



All Pueblo
Council of
Governors

Officers:

Governor J. Michael Chavarria, Chairman

Governor Wilfred Herrera, Jr., Vice-Chair

Governor David M. Toledo, Secretary

Acoma

FOR IMMEDIATE RELEASE

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All Pueblo Council of Governors

Respond to the State of New Mexico's Dismissal of the Yazzie/ Martinez Court Ruling during the COVID-19 Pandemic

As the State of New Mexico filed a motion to dismiss the landmark Yazzie/Martinez lawsuit during a time of distress, Pueblo leadership call the action premature and completely unacceptable

(Albuquerque, NM) – As leadership of New Mexico's Pueblos have become inundated with responding to the COVID-19 Public Health Crisis, Pueblo leadership was blindsided and shocked with dismay to hear that the State of New Mexico has filed for a motion to dismiss the 2018 Yazzie/Martinez Landmark Education Lawsuit on the claim that orders have been sufficiently met. The most unsettling for Pueblo leadership, is this legal move coming at a time of sheer uncertainty during the critical State of Emergency each Pueblo has declared and as the state and nation respond to one of the most challenging times in history.

Pueblo leadership has unanimously agreed with the Court's decision that the State of New Mexico has failed to provide Native children with an equitable education through the public education school system and has not provided them with the kind of education guaranteed and envisioned under the State's Constitution. As the State argues in its motion that increased at-risk funding over the past two legislative sessions and modifying programs for English language learners, Native American students, low-income students and students with disabilities is substantially enough to comply with the Court's order, Pueblo leadership disagrees and feel this action is premature and completely unacceptable.

The Pueblo Leadership agree, Governor Lujan Grisham and the State deserve gratitude and appreciation for the preventative measures and proactive response to the COVID-19 pandemic. However, for Native students ordered to stay at home and with the recent closure of all New Mexico schools for the remainder of the academic year, learning at home is nearly impossible because of a lack of reliable internet. It is virtually non-existent in many tribal communities. The Pueblos now feel COVID-19 has disproportionately widened the already existing opportunity gap due to the lack of critical education infrastructure in Pueblo communities.



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“The State has a long way to go to comply with the Court’s ruling that found New Mexico’s education system constitutionally insufficient. The current circumstances only make the situation worse and hearing that the State has no regard for what our communities are faced with during a state of emergency is disheartening. Our Native children deserve justice and the right to an equitable education, similar to the one afforded to non-Native students. This means complying with the NM Indian Education Act as well as other laws that require culturally responsive curriculum, a well-trained teacher workforce, language preservation, appropriate consultation with tribal communities and especially now during the COVID-19 pandemic, broadband infrastructure.” – Chairman J. Michael Chavarria, All Pueblo Council of Governors

Since the decision was rendered, Pueblos agree that there has not been any real meaningful collaboration or consultation with Pueblo leadership to discuss detailed plans to address Native American teacher shortages, culturally relevant curriculum, and the lack of social and behavioral health services – all of which are glaringly noted in the Court’s Findings of Fact and Conclusions of Law.

The Pueblo Leadership strongly urge Governor Michelle Lujan Grisham and the State of New Mexico to reconsider this motion and engage in government-to-government discussion with the Pueblos to solve the issues noted in the lawsuit when Pueblos are not in a State of Emergency. The Pueblo leadership stand by their position that the State support funding levels sufficient enough to provide Native children and generations to come with an education that results in a decent paying job, a prosperous life, and a personal sense of academic achievement without compromising Native languages and culture.

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