

HB 134/aaa Tribal Education Trust Fund

Sponsors: Rep. Derrick J. Lente

with Reps. Anthony Allison, D. Wonda Johnson, Charlotte Little, Patricia Roybal Caballero

HB 134/aaa would establish a new Tribal Education Trust Fund to invest in tribal education capacity for generations to come. This would secure stable and consistent funding for Tribes to support Native students in their communities and to collaborate with school districts.

Frequently Asked Questions

1. How has this bill changed over the past 10 days?

- This bill has been amended three times, because the sponsor, Rep. Lente, collaborated with Tribes to develop a bill that works for all New Mexico Nations, Tribes, and Pueblo.
- The House floor amendment adopted on February 8, 2024, reversed most of the previous changes and simplified the bill. The amended bill passed the House on a 68-0 vote.
- The current bill, HB134/aaa, presents the unity position of Tribes.
- The bill no longer includes a task force but instead requires a consensus process of consultation and collaboration with Tribes to decide an equitable formula for sharing funds.

2. How would a Tribal Education Trust Fund work?

- HB 134/aaa creates a Trust Fund with Tribes and their students as the beneficiaries.
- The State Investment Office would invest the money (the state budget bill includes \$50m) and make annual distributions to NMPED of 5% of the Trust Fund's five-year average market value.
- The amended bill requires a process of consultation, collaboration, and communication with New Mexico Tribes to develop an equitable distribution formula by June 1, 2025.
- NMPED must use the formula agreed by Tribes to disburse funds to Tribes (starting July 2025).
- Each Tribe would report annually on spending these funds and assess impact and outcomes.

3. Who decides how much money Tribes receive?

- The decision about how to share funding is in the hands of the sovereign Tribes themselves.
- Tribes must reach unanimous consensus on an equitable funding formula that considers both student numbers and tribal needs. Indigenous peacemakers can be appointed if there is a dispute.

4. How could Tribes use this funding?

- Tribes would use the funds for the purposes stated in the NM Indian Education Act of 2003, unless otherwise agreed in intergovernmental agreements with PED.
- These purposes are broad and include maintaining Native languages, developing culturally relevant instructional materials, collaborating with schools, and supporting academic learning.
- Tribal education departments can use the funds for programs in the community or for partnering with public schools. Examples: before and after school programs in the community, tutoring, summer enrichment, cultural outings, educational field trips, Native language programs, tribal libraries' programming, professional development for staff, and college and career preparation.

The Tribal Education Alliance supports New Mexico's tribal leaders in advancing the Tribal Remedy Framework, a comprehensive plan for meeting the educational needs of Native students and upholding their constitutional and human rights.

<https://tribaleducationalliance.org/>