



All Pueblo
Council of
Governors

Officers:
Mark Mitchell, Chairman
Jerome Lucero, Vice-Chairman
Governor Val Panteah Sr., Secretary

Acoma

Cochiti

Isleta

Jemez

Laguna

Nambe

Ohkay Owingeh

Picuris

Pojoaque

Sandia

San Felipe

San Ildefonso

Santa Ana

Santa Clara

Santo Domingo

Taos

Tesuque

Ysleta del Sur

Zia

Zuni

RESOLUTION
ALL PUEBLO COUNCIL OF GOVERNORS
RESOLUTION NO. APCG 2022-18

Supporting the Establishment of Tribal Education Trust Fund for the Maintenance and Preservation of Our Precious Languages and Traditions

WHEREAS, THE All Pueblo Council of Governors (“APCG”) is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Ysleta del Sur, Zia and Zuni, each having the sovereign authority to govern their own affairs;

WHEREAS, the purpose of the APCG is to advocate, foster, protect and encourage the social, cultural and traditional well-being of the Pueblo Nations;

WHEREAS, the Twenty Pueblos possess inherent government authority and sovereignty over our lands, and sovereignty over the protection of our language, culture and traditions;

WHEREAS, the APCG has recognized through numerous Resolutions its support for the consolidated lawsuit and 2018 court ruling in *Yazzie/Martinez vs. State of New Mexico*, as well as the Tribal Remedy Framework, because New Mexico’s public education system has systemically failed to invest in culturally relevant education for our Native students, threatening the maintenance, preservation and revitalization of the languages of Tewa, Tiwa, Towa, Keres, and Zuni;

WHEREAS, Native students’ dual citizenship, as members of their Pueblo Nations and as citizens of the United States, confers a dual obligation to provide an education that prepares Native students to be college, career and civics ready in both Pueblo and U.S. societies, which entails fluency in Native languages and knowledge of Native cultures and history, and this is recognized in New Mexico law, especially in the Indian Education Act of 2003 and the School Personnel Act of 2003, addressed by the *Yazzie/Martinez* Court in its findings, and consistent with federal policies and laws;

WHEREAS, more than four years after the 2018 *Yazzie/Martinez* court ruling, the education outcomes of Native students in New Mexico’s public schools continue to lag behind all other students’ outcomes, as the state’s education system still fails to provide an equitable, sufficient education to Native students and continues to lack Native American educators and relevant Native language and culture programming;

WHEREAS, more than four years after the *Yazzie/Martinez* court ruling, New Mexico’s Indian Education Act has yet to be fully funded and implemented, almost two decades after its passage into law;

WHEREAS, evidence gathered, as part of the Tribal Remedy Framework, by tribal leadership, tribal community members, tribal families, Native educators, and Native education



All Pueblo Council of Governors

Officers:
Mark Mitchell, Chairman
Jerome Lucero, Vice-Chairman
Governor Val Panteah Sr., Secretary

experts documented that public education is not designed to be inclusive of Native children and their tribal communities, because Native students remain geographically and culturally disconnected from many school-based programs and services, especially after school programs, and because tribal communities have not been able to meaningfully influence public school policy, budgets, and programs;

WHEREAS, Tribal Education Departments often lack the capacity to complement public school programs, services, and infrastructure to support Native students in their tribal communities; and

WHEREAS, the State Legislature has increasingly recognized that Native students need supportive, community-based education programs and services, and has therefore responded to the Tribal Remedy Framework by appropriating one-time funding to Tribes to increase their education capacity and to support Native students with culturally and linguistically relevant programs, such as the \$13.3m appropriation for tribal community-based extended learning in FY23;

WHEREAS, Indian Education continues to be underfunded, with no targeted allocations for Native students or Tribes in the State Equalization Guarantee, and with the Indian Education Fund disbursing only small, short-term grants that the *Yazzie/Martinez* court found unsuitable for developing the capacity and programs that need to be sustained year after year;

WHEREAS, Local Education Agencies receive unrestricted, non-reverting State Equalization Guarantee distributions intended for meeting the needs of all students, including Native students, while Tribal Education Departments receive no such funding and often lack the capacity, staffing, and facilities to use short-term, restrictive grants that are not aligned with tribal education needs and priorities;

WHEREAS, the State's Legislative Finance Committee recognized as early as 2006 that Tribal Education Departments fulfil a similar role and should be treated more like Local Education Agencies, which receive flexible formula funding and can carry over cash balances; and the Legislative Finance Committee also recognized the underrepresentation of Native Americans in school district oversight, which results from a history of voting rights infringements and continues to this day;

WHEREAS, Tribes are experienced in accounting for funding, as they have managed federal funding since the 1975 Self Determination and Education Act, complying with federal regulations, planning, budgeting, and reporting;

WHEREAS, it is not always clear whether Local Education Agencies' spending reaches at-risk student groups, including Native students, and those Local Education Agencies could benefit from having Tribal Education Departments as effective partners in supporting schools and teachers to meet Native students' needs and to complement school-based programming;

WHEREAS, the Indian Education Act's bold but unrealized vision demands a new approach to funding Indian Education that is aligned with the Tribal Remedy Framework and the *Yazzie/Martinez* court findings, and that enables sovereign Tribes to assume shared responsibility for their children's education; and

Acoma

Cochiti

Isleta

Jemez

Laguna

Nambe

Ohkay Owingeh

Picuris

Pojoaque

Sandia

San Felipe

San Ildefonso

Santa Ana

Santa Clara

Santo Domingo

Taos

Tesuque

Ysleta del Sur

Zia

Zuni



All Pueblo
Council of
Governors

Officers:
Mark Mitchell, Chairman
Jerome Lucero, Vice-Chairman
Governor Val Panteah Sr., Secretary

Acoma

WHEREAS, it is in the best interest of the APCG to support the establishment of a Tribal Education Trust Fund for the benefit of our children.

Cochiti

NOW THEREFORE BE IT RESOLVED, that the All Pueblo Council of Governors calls on the Executive and Legislature of the State of New Mexico to establish and invest in a Tribal Education Trust Fund that secures consistent and sustainable education funding for New Mexico's Nations, Tribes, and Pueblos to ensure that Native students can access education infrastructure, services, programs, and supports in their tribal communities, as aligned with the proposals contained in the Tribal Remedy Framework.

Isleta

Jemez

Laguna

BE IT FURTHER RESOLVED, that the All Pueblo Council of Governors maintains its support and commitment to the Tribal Remedy Framework and related legislation, as those proposals are aligned with the responsibilities to preserve our languages, cultures, and traditions, and with the *Yazzie/Martinez* court decision and order and findings of fact, and are consistent with the recommendations resulting from Pueblo Community Education Institutes from which those proposals were drafted and introduced on behalf of our Native children and tribal communities.

Nambe

Ohkay Owingeh

Picuris

BE IT FINALLY RESOLVED, that the APCG Chairman and presiding officers are authorized to pursue efforts in support of a Tribal Education Trust Fund with the State Executive and Legislature to fulfill the intent and purpose of this Resolution.

Pojoaque

Sandia

CERTIFICATION

San Felipe

We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2022-18 was considered and adopted at a duly called council meeting held on 17th day of November 2022, and at which time a quorum was present and the same was approved by a vote of in 15 favor, 0 against, 0 abstain, and 5 absent.

San Ildefonso

Santa Ana

Santa Clara

ALL PUEBLO COUNCIL OF GOVERNORS

Santo Domingo

By: Mark Mitchell
Mark Mitchell, Chairman

Taos

ATTEST:

Tesuque

Ysleta del Sur

By: Val R. Panteah
Governor Val R. Panteah, Secretary

Zia

Zuni