



January 2019

PUBLIC SCHOOL CHOICE

Limited Options
Available for Many
American Indian and
Alaska Native
Students

Why GAO Did This Study

Education refers to school choice as the opportunity for students and their families to create high-quality, personalized paths for learning that best meet the students' needs. For Indian students, school choice can be a means of accessing instructional programs that reflect and preserve their languages, cultures, and histories. For many years, studies have shown that Indian students have struggled academically and the nation's K-12 schools have not consistently provided Indian students with high-quality and culturally-relevant educational opportunities.

GAO was asked to review K-12 school choice options for Indian students. This report examines the public school options located in areas with large Indian student populations. GAO used Education's Common Core of Data for school year 2015-16 (most recent available) to analyze public school choice in (1) school districts in which Indian students accounted for 25 percent or more of all students (i.e., high percentages of Indian students) and (2) the 100 school districts with the largest number of Indian students. GAO also interviewed federal officials, relevant stakeholder groups, and tribal leaders to better understand school choice options for Indian students.

What GAO Recommends

GAO is not making recommendations in this report.

View [GAO-19-226](#). For more information, contact Jacqueline M. Nowicki at (617) 788-0580 or nowickij@gao.gov.

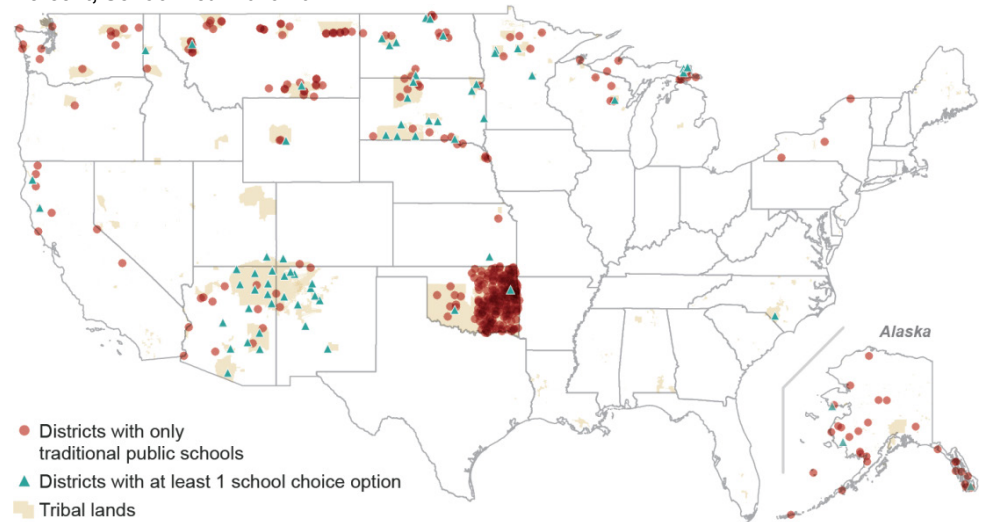
PUBLIC SCHOOL CHOICE

Limited Options Available for Many American Indian and Alaska Native Students

What GAO Found

Few areas provide American Indian and Alaska Native students (Indian students) school choice options other than traditional public schools. According to GAO's analysis of 2015-16 Department of Education (Education) data, most of the school districts with Indian student enrollment of at least 25 percent had only traditional public schools (378 of 451 districts, or 84 percent). The remaining 73 districts had at least one choice, such as a Bureau of Indian Education, charter, magnet, or career and technical education school (see figure). Most of these 451 districts were in rural areas near tribal lands. Rural districts may offer few school choice options because, for example, they do not have enough students to justify additional schools or they may face difficulties recruiting and retaining teachers, among other challenges.

School Districts with American Indian and Alaska Native Student Enrollment of at Least 25 Percent, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD), and U.S. Census Bureau data. | GAO-19-226

Note: School choice options include Bureau of Indian Education, charter, magnet, and career and technical education schools.

Some of the 100 school districts with the largest number of Indian students were located in large urban areas, such as New York City, and the majority (62) offered at least one option other than a traditional public school, according to GAO's analysis. The most common option was a charter school. However, because Indian students often account for a small percentage of all students in these districts, Indian education experts GAO interviewed said that the schools are less likely to have curricula that reflect Indian students' cultural identity or provide instruction on Native languages—things that tribes and experts consider crucial to strengthening, rebuilding, and sustaining Indian cultures and communities. Also, even when Indian students had more options, no consistent enrollment patterns were evident. Whether Indian students enrolled in different types of schools could be a function, in part, of differences in state school choice laws and the extent to which these schools offered curricula that reflect Indian languages, cultures, or histories, according to Indian education experts.

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Abbreviations

BIE	Bureau of Indian Education
CCD	Common Core of Data
CTE	Career and technical education
Education	Department of Education
Indian	American Indian and Alaska Native
NCES	National Center for Education Statistics
PSS	Private School Universe Survey

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January 24, 2019

The Honorable Virginia Foxx
Ranking Member
Committee on Education and Labor
House of Representatives

The Honorable Kevin Cramer
United States Senate

For many years, studies have shown that American Indian and Alaska Native students (collectively referred to as Indian students) have struggled academically, and the nation's K-12 schools have not consistently provided these students with high-quality, culturally-relevant educational opportunities to encourage their success.¹ As a result, lower academic outcomes have consequences for Indian students' future educational and economic opportunities, and also can affect a tribe's ability to build a competitive tribal economy. The Department of Education (Education) generally refers to school choice as the opportunity for students and their families to create high-quality, personalized paths for learning that best meet the student's needs through public, private, or home-based educational programs or courses. Such opportunities can also be a means for Indian students to access instructional programs that reflect and preserve Indian languages, cultures, and histories.

You asked us to review K-12 school choice options for Indian students. This report examines the public school choice options located in areas with large populations of Indian students.

We focused our analyses on two subsets of public school districts with large Indian student populations that collectively represented nearly 260,000 students, or more than half of all Indian students in K-12 public schools, according to Education's Common Core of Data (CCD). The subsets are:

¹For example, see Department of Education, *National Indian Education Study 2015*, NCES 2017-161 (Washington, D.C.: March 2017), and Executive Office of the President, *2014 Native Youth Report*, (Washington, D.C.: December 2014). In addition, throughout this report we use the term Indian to refer to American Indian and Alaska Native tribes, students, and communities. Depending on tribal preferences, Indian tribes may be referred to as tribal nations, bands, pueblos, rancherias, communities, or villages, among others.

-
1. Public school districts in which Indian students accounted for 25 percent or more of all students in the district. We refer to school districts that met this threshold as having a “high percentage” of Indian students. It is consistent with Education’s definition of a “high-density” school for Indian students which the agency uses in its National Indian Education Study.
 2. The top 100 public school districts by number of Indian students enrolled. We refer to school districts that met this threshold as having the “largest number” of Indian students. This threshold allowed us to examine school choice in areas where many Indian students live, but may not represent a high percentage of all students (e.g., some large cities). Education has similarly reported CCD data for the 100 public school districts with the largest number of students enrolled.

To conduct our work, we analyzed Education’s national data on K-12 public schools from the CCD for school year 2015-16 (the most recent available). We analyzed data on four types of K-12 public schools: (1) traditional, (2) charter, (3) magnet, and (4) career and technical education (CTE). We added data from Bureau of Indian Education (BIE) schools to our analysis because these schools can provide an additional, unique choice for Indian students and their families in some areas. (See text box.) We also examined the options that were available based on a school district’s location in an urban or rural area, and mapped the specific locations of schools within those districts. We determined these data were sufficiently reliable for the purposes of this report by reviewing documentation, conducting electronic testing, and interviewing Education officials.

Selected K-12 School Types

Traditional school: A public elementary or secondary school providing regular instruction and education services.

Charter school: A public elementary or secondary school providing education to eligible students under a specific charter granted by the state legislature or other appropriate authority, and it is designated by such authority to be a charter school.

Magnet school: A public elementary or secondary school designed to attract students of different racial or ethnic backgrounds for the purpose of reducing, preventing, or eliminating racial isolation; and/or to provide an academic or social focus on a particular theme, such as science and math, performing arts, gifted and talented, or foreign language.

Career and technical education (CTE) school: A public elementary or secondary school that focuses on providing formal preparation for semiskilled, skilled, technical, or professional occupations for high school-age students who have opted to develop or expand their employment opportunities, often in lieu of preparing for college entry.

Bureau of Indian Education (BIE) school: BIE oversees 185 elementary and secondary schools, which are designed to provide education to members of federally-recognized tribes who reside on or near federal Indian reservations. Unlike public schools, BIE schools receive almost all of their funding from federal sources.

Source: Department of Education, Common Core of Data, and Bureau of Indian Education. | GAO-19-226

We did not consider private schools in our analysis. Education collects biennial data on private schools through its Private School Universe Survey, which we determined was a reliable dataset for describing aggregate data on the total number of Indian students that attended private schools in school year 2015-16. However, we determined the data were not sufficiently reliable to map the specific locations of private schools.

To better understand the public school options available for Indian students, we interviewed or received input from a number of experts on Indian education. For example, we spoke with federal officials from Education, BIE, and the White House Initiative on American Indian and Alaska Native Education; received input from representatives from national organizations that advocate on behalf of Indian students and tribes, such as the National Indian Education Association, the National Advisory Council on Indian Education, and the National Congress of American Indians; and met with academic subject matter experts on Indian education. In addition to these experts, we heard from some tribal leaders about their perspectives on Indian education, school choice, and academic achievement. Appendix I contains detailed information about the scope and methodology for this report.

We conducted this performance audit from March 2018 to January 2019 in accordance with generally accepted government auditing standards.

Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

K-12 Public School Choice Public school choices typically include charter schools and magnet schools, as well as local-level options to transfer or choose among traditional public schools. CTE schools may provide an additional option for students seeking to develop or expand their employment opportunities, often in lieu of preparing for post-secondary education. Education, as well as national organizations that advocate on behalf of tribes, has noted that the flexibility associated with these options can also allow for increased tribal control and oversight of education for Indian students, and create opportunities to integrate knowledge, language, culture, and other aspects of Indian identity into the classroom, regardless of the type of school.

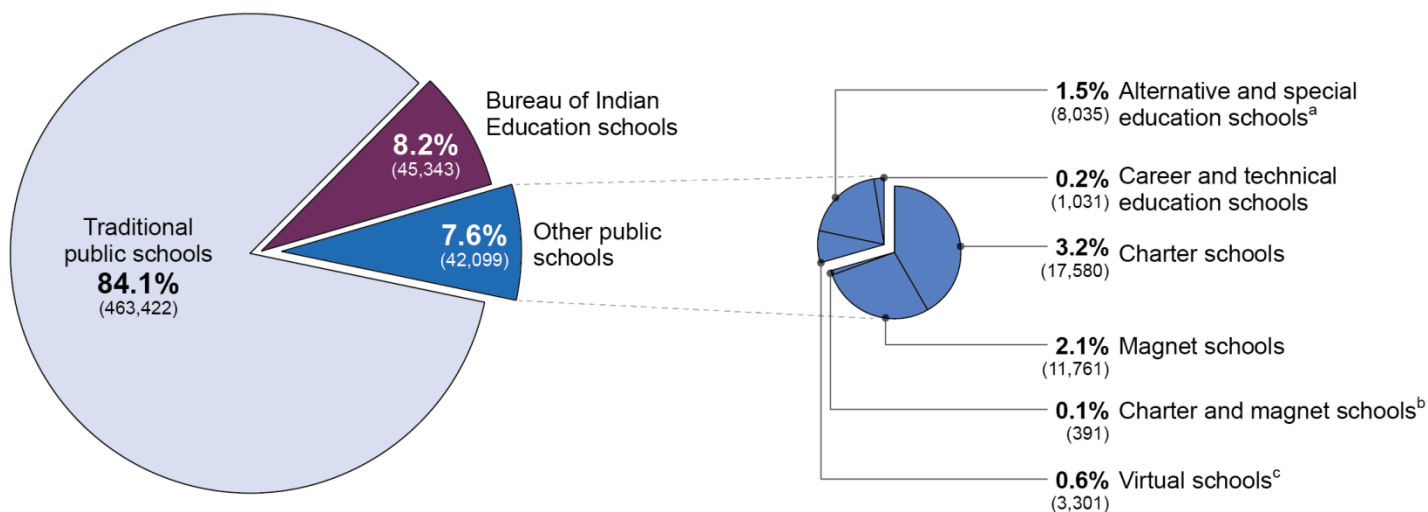
Charter schools accounted for 6 percent of all public schools in school year 2015-16 (the school year with the most recent enrollment data available). As of that year, 43 states and the District of Columbia had enacted legislation to permit public charter schools, according to Education. The availability of magnet schools also differs across states and districts given that, in some cases, these schools are intended to eliminate, reduce, or prevent racial isolation in areas with substantial numbers of minority group students, according to Education's Magnet Schools Assistance Program. In school year 2015-16, magnet schools accounted for 3 percent of all public schools. CTE schools are less common, representing 1 percent of all public schools in 2015-16.²

Indian Student Enrollment in K-12 Schools Approximately 505,000 Indian students attended K-12 public schools in school year 2015-16, representing 1 percent of all public school students,

²Data on the percentages of charter, magnet, and CTE schools come from Education's CCD for school year 2015-16.

according to CCD data. The majority attended traditional public schools (see fig. 1).³

Figure 1: American Indian and Alaska Native Student Enrollment in K-12 Public Schools and Bureau of Indian Education Schools, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD), and Bureau of Indian Education data. | GAO-19-226

^aAccording to the Department of Education’s Common Core of Data (CCD), alternative schools (1) address needs of students that typically cannot be met in a regular school; (2) provide nontraditional education; (3) serve as an adjunct to a regular school; or (4) fall outside the categories of regular, special education, or career and technical education. Special education schools focus primarily on instruction for students with disabilities and adapt curricula, materials, or instruction for students served.

^bIn the CCD, “charter school” and “magnet school” are not mutually exclusive categories. This category includes schools identified as having both charter and magnet school status.

^cAccording to the CCD, virtual schools are public schools that only offer instruction in which students and teachers are separated by time or location, and interaction occurs via computers or telecommunications technologies. A virtual school generally does not have a physical facility that allows students to attend classes on site.

In addition to the half a million Indian students attending public schools, approximately 45,000 attended BIE schools in school year 2015-16, according to BIE enrollment data. BIE administers 185 schools on or near Indian reservations in 23 states. BIE schools are predominantly in rural communities, serve mostly low-income students, and receive almost all of their funding from federal sources.⁴ Students attending BIE schools

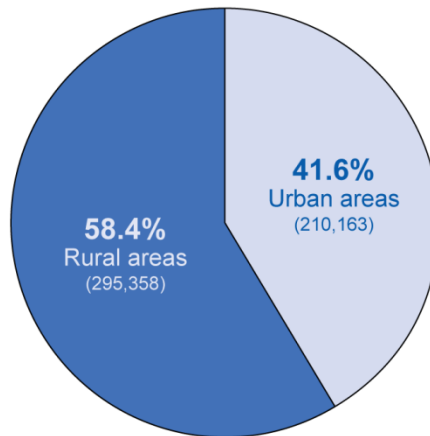
³Approximately 24,000 Indian students attended private schools in 2015-16, according to Education’s Private School Universe Survey.

⁴For more information about our reports on Indian issues, see https://www.gao.gov/key_issues/native_american_issues.

generally must be members of federally recognized tribes, or descendants of members of such tribes, and reside on or near federal reservations.⁵

Indian students attend public schools in settings ranging from large urban areas to remote rural areas. According to CCD data, in school year 2015-16, 58 percent of Indian students attended public schools in rural areas, while 42 percent attended public schools in urban areas (see fig. 2).

Figure 2: American Indian and Alaska Native Student Enrollment in K-12 Public Schools, by Location, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD). | GAO-19-226

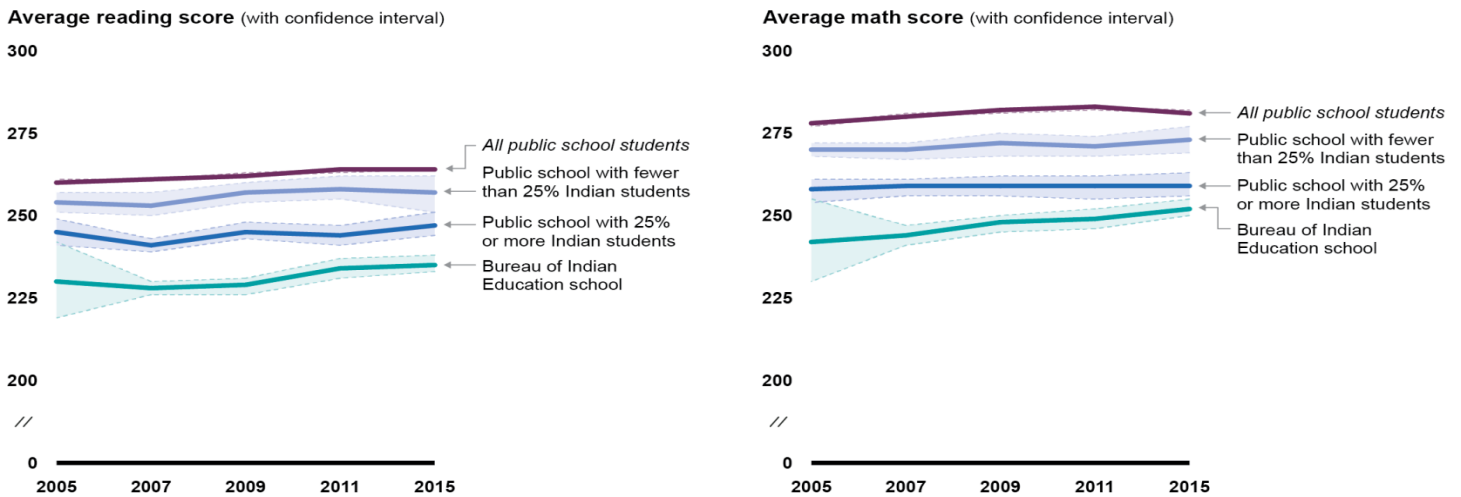
Note: This figure does not include the approximately 45,000 American Indian and Alaska Native students attending Bureau of Indian Education schools, which are predominantly in rural areas.

Indian Student Academic Achievement

Every 4 years, Education conducts the National Indian Education Study to provide in-depth information on the educational experiences and academic performance of Indian students in 4th and 8th grade. The study differentiates between public schools in which 25 percent or more of the students are Indian, public schools in which less than 25 percent of the students are Indian, and BIE schools. Data from the 2015 iteration, most recent available, showed that Indian students attending BIE schools consistently had the lowest math and reading scores in 8th grade, while Indian students attending public schools with lower percentages of Indian students consistently performed the best in these subjects (see fig. 3).

⁵See, 25 U.S.C. § 2007(f).

Figure 3: American Indian and Alaska Native Student 8th Grade Reading and Math Scores in Public Schools and Bureau of Indian Education Schools Compared to All Students in Public Schools, 2005 to 2015



Source: Department of Education, National Indian Education Study and National Assessment of Educational Progress. | GAO-19-226

Note: Indian students=American Indian and Alaska Native students.

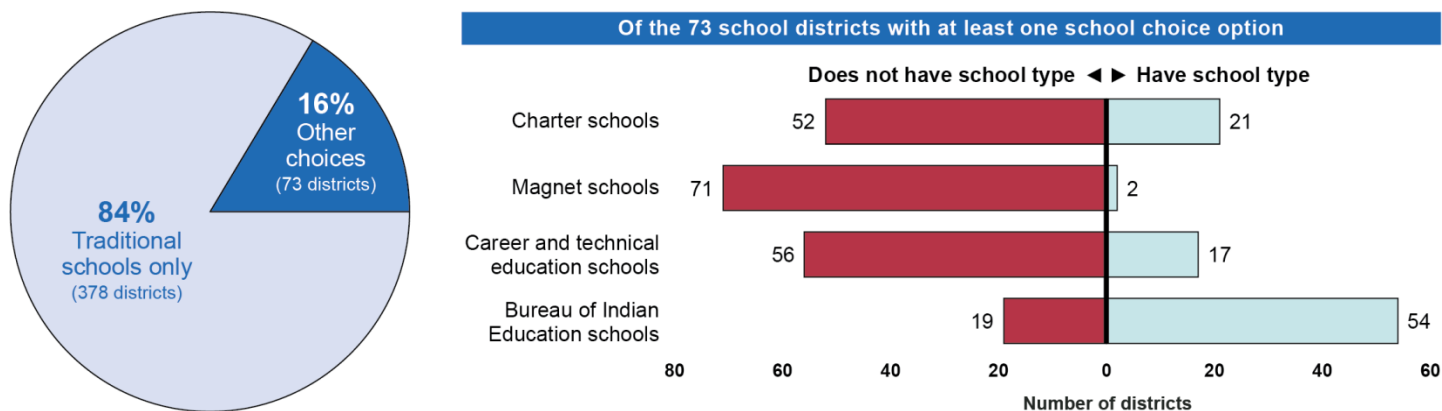
Few School Districts with Large American Indian and Alaska Native Student Populations Offered Public School Choice Options

Traditional Public Schools Were the Only Options in Most School Districts with High Percentages of American Indian and Alaska Native Students

Few areas with high percentages of Indian students had options other than traditional public schools, according to our analysis of Education data for school year 2015-16. Of the 451 school districts with high percentages of Indian students in our analysis, 84 percent (378 districts) had only traditional public schools. The remaining 16 percent (73 districts) had at least one BIE school, charter school, magnet school, or CTE school. The most common option was a BIE school (see fig. 4). Among districts that had only traditional public schools, about three-quarters of them had more than one school. The presence of a school choice option or more than one traditional school in a given location does not mean that a given school is necessarily available to all Indian students in the area.

This may be because of school-level factors such as enrollment caps, eligibility requirements, or grade levels offered, and environmental factors, such as limited transportation options.

Figure 4: School Choice Options in Districts with American Indian and Alaska Native Student Enrollment of at Least 25 Percent, School Year 2015-16

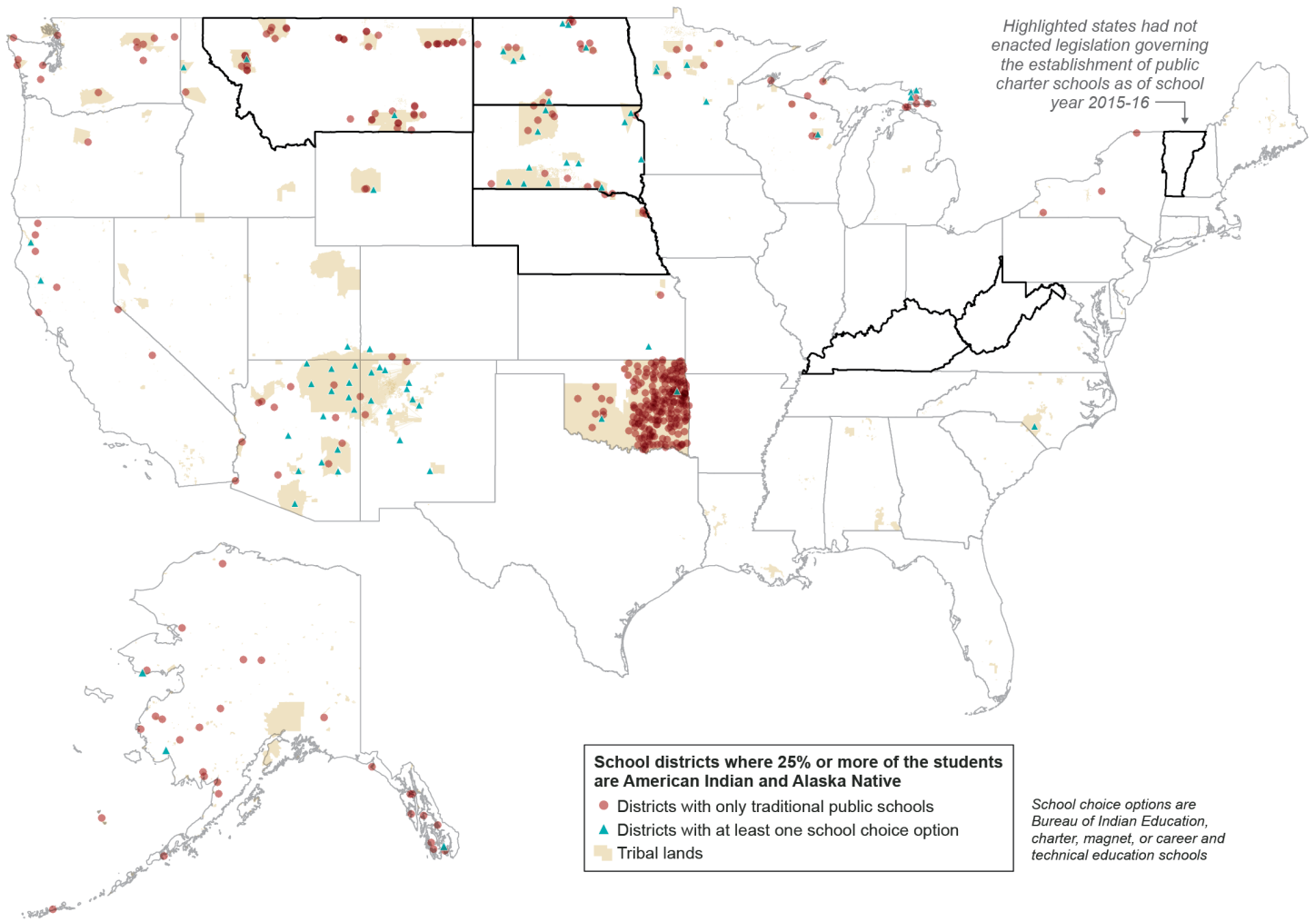


Source: GAO analysis of Department of Education, Common Core of Data (CCD). | GAO-19-226

Indian students attend school in both urban and rural areas, though nearly all school districts with high percentages of Indian students were located in rural areas—99 percent compared to 1 percent located in urban areas. In addition, as shown in figure 5, school districts with high percentages of Indian students were generally located near tribal lands, and half of the 451 districts were located in Oklahoma.⁶ In these districts, there were a total of 119 BIE schools, 28 charter schools, 6 magnet schools, and 24 CTE schools. Most of the districts that had at least one charter, magnet, or CTE school were located in Arizona and New Mexico. See appendix II for detailed maps of the options available in school districts with high percentages of Indian students in select regions of the country.

⁶For the purposes of this report, we are using the term “tribal lands” consistent with the U.S. Census Bureau’s designations for American Indian and Alaska Native areas. According to the U.S. Census Bureau, there are both legal and statistical areas for which it provides data, including federally- and state-recognized Indian reservations, federally-recognized off-reservation trust land areas, and tribal statistical areas.

Figure 5: Map of School Districts with American Indian and Alaska Native Student Enrollment of at Least 25 Percent, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD), and U.S. Census Bureau data. | GAO-19-226

Note: Tribal lands include federally- and state-recognized Indian reservations, federally-recognized off-reservation trust land areas, and tribal statistical areas. Information on state charter school legislation is from the Department of Education. We did not independently review state laws and regulations.

There are several reasons why there may be few public school options in districts with high percentages of Indian students. As previously noted, nearly all of these districts are in rural areas. Experts said there are often not enough students in rural areas to justify adding schools beyond the traditional public schools or BIE schools that already exist, and rural school districts can face challenges recruiting and retaining qualified

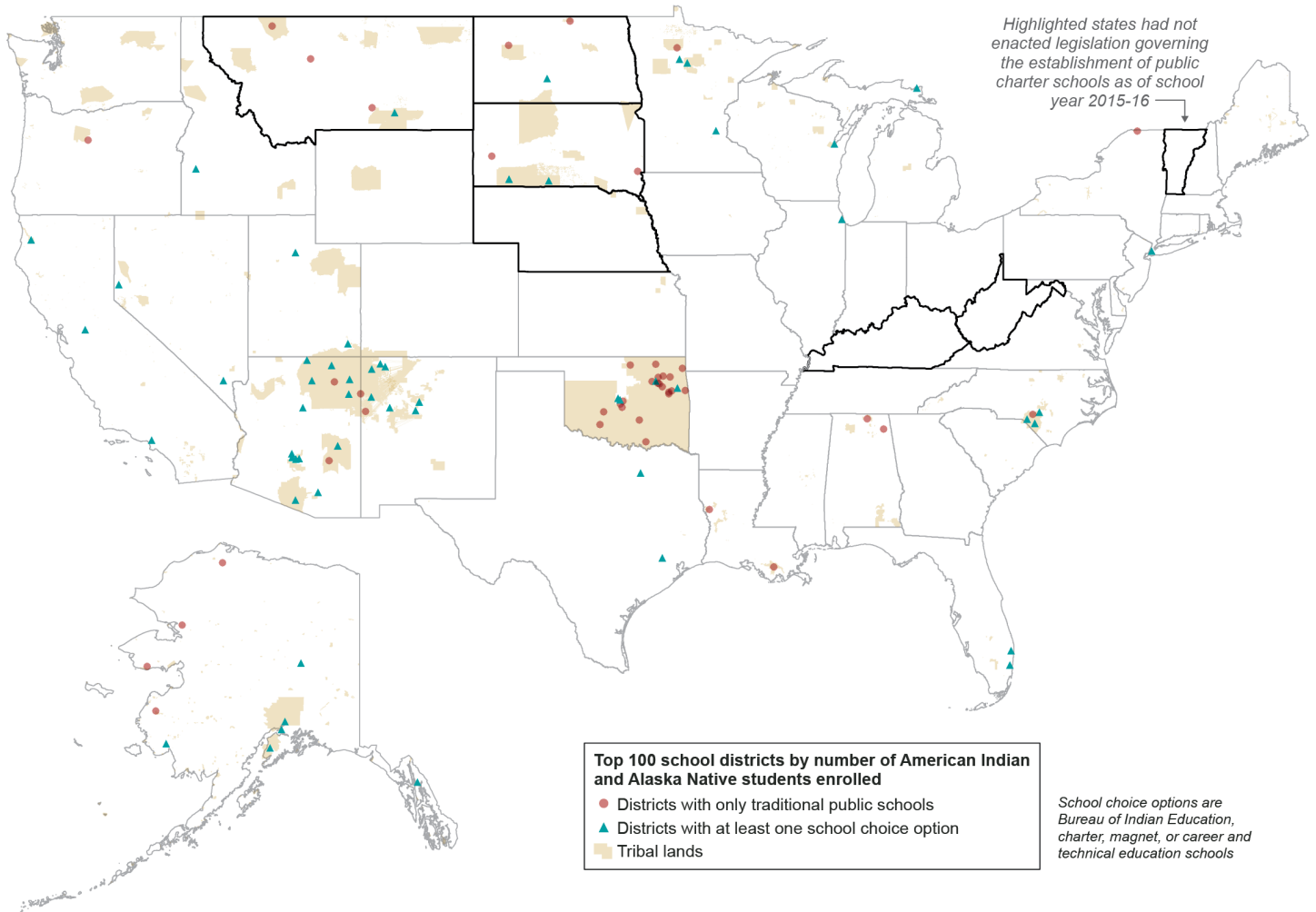
teachers. We have also reported on how limited broadband internet access and poor road conditions on tribal lands can affect educational opportunities for Indian students in rural areas regardless of the type of school they attend.⁷

Districts with the Largest Number of American Indian and Alaska Native Students Had More Public School Options

As previously noted, we also analyzed Education data from the 100 school districts with the largest number of Indian students. Some of these districts were located in large urban areas and a majority had at least one other option in addition to traditional public schools (see fig. 6).

⁷See GAO, *Broadband Internet: FCC's Data Overstate Access on Tribal Lands*, [GAO-18-630](#) (Washington, D.C. September 7, 2018) and *Tribal Transportation: Better Data Could Improve Road Management and Inform Indian Student Attendance Strategies*, [GAO-17-423](#) (Washington, D.C. May 22, 2017).

Figure 6: Map of the 100 School Districts with the Largest American Indian and Alaska Native Student Populations, School Year 2015-16

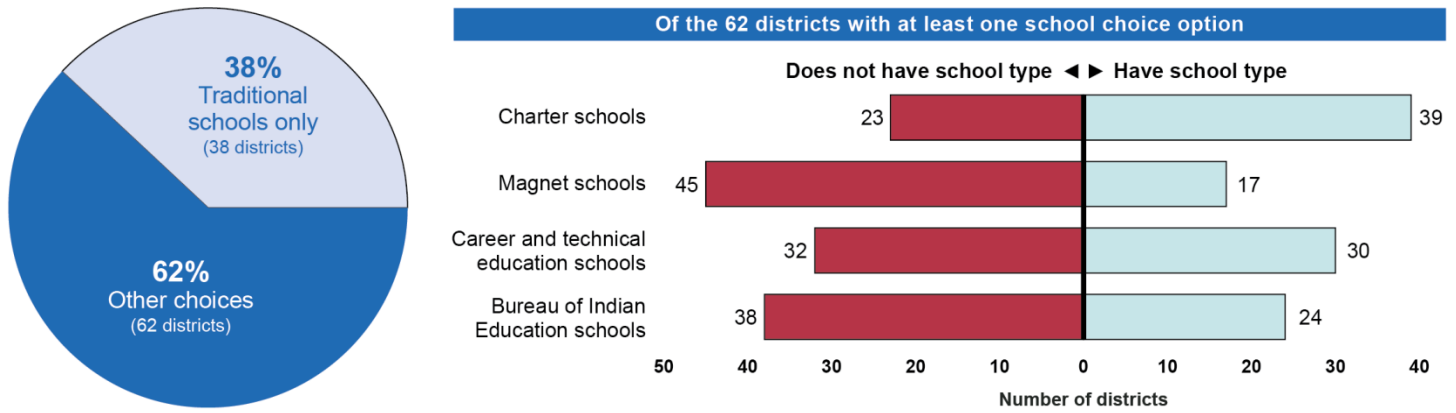


Source: GAO analysis of Department of Education, Common Core of Data (CCD), and U.S. Census Bureau data. | GAO-19-226

Note: Tribal lands include federally- and state-recognized Indian reservations, federally-recognized off-reservation trust land areas, and tribal statistical areas. Information on state charter school legislation is from the Department of Education. We did not independently review state laws and regulations.

Of these 100 districts, 62 offered at least one option other than a traditional public school, with the most common option being charter schools (see fig. 7).

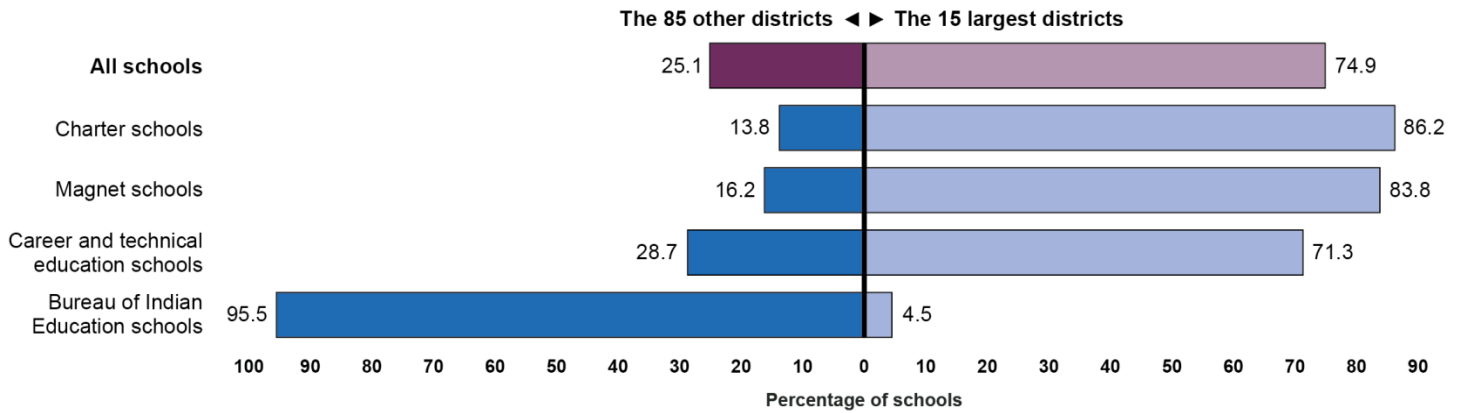
Figure 7: School Choice Options in the 100 School Districts with the Largest American Indian and Alaska Native Student Populations, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD). | GAO-19-226

With regard to the individual schools within the 100 districts with the largest number of Indian students, we found that 75 percent of the schools were concentrated in just 15 school districts. These 15 districts had the largest overall student enrollments and were in urban areas such as New York City, Los Angeles, and Albuquerque. As shown in figure 8, the majority of charter, magnet, and CTE schools were located in these 15 largest districts. In contrast, nearly all BIE schools were located in the 85 other districts. As noted previously, BIE schools are predominantly in rural areas, and serve students who reside on or near Indian reservations.

Figure 8: Distribution of School Choice Options in the 100 School Districts with the Largest American Indian and Alaska Native Student Populations, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD). | GAO-19-226

Though school districts in urban areas offered more school choice options than school districts in non-urban areas, experts said Indian students in urban areas sometimes feel isolated in their schools and communities. They noted that Indian students often account for a small percentage of all students in large urban districts and their schools are less likely to have curricula that reflect their cultural identity or provide instruction on Native languages. In the 15 largest of the 100 districts in our analysis, Indian students represented less than 5 percent of all students in each district and in some cases represented as few as 0.2 percent. In the 46 urban school districts in the 100 districts with the largest number of Indian students, just 3 districts had an Indian student enrollment greater than 25 percent.

American Indian and Alaska Native Student Enrollment in Public School Options Varied by School District

Even when Indian students had more school choice options, there was no consistent enrollment pattern across districts with large numbers of Indian students. In about a quarter of the districts that had at least one charter school, Indian students enrolled in charter schools in similar percentages as non-Indian students. In the remaining districts, enrollment patterns varied. For example, in one school district near Boise, Idaho and another near Fairbanks, Alaska, Indian students attended charter schools at higher percentages than their peers by 60 percentage points and 6 percentage points, respectively. Whereas, in other districts, such as one district near Flagstaff, Arizona and another near Salt Lake City, Utah,

Indian student enrollment in charter schools was lower than their peers by 18 percentage points and 6 percentage points, respectively.

Similarly, Indian student enrollment in magnet schools varied across the 17 districts with those schools. In 10 of these districts, Indian students attended magnet schools at lower percentages than non-Indian students. For example, in one district near Sault Ste. Marie, Michigan and another district near Broward County, Florida, Indian student enrollment in magnet schools was lower than their peers by 12 percentage points and 3 percentage points, respectively. In the other 7 districts, Indian students attended magnet schools at higher percentages than non-Indian students. For example, in one district near Stockton, California and another near Minneapolis, Minnesota, Indian student enrollment in magnet schools was higher than their peers by 17 and 9 percentage points, respectively.

Whether Indian students enrolled in different types of schools could be a function of local differences in school choice and could be influenced by the extent to which these schools offered curricula that reflect Indian languages, cultures, or histories. Experts with whom we spoke said that in some areas, tribes have more control over education for Indian students, which can increase the tribe's ability to influence curricula and accountability metrics to help meet Indian students' academic and non-academic needs. Experts further noted that many districts with high percentages of Indian students are located near tribal lands, which can offer Indian students living there greater access to culturally-relevant curricula and instruction in Native languages than their peers in urban locations. In 2015, the National Indian Education Study reported that in schools where Indian students represented at least one-quarter of the students, a higher percentage of Indian students reported knowledge of their heritage or reported they received instruction in Native languages compared to peers attending schools with lower percentages of Indian students. Several tribal leaders and experts in Indian education said that access to culturally-relevant curricula and language instruction is crucial to strengthening, rebuilding, and sustaining Indian cultures and communities.

In addition, experts noted that tribes sometimes seek to operate or oversee schools for Indian youth. For example, Oklahoma allows federally recognized tribes to authorize charter schools. In other states with charter school legislation, experts told us that tribes often must work through state charter school authorizers if they wish to open charter schools. BIE officials and Indian education experts also said that areas with BIE schools offer opportunities for tribes to exercise more control

over education by converting the school from BIE-operated to tribally-operated. One tribal leader said the tribe was exploring this option in order to increase the tribe's autonomy over its students' education. Education has federal-level program offices that provide support to states and school districts related to school choice generally and Indian education specifically. Education recently finalized changes to its Charter Schools Program that will give priority to grantees seeking funding opportunities that would specifically serve the educational needs of Indian students.

Finally, some urban school districts with large numbers of Indian students have district-level offices designed to work directly with Indian students and their families and to liaise between the school district and nearby tribes. Access to these resources, among other things, may help Indian students and families select a school that will best meet the student's academic and non-academic needs, according to Indian education experts we interviewed.

Agency Comments and Our Evaluation

We provided a draft of this report to the Department of Education (Education) for review and comment. We also provided a copy to the Department of the Interior's Bureau of Indian Education (BIE).

Education's comments are reproduced in appendix III. Education also provided technical comments, which we incorporated as appropriate. In its written comments, Education suggested that, given the eligibility requirements to attend BIE schools, it is possible for Indian students to have greater access to educational choice than their non-Indian peers in some areas. This observation is consistent with the findings of our report, which showed that in school districts with high percentages of Indian students and school options, the most common option was a BIE school (see fig. 4). However, 84 percent of these districts offered only traditional public schools. Nearly all of these districts were located in rural areas and, as we reported, have few school options.

Education expressed concern that our analysis does not appropriately reflect the full spectrum of education choice options available to Indian students, particularly private schools. They stated it would be helpful to understand how we determined that Education's Private School Universe Survey (PSS) was not reliable for the purposes of mapping specific locations of private schools. We clarified our rationale in appendix I. Specifically, according to Education's PSS survey documentation, the PSS was based on a sample of private schools, not the universe. The

official in Education's National Center for Education Statistics (NCES) who is responsible for the PSS told us that the PSS sample contained only about half of the private schools in the nation, which would not allow for comprehensive mapping of private schools.

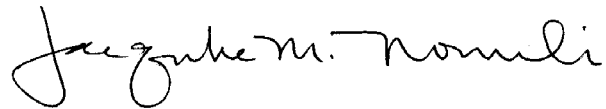
We further explored using the broader list of private schools from which Education draws the PSS sample. The PSS documentation shows that about 30 percent of this list (more than 10,000 entities) were not private schools. We confirmed this information with the same NCES official, who explained that entities that are not private schools are filtered out through NCES's survey process. Based on our review of the PSS survey documentation and methods and our interviews with cognizant NCES officials, we determined that it would not be possible to use PSS data to comprehensively and accurately map the locations of these private schools nationally or in specific areas with large Indian student populations. However, as we indicated in the draft report on which Education commented, the PSS contains information on a large number of private schools and we determined that it can provide reliable data for some variables other than the specific locations of private schools, including the total number of students attending private schools disaggregated by race and ethnicity. As discussed, we used the PSS for such purposes in this report.

In its comments, Education also encouraged us to further explore specific examples of school options that have a mission to address the unique educational needs of Indian students. We reviewed several relevant studies as part of our work, including some related to the sources Education suggested. However, an in-depth review of specific examples was outside the scope of our work.

As agreed with your offices, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the report date. At that time, we will send copies to the appropriate congressional committees, the Secretary of Education, and other interested parties. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (617) 788-0580 or nowickij@gao.gov. Contact points for our Offices

of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix IV.

A handwritten signature in black ink that reads "Jacqueline M. Nowicki". The signature is written in a cursive style with a large initial 'J' and 'M'.

Jacqueline M. Nowicki, Director
Education, Workforce, and Income Security Issues

Appendix I: Objectives, Scope, and Methodology

This report examines the public school choice options located in areas with large populations of American Indian and Alaska Native students, collectively referred to as Indian students.

To conduct this work, we analyzed the Department of Education's (Education) national data on K-12 public schools from the Common Core of Data (CCD) for school year 2015-16 (the most recent available). Education's National Center for Education Statistics administers the CCD survey annually to collect a range of data from all public schools and districts in the nation, including student demographics (e.g., race or ethnicity) and school characteristics (e.g., school type, such as a charter or magnet school). State educational agencies supply these data for their schools and school districts.¹ We determined the data we analyzed were sufficiently reliable for the purposes of this report by reviewing documentation, conducting electronic testing, and interviewing officials from Education's National Center for Education Statistics.

To inform all aspects of our work, we interviewed federal officials from Education, the Bureau of Indian Education (BIE), and the White House Initiative on American Indian and Alaska Native Education. We interviewed or received input from representatives from several organizations that represent or advocate on behalf of Indian students and tribes, such as the National Indian Education Association, the National Advisory Council on Indian Education, the National Congress of American Indians, and the Tribal Education Departments National Assembly. We also heard from some tribal leaders who provided non-generalizable perspectives on Indian education, school choice, and academic achievement. We met with academic subject matter experts, as well as other relevant nonfederal organizations, such as ExcelinEd, the National Alliance for Public Charter Schools, and the U.S. Conference of Catholic Bishops, to discuss issues related to school choice for Indian students.

¹Tribes determine their own membership criteria. CCD data related to race and ethnicity come from administrative records, such as a parent or guardian self-reporting a child's race or ethnicity when enrolling in school. As a result, CCD data for American Indian and Alaska Native students may not align with tribal membership requirements and counts of students may differ across datasets.

Defining Areas with Large Populations of Indian Students

We focused our analyses on two subsets of public school districts with large Indian student populations, as follows:

1. Public school districts in which Indian students accounted for 25 percent or more of all students in the district. We refer to school districts that met this threshold as having a “high percentage” of Indian students. It is consistent with Education’s definition of a “high-density” school for Indian students which the agency uses in its National Indian Education Study.
2. The top 100 public school districts by number of Indian students enrolled. We refer to school districts that met this threshold as having the “largest number” of Indian students. This threshold allowed us to examine school choice in areas where large numbers of Indian students live, but may not represent a high percentage of all students. Education has similarly reported CCD data for the 100 public school districts with the largest number of students enrolled.

School Types in Our Analysis

The CCD collects data on public school type in two ways:

1. Schools are categorized as regular public schools, special education schools, career and technical education schools, or alternative/other schools based on the school’s curriculum or population served.² See table 1 for definitions for each of these categories.

Table 1: Definitions of Public School Types in the Department of Education’s Common Core of Data, School Year 2015-16

Public school type	Definition
Regular school	A public elementary or secondary school providing instruction and education services that does not focus primarily on special education, career and technical education, or alternative education.

²The CCD also includes a category “reportable program.” Education’s guidance noted that reportable programs are not schools. Therefore, we excluded reportable programs from our analysis.

Public school type	Definition
Special education school	A public elementary or secondary school that focuses primarily on special education—including instruction for any of the following students with: autism, deaf-blindness, developmental delay, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, serious emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment, and other health impairments—and that adapts curricula, materials, or instruction for students served.
Career and technical education	A public elementary or secondary school that focuses primarily on providing formal preparation for semiskilled, skilled, technical, or professional occupations for high school-age students who have opted to develop or expand their employment opportunities, often in lieu of preparing for college entry.
Alternative/other school	A public elementary or secondary school that (1) addresses needs of students that typically cannot be met in a regular school; (2) provides nontraditional education; (3) serves as an adjunct to a regular school; or (4) falls outside the categories of regular, special education, or career and technical education.

Source: Department of Education, Common Core of Data. | GAO-19-226

- In addition to the above categories, schools can have additional statuses, which are not mutually exclusive. These statuses include magnet school, charter school, and virtual school.³ See table 2 for definitions for each of these school statuses.

Table 2: Definitions of Public School Statuses in the Department of Education’s Common Core of Data, School Year 2015-16

Public school status	Definition
Magnet school	A magnet school is a special school designed to attract students of different racial or ethnic backgrounds for the purpose of reducing, preventing, or eliminating racial isolation (50 percent or more minority enrollment); and/or to provide an academic or social focus on a particular theme (e.g., science and math, performing arts, gifted and talented, or foreign language).

³The CCD also includes a status for “shared-time” schools where students may attend the school for a portion of their day, such as a career and technical education school. Education’s guidance indicated that students are only counted as members of one school in the CCD—their home school of record—and consequently, enrollment data for schools with shared-time status may understate the number of students served by the school.

Public school status	Definition
Charter school	A charter school is a school providing free public elementary or secondary education to eligible students under a specific charter granted by the state legislature or other appropriate authority, and it is designated by such authority to be a charter school.
Virtual school	A virtual school is a public school that only offers instruction in which students and teachers are separated by time or location, and interaction occurs via computers or telecommunications technologies. A virtual school generally does not have a physical facility that allows students to attend classes on site.

Source: Department of Education, Common Core of Data. | GAO-19-226

Because the CCD collects public school type data in two ways, we sorted schools based on the combination of school types and statuses to develop distinct categories for our analysis. Table 3 outlines the combinations of CCD school type and status, along with the corresponding category we used in our analysis. For reporting purposes, we used the term “traditional school” in place of “regular school” to be consistent with our prior reports on K-12 education issues that analyzed the CCD and other Education datasets.

Table 3: Public School Types Used in Analysis of the Department of Education’s Common Core of Data (CCD), School Year 2015-16

GAO category	CCD school type	CCD school status
Traditional school	Regular	None
Charter school	Regular	Charter school status only
Magnet school	Regular	Magnet school status only
Charter and magnet school	Regular	Charter school and magnet school status
Career and technical education school	Career and technical education	Any status or combination of statuses
Virtual school	Regular	Virtual school status, and any additional statuses
Other school	Alternative/other or special education school	Any status or combination of statuses

Source: GAO. | GAO-19-226

In addition to the school types listed above, we included BIE schools in our analysis because they may provide a unique school option in some areas with large populations of Indian students. Data on the location of BIE schools were captured in the 2015-16 CCD. BIE also provided us with enrollment data for its schools, which we reviewed to determine that

the presence of BIE schools did not affect our analysis of Indian student enrollment in other types of schools.

We focused our analysis on (1) traditional public schools, (2) charter schools, (3) magnet schools, (4) career and technical education schools, and (5) BIE schools. Traditional public schools provided a baseline from which to compare other school choices in a given school district. We referred to the other four school types as “school choice options” collectively. We considered a school district as having school choice options if the district included at least two schools in total, and offered at least two of the five school types in our analysis. We compared school districts with school choice options to school districts that had only traditional public schools.

In school districts with high percentages of Indian students, there were no schools that reported having both charter and magnet school status. In the 100 school districts with the largest number of Indian students, there were 6 school districts that reported a total of 17 schools as having both charter and magnet status. This did not affect our analysis of school districts with school choice options because each of those 6 districts had at least one additional school that had only charter status and at least one additional school that had only magnet status in school year 2015-16.

We excluded special education schools, alternative/other schools, and schools flagged as state-operated juvenile justice facilities from our data analysis because those schools limited enrollment and could not be classified as a choice. We did not consider virtual schools in our analysis because, as defined in the CCD, these schools generally do not have a physical facility, which limits the ability to ascribe a virtual school to a specific location or school district. Similar limitations would apply to studying homeschooling or non-public online educational options, which are not captured in the CCD. We also excluded schools that were reported closed, inactive, or not yet opened in 2015-16.

As noted previously, we focused our analyses on (1) school districts with high percentages of Indian students and (2) the 100 school districts with the largest number of Indian students. In school year 2015-16, there were 453 school districts with high percentages of Indian students. However, in our analysis we found one school district with a high percentage of Indian students that did not offer any traditional, charter, magnet, career and technical education, or Bureau of Indian Education schools, and one school district that offered one magnet school, but no other schools. We excluded these two districts from our analysis because they did not offer

any choice as described above. After excluding these two districts, there were 451 school districts with high percentages of Indian students in our analysis. In total, and after accounting for overlap among school districts that had both high percentages and large numbers of Indian students, our analysis included 259,033 students—51 percent of all Indian students attending public schools in school year 2015-16—across 504 school districts.

We did not consider private schools in our analysis. Education collects biennial data on private schools through its Private School Universe Survey (PSS), which we determined was a reliable dataset for describing aggregate data on the total number of Indian students that attended private schools in school year 2015-16. However, we determined the data were not sufficiently reliable for analysis of the specific locations of private schools. Unlike the CCD which captures data on the universe of public schools, the PSS is based on a sample of private schools, according to Education's PSS survey documentation. The official in Education's National Center for Education Statistics (NCES) who is responsible for the PSS told us that the PSS sample captured only about half of the private schools in the nation. We further explored using the broader list of private schools from which Education draws the PSS sample, however the PSS documentation showed that this list contained more than 10,000 entities—or 30 percent of the entire list—that were not private schools. We confirmed this information with the same NCES official. Based on our review of the PSS documentation, as well as our discussions with cognizant NCES officials, we determined that it would not be possible to use the PSS data to comprehensively and accurately map the locations of these private schools nationally or in specific areas with large Indian student populations.

To analyze school choice options in school districts with large Indian student populations, we analyzed all relevant schools within the public school district's geographic boundary regardless of the administrative school district it was assigned to in the CCD. This allowed us to account for all public schools and BIE schools in a given area that could be an option for Indian students. It was necessary because, for example, charter schools or BIE schools are sometimes recorded in the CCD as their "own district," i.e., separate from the public school district for a given area because of the local public school administrative structure.

We further examined school choice based on a school district's location in urban and rural areas. The CCD collects location data using classifications ranging from large cities to remote rural areas. For

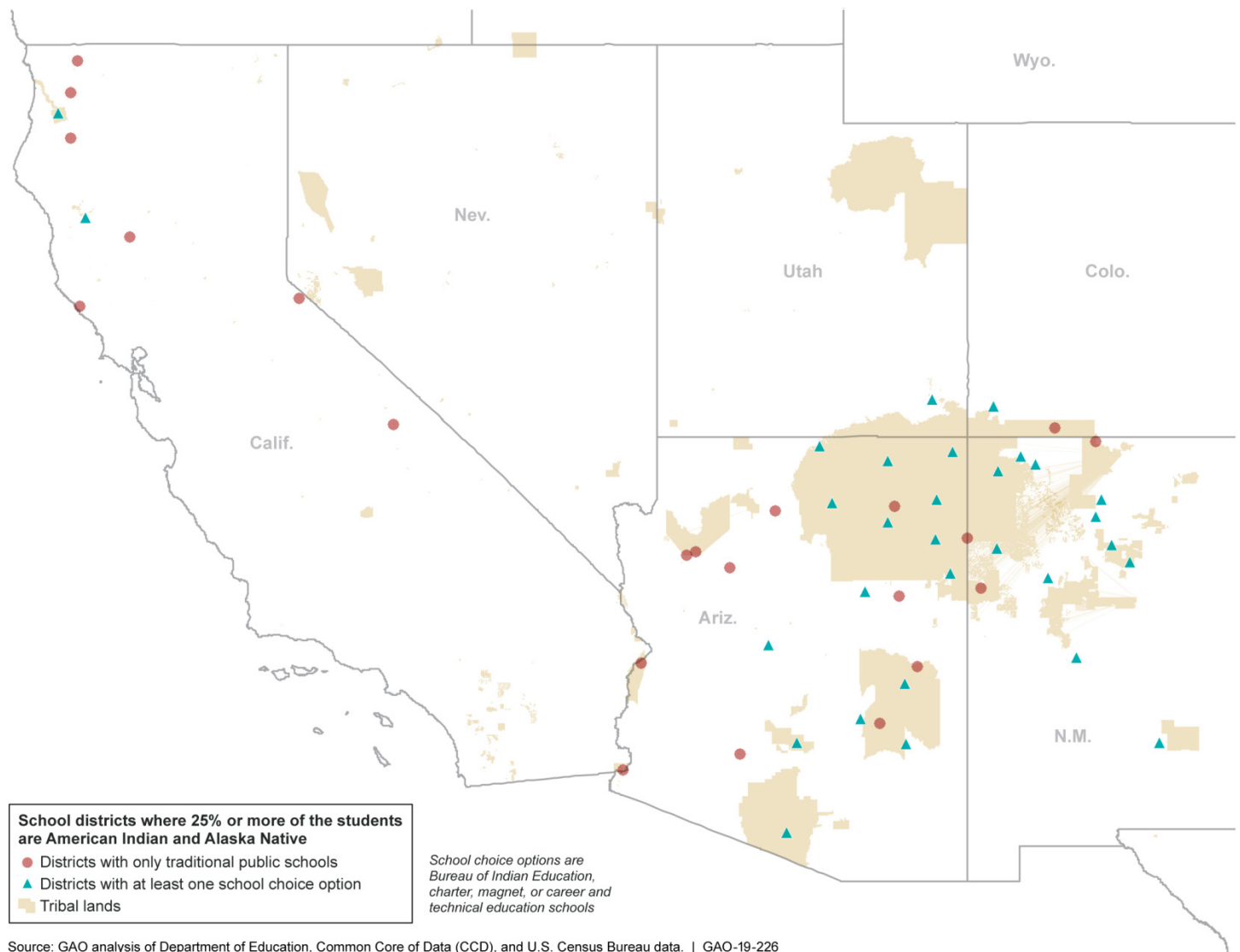
analysis, we collapsed these classifications into two categories, consistent with Education's analyses: (1) urban areas, i.e., locations classified as cities or suburbs, and (2) rural areas, i.e., locations classified as towns or rural.⁴

⁴For more information on location classifications used by Education's National Center for Education Statistics, see <https://nces.ed.gov/programs/edge/Geographic/LocaleBoundaries>.

Appendix II: Additional Maps

This appendix contains maps of selected regions of the country to provide a more in-depth view of the school choice options available in school districts in which American Indian and Alaska Native students accounted for 25 percent or more of all students in the district.

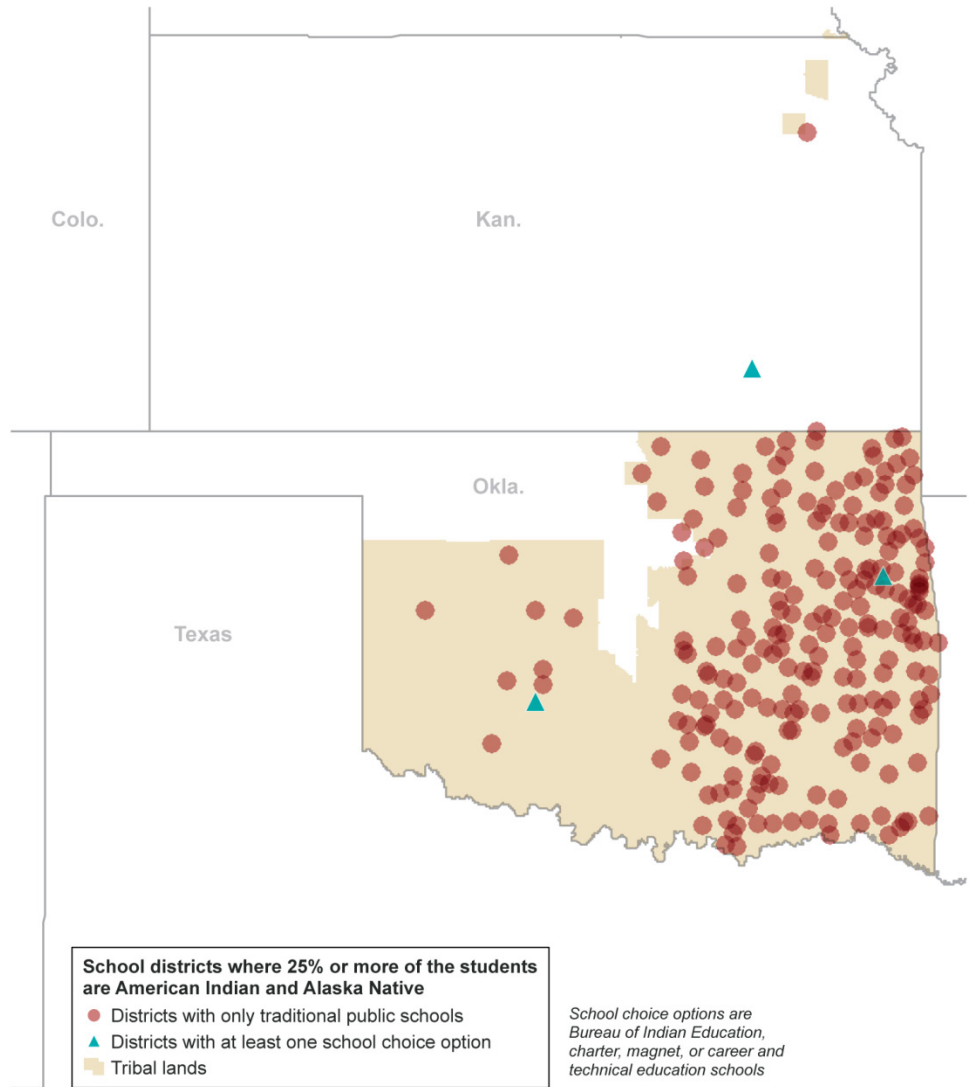
Figure 9: Map of School Districts with American Indian and Alaska Native Student Enrollment of at Least 25 Percent, Southwest United States, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD), and U.S. Census Bureau data. | GAO-19-226

Note: Tribal lands include federally- and state-recognized Indian reservations, federally-recognized off-reservation trust land areas, and tribal statistical areas.

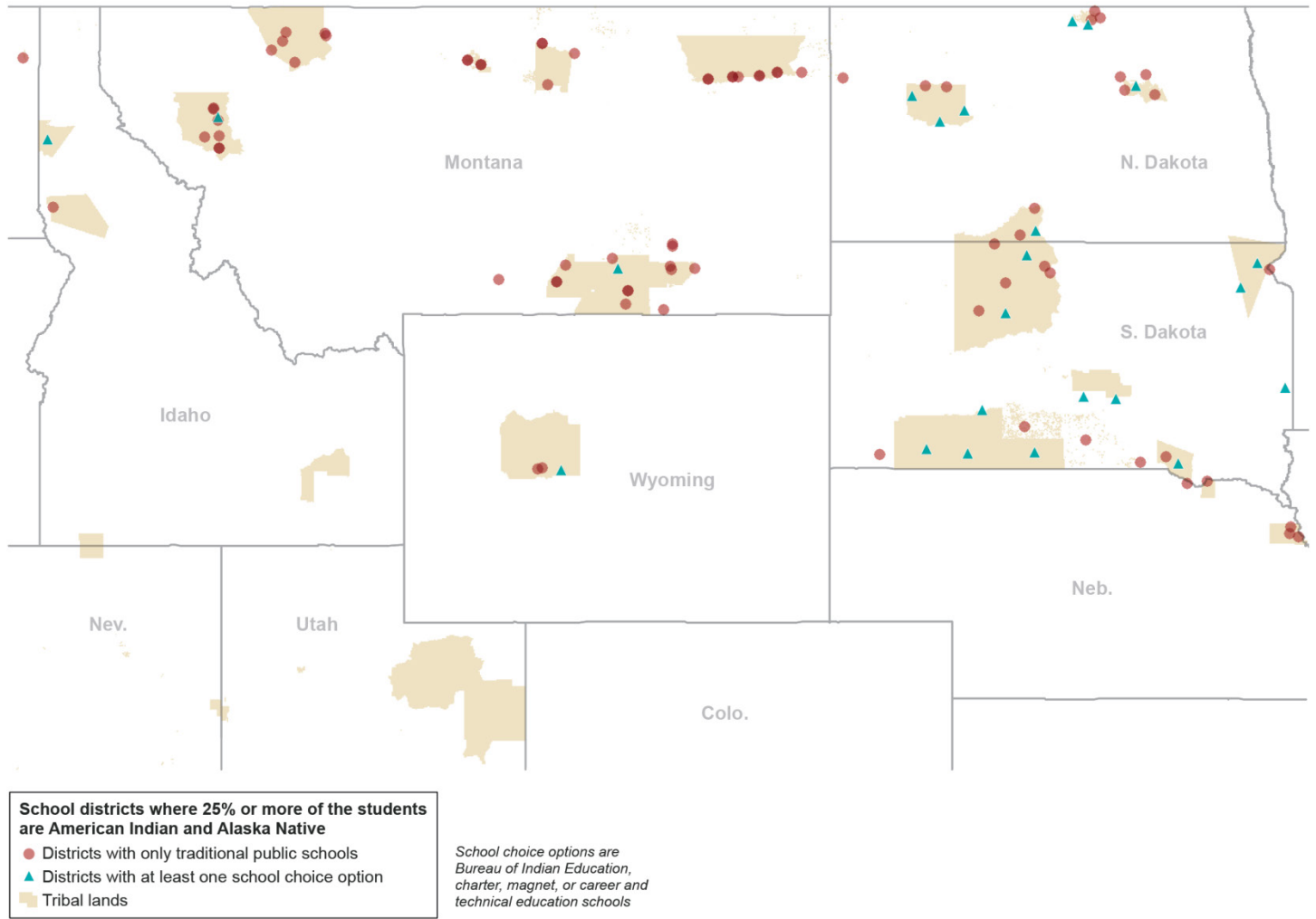
Figure 10: Map of School Districts with American Indian and Alaska Native Student Enrollment of at Least 25 Percent, Oklahoma and Kansas, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD), and U.S. Census Bureau data. | GAO-19-226

Note: Tribal lands include federally- and state-recognized Indian reservations, federally-recognized off-reservation trust land areas, and tribal statistical areas.

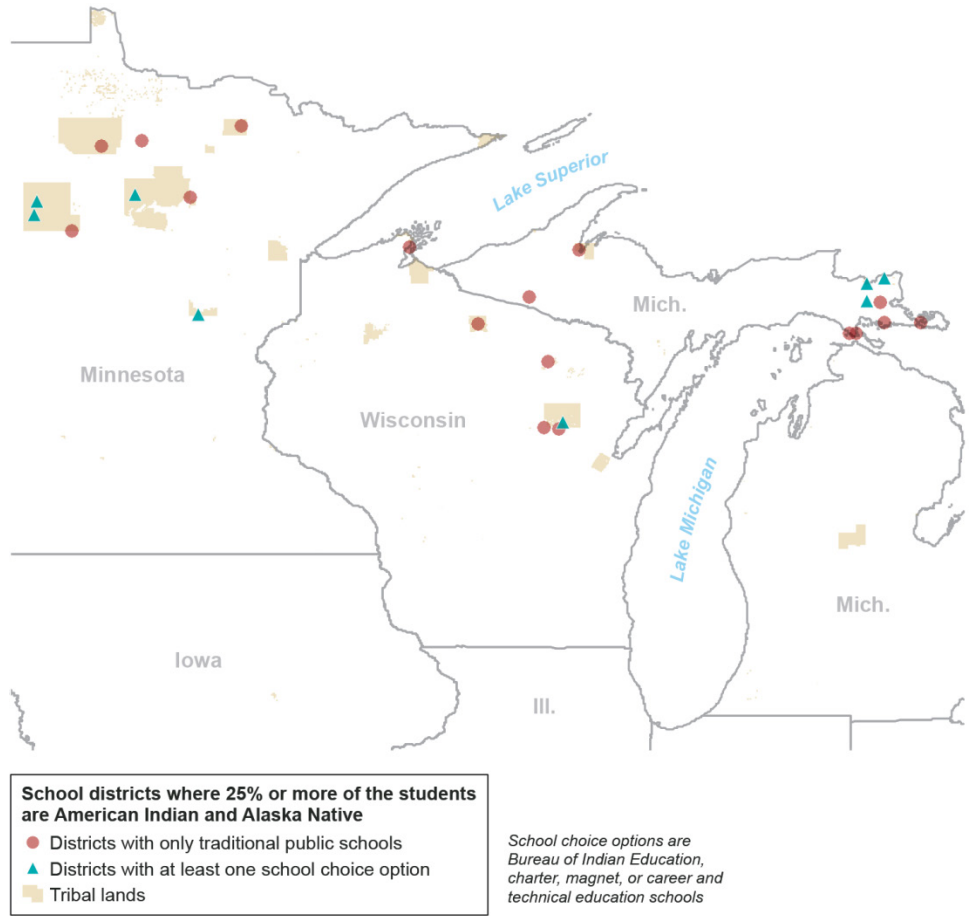
Figure 11: Map of School Districts with American Indian and Alaska Native Student Enrollment of at Least 25 Percent, Northern United States, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD), and U.S. Census Bureau data. | GAO-19-226

Note: Tribal lands include federally- and state-recognized Indian reservations, federally-recognized off-reservation trust land areas, and tribal statistical areas.

Figure 12: Map of School Districts with American Indian and Alaska Native Student Enrollment of at Least 25 Percent, Great Lakes Region, School Year 2015-16



Source: GAO analysis of Department of Education, Common Core of Data (CCD), and U.S. Census Bureau data. | GAO-19-226

Note: Tribal lands include federally- and state-recognized Indian reservations, federally-recognized off-reservation trust land areas, and tribal statistical areas.

Appendix III: Comments from the Department of Education



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 7, 2019

Ms. Jacqueline M. Nowicki
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Nowicki:

I am pleased to provide the U.S. Department of Education's (ED's) response to the Government Accountability Office's (GAO) draft report GAO-19-226, *Public School Choice: Limited Options Available for Many American Indian and Alaska Native Students*. We understand that GAO conducted this report to examine K-12 education choice options for American Indian and Alaska Native students (Indian students). We appreciate the opportunity to review this draft GAO report and offer the following feedback for consideration:

1. It is important to contextualize findings on the availability of options for Indian students with the availability of options for all students. GAO reports, "Few areas provide American Indian and Alaska Native students (Indian students) school choice options other than traditional public schools." Specially, GAO found 16 percent of districts with a "high percentage" of Indian students, which were mostly located in rural areas near tribal lands, had at least one BIE school, charter school, magnet school, or CTE school. Sixty-two of the 100 districts with the largest number of Indian students, which were mostly located in large urban areas, offered at least one option other than a traditional public school. Considering GAO found charter schools accounted for only 6 percent of all public schools in school year 2015-16 and the presence of BIE school options, it is possible Indian students have greater access to education choice than their non-Indian peers.
2. ED is also concerned that the scope of GAO's analysis of education choice options does not appropriately reflect the full spectrum of education choice options available to Indian families, including private, home, online, and less-than-full-time options. For instance, the draft report omits private schools from its analysis, determining that the Private School Universe Survey (PSS) "data were not sufficiently reliable to map the specific locations of private schools." Private school is an important education option, as supported by the existence of state-level private education choice programs in 26 states, the District of Columbia, and Puerto Rico. (For example, note Arizona's Empowerment Scholarship Accounts program specifically includes children living on a Native American reservation as eligible.)

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- In the absence of the use of PSS data in this report, it would be helpful to understand how GAO made its determination that such data were unreliable.
 - PSS variables include latitude and longitude, and the 2015–16 PSS response rate was 75.7% (<https://nces.ed.gov/pubs2017/2017073.pdf#page=13>). Thus, it is presumable that approximately 75.7% of the private schools nationwide could be geographically mapped.
 - Additionally, NCES has address data for non-respondents, from which latitude and longitude could be produced.
 - Please also note ED is currently exploring concrete ways to improve our geocoded data.
- There are also multiple independent resources that successfully mapped the location of private school options that could be relevant to the study.
 - EducationNext estimated the percentage of families with school-age children that have different kinds of elementary schools within one, two, five, or ten miles, studying access to public charter schools, private schools, and intradistrict and interdistrict open enrollment. (<https://www.educationnext.org/who-could-benefit-from-school-choice-mapping-access-public-private-schools/>)
 - The Fordham Institute recently updated its interactive website (<https://edexcellence.net/charter-school-deserts>), which maps the locations of “charter school deserts” across the country, to include private schools. Of particular interest, Fordham’s new report finds evidence that private education choice programs “serve as oases in the charter school deserts on our map.” (<https://edexcellence.net/publications/do-private-schools-serve-as-oases-in-charter-school-deserts>)
 - EdChoice has mapped private schools in Mississippi, New Hampshire, Oklahoma, South Carolina, and more. (<https://www.edchoice.org/blog/>)

In addition, homeschool and non-public online school students are also absent from the analysis. It also omits less-than-full-time education options, which can supplement course offerings or services that may be missing from a local school and may be especially important in rural areas. Such education options may include course choice including remedial, advanced, and elective courses, educational services and therapies for students with disabilities,¹ private tutoring, dual enrollment and apprenticeship programs, summer or specialized after-school education programs, and more.

3. GAO writes “Several tribal leaders and experts in Indian education said that access to culturally-relevant curricula and language instruction is crucial to strengthening, rebuilding, and sustaining Indian cultures and communities.” Thus, ED encourages GAO to further

¹ Any services to students with disabilities in public schools or placed in a private school by a public agency as a means of providing special education and related services would need to be supplemental to the services identified in a student’s individualized education program.

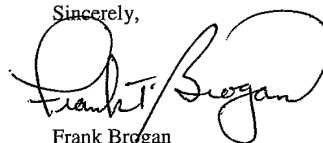
explore specific education choice options that have a mission to address the unique educational needs of Native American students, such as through the use of instructional programs and teaching methods that reflect and preserve Native American language, culture, and history. Two additional sources follow.

- Specifically, ED funded a case study on the Native American Community Academy (NACA), which grew its culturally-responsive, community-led model into the NACA Inspired Schools Network (NISN), an Indigenous Education Network.
(<https://charterschoolcenter.ed.gov/case-study/deep-community-engagement-native-american-community-academy-naca>)
- Since GAO also finds that many districts with a “high percentage” of Indian students have greater access to culturally relevant curricula and instruction than urban districts with the “largest number” of Indian students, it makes sense to spotlight culturally relevant urban charter schools. National Alliance for Public Charter Schools recently released a report analyzing data on public charter schools serving a high-concentration of Native youth and those operating on tribal lands.
(<https://www.publiccharters.org/charter-schools-and-native-students-report>)

Please note that the outside sources above are presented as examples of information only, and are not an exhaustive or exclusive list. In addition, their inclusion should not imply Department endorsement, and the Department is not responsible for the completeness or accuracy of the data in those external sources.

In addition, we also are sending several technical comments.

Sincerely,



Frank Brogan
Assistant Secretary for
Elementary and Secondary Education

Appendix IV: GAO Contact and Staff Acknowledgments

GAO Contact

Jacqueline M. Nowicki, (617) 788-0580, nowickij@gao.gov

Staff Acknowledgments

In addition to the contact named above, Bill Keller (Assistant Director), David Watsula (Analyst-in-Charge), Susan Aschoff, James Bennett, Deborah Bland, Connor Kincaid, Jean McSween, John Mingus, James Rebbe, and Leanne Violette made key contributions to this report.

Related GAO Products

Private School Choice: Requirements for Students and Donors Participating in State Tax Credit Scholarship Programs. [GAO-18-679](#). (Washington, D.C.: September 18, 2018).

Broadband Internet: FCC's Data Overstate Access on Tribal Lands. [GAO-18-630](#). (Washington, D.C.: September 7, 2018).

Native American Youth: Involvement in Justice Systems and Information on Grants to Help Address Juvenile Delinquency. [GAO-18-591](#). (Washington, D.C.: September 5, 2018).

High Risk: Agencies Need to Continue Efforts to Address Management Weaknesses of Federal Programs Serving Indian Tribes. [GAO-18-616T](#). (Washington, D.C.: June 13, 2018).

Private School Choice: Federal Actions Needed to Ensure Parents are Notified about Changes in Rights for Students with Disabilities. [GAO-18-94](#). (Washington, D.C.: November 16, 2017).

Tribal Transportation: Better Data Could Improve Road Management and Inform Indian Student Attendance Strategies. [GAO-17-423](#). (Washington, D.C.: May 22, 2017).

School Choice: Private School Choice Programs Are Growing and Can Complicate Providing Certain Federally Funded Services to Eligible Students. [GAO-16-712](#). (Washington, D.C.: August 11, 2016).

Indian Affairs: Bureau of Indian Education Needs to Improve Oversight of School Spending. [GAO-15-121](#). (Washington, D.C.: November 13, 2014).

Indian Affairs: Better Management and Accountability Needed to Improve Indian Education. [GAO-13-774](#). (Washington, D.C.: September 24, 2013).

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