



THE JICARILLA APACHE NATION

P.O. BOX 507 • DULCE, NEW MEXICO • 87528-0507

RESOLUTION OF THE LEGISLATIVE COUNCIL

GOVERNMENT

RE: An Action Relating to Native American Education; Supporting the Claims Brought by the Plaintiffs in the *Yazzie et. al. v. State of New Mexico*

Resolution No. 2019-R-288-11

WHEREAS, the Jicarilla Apache Nation, an Indian Nation organized under the Indian reorganization Act of June 18, 1934, (25 U.S.C. § 476) and under its Revised Constitution has full power to act for the Nation; and

WHEREAS, the Jicarilla Apache Nation Legislative Council has the power to represent the Nation and act in all matters that concern the welfare of the Nation pursuant to Article XI, Section 1 of the Constitution; and

WHEREAS, there is no resource that is more vital to the continued existence and integrity of the Jicarilla Apache Nation than its children; and

WHEREAS, the Jicarilla Apache Nation Legislative Council has the utmost desire to see all its children succeed from early childhood, primary, secondary and higher education and that they be given every opportunity to fulfill their potential to become productive and contributing members of their Nation and the State enriched by their language, their traditions and customs and their cultural knowledge balanced with the tools and skills gained through a quality education second to none with all the required resources provided by the State of New Mexico and complemented with federal resources as necessary to fulfill the promise of an excellent education; and

WHEREAS, the New Mexico States Constitution requires "A uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state shall be established and maintained." New Mexico Constitution, Article XII, Section 1; and

WHEREAS, the New Mexico State and Tribal Collaboration Act requires every state agency to develop and implement a policy that promotes a positive government-to-government relationship between the state and tribes of New Mexico; and

WHEREAS, the Indian Education Act ensures equitable and culturally relevant learning environments and educational opportunities for American Indian students enrolled in public schools and the establishment of partnerships between the Public Education Department and the twenty-three tribal governments and their communities to ensure Native American students are receiving a culturally and linguistically appropriate education; and



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WHEREAS, the New Mexico Bilingual Multicultural Education Act ensures equal education opportunities for the students in New Mexico by encouraging development using the cultural and linguistic backgrounds of the students in bilingual multicultural education program; and

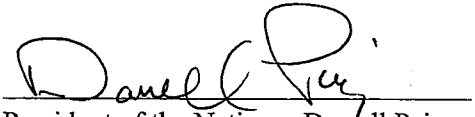
WHEREAS, the First Judicial District Court of New Mexico found that in *Yazzie/Martinez vs. State of New Mexico* the constitutional rights of at-risk children, including Native American students in the public education system were being violated; and

WHEREAS, the *Yazzie* plaintiffs and community led coalition, that includes locally based education experts, tribal leaders, community organizers, parents, students and tribal community members developed a remedy platform to guide key state officials to meet all requirements of the lawsuit addressing building teacher capacity, licensed special education teachers, educational leaders in administration, curriculum and materials development, mental and behavioral health, social welfare services, restorative justice, Native language teacher development, language curriculum and materials and strengthening the governance of schools.

NOW, THEREFORE, BE IT RESOLVED, the Jicarilla Apache Nation fully supports the ongoing efforts to fulfill the promise of the landmark decision in *Yazzie/Martinez v. State of New Mexico* and the remedies developed aligned with the Indian Education Act, the findings in *Yazzie/Martinez* and the Public Education Department's articulated Operating Commitments and Guiding Philosophy; and

BE IT FURTHER RESOLVED, that copies of this Resolution be provided to Governor Michelle Lujan Grisham and to the appropriate committees of the Legislature; and

BE IT FINALLY RESOLVED, that the Jicarilla Apache Nation Legislative Council authorizes the President to carry out the intent of these priorities including providing testimony as required, organizing meetings between agencies, the executive and legislative committees.

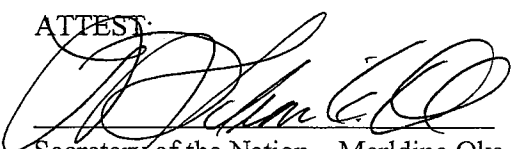


President of the Nation – Darrell Paiz

CERTIFICATION

The foregoing Resolution was enacted upon by the Legislative Council of the Jicarilla Apache Nation on the 6th day of November, 2019 by a vote of 6 for, 0 against, and 0 abstained, at a duly called meeting at which a quorum of the Legislative Council members were present.

ATTEST:



Secretary of the Nation – Merldine Oka