

# Tribal Education Alliance

## **Advancing Equity in Education: The Case for Targeted Funding for Tribal Education**

Regis Pecos, Chair, Tribal Education Alliance  
Derrick J. Lente, State Representative District 65

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Legislative Education Study Committee

# Closing the Equity Gap?

- ❑ 5 years after the *Yazzie/Martinez* court order and 20 years after enacting the Indian Education Act, the State is still failing to meet the needs of Native students.
- ❑ Native children continue to suffer from deep educational disparities, language loss, and poor social-economic outcomes.
- ❑ All state education indicators, from attendance to proficiency to graduation, show lower outcomes for Native students.

 **New Mexico must provide the necessary educational inputs that are known to improve outcomes for Native students**

# Close the Equity Gap!

»»» Native students are impacted by inequity of educational achievement. My children and the other students I represent as education director have been personally impacted by this injustice, which continues within your public schools. Please support our tribal communities by passing legislation that addresses the Tribal Remedy Framework. «««

Marsha Leno, Education Director, Pueblo of Zia

»»» Native American students continue to receive substandard educational services. Based on state assessments, Native students perform far below their counterparts. This is unacceptable and we need more funding allocations. «««

Charlene Lucero, Education Director,  
Pueblo of Isleta

# Tribal Recommendations 2023

## 2023 Tribal Education Community Institute

- Attended by around 80 tribal educators, administrators, and officials.
- With representation from the Navajo Nation, the Mescalero Apache Tribe, the Jicarilla Apache Nation, and 13 Pueblos.
- Concluded with recommendations to update and refine the 2024 Tribal Remedy Framework proposals.

### Headline Recommendations:

- 1. Strengthen Tribal Education Capacity**
- 2. Strengthen Tribal Education Sovereignty**
- 3. Ensure School District Accountability**
- 4. Implement a Linguistically and Culturally Relevant Education**
- 5. Ensure Stable and Sufficient State Funding**
- 6. Enact Education Policy Responsive to Native Students' Needs**

# Why Has Increased Spending Not Yielded Results?

## 1. Expanding versus transforming the existing system:

- Spending increases seek to expand a failed system rather than transform it (e.g., extended learning time)

## 2. No plan for change, no framework for advancing equity:

- PED's goals are limited to general outcome measures (e.g., graduation rate), not input metrics (e.g., teacher diversity) and equity goals (closing the gap)
- PED's targets entrench disparities (e.g., their target is a graduation rate of 88 for white but 79 for Native students, maintaining the gap)

## 3. General versus targeted funding:

- Across-the-board spending assumes all students benefit equally.
- But ignoring the gap between student groups maintains and even widens it.
- Funding must intentionally seek to reduce disparities.
- Yet the only targeted funding source for Native students are small, short-term grants.

# How Can Change Happen?

## **Targeted funding for needs-based inputs (short and medium-term):**

- *When* the State provides targeted funding for tribal education,
- *then* Tribes can better support Native students - both through community-based programs and through partnering with school districts.

## **Improved outcomes for targeted student groups (long-term):**

- *When* Native students receive culturally relevant programs and services in both their communities and in public schools,
- *then* their engagement, well-being, and academic proficiency increase and the gap in education outcomes decreases.

# Targeted Funding for Tribal Education

## Why is tribal education capacity important?

- Advancing equity in education requires the collaboration of New Mexico's Nations, Tribes, and Pueblos.
  - ✓ Native students need supportive programs and services in their communities.
  - ✓ Public schools need tribal guidance and collaboration to address student needs in culturally responsive ways.

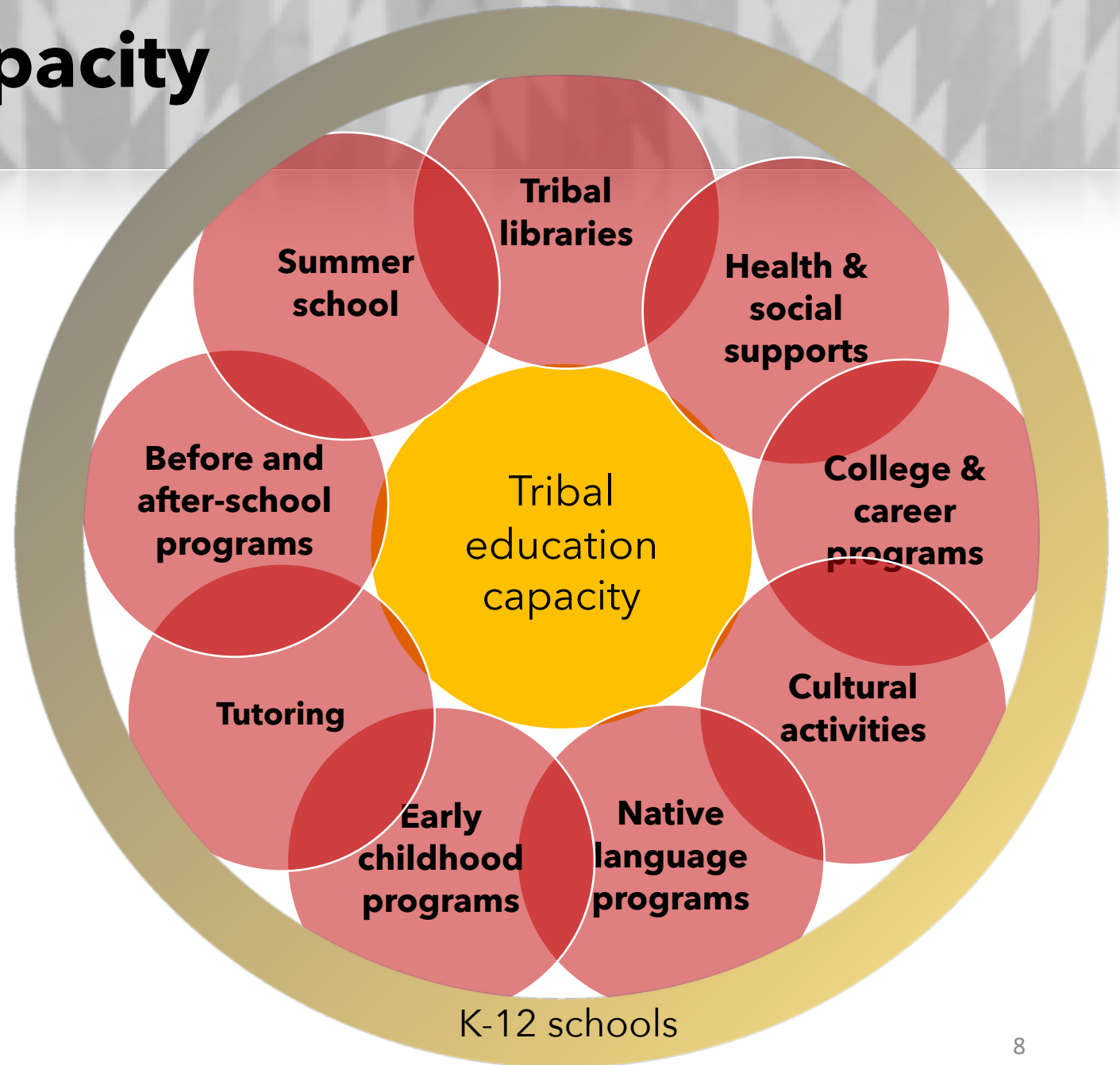
State support structures exist for districts, schools, and communities to help develop plans, operations, and personnel.

- Nothing comparable exists for Tribes.

# Tribal Education Capacity

## Tribal community-based education

- Created by and centered in tribal communities.
- Connects classrooms with communities.
- Gives Native students the academic, social, health, and cultural supports they need to thrive in school and in life.
- Sustains tribal languages and cultures.





# Tribal Education Capacity

## Infrastructure for tribal education

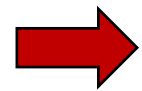
**“Tribal libraries, past, present and future, are the central hub for all our communities. We respectfully request increased funding, adequate facilities, and sustainability for our programming.”**

Lillian Chavez, Tribal Librarian  
Mescalero Apache Tribe

Phase 1: 2022 federal/state funding for tribal libraries' planning & design (\$12 million)

Phase 2: 2023 state capital outlay for tribal libraries' construction (\$20 million)

Phase 3: 2024 ensure continued capital outlay for shovel-ready tribal library projects



**Invest in tribal libraries**

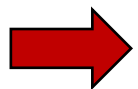
# Tribal Education Capacity

## Tribal collaboration with school districts

**Indian Education Act requirement (HB 250, 2019):**

School districts must

- prepare Native student needs assessments
- develop systemic plans to meet those needs
- fund those plans
- collaborate with Tribes in this process



**Strengthen tribal capacity to partner with districts  
and to hold them accountable**

# Bill Draft: Tribal Education Trust Fund

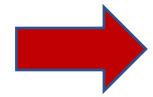
Establish a new **Tribal Education Trust Fund** to make a long-term investment and secure stable, consistent, and sustainable funding for Tribal Education Departments.

How it would work:

- The State Investment Office invests the money and makes an annual 5% distribution to PED.
- PED enters into intergovernmental agreements with Tribes to disburse the funds.
- Tribes report on education plans, budgets, and impacts, using self-determined criteria.

# Bill Draft: Tribal Education Trust Fund

**NEW for 2024:** This is a revised and improved bill that incorporates tribal feedback.



The bill sets up a task force of tribal representatives to create a formula for sharing funds among all Tribes.

## **The time for investment is now:**

- \$3.5 billion in “new money”
- Investment in Trust Funds is recommended by the Consensus Revenue Estimating Group to ensure long-term financial benefits of excess revenue
- Record PED budget request - but hardly any targeted funding to address disparities

# Bill Draft: Amend the Indian Education Act

**Fix the Indian Education Fund** to address persistent problems:

- Short-term grants impede planning and hiring
- Funding delays cause reversions
- Reimbursable funding challenges cash flow
- Funding process drains tribal capacity

## **Proposed solutions:**

- Replace inefficient grant process with upfront disbursements, using intergovernmental agreements.
- Distribute funds at the start of the fiscal year.
- Allow Tribes to carry over funds.

**“Make it easier: from applying to reporting, funding needs to be streamlined and flexible enough to allow room for tribally determined goals.”**

*Bettina Sandoval, Education Director, Pueblo of Taos*

# Summary: Tribal Remedy Framework Proposals 2024

Goals and Results (examples)	Legislative Proposals 2024
<p><b>Strengthen Tribal Education Capacity</b></p> <ul style="list-style-type: none"> <li>• All Native students can access tribal education programs and support services</li> <li>• Tribes can be effective partners to school districts</li> </ul>	<p><b>Tribal Education Trust Fund:</b> Stable, consistent, and flexible funding for tribal education operations and programs, recurring and growing year after year.</p>
<p><b>Ensure Effective and Efficient Funding</b></p> <ul style="list-style-type: none"> <li>• All Tribes can fully use existing IEA funding</li> </ul>	<p><b>Reform the Indian Education Fund</b> to ensure efficient, effective, and timely distributions.</p>
<p><b>Strengthen Tribal Education Sovereignty</b></p> <ul style="list-style-type: none"> <li>• Increased tribal control over schools</li> </ul>	<p><b>Enact a State-Tribal Education Compact</b> to allow tribally controlled, state-funded schools.</p>
<p><b>Build Tribal Education Infrastructure</b></p> <ul style="list-style-type: none"> <li>• All tribal libraries have adequate facilities to serve as community education hubs</li> </ul>	<p><b>Invest in Tribal Libraries'</b> construction and renovation (phase 3 capital outlay).</p>
<p><b>Ensure Cultural &amp; Linguistic Relevance</b></p> <ul style="list-style-type: none"> <li>• 1400 additional Native teachers to close the diversity gap</li> <li>• 8 Indigenous languages preserved</li> </ul>	<p><b>Fund Indigenous higher ed. programs and Tribal Colleges</b> to train Native teachers, ed. leaders, social &amp; health workers; to create curricula, language programs.</p>

# Indian Education Framework

## K-12 public schools

### Increase collaboration and accountability

Implement needs assessments

Add a Native student factor to the SEG

### Strengthen tribal education capacity:

- Establish Tribal Education Trust Fund \$\$\$
- Amend IEA
- Tribal libraries \$\$

### Build support infrastructure:

- Fund Native-led programs in higher education \$\$
- Implement TA Centers



# Thank you!

More information on the  
Tribal Remedy Framework:

**[TribalEducationAlliance.org](http://TribalEducationAlliance.org)**