

Press Conference Remarks of Kathryn Eidmann

“The U.S. government’s longstanding failure to provide even the most basic education to Havasupai students is a stain on our national conscience. The conditions at the Havasupai school deny to these students the fundamental access to education that children throughout our country take for granted.

By way of example only, the school teaches only two subjects – math and English. There is no science, no social studies, no foreign language, no PE, no arts instruction provided. As a result of constant unfilled teacher positions and insufficient staffing, the school has shut down when it was supposed to be in session, and classrooms have been covered by a janitor and a secretary. And students with disabilities are doubly penalized. Instead of receiving the special education our federal disability laws mandate, these students are physically excluded from the school and criminalized. Some special-needs students are sent home from school nearly every day, while others are placed on “homebound” schedules where they receive as little as three hours of instruction per week for years at a time.

The federal government’s failures have come at devastating cost to the futures of Havasupai children. Students at Havasupai performed at only the 1st percentile in reading and 3rd percentile in math, dead last of among BIE schools by a large margin. And students fall farther behind the longer they attend the school. The education provided is so deficient that after completing eighth grade at Havasupai Elementary School, many students are not even eligible for admission to high schools operated by the BIE.

The U.S. government has been aware of these disgraceful conditions for years. Federal officials have called the BIE schools “the epitome of broken,” “utterly bankrupt,” an “embarrassment” and a “complete failure.” Yet, every day these students wake up, go to school, and see that absolutely nothing has changed. This institutional disregard communicates an unmistakable message that these children are disposable, that their education is a responsibility the federal government would rather wash its hands of.

This case seeks, at long last, to hold the federal government accountable for honoring its legal obligations toward Native American students so that all children have the opportunity to learn and fulfil their potential.”

- Kathryn Eidmann, staff attorney at Public Counsel