated at the discretion of the Departments of HEW and Labor, which jointly administer the program. Each State receives a minimum of \$750,000 (for all beneficiaries); States support the services on a ten per cent matching basis.

#### Concentrated Employment Program

The CEP was created in 1967 under the MDTA and the Economic Opportunity Act to provide job training in certain communities which lacked sufficient services under the other Federal employment programs. In each community, a single sponsor (often the Community Action Agency) provides participants with counselling services, basic education instruction, day

care, vocational training and job placement. These funds are distributed at the discretion of the DOL (the MDTA portion derives from the Department's 20 per cent discretionary funds). A ten per cent matching amount is required of the States.

#### Per Capita Allotments

These programs, combined, made available about \$94 per Indian 15 to 19 years of age in FY 1971. Three States received very large per capita grants: North Dakota (\$342), Alaska (\$242) and Nebraska (\$204). Fifteen other States received between \$56 and \$142 per capita Indian youth and the remaining States received grants of less than \$50 per capita: Utah, California, Florida, Kansas, Colorado, Illinois, Texas, Nevada and Louisiana.

The differences among the States' per capita grants become more apparent when one observes that only nine per cent of the eligible youth lived in the three States with the largest grants, but that they received nearly 21.5 per cent of the funds in FY 1971. The nine States with the smallest per capita grants received 7.5 per cent of the funds for only 20.7 per cent of the youth. These per capita figures and the numbers of eligible Indians are shown for each State in Table VI-1 on the following page. The total obligations under each program for each State are shown in Table IV-2.



TABLE VI-1

ESTIMATED OBLIGATIONS PER CAPITA INDIAN YOUTH (15-19 YEARS OF AGE)  
UNDER FOUR OCCUPATIONAL TRAINING PROGRAMS,<sup>a</sup> BY STATE: FY 1971

State <sup>b</sup>	Per Capita Obligations <sup>c</sup>	Number of Indians Aged 15-19 <sup>d</sup>
North Dakota	\$342	1,765
Alaska	242	1,659
Nebraska	204	561
Montana	142	3,022
Idaho	139	813
Wisconsin	133	2,032
New York	130	2,378
Iowa	127	294
Washington	114	3,299
Arizona	109	11,162
Minnesota	108	2,453
North Carolina	96	5,326
South Dakota	95	3,881
Oklahoma	76	10,618
Oregon	75	1,574
New Mexico	70	8,216
Michigan	63	1,378
Wyoming	56	517
Utah	42	1,507
California	40	8,791
Florida	35	745
Kansas	26	995
Colorado	16	945
Illinois	15	814
Texas	1	1,652
Louisiana	-	586
Nevada	-	691
U.S. average	\$ 94	

<sup>a</sup>Programs are: MDTA--Institutional; Neighborhood Youth Corps, Summer and Out-of-School; Concentrated Employment Program.

<sup>b</sup>States shown are those with at least 500 Indians 15-19 years of age.

<sup>c</sup>Total obligations (Table VI-1) divided by number of Indians 15-19 years of age.

<sup>d</sup>U.S. Department of Commerce, Bureau of Census, Detailed Characteristics, PC(1) Series (1972), Table 139.

TABLE VI-2

ESTIMATED OBLIGATIONS UNDER SELECTED OCCUPATIONAL TRAINING PROGRAMS SERVING INDIAN YOUTH, BY STATE: FY 1971<sup>a</sup>

State	MDTA (Institutional)	Neighborhood Youth Corps		Concentrated Employment Program	Total
		Summer	Out-of- School		
Students Attend Public Schools Only					
Colorado	\$ -	\$ -	\$ 14,820	\$ -	\$ 14,820
Idaho	-	94,659	18,502	-	113,161
Illinois	11,847	-	-	-	11,847
Iowa	-	20,572	16,902	-	37,474
Michigan	-	-	37,212	49,428	86,640
Minnesota	135,683	1,072	45,619	82,134	264,508
Nebraska	-	-	114,361	-	114,361
New York	-	248,463	61,600	-	310,063
Texas	1,673	-	-	-	1,673
Wisconsin	37,949	114,720	83,160	34,672	270,501
Wyoming	-	7,017	21,980	-	28,997
Washington	75,524	216,384	85,629	120	377,657
Students Attend Public or BIA Schools					
Alaska	107,643	245,518	47,652	-	400,813
Arizona	120,965	636,000	400,752	62,800	1,220,247
California	40,951	199,606	90,912	24,530	355,999
Florida	-	-	26,304	-	26,304
Kansas	-	20,760	5,558	-	26,318
Montana	14,438	276,723	98,340	40,841	430,342
New Mexico	11,907	439,000	21,730	100,332	572,969
North Carolina	20,580	126,126	273,600	93,678	513,984
North Dakota	8,376	514,750	80,494	-	603,620
Oklahoma	22,671	650,036	113,334	20,935	806,976
Oregon	5,699	94,248	18,480	-	118,427
South Dakota	31,612	174,420	166,336	-	372,368
Utah	27,192	32,720	4,131	-	64,043
Nevada	-	-	-	-	-
Mississippi	-	-	-	-	-
Total	\$674,440	\$4,112,794	\$1,847,408	\$509,470	\$7,144,112

<sup>a</sup>Funds shown for each program in each State are derived by the following formula:

$$\left( \frac{\text{Number of Indian participants under 19 years of age in State}}{\text{Number of total participants under 19 years of age in State}} \right) \times \text{State's total obligations}$$

Obligations are taken from the U. S. Department of Labor, Manpower Report of the President, 1972. Data on participants are from the Characteristics Printout, Table 40, Office of Finance and Management Information Systems, Division of Reports Analysis, DOL.

## VII. SUMMARY AND CONCLUSIONS

The most general conclusion of this report is that, compared to support from State and local tax sources for public schools, Federal funds in basic support of BIA schools are very large. On a per capita basis, education in the BIA system appears to cost about twice as much as it does in the public day schools. Federal supplementary support for BIA schools is also impressive: for every three dollars in supplementary funds expended per capita on the BIA schools, only two are spent in supplemental aid for Indians in the public day schools.

In FY 1971, the U.S. Office of Education contributed about \$40.5 million to Indian education, of which \$26 million went to public schools and \$14.5 million to the BIA. OEO contributed about \$650,000 to Indian education that year, almost all of which went to the BIA schools. The BIA, under the JOM authority, provided another \$17.9 million to public school districts for the education of Indians. The Department of Labor spent about \$7.1 million on occupational training for Indians 15 to 19 years of age.

In addition, school districts by virtue of the residence of Indians on tax-exempt Federal lands received a total of \$30 million in FY 1971 from USOE and BIA. (This money is not designated for Indian education, rather it is a subsidy to districts in lieu of local tax payments.) Of this amount, \$23.1 million derived from the Impact Aid Program, \$5.1 million from the School Construction program (P. L. 81-815)

and \$1.8 million from Johnson-O'Malley.<sup>1</sup> These figures are shown in Table VII-1. Previous years' grants are shown in Table VII-2.

### BIA Schools

In FY 1971, \$107.5 million was allotted for the operation of the BIA school system (\$2183 per pupil enrolled). We estimated that of this amount \$80.9 million was associated with day school costs (\$1641 per pupil), excluding the incremental costs of maintaining boarding pupils. During the three years prior to 1971, the level of support was relatively high, compared to public school costs, and in absolute terms it increased year by year beyond the 1968 per capita level of \$1232.

In addition to the basic support, the BIA schools were granted another \$15.2 million through the USOE for special assistance to Indian pupils enrolled there--about \$310 per pupil. These extra funds were considerably less in the three previous years, averaging \$8.2 million annually or about \$164 per pupil.

There were great discrepancies in the per capita amounts received by the States for basic support: in FY 1971 there was a ratio of four to one between the State that received the most and the one that received the least. Supplemental funds were also unevenly distributed: one State received nearly \$1400 per capita, while another received only one sixth of that amount. (See Table VII-3). BIA officials were unable to attribute these differences to any criteria

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<sup>1</sup>These were reimbursements to districts that educated Indian pupils who lived in BIA peripheral dormitories.

TABLE VII-1

FEDERAL FUNDING FOR BIA SCHOOLS AND FOR THE EDUCATION OF INDIANS  
ENROLLED IN PUBLIC SCHOOLS: FY 1971

Type of Support and Categorical Program	Public Schools	BIA Schools
<u>Basic Support</u>		
Federal Schools Program	\$ -	\$80,855,245 <sup>a</sup>
<u>Supplemental Support</u>		
ESEA I	17,697,613 <sup>b</sup>	11,086,850
Career Opportunities Program	1,543,685	-
Teacher Corps	1,287,857	227,707
ESEA VII	1,152,197	685,000
Follow Through	826,633	2,052,216
Upward Bound	767,985 <sup>c</sup>	c
ESEA VIII	765,300	-
Pupil Personnel Services	515,851	-
ESEA III	488,124	326,261
Urban/Rural Schools	385,000	-
Teacher Training in Bilingual Education	138,851	-
Vocational Education--Exemplary	105,783	-
Emergency School Assistance Program	98,519	-
Talent Search	60,000 <sup>c</sup>	c
Community Action Agency	40,355	617,957
NDEA III	d	50,000
ESEA II	d	117,283
Johnson-O'Malley (schools)	17,858,000	-
<b>Total</b>	<b>\$43,681,753</b>	<b>\$15,158,224</b>
<hr/>		
Enrollment	205,912 <sup>e</sup>	49,265
Per pupil support: Total	\$209	\$1,949
Basic	-	1,641
Supplemental	209	308

Source: Table IV-6 and Tables II-4 and II-9.

<sup>a</sup>Estimated support for day school for all BIA pupils. The total support allocation was \$107,538,423.

<sup>b</sup>Estimated from Indian participation rate and investment per participant in each State.

<sup>c</sup>An additional \$1,150,210 in Upward Bound monies and \$662,000 in Talent Search grants for Indians could not be identified separately for BIA and public schools beneficiaries. Occupational training grants (\$7.1 million) are also not shown (see Table VI-2).

<sup>d</sup>Not available.

<sup>e</sup>The enrollment in States included in analysis in Chapter IV. They contain approximately 97.5 per cent of the Indians in public schools in the United States.

TABLE VII-2

FEDERAL FUNDS FOR BIA SCHOOLS AND FOR THE EDUCATION OF INDIANS ENROLLED  
IN PUBLIC SCHOOLS: FISCAL YEARS 1968-1970<sup>a</sup>

Support	Public School Indians			BI. Schools		
	1970	1969	1968	1970	1969	1968
<b>Basic Support</b>						
Federal Schools Program	\$ -	\$ -	\$ -	\$66,283,434 <sup>b</sup>	\$56,386,018 <sup>b</sup>	\$56,261,741 <sup>b</sup>
<b>Supplemental Support</b>						
ESEA I	-	-	-	7,245,701	6,950,700	6,108,081
Career Opportunities Program	1,360,558	-	-	-	-	-
Teacher Corps	787,054	814,207	918,542	354,531	181,155	270,000
ESEA VII	678,874	217,985	-	-	-	-
Follow Through	582,839	57,632	42,200	1,950,698	279,173	295,600
Upward Bound	891,100	881,607	694,400	-	-	-
ESEA VIII	218,600	237,590	-	-	-	-
Pupil Personnel Services	115,558	-	-	-	-	-
ESEA III	316,282	247,724	793,382	-	-	-
Urban/Rural Schools	-	-	-	-	-	-
Teacher Training in Bilingual Education	72,519	-	-	-	-	-
Vocational Education--Exemplary	-	-	-	-	-	-
Emergency School Assistance Program	-	-	-	-	-	-
Talent Search	102,600	103,886	75,000	-	-	-
Community Action Agency	32,076	35,301	17,801	326,439	292,894	461,703
NDEA III	-	-	-	-	-	-
ESEA II	-	-	-	-	-	-
ESEA V	106,000	16,005	11,000	-	-	-
Civil Rights IV	-	50,000	120,824	-	-	-
Johnson-O'Malley (schools)	14,676,217	9,978,283	8,349,572	-	-	-
<b>Total</b>	<b>\$19,340,277</b>	<b>\$12,640,220</b>	<b>\$11,022,721</b>	<b>\$76,160,803</b>	<b>\$64,089,940</b>	<b>\$63,397,125</b>
<b>Enrollment</b>				<b>48,831</b>	<b>50,055</b>	<b>51,448</b>
Per pupil support: Total	-	-	-	\$1,560	\$1,280	\$1,232
Basic	-	-	-	1,358	1,126	1,093
Supplemental	-	-	-	202	154	139

<sup>a</sup>This table excludes funds for occupational training and Upward Bound and some Talent Search monies (see Tables IV-3, 4 and 5).

<sup>b</sup>Estimated support for day school for all BIA pupils. The total basic support allocation for all purposes was \$89,955,600 (1970); \$77,931,000 (1969); \$71,968,600 (1968).

TABLE VII-3

PER CAPITA FEDERAL FUNDS FOR BIA SCHOOLS, BY STATE: FY 1971

State	BIA Enrollment		Per Capita Funds				Rank
	N	%	Basic Support <sup>a</sup> (Federal Schools Program)	Supplemental Support		Total	
				ESEA Title I	Other Programs <sup>b</sup>		
Arizona	16,216	32.9	\$1,270	\$214	\$ 68	\$1,552	14
New Mexico	9,414	19.1	2,097	212	45	2,354	7
Alaska	5,653	11.5	2,036	275	30	2,341	8
South Dakota	4,958	10.1	1,313	199	197	1,709	10
North Dakota	3,187	6.5	1,265	248	99	1,612	12
Utah	2,108	4.3	1,405	252	-	1,657	11
Oklahoma	2,043	4.1	2,701	334	10	3,045	2
Mississippi	1,255	2.5	1,144	146	297	1,587	13
North Carolina	1,232	2.5	994	162	354	1,510	15
Kansas	1,106	2.2	1,765	-	-	1,765	9
Oregon	723	1.5	2,491	227	61	2,779	5
California	510	1.0	2,538	399	-	2,937	3
Nevada	496	1.0	2,254	315	-	2,569	6
Montana	236	0.5	3,951	486	890	5,327	1
Florida	85	0.2	2,256	669	7	2,932	4
Louisiana	43	0.1	907	-	14	921	16
Total	49,265	99.9					

<sup>a</sup>Estimated cost for day school. (See Table II-1.)

<sup>b</sup>Includes ESEA Title II, III and VII, Teacher Corps, Follow Through, NDEA III and Community Action Agency (see Chapter II).

used for allocation of the funds or to correlate the differences with variations in need, school size, or pupil performance.

#### Public School Indians

In FY 1971, about \$43.7 million was spent by OEO, USOE and the BIA for the education of Indians enrolled in the public schools. This amounted to about \$209 for each Indian pupil, including \$86 per capita under ESEA Title I, \$84 under the Johnson-O'Malley program and \$39 from sixteen categorical programs of the USOE and OEO. In the three preceding years, in addition to ESEA Title I funds for which figures were not available, these agencies provided an average of \$14.5 million annually. (See Table VII-2.)

Eight million dollars was allotted for Indian education in the public schools under 16 categorical aid programs of the USOE and the OEO. We discovered great differences in the amounts received by different States. While one State received over \$450 for every Indian pupil enrolled, grants to school districts in fifteen others averaged less than \$20. (See Table VII-4.)

These differences can be attributed partly to the decision-making structure in the USOE, since each program awards grants independently in the absence of central USOE coordination. Success in obtaining grants is apparently dependent on a combination of diverse factors ranging from the political organization of the Indian community to skill in proposal writing to previous grant receipts.

JOM grants also vary greatly among States, by a factor of 16. We were unable to identify the criteria used in the allocation or to explain these differences.



TABLE VII-4

PER CAPITA FEDERAL FUNDS FOR PUBLIC SCHOOLS: GRANTS  
FOR INDIAN EDUCATION AND GENERAL SUPPORT DERIVED  
FROM INDIAN ELIGIBILITY, BY STATE: FY 1971<sup>a</sup>

State	Indian Pupil Enrollment <sup>b</sup>		Funds for Indian Education <sup>c</sup>				General Support Derived from Indian Eligibility <sup>e</sup>	
	N	%	ESEA 1 (Estimate)	JOM <sup>d</sup>	Other Sources	Total	Impact Aid (PL81-874) and JOM (Dormitories)	School Construction (PL81-815)
Oklahoma	33,036	15.63	\$ 87	\$ 47	\$12- 17	\$146-151	\$ 59	\$ 94
Arizona	21,105	9.98	92	188	33- 40	313-320	267	-
New Mexico	19,038	9.00	92	134	20	246	284	-
North Carolina	14,157	6.70	22	-	5- 13	27- 35	5	-
South Dakota	9,344	4.42	113	141	148-161	402-415	199	-
Minnesota	8,933	4.23	67	95	61	223	71	-
Wisconsin	7,145	3.38	99	59	52	210	50	-
New York	5,174	2.45	66	-	13	79	-	-
Michigan	4,885	2.31	59	-	10	69	9	-
Utah	4,682	2.21	63	2	44- 72	109-137	129	-
Oregon	3,627	1.72	56	-	0- 21	56- 77	85	-
Texas	3,173	1.50	156	-	-	156	-	-
Nevada	2,755	1.30	40	69	43- 68	152-177	133	-
Nebraska	1,871	0.88	53	208	4	265	131	1337
Colorado	1,396	0.66	289	179	31	499	262	-
Florida	1,394	0.66	30	18	-	48	40	-
Mississippi	102	0.05	165	98	1	264	-	-

[States For Which ESEA Title I Data is Not Available]

California	17,279	8.17	-	8	24- 29	-	27	-
Washington	12,057	5.70	-	66	40	-	102	-
Montana	11,867	5.61	-	60	114-123	-	203	-
Alaska	9,631	4.56	-	364	37- 86	-	109	-
Illinois	2,584	1.22	-	-	5	-	-	-
Idaho	2,217	1.05	-	203	137	-	163	-
Kansas	1,470	0.70	-	34	0- 4	-	45	-
Missouri	1,381	0.65	-	-	-	-	-	-
North Dakota	1,247	0.59	-	361	450-565	-	378	473
Ohio	1,055	0.49	-	-	4	-	-	-
Wyoming	968	0.46	-	103	200	-	901	-
Iowa	850	0.40	-	159	20	-	59	-
Maine	733	0.35	-	-	26	-	-	-
Arkansas	485	0.23	-	-	47	-	-	-
Maryland	373	0.18	-	-	3	-	-	-

Total 208,188 98.46%

<sup>a</sup>Amounts shown are per capita Indian pupil enrolled in the State.

<sup>b</sup>These States contain 98.5 per cent of the public school Indians; other States either enrolled fewer than 1,000 pupils or received no funds, or both.

<sup>c</sup>Represent grants for supplementary services for Indians, shown in Table IV-6.

<sup>d</sup>It is recognized that much of the JOM monies is not spent for assistance to Indians.

<sup>e</sup>Represents reimbursements to public school districts with large Indian enrollments for general operating expenses (P. L. 81-974 and JOM) or school construction (P. L. 81-815), in lieu of tax receipts from nontaxable Indian lands (see Chapter V).

ESEA Title I

On the whole, Indians enrolled in BIA Schools appear to benefit more from ESEA Title I than do Indians in public schools. The BIA program is allocated more in per capita funds (\$225, as compared to \$175) and only one third of public school Indians receive Title I assistance, compared to a participation rate of nearly 100 per cent in BIA schools. Furthermore, in states where the USOE policy on concentration of funds was followed most closely, the participation rate of public school Indians was lower than in States which dispersed the funds among more pupils. The \$17 million spent in FY 1971 for public school Indians amounted to only \$86 per enrolled Indian.

The pattern of variation among States' per capita investment in Indians differed for the BIA and the public schools Title I programs. In the BIA Program, the range in per capita investment from the lowest to the highest State was over \$500, although over 60 per cent of the pupils were enrolled in States receiving grants within a range of \$15 per capita. By comparison, the distribution of the Title I monies in the public schools programs lacks the extreme States (the range was \$340), with the public school Indian pupils evenly distributed throughout the entire range of expenditure. (See Table VII-4.)

**APPENDIX A**  
**BIA SCHOOLS: ENROLLMENT AND ALLOCATIONS**

TABLE A-1  
BIA SCHOOL ENROLLMENTS, BY STATE: FY 1968<sup>a</sup>

State	Boarding Schools			Day Schools	Total
	Day	Boarding	Total		
Arizona	1,031	11,525	12,556	2,779	15,335
New Mexico	209	7,778	7,987	1,733	9,720
Alaska	-	905	905	5,888	6,793
South Dakota	1,080	1,845	2,925	2,121	5,046
North Dakota	355	525	880	2,169	3,049
Oklahoma	-	2,629	2,629	-	2,629
Utah	-	2,617	2,617	23	2,640
Mississippi	683	273	956	201	1,157
Kansas	-	1,220	1,220	-	1,220
North Carolina	-	-	-	1,047	1,047
Oregon	-	876	876	-	876
California	-	816	816	-	816
Nevada	-	655	655	-	655
Montana	192	95	287	10	297
Florida	-	-	-	83	83
Louisiana	-	-	-	27	27
Iowa	-	-	-	58	58
Total	3,550	31,759	35,309	16,139	51,448

Source: Statistics Concerning Indian Education, Bureau of Indian Affairs, Office of Education Programs, Washington, D.C., 1968.

<sup>a</sup>Represents cumulative enrollment as of June, 1968; wherein a pupil is counted each time he enrolls in a school during the year. (These figures are not comparable to the unduplicated ones shown in Tables A-2, 3 and II-3. Unduplicated figures are not available for FY 1968.)

TABLE A-2

BIA SCHOOL ENROLLMENTS, BY STATE: FY 1969

State	Boarding Schools			Day Schools	Total
	Day	Boarding	Total		
Arizona	1,134	11,888	13,022	2,503	15,525
New Mexico	240	7,566	7,806	1,738	9,544
Alaska	-	817	817	5,728	6,545
South Dakota	1,126	1,449	2,575	2,131	4,706
North Dakota	420	466	886	1,996	2,882
Oklahoma	-	2,513	2,513	-	2,513
Utah	-	2,540	2,540	12	2,552
Mississippi	685	261	946	197	1,143
Kansas	-	1,080	1,080	-	1,080
North Carolina	-	-	-	1,047	1,047
Oregon	-	834	834	-	834
California	-	785	785	-	785
Nevada	-	516	516	-	516
Montana	195	90	285	-	285
Florida	-	-	-	81	81
Louisiana	-	-	-	17	17
<b>Total</b>	<b>3,800</b>	<b>30,805</b>	<b>34,605</b>	<b>15,450</b>	<b>50,055</b>

Source: Unpublished December 31, 1968, enrollment survey, Bureau of Indian Affairs, Office of Education Programs, Washington, D. C., 1969.

TABLE A-3  
BIA SCHOOL ENROLLMENTS, BY STATE: FY 1970

State	Boarding Schools			Day Schools	Total
	Day	Boarding	Total		
Arizona	1,469	11,925	13,394	2,439	15,833
New Mexico	289	6,789	7,078	1,835	8,913
Alaska	-	760	760	5,647	6,407
South Dakota	1,491	1,257	2,748	2,074	4,822
North Dakota	341	470	811	2,046	2,857
Oklahoma	-	2,214	2,214	-	2,214
Utah	19	2,145	2,164	-	2,164
Mississippi	722	255	977	215	1,192
Kansas	-	1,031	1,031	-	1,031
North Carolina	-	-	-	1,158	1,158
Oregon	-	763	763	-	763
California	-	661	661	-	661
Nevada	-	459	459	-	459
Montana	193	51	244	-	244
Florida	-	-	-	79	79
Louisiana	-	-	-	34	34
Total	4,524	28,780	33,304	15,527	48,831

Source: Unpublished December 31, 1970, enrollment survey, Bureau of Indian Affairs, Office of Education Programs, Washington, D. C., 1970.

TABLE A-4  
 TOTAL ALLOCATIONS UNDER THE FEDERAL SCHOOLS PROGRAM,  
 BY STATE AND FISCAL YEAR<sup>a</sup>

State	1968	1969	1970	1971
Arizona	\$20,986,556	\$25,757,938	\$30,169,342	\$31,854,871
New Mexico	16,364,752	15,479,180	18,612,326	26,162,234
Alaska	8,531,848	10,019,499	11,170,448	12,218,225
South Dakota	5,275,336	5,495,083	6,581,762	7,548,552
North Dakota	2,752,328	3,062,989	3,814,928	4,452,994
Oklahoma	5,422,968	5,912,276	6,459,310	7,444,260
Utah	4,841,444	4,777,205	4,153,204	4,924,044
Mississippi	1,079,256	1,249,153	1,453,456	1,659,581
Kansas	1,662,264	1,752,357	2,053,064	2,995,092
North Carolina	642,288	872,969	1,054,888	1,224,811
Oregon	1,574,800	1,805,475	2,119,800	2,482,531
California	1,057,120	1,153,060	1,312,120	1,775,200
Nevada	780,160	751,408	1,120,216	1,585,650
Montana	656,040	714,538	935,594	979,611
Florida	137,256	144,153	174,456	191,767
Louisiana	-	17,000	22,000	39,000
Iowa	27,305	b	b	b
Total	\$71,968,564	\$77,930,961	\$89,955,570	\$107,538,423

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D.C.

<sup>a</sup>Amounts shown exclude higher education and dormitory support; they represent total funds for operation of the BIA schools, excluding capital costs and transportation.

<sup>b</sup>Iowa had no Federal Schools after FY 1968.

APPENDIX B  
ESEA TITLE I (DETAILED TABLES)

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TABLE B-1

BIA SCHOOLS: ESEA TITLE I ALLOCATIONS, BY AREA AND FISCAL YEAR<sup>a</sup>

Area	Fiscal Year			
	1972	1971	1970	1969
Aberdeen	\$ 2,308,878	\$ 1,603,971 <sup>b</sup>	\$ 1,004,831	\$ 729,274 <sup>c</sup>
Albuquerque	799,521	490,137 <sup>b</sup>	272,834 <sup>b</sup>	166,815 <sup>b</sup>
Anadarko	408,122	378,495	315,200	342,653
Billings	69,347	114,622	43,347	49,003
Juneau	2,366,878	1,966,224	867,872	935,354
Muskogee	170,170	385,690 <sup>b, d</sup>	225,720 <sup>d</sup>	457,779 <sup>d</sup>
Navajo	6,414,714	4,337,310 <sup>b</sup>	2,589,330 <sup>b</sup>	2,852,779 <sup>b</sup>
Phoenix	1,374,097	1,002,300	788,310	619,823
Portland	244,983	164,190	143,730	135,946
Cherokee	340,284	200,070	143,889	186,508 <sup>c</sup>
Choctaw	193,064	d	d	d
Institute of American Indian Arts	60,041	79,232	57,378	54,212 <sup>c</sup>
Miccosukee	43,737	19,571	21,984	e
Seminole	30,000	29,154	28,300	e
Central Office	137,034	85,000	1,403,498	2,069,144 <sup>f</sup>
Dormitories	g	185,109	62,475	86,220
<b>Total</b>	<b>\$14,960,870</b>	<b>\$11,041,075</b>	<b>\$7,968,698</b>	<b>\$6,685,510</b>

Source: Bureau of Indian Affairs, Office of Education Programs, Field Services Office, Title I Section, Albuquerque, New Mexico except where otherwise noted.

<sup>a</sup>Fiscal Year 1972 funds include approved project funds plus carry-over funds from FY 1971. FY 1969, 1970 and 1971 funds include only project approvals for each respective year.

<sup>b</sup>Funds for Title I projects in BIA dormitories are excluded from these figures, since these pupils do not attend BIA schools. Excluded amounts are as follows:

	<u>FY 1971</u>	<u>FY 1970</u>	<u>FY 1969</u>
Aberdeen	\$ 29,544	\$ -	\$ -
Albuquerque	110,815	39,795	53,100
Muskogee	2,750	-	-
Navajo	42,000	22,680	33,120

<sup>c</sup>Where BIA data were missing or seemed to contain typographical errors, data were substituted from the national evaluation report, AVCO Economic Systems Corporation, Report of Evaluation of BIA Total ESEA Title I Program, Fiscal Year 1969, (Draft), September 30, 1968, pp. 217-260 (Aberdeen); p. 337 (Cherokee); p. 355 (IAIA).

<sup>d</sup>Choctaw and Muskogee are combined.

<sup>e</sup>Included in Central Office funds.

<sup>f</sup>Central Office funds included approximately \$1.4 million for Bureau-wide training of personnel and curriculum development. The remainder was for school level projects. AVCO, 1969, pp. 305-320.

<sup>g</sup>Dormitory funds are included in 1972 amounts shown for the respective areas.

TABLE B-2

BIA SCHOOLS: ESEA TITLE I ALLOCATIONS,  
BY STATE AND FISCAL YEAR<sup>a</sup>

State <sup>b</sup>	Fiscal Year		
	1971	1970	1969
Alaska	\$ 1,555,500	\$ 867,900	\$ 909,200
Arizona	3,473,700	2,329,800	2,019,800
California	203,300	83,600	177,600
Colorado <sup>c</sup>	-	-	-
Florida	56,900	52,511	27,000
Mississippi	183,200	333,400	312,100
Montana	114,600	43,350	48,900
Nevada	156,000	40,900	58,500
New Mexico <sup>c</sup>	1,987,200	1,293,900	1,222,100
North Carolina	200,100	150,000	186,500
North Dakota	790,400	423,900	320,300
Oklahoma <sup>c</sup>	683,150	449,000	477,000
Oregon	164,200	105,840	135,900
South Dakota <sup>c</sup>	987,800	625,400	564,100
Utah <sup>c</sup>	530,800	446,200	491,700
<b>Total</b>	<b>\$11,086,850</b>	<b>\$7,245,701</b>	<b>\$6,950,700</b>

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D. C.

<sup>a</sup>Funds represent approved projects.

<sup>b</sup>BIA did not provide information on Louisiana.

<sup>c</sup>Funds for Title I projects in BIA dormitories are excluded, since these pupils do not attend BIA schools. Excluded amounts are as follows:

	<u>FY 1971</u>	<u>FY 1970</u>	<u>FY 1969</u>
South Dakota	\$ 29,544	\$ -	\$ -
New Mexico	95,065	33,750	45,000
Colorado	32,750	15,225	20,340
Utah	25,000	12,500	20,880
Oklahoma	2,750	-	-
<b>Total</b>	<b>\$185,109</b>	<b>\$62,475</b>	<b>\$86,220</b>

TABLE B-3

BIA SCHOOLS: ESEA TITLE I-ELIGIBLE ENROLLMENT,  
BY AREA AND FISCAL YEAR<sup>a</sup>

Area	Fiscal Year		
	1971	1970	1969
Navajo	22,068	21,240	21,937
Aberdeen	8,145	7,679	7,588
Juneau	5,653	6,407	6,545
Phoenix	4,431	4,802	4,923
Albuquerque	2,186	1,901	1,961
Anadarko	1,507	1,551	1,818
Choctaw	1,298	1,226	1,160
Cherokee	1,232	1,158	1,047
Portland	723	763	834
Muskogee	536	663	695
Billings	236	244	285
Seminole	50	43	40
Miccosukee	35	36	41
Total	48,100	47,713	48,874

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D. C.

<sup>a</sup>All elementary and secondary school pupils enrolled in BIA schools are eligible for ESEA Title I. The enrollments shown here are an unduplicated count of pupils on December 31 of each year, excluding pupils living in BIA dormitories and attending public schools. Likewise, post-secondary pupils, most of whom attended the Institute of American Indian Arts or Haskell Junior College, are excluded as follows:

	<u>FY 1971</u>	<u>FY 1970</u>	<u>FY 1969</u>
Albuquerque	59	87	101
Anadarko	1,106	1,031	1,080

TABLE B-4

BIA SCHOOLS: ESEA TITLE I-ELIGIBLE ENROLLMENT,  
BY STATE AND FISCAL YEAR<sup>a</sup>

State	Fiscal Year		
	1971	1970	1969
Arizona	16,216	15,833	15,525
New Mexico <sup>a</sup>	9,355	8,826	9,443
Alaska	5,653	6,407	6,545
South Dakota	4,958	4,822	4,706
North Dakota	3,187	2,857	2,882
Utah	2,108	2,164	2,552
Oklahoma	2,043	2,214	2,513
Mississippi	1,255	1,192	1,143
Kansas <sup>a</sup>	-	-	-
North Carolina	1,232	1,158	1,047
Oregon	723	763	834
California	510	661	785
Nevada	496	459	516
Montana	236	244	285
Florida	85	79	81
Louisiana	43	34	17
<b>Total</b>	<b>48,100</b>	<b>47,713</b>	<b>48,874</b>

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D. C.

<sup>a</sup>Enrollments are from the BIA's annual December 31 enrollment survey. All elementary and secondary school pupils enrolled in BIA schools are eligible to participate in the BIA Title I program, as are pupils living in BIA dormitories. While there are a number of dormitory projects, these pupils are primarily served by Title I through the public schools they attend and are therefore included in the analysis above of the Public Schools Title I program. Dormitory pupils have been excluded from the enrollments shown in this table. The numbers of post-secondary pupils also excluded, but usually contained in BIA enrollment reports, were as follows:

	<u>FY 1971</u>	<u>FY 1970</u>	<u>FY 1969</u>
New Mexico	59	87	101
Kansas	1,106	1,031	1,080

TABLE B-5

BIA SCHOOLS: ESEA TITLE I ALLOCATIONS AND ELIGIBLE ENROLLMENT, BY AREA: FY 1971

Area	FY 1971 Allocations	Eligible Enrollment (December 1969) <sup>a</sup>	Per Pupil Allocation
Seminole	\$ 29,154	43	\$678
Miccosukee	19,571	36	544
Billings	114,622	244	470
Juneau	1,966,224	6,407	307
Albuquerque	490,137 <sup>b</sup>	1,901 <sup>c</sup>	258
Anadarko	378,495	1,551 <sup>c</sup>	244
Portland	164,190	763	215
Aberdeen	1,603,971 <sup>b</sup>	7,679	209
Phoenix	1,002,300	4,802	209
Choctaw	385,690 <sup>b</sup>	1,889	204
Muskogee			
Navajo	4,337,310 <sup>b</sup>	21,240	204
Cherokee	200,070	1,158	173
Total	\$10,691,734	47,713	
U. S. average			\$224

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D. C.

<sup>a</sup>Title I Area allocations are determined primarily on the basis of eligible enrollment during the school year prior to the year to which the allocations apply. For example, Fiscal Year 1971 (school year 1970-71) allocations were based on December 31, 1969 enrollments.

<sup>b</sup>Funds for Title I projects in BIA dormitories are excluded, since these pupils do not attend BIA schools. See footnote b, Appendix Table B-1 for these amounts.

<sup>c</sup>Pupils living in BIA dormitories and attending public schools are not included in this count. Post-secondary pupils are also excluded as follows: Albuquerque, 87; Anadarko, 1031.

TABLE B-6

BIA SCHOOLS: ESEA TITLE I ALLOCATIONS AND ELIGIBLE ENROLLMENT, BY AREA: FY 1972

Area	FY 1972 Allocations <sup>a</sup>	Eligible Enrollment (December 1970) <sup>b</sup>		Per Pupil Allocation	
		Schools	Dormitories	Excluding Dormitory Pupils	Including Dormitory Pupils
Miccosukee	\$ 43,737	35	-	\$1,250	\$ -
Seminole	30,000	50	-	600	-
Juneau	2,366,878	5,653	-	419	-
Albuquerque	859,562 <sup>c</sup>	2,186 <sup>d</sup>	698	393	298
Portland	244,983	723	-	339	-
Muskogee	170,170	536	522	317	161
Phoenix	1,374,097	4,431	-	310	-
Billings	69,347	236	136	294	186
Navajo	6,414,714	22,068	2,209	291	264
Aberdeen	2,308,878	8,145	302	283	273
Cherokee	340,284	1,232	-	276	-
Anadarko	408,122	1,507 <sup>d</sup>	53	271	262
Choctaw	193,064	1,298	-	149	-
Central Office	137,034	-	-	-	-
<b>Total</b>	<b>\$14,960,870</b>	<b>48,100</b>	<b>3,920</b>		
U. S. average				\$311	\$288

Source: Bureau of Indian Affairs, Office of Education Programs, Field Services Office, Title I Section.

<sup>a</sup>This amount includes approved funds for FY 1972 plus carry-over funds from FY 1971 and funds for programs for BIA dormitory pupils (who attend public schools). Thus, these data are not comparable to those for other fiscal years.

<sup>b</sup>This was the most recent enrollment that was available to the BIA at the time Title I allocations were made for FY 1972.

<sup>c</sup>Includes \$60,041 for the Institute of American Indian Arts in Albuquerque, New Mexico.

<sup>d</sup>Post-secondary pupils have been excluded, since they are ineligible for Title I. These include 59 in Albuquerque (IAIA) and 1,106 in Anadarko (Haskell Junior College).

TABLE B-7

BIA SCHOOLS: ESEA TITLE I ENROLLMENT AND ALLOCATIONS,  
BY STATE: FY 1969<sup>a</sup>

State	Total Allocation	Enrollment (December 1968)	Per Pupil Allocation
Arizona	\$2,019,800	15,525	\$130
New Mexico	1,222,100	9,443	129
Alaska	909,200	6,545	139
South Dakota	564,100	4,706	120
North Dakota	320,300	2,882	111
Utah	491,700	2,552	193
Oklahoma	477,000	2,513	190
Mississippi	312,100	1,143	273
Kansas <sup>b</sup>	-	-	-
North Carolina	186,500	1,047	178
Oregon	135,900	834	163
California	177,600	785	226
Nevada	58,500	516	113
Montana	48,900	285	172
Florida	27,000	81	333
Louisiana <sup>c</sup>	-	17	-
Total	\$6,950,700	48,874	
U. S. average			\$142

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D. C.

<sup>a</sup>For explanatory notes, see footnotes for Appendix Tables B-2 and B-4.

<sup>b</sup>Kansas has no pupils eligible for Title I.

<sup>c</sup>BIA provided no information on Louisiana.

TABLE B-8

BIA SCHOOLS: ESEA TITLE I ENROLLMENT AND ALLOCATIONS,  
BY STATE: FY 1970<sup>a</sup>

State	Total Allocation	Enrollment (December 1969)	Per Pupil Allocation
Arizona	\$2,329,800	15,833	\$147
New Mexico	1,293,900	8,826	147
Alaska	867,900	6,407	135
South Dakota	625,400	4,822	130
North Dakota	423,900	2,857	148
Utah	446,200	2,164	206
Oklahoma	449,000	2,214	203
Mississippi	333,400	1,192	280
Kansas <sup>b</sup>	-	-	-
North Carolina	150,000	1,158	130
Oregon	105,840	763	139
California	83,600	661	126
Nevada	40,900	459	39
Montana	43,350	244	178
Florida	52,511	79	665
Louisiana <sup>c</sup>	-	34	-
<b>Total</b>	<b>\$7,245,701</b>	<b>47,713</b>	
<b>U. S. average</b>			<b>\$152</b>

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D. C.

<sup>a</sup>For explanatory notes, see footnotes for Appendix Tables B-2 and B-4.

<sup>b</sup>Kansas has no pupils eligible for Title I.

<sup>c</sup>BIA provided no information on Louisiana.



TABLE B-9

BIA SCHOOLS: ESEA TITLE I ENROLLMENT AND ALLOCATIONS,  
BY STATE: FY 1971<sup>a</sup>

State	Total Allocation	Enrollment (December 1970)	Per Pupil Allocation
Arizona	\$ 3,473,700	16,216	\$214
New Mexico	1,987,200	9,355	212
Alaska	1,555,500	5,653	275
South Dakota	987,800	4,958	199
North Dakota	790,400	3,187	248
Utah	530,800	2,108	252
Oklahoma	683,150	2,043	334
Mississippi	183,200	1,255	146
Kansas <sup>b</sup>	-	-	-
North Carolina	200,100	1,232	162
Oregon	164,200	723	227
California	203,300	510	399
Nevada	156,000	496	315
Montana	114,600	236	486
Florida	56,900	85	669
Louisiana <sup>c</sup>	-	43	-
Total	\$11,086,850	48,300	
U. S. average			\$230

Source: Bureau of Indian Affairs, Office of Education Programs, Washington, D. C.

<sup>a</sup>For explanatory notes, see footnotes for Appendix Tables B-2 and B-4.

<sup>b</sup>Kansas has no pupils eligible for Title I.

<sup>c</sup>BIA provided no information on Louisiana.

TABLE B-10

PUBLIC SCHOOLS: ESEA TITLE I ALLOTMENTS AND ELIGIBLE  
ENROLLMENT, BY STATE: FY 1971

State	Total Allotments	Eligible Enrollment	Allotment Per Eligible Pupil
Oklahoma	\$ 18,199,914	113,279	\$161
Arizona	8,422,776	53,715	157
New Mexico	9,624,504	53,034	182
California	103,125,700	624,366	165
North Carolina	56,260,988	348,197	162
Washington	12,255,022	80,090	153
Montana	2,993,356	18,821	159
Alaska	1,881,006	8,470	222
South Dakota	6,266,048	38,771	162
Minnesota	20,831,934	112,348	185
Wisconsin	15,748,581	91,088	173
New York	191,230,096	699,198	274
Michigan	41,011,289	232,544	176
Utah	3,371,626	22,416	150
Oregon	8,338,890	50,169	166
Texas	65,260,201	444,855	147
Nevada	882,918	6,316	140
Illinois	54,913,788	316,285	174
Idaho	2,475,984	15,597	159
Nebraska	7,396,532	46,711	158
Kansas	9,638,770	61,843	156
Florida	26,445,029	160,755	165
Colorado	7,961,795	55,224	144
Missouri	25,579,100	160,363	160
North Dakota	4,153,410	27,929	149
Ohio	40,791,479	252,984	161
Mississippi	42,074,152	256,166	164
Total	\$787,134,888	4,351,534	
U. S. average			\$181

Source: U. S. Office of Education, Division of Compensatory Education,  
Fiscal Office.

## APPENDIX C

### INDIAN ENROLLMENT IN THE PUBLIC SCHOOLS: A METHODOLOGICAL NOTE

The kind of State-by-State per capita analysis of federal education funds contained in this report is dependent on reliable Indian pupil enrollment figures for each State and, ideally, ones that are comparable among all the States. For the analysis of funds to BIA schools, we used pupil counts (aggregated by State) obtained annually by the BIA from each school in December of each year. However, the lack of reliable figures comparable among all the States presented a major obstacle to our analysis of funds for Indians in the public schools. Although the Office for Civil Rights of the DHEW, the BIA and the State Education Agencies all publish figures on public school Indian enrollment, there are significant differences among their respective accounts. This Appendix attempts to reflect our understanding of the method used by each of the sources to obtain a count and to explain the reasoning behind our decisions to rely upon one set of figures or another.

The differences among the sources may be attributed, broadly, to three factors: who identifies pupils as Indians, how "Indian" is defined and what schools or districts are surveyed in order to obtain a count. The methods employed in each instance appear to be as follows:

1. The BIA, in Statistics Concerning Indian Education, reports a figure obtained from its annual "census" of Indian pupils. In this survey, BIA schools are asked to report the number of Indians in the vicinity known to attend public schools; school districts receiving JOM funds are also surveyed. Thus,

it excludes all public school districts that are not near, on, or adjacent to an Indian reservation. Although it covers only a fraction of all public school districts, many of which include large number of Indian pupils, it is called a "census" of public school Indians and is published annually as a national total by the Bureau of Census in the Statistical Abstract of the United States. The BIA's official definition of "Indian" is anyone with one-fourth or more "Indian blood." But this definition is not strictly adhered to in the public school "census."

2. Under regulations of Title VI of the Civil Rights Act of 1964, the Office for Civil Rights in HEW conducts periodic racial-ethnic surveys of public elementary and secondary schools. The fall 1970 Survey was based on a national random sample of school districts with more than 300 pupils. Each school in the sample reported the number of Indians in attendance, Indians being defined as "persons considered by themselves, by the school, or by the community to be of American Indian origin." Estimates of the total enrollment for each State and for the United States as a whole were published. The main disadvantages of this source are the omission of the small districts and the higher sampling error in States with small Indian enrollments. Therefore, we requested and received a new set of computations with adjustments designed to compensate partially for the omission of districts with fewer than 300 pupils.
3. About one half of the State Departments of Education publish Indian enrollment figures from one of two sources. The first is a set of mandatory annual reports from the districts to the State Education Agency; their main purpose is to establish eligibility for State aid. The second is a special State-wide racial-ethnic survey, recently instituted in several States. These are often sample studies which employ different methodologies. But regardless of which source they rely upon, most SEA's apparently leave the definition of "Indian" to local school districts.

As expected, these sources produced different figures for many States and various national totals. The Office for Civil Rights reported a national total of 211,974 public school Indian pupils as a result of their fall 1970 Survey, while the BIA's "census" figure that year was 134,017; the BIA count is not available for single States. Since the SEA counts were not available for every State, they could not be aggregated to a national total.

In States where the SEA figures differed from those of the Office for Civil Rights, we elected to use the State figure when it was based on a systematic survey; in other States we used the OCR figure. The following list shows the FY 1971 enrollment figure from each source, which one was used for the analysis in this report, and the difference between the two.

PUBLIC SCHOOL INDIAN ENROLLMENTS

	Source	
	Office for Civil Rights DHEW (fall 1970)	State Education Agency
Oklahoma . . . . .	33,036 <sup>a</sup>	-
Arizona . . . . .	21,385	21,105 <sup>a</sup>
New Mexico . . . . .	19,038 <sup>a</sup>	-
California . . . . .	17,553	17,279 <sup>a</sup>
North Carolina . . . . .	14,157 <sup>a</sup>	-
Washington . . . . .	10,973	12,057 <sup>a</sup>
Montana . . . . .	11,867 <sup>a</sup>	10,343
Alaska . . . . .	9,631 <sup>a</sup>	-
South Dakota . . . . .	9,432	9,344 <sup>a</sup>
Minnesota . . . . .	7,447	8,933 <sup>a</sup>
Wisconsin . . . . .	7,145 <sup>a</sup>	-
New York . . . . .	5,679	5,174 <sup>a</sup>
Michigan . . . . .	4,472	4,885 <sup>a</sup>
Utah . . . . .	4,682 <sup>a</sup>	4,682 <sup>a</sup>
Oregon . . . . .	3,864	3,627 <sup>a</sup>
Texas . . . . .	3,610	3,173 <sup>a</sup>
Nevada . . . . .	2,923	2,755 <sup>a</sup>
Illinois . . . . .	2,584 <sup>a</sup>	4,570
Idaho . . . . .	2,217 <sup>a</sup>	-
Nebraska . . . . .	3,745	1,871 <sup>a</sup>
Kansas . . . . .	1,470 <sup>a</sup>	-
Colorado . . . . .	1,396 <sup>a</sup>	-
Florida . . . . .	1,394 <sup>a</sup>	-
Missouri . . . . .	1,381 <sup>a</sup>	-
North Dakota . . . . .	1,247 <sup>a</sup>	-
Ohio . . . . .	1,118	1,055 <sup>a</sup>
Wyoming . . . . .	968 <sup>a</sup>	-
Iowa . . . . .	530	850 <sup>a</sup>
Maine . . . . .	733 <sup>a</sup>	-
Arkansas . . . . .	485 <sup>a</sup>	-
Maryland . . . . .	373 <sup>a</sup>	-

Note: The States listed are those included in this report.

<sup>a</sup>Figure used in this report.