

HB 134 // Tribal Education Trust Fund

A Tribal Remedy Framework bill

Sponsored by Rep. Derrick Lente

Endorsed by the Indian Affairs Committee & the Legislative Education Study Committee

HB 134 establishes a new Tribal Education Trust Fund to invest in tribal education capacity for generations to come. To support Native students, Tribes need the resources and staffing for providing community-based education services and engaging effectively with school districts.

New in 2024: A previous version of this bill was passed by the House Education Committee in 2023. This revised and improved bill incorporates tribal feedback.

Ensure stable and consistent funding to build tribal education capacity

New Mexico must improve educational inputs and outcomes for Native students. The Indian Education Act and the *Yazzie/Martinez* court ruling require nothing less.

Doing right by Native students requires the collaboration of New Mexico's Nations, Tribes, and Pueblos. Native students need supportive programs and services in their tribal communities, and public schools need tribal guidance to address student needs in culturally responsive ways.

Yet Tribes struggle with capacity constraints and often lack the resources and staff to deliver programs and to partner effectively with school districts.

The time for investment is now:

New Mexico has a large revenue surplus, including almost \$3.5 billion in "new money." The Consensus Revenue Estimating Group recommends investments in trust funds as a mechanism for ensuring long-term financial benefits. Trusts are tools for sustainable policymaking and intergenerational equity.

By establishing a Tribal Education Trust Fund, the Legislature can invest in strengthening tribal capacity to support Native students and the schools that serve them. Such new, sustainable funding for tribal education would not replace any state funding for schools. School districts will receive more than \$4 billion in FY25; a new trust fund would secure \$5 million annually for Tribes.

An investment in a new Tribal Education Trust Fund would grow over time and create lasting value for the State and Tribes. HB 134 proposes the following:

- The State Investment Office would invest the money and make an annual 5% distribution to PED.
- PED would enter into intergovernmental agreements with Tribes to disburse the funds.
- **NEW!** A task force of tribal representatives would create a formula for sharing funds among all Tribes.
- Tribes would report on education plans, budgets, and impacts, using self-determined criteria.

Appropriation: \$100 million from the General Fund; annual 5% distribution starting in FY26.

Legislative Finance Committee Budget: includes \$50 million for creating a Tribal Education Trust Fund.

"Our main need, our priority, is to build our capacity, including staffing. This requires recurring, predictable funding. We can't sustain our operations with short-term planning. We need resources we can count on, year after year, to build effective educational systems for our children." Kevin Shendo, Tribal Education Director, Pueblo of Jemez