

HB 134/aaa Tribal Education Trust Fund

A Tribal Remedy Framework bill

Sponsored by Rep. Derrick Lente with Reps. Anthony Allison, D. Wonda Johnson, Charlotte Little, Patricia Roybal Caballero, and Cristina Parajón

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

HB 134/aaa establishes a new Tribal Education Trust Fund to invest in tribal education capacity for generations to come. This will secure stable and consistent funding for Tribes to support Native students with culturally relevant, community-based programs and to collaborate with school districts.

UPDATE: HB 134/aaa passed the New Mexico House on February 8, on a 68-0 vote, with a new amendment developed and endorsed by New Mexico's Tribes.

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 of 2003 and the 2018 *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 develop educational 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 way to ensure long-term financial benefits. Trusts are tools for sustainable policymaking and intergenerational equity.

By creating a Tribal Education Trust Fund, the State can strengthen tribal self-determination in education. Such a new, long-term investment in tribal education would grow over time and create lasting value for the State and Tribes. It does not replace or change any state funding for schools.

HB 134/aaa, as amended in the House on February 8, proposes the following:

- The State Investment Office will invest the money and make an annual 5% distribution to PED.
- PED will facilitate a process of consultation and collaboration with New Mexico Tribes to decide an equitable formula for sharing funds among Tribes.
- This process must result in a unanimous consensus; Indigenous peacemakers can be appointed in the event of a dispute.
- PED must use the agreed funding formula to disburse the funds to Tribes each year.
- Tribes will report on spending, and assess impacts and outcomes, using self-determined criteria.

House Bill 2 (the state budget) includes \$50 million for a Tribal Education Trust Fund.

"Now is the time to invest in tribal education and provide our children with the resources and funding to thrive, excel, and remain connected to their culture, language, and communities."

Wilhelmina Yazzie, Diné, parent advocate and plaintiff in the Yazzie/Martinez case