

TRIBAL EDUCATION ALLIANCE

The Tribal Education Alliance is a coalition of tribal education leaders, experts and advocates that supports tribal leaders in advancing the Tribal Remedy Framework, a comprehensive plan for upholding Native students' constitutional right to education. This plan was created collectively by tribal communities, families and Indigenous education experts and has been endorsed by New Mexico's 23 Nations, Tribes and Pueblos. The bills presented here aim to implement the Tribal Remedy Framework.

Legislative Agenda 2021

HB 84 Native Language Education Program Unit (Sponsor: Rep. Lente)

Amendments to the Public School Finance Act to make Tribes eligible for funding from the State Equalization Guarantee, alongside school districts and charter schools. As Indian education in New Mexico is largely unfunded, this bill advances a more equitable distribution of state education resources.

To provide for sufficient and sustainable funding for Native students, this bill proposes to:

- Treat tribal education departments similar to local education agencies and make them eligible for distributions from the state's school funding formula.
- Add Native language program units to the school funding formula.
- Include Native students as part of the at-risk index, based on the *Yazzie/Martinez* court ruling that declared Native students as an at-risk student group.
- Allow use of at-risk funding for tribal community-based after-school and summer school programs.
- Use intergovernmental agreements to determine program cost and distributions to Tribes.

Fiscal Impact: approx. \$5.4M for Native language program units; plus \$48M for including Native students in the at-risk index, generating \$1,380 per Native student (based on FY 2019/20 unit value).

"We have a chance to bend history, to make it different, to create change, so that in the totality of all our actions, we will have shaped a future generation of Native children who has it better than we do. It will take acts of courage and a strong belief that the history of Native people will be shaped by what we do today. This change must occur." Governor Brian Vallo, Pueblo of Acoma

HB 85 Yazzie Lawsuit Response Funding (Sponsor: Rep. Lente)

Appropriations to address the needs of Native students by strengthening the role of tribal governments and communities in education governance and planning. This bill builds tribal capacity for greater education sovereignty, community-based education, culturally and linguistically relevant early childhood education and Native language programs.

To address the unmet educational needs of Native students, this bill proposes to:

- Increase the capacity of tribal education departments to share responsibility with school districts for educating Native students and to provide community-based education programs and services.
- Invest in tribal libraries as community education hubs to provide after-school and summer school programs, referrals to career and social support services, and technology access.
- Invest in community-based early childhood education programs.
- Invest in Native language programs to preserve, sustain and revitalize Native languages.
- Develop an information technology plan to map IT needs and solutions for Native students.

Fiscal Impact: \$22,700,000 (recurring and non-recurring program investments)

HB 86 Native American Library, Internet & Education (Sponsor: Rep. Lente)

Capital investment in tribal community-based education infrastructure to meet the specific educational needs of Native students. This bill expands community-based education facilities to bridge the access gaps faced by Native students in public schools.

To enhance access for Native students to community-based education facilities, this bill proposes to:

- Rebuilt or renovate tribal libraries to serve as community education hubs.
- Invest in community-based early childhood centers.
- Establish Indigenous curriculum development centers to spearhead the systematic production of culturally and linguistically relevant education plans and materials.
- Guarantee internet access for all Native students through a comprehensive communication network that connects all tribal educational entities.

Fiscal Impact: \$94,782,942 (one-time capital investment)

HB 87 Yazzie Lawsuit Higher Ed Funding (Sponsor: Rep. Lente)

Appropriations to Native American programs within public colleges and universities and to Tribal Colleges to improve Native students' college, career and community readiness. This bill harnesses existing expertise within Native academia to help meet the *Yazzie/Martinez* court mandates.

To address education inequities faced by Native students, this bill proposes to:

- Invest in pipelines for Native teachers, administrators and educational leaders.
- Expand successful college and career readiness programs for Native students.
- Create two Native curriculum development centers and two Native technical assistance centers to support schools, school districts and Tribes in meeting the needs of Native students.
- Increase tribal education capacity through workforce development and technical assistance.

Fiscal Impact: \$23,909,030 (recurring program investments)

Forthcoming Bill: Tuition Waivers for Native students (Sponsor: Rep. Lente)

An act providing for tuition waivers for state resident Native American students, applicable to New Mexico's public community colleges and public universities. This bill brings New Mexico in line with at least a dozen states that provide tuition waivers for Native students, recognizing that higher education institutions are located on tribal lands or have benefited from the appropriation of tribal lands.

To increase the number of Native college students, this bill makes higher education more affordable, proposing to:

- Waive public college or public university tuition for students who are enrolled members of any of New Mexico's 23 Nations, Tribes and Pueblos.
- Require students to have been state residents for a least one year and to provide official tribal enrollment information.

"Native children have a right to an education that is centered on their Indigenous cultural and linguistic values and acknowledges their unique perspectives based on their lived experiences."

Melissa Candelaria, Esq., San Felipe Pueblo, New Mexico Center on Law and Poverty