

Tribal Education Alliance

Tribal Remedy Framework

Regis Pecos

Legislative Finance Committee, July 23, 2021



What is the Tribal Remedy Framework (TRF)?

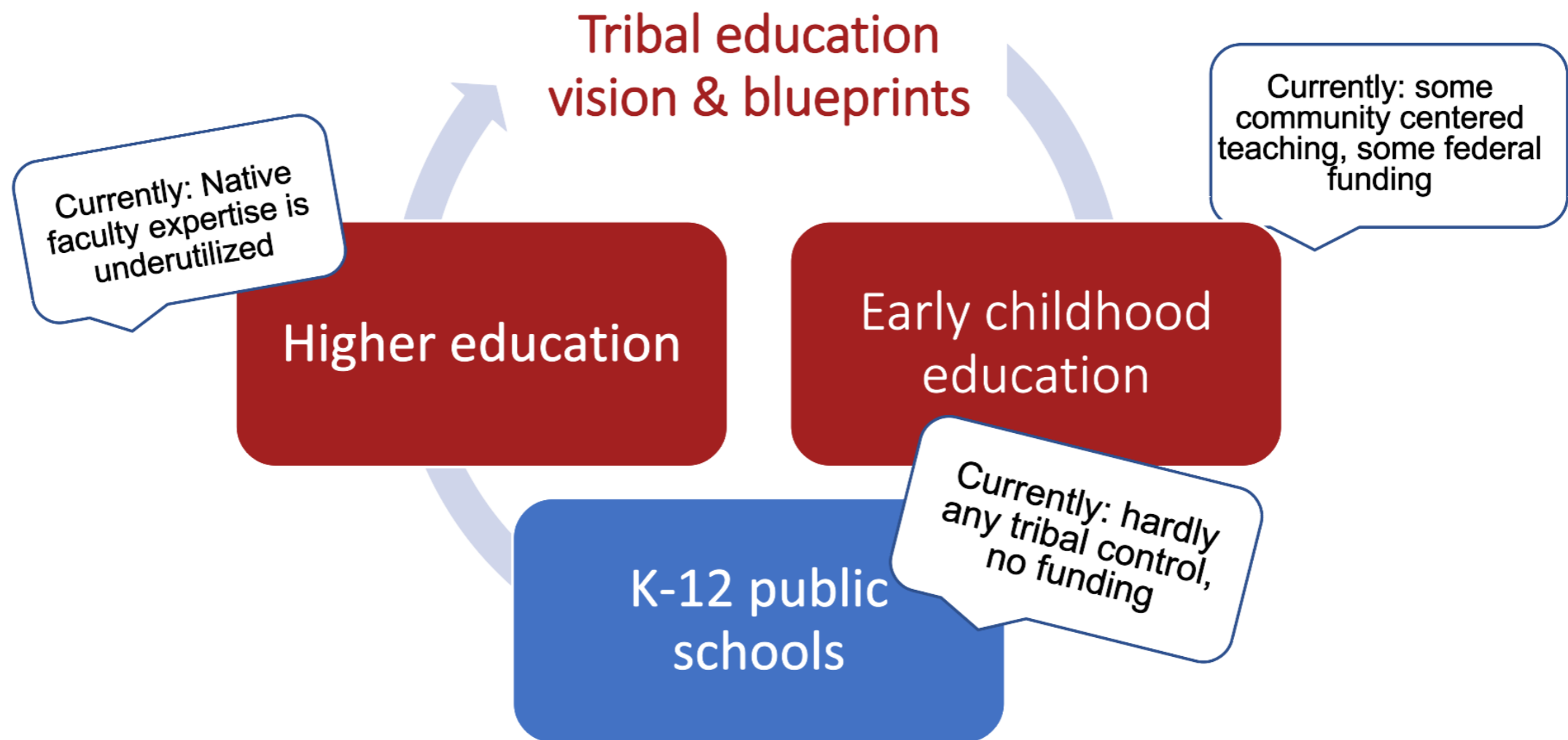
- **A comprehensive plan for meeting the educational needs of Native students.**
- **Created by tribal leaders, community members and Indigenous education experts.**
- **Endorsed by New Mexico's 23 Nations, Tribes and Pueblos.**
- **Requests permanent state investments in Indigenous education directed by Tribes and Indigenous education experts themselves.**

The Tribal Remedy Framework

3 strategic solutions to our education crisis:

- Shared responsibility & increased tribal control over the schooling of Native children**
- Community-based education centered in tribal communities**
- A balanced, culturally and linguistically relevant education that builds on the strengths of children and their communities**

The Tribal Remedy Framework: Systematic, sequential, self-determined



Indian Education in New Mexico:

FACTS or MYTHS?

The Tribal Remedy Framework received significant funding this year (\$31M according to an LFC report).

True or False?

False

The TRF received \$15.7M, or 11% of the TRF bills' requests. Contrary to legislative intent, program funds are being disbursed as one-off PED grants.

Suppl. budget bill (SB 377)	Received
Tribal Education Departments	\$4,500,000
Tribal Libraries	\$4,500,000
Native language programs	\$1,615,700
Tribal broadband (SF Indian School: Middle Rio Grande)	\$5,000,000
Rep. Lente discretionary	\$100,000
Tribal Remedy Framework Funding Received	\$15,715,700

TRF bills 2021	Requested
HB 84	Funding formula change
HB 85	\$22,700,000
HB 87	\$26,209,030
<i>Subtotal: programs</i>	\$48,909,030
HB 86 (capital)	\$94,782,942
Total Funding Request	\$143,691,972

The State has increased funding for schools that serve Native students. This will directly benefit Native students and satisfy the *Yazzie/Martinez* court ruling.

True or False?

False

There is no evidence that dollars received by school districts reach Native students and meet their needs.

The TRF requests that Native students be included as a factor in the SEG to ensure that they directly benefit from funding, as required by the court.

The legislature approved the Family Income Index, which provides \$30M additional funds for low-income schools. Because many Native students attend low-income schools, this will help meet Native students' needs.

True or False?

False

Native-serving schools are not experts in meeting Native students' needs.

The TRF requests that recurring funding be allocated directly to Tribes for collaborating with schools and supplementing their programming.

The legislature finally passed an Impact Aid fix, allowing Native-serving districts to keep their federal funding.

Those federal dollars will take care of the TRF's demands and the *Yazzie/Martinez* mandates.

True or False?

False

The federal ruling on Impact Aid imposes separate and distinct obligations on the State that cannot be conflated with *Yazzie/Martinez* mandates. Federal dollars cannot be used for funding state obligations.

The State must fulfill each and all of its funding obligations and stop shortchanging Native children.

The Indian Education Act & Fund is a good vehicle for funding Indian Education in our state.

True or False?

False

The Indian Education Fund awards only small, one-off grants (a total of \$5.3M this year). Half of this money goes to school districts, not to tribal education.

The TRF seeks permanent, recurring funding for Native students, Native languages and tribal community-based education.

The legislature has continued to make large investments in extended learning. This will help Native students catch up.

True or False?

False

There is no evidence that Native students benefit from school-based extended learning time.

The TRF requests funding for tribal community-based after-school and summer school programs.

When the PED awards a grant to a Tribe, it is only fair that it expects the Tribe to meet stringent reporting requirements and achieve improved student outcomes.

True or False?

False

A \$80k one-year grant that arrives late and reverts back after a few months cannot be used to achieve meaningful outcomes.

The PED's grant application, management and reporting requirements are draining tribal capacity rather than building it.

The PED is well-positioned to provide technical assistance to Native-serving schools and to create Indigenous curricula and materials.

True or False?

False

Neither the PED nor individual contractors can offer the coherent, consistent, sequential approach needed to guide Indigenous education.

The TRF seeks to replace the PED's "shotgun" approach (LFC 2006 report) with Indigenous curriculum development and technical assistance centers, staffed and directed by Native faculty.

Because everyone at the PED is doing their very best, those good intentions will bear fruit and racial equity will become a reality in our state.

True or False?

False

It takes more than good intentions to dismantle institutional racism.

An important step would be listening to tribal leaders, advocates and community members and accepting their recommendations.

Check out our **Pathways to Education Sovereignty
report and other resources:**

<https://nabpi.unm.edu/tribal-remedy-framework/index.html>

Contact us at the Leadership Institute:
505-989-6303