

The Tribal Education Alliance is a coalition of tribal education leaders, experts and advocates that supports New Mexico's tribal leaders in advancing the Tribal Remedy Framework (TRF), a comprehensive plan for meeting the educational needs of Native students and upholding their constitutional rights. The TRF was created collectively by tribal communities and Indigenous education experts and has been endorsed by all of New Mexico's Nations, Tribes and Pueblos.

Tribal Remedy Framework Bills 2022

HB 60 // Native American Language Certificate Salaries (Sponsor: Rep. Derrick Lente)

This bill requires salary parity for Native American language and culture teachers (520 certificate holders), who often get paid much less than other teachers. The bill proposes to:

- Set a minimum salary for Native language teachers equal to that of a level two licensed teacher.
- Clarify that Tribes and Pueblos retain the authority to determine the criteria for certifying Native language and culture teachers, not PED. This ensures respect for tribal sovereignty and recognizes Native languages as essential to sustaining Indigenous communities and their governance systems and institutions.

Appropriation: \$1.25 million for Native language teachers' salaries. Included in PED's budget.

HB 118 // Early Childhood Department & Tribal Agreements (Sponsor: Rep. Lente)

This bill makes it possible for Tribes and Pueblos to contract with the Early Childhood Education and Care Department (ECECD) to deliver tribal early childhood education programs on a Tribe's own terms, using Indigenous education standards. The bill proposes to:

- Allow ECECD to enter into intergovernmental agreements with Tribes, similar to federal self-determination contracts.
- Enable Tribes and Pueblos to receive state funding for self-determined early childhood education programs such as Native language immersion. Only by exercising their education sovereignty can Tribes prevent the assimilation of their youngest children and disrupt over 130 years of forced assimilation.

Appropriation: \$1.4 million for tribal early childhood education. Included in ECECD's budget.

HB 87 // Indian Education Fund Distributions (Sponsor: Rep. Lente)

This bill aligns Indian Education Fund (IEF) distributions with the needs of Native students, their tribal communities, and tribal sovereignty. The IEF has long been underfunded and awards only short-term, restricted grants.

To secure equitable and sustainable funding for tribal education initiatives, this bill proposes to:

- Distribute funding through intergovernmental agreements between PED and Tribes, not through reimbursable grants. Tribes could use this funding flexibly for any of the purposes outlined in the Indian Education Act.
- Distribute no less than 70% of IEF funding to Tribes. Currently, half of all grants go to school districts.
- Distribute funding equitably among Tribes via a formula based on capacity needs and student count.

Appropriation: \$20 million starting in FY24. The LFC's budget includes \$15 million for the IEF.

HB 88 // Yazzie Lawsuit Appropriations (Tribal Community-based Education) (Rep. Lente)

This bill funds tribal community-based education to better meet the needs of Native K-12 students.

To provide Native students with community-based education programs and services, this bill seeks to:

- Increase the capacity of tribal education departments to serve Native students.
- Fund tribal extended learning programs and Native language programs.
- Increase educational programming for Native students at tribal libraries.
- Ensure that funds for tribal education are flexible, non-reverting, and disbursed in ways that respect tribal sovereignty.

Appropriation: \$21.5 million. The LFC's budget includes \$13.3 million for tribal extended learning programs.

HB 89 // Tribal Educational Resource Projects (Sponsor: Rep. Lente)

This bill makes capital investments in tribal education infrastructure to better serve Native students. Tribal libraries function as education hubs for Native students yet lack the facilities to meet increased demand.

To enhance education infrastructure for Native students, this bill proposes:

- New construction, expansion or renovation of tribal libraries and other education facilities, as determined by criteria established by Tribes and Pueblos.

Appropriation: \$89.36 million. In the recent special session, \$10 million were allocated to tribal libraries.

HB 90 // Appropriations for Yazzie Lawsuit (Native Teacher Pipeline & Educational Capacity Building through Higher Ed. Institutions) (Sponsor: Rep. Lente)

This bill funds Native American higher education programs and Tribal Colleges to increase the capacity of the K-12 education system to meet the 2018 *Yazzie/Martinez* court mandates. The bill proposes to:

- Invest in pipelines for Native teachers, administrators, and educational leaders.
- Create two Indigenous curriculum development centers and two Indigenous technical assistance centers to support schools, school districts and Tribes in meeting the needs of Native K-12 students.
- Expand behavioral health and social services for Native K-12 students.
- Expand college and career readiness programs for Native students.
- Increase tribal education capacity through technical assistance from higher education programs.
- Invest in research, development, and training on culturally and linguistically responsive pedagogy.
- Increase the digital inclusion of Native K-12 students and their communities.

Appropriation: \$29.3 million. The Executive and LFC budgets include funding for some of these programs.

"40 plus years of education reform efforts have just been band-aids.

They've utilized Western knowledge and tools to make changes, but this has had limited impact.

New Mexico's education system needs a complete overhaul in order to reflect Native people and be relevant for us."

Dr. Lloyd Lee, Diné, Associate Professor and Graduate Faculty Director
Native American Studies Department, University of New Mexico

Related 2022 Legislation Supported by the Tribal Education Alliance

HM 12 // Yazzie Lawsuit Plan & Reporting (Sponsors: Rep. Lente and Rep. Rubio)

SM 12 // Yazzie Lawsuit Plan & Reporting (Sen. Linda Lopez, Sen. Harold Pope and Sen. Antoinette Sedillo Lopez)

The 2018 landmark *Yazzie/Martinez* court ruling found that New Mexico is violating students' constitutional right to a sufficient education. The court ordered the state to take immediate steps to increase funding, programs, and services to support children facing the deepest inequities, including Native American students. **HM 12 and SM 12 point to the persistent systemic and institutional racism in public education.** The state has yet to develop a plan for transforming the education system and for making targeted investments to close the equity gap.

HM 12 and **SM 12** request the Public Education Department to:

- **Develop a comprehensive education plan by June 1, 2022**, to meet the needs of the four student groups deemed "at-risk" by the court;
- Include in the plan clear goals, action steps, timelines, staffing, performance and accountability measures, and funding amounts necessary to meet the needs of at-risk students;
- Integrate existing education plans developed by tribal and community stakeholders and experts, including the Tribal Remedy Framework;
- Ensure that PED and the Higher Education Department work together on a strategy to address the teacher shortage crisis and build a diverse teacher workforce; and
- Consult with the *Yazzie/Martinez* plaintiffs on the education plan and attempt to resolve the lawsuit.

HB 185 // Develop Comprehensive Education Plan (Sponsor: Rep. Lente)

HB 185 requires the Public Education Department to develop a comprehensive education plan **to transform the public education system and address the systemic inequities** identified in *Yazzie/Martinez* court ruling.

The bill requires that PED's plan include a teacher workforce strategic plan that specifies strategies for increasing Native American and Hispanic teachers in the workforce. PED's plan must also recommend **multi-year investments targeted to meet the specific needs of Native American students** and other disadvantaged student groups.

HB 185 mirrors the request made in HM 12 and SB 12 (see above) but makes the development of a plan mandatory and adds an appropriation of \$800,000 for this work.