

The Public Education Department (PED) amended New Mexico Administrative Code (NMAC) 6.35.2, the Indian Education Act, to update tribal consultation provisions, and to establish two funding mechanisms for tribes, pueblos, and nations that receive awards from the Indian education fund (IEF). An additional amendment removed application requirements and prevented funding revisions at the end of each fiscal year.

The IEF is funded at \$90 million to be distributed over fiscal years 2026 (FY26), FY27, and FY28. According to PED, for FY26, a total of \$23.4 million was awarded to 22 federally recognized pueblos, tribes, and nations (see **Figure 1: Indian Education Fund Allocation**) and approximately \$5.8 million was awarded to historically defined Indian impacted school districts (HDIISDs), while the remaining balance was used for operational costs for PED's Indian Education Division (IED), including two Government-to-Government Indian Education Summits, travel and lodging for the Indian Education Advisory Council and IED staff.

The IEF is awarded directly to tribes, nations, and pueblos; school districts; and charter schools to support educational programming that improves academic outcomes for Native American students in grades three through 12 and must be aligned to the Indian Education Act. This brief explores the academic, social, and cultural programming initiated by pueblos, tribes, and nations that are funded through the IEF.

## Indian Education Fund Initiatives

The adopted rule included the provision for school districts to consult with pueblos, tribes, and nations whose students are enrolled in their school district, while charter schools with enrolled Native American students are now required to submit a Tribal Education Status Report to the IED annually by September 30. In addition to formalizing tribal consultation, the updated rule outlined two funding mechanisms that include an allocation-based fixed amount of 80 percent, and a competitive award for eligible applicants that include Bureau of Indian Education (BIE) schools, tribally-controlled schools, tribal colleges and universities, and state universities.

### Implementation Plans

In FY26, each pueblo, tribe, and nation received an [allocation-based amount](#) of \$850,909.09, or 80 percent of total funding. The remaining 20 percent is determined by the number of students enrolled in public schools, using a tiered per-pupil rate allowing students with an Individualized Education Program (IEP) to be funded at a rate of \$217.88 per student, and students without an IEP to be funded at \$108.94 per student. In FY26, tribes, nations, and pueblos were no longer required to apply for funds, which enabled these communities to receive their IEF grants upfront through an intergovernmental agreement.

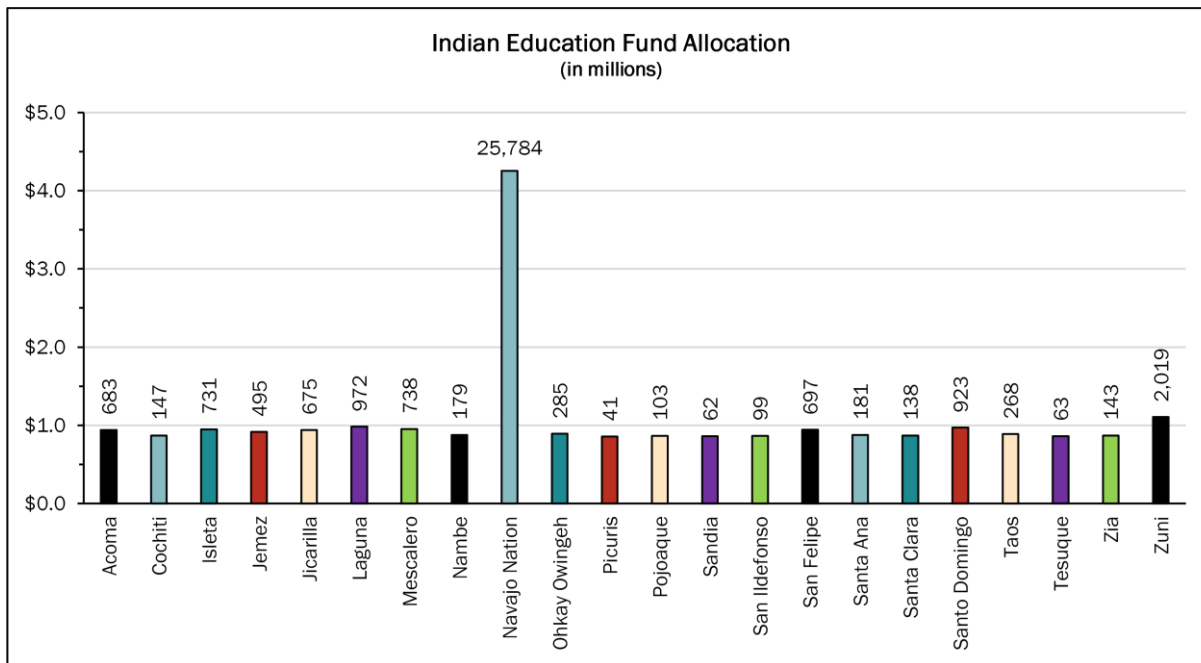
**According to PED, across 22 tribal education programs, 60 percent of funded activities are in progress.** Funds allocated from the IEF are required to be used to increase academic opportunities and cultural achievement that aligns with the Indian Education Act. Awards are made available to eligible entities that may be used to cover the costs of instructional programming and support; Native language and cultural programs; college and career readiness; student wellness and support services; early childhood and family services; supplies and equipment; student transportation and travel; community partnerships and programming; and testing and evaluation tools.

According to a midyear report from PED, 60 percent of funded tribal education programs are in progress, while 20 percent are classified as initiated, and the remaining 20 percent have not started. Cultural and language programming, academic support, and college and career readiness are the most common initiatives across

### Key Takeaways

- \$23.5 million was awarded to 22 pueblos, tribes, and nations in FY26.
- PED reports language and culture programs are the most funded through IEF.
- IED continues to strengthen capacity among pueblos, tribes, and nations to ensure all external partners recognize the IEF as supplemental funding.

education programs in progress. Tutoring remains one of the most consistent initiatives with high participation and engagement across most tribal communities, while funded cultural and language programming range from structured language classes to cultural activities such as storytelling, traditional arts, and workshops.



Source: PED

Note: The total award amount is calculated by combining the fixed base amount with additional funds based on student counts.

**The Pueblo of Picuris received about \$856 thousand for 41 enrolled students in public schools.** The Pueblo of Picuris presents a relatively focused and consistent approach in afterschool and culturally integrated programming. PED reports its afterschool program provides homework support and enrichment using a structured routine for both academic support and physical activity. The afterschool program also includes transportation, cultural and language programming, and traditional art.

**The Pueblo of San Felipe received nearly \$942 thousand for 697 enrolled students in public schools.** A midyear review report provided by PED indicated the Pueblo of San Felipe implemented a tutoring service with over 600 tutoring sessions delivered during the first semester. The Pueblo of San Felipe has also committed to improving instructional quality during tutoring sessions by offering students decodable and research-based literacy resources for all grades called “Just Right Readers.”

**\$5.8 million was available to historically defined Indian impacted school districts in FY26.** A historically defined Indian impacted school district (HDIISD) is either a district that serves 175 or more Native American students and is located wholly or partially on tribal land; enrolls a student population that is at least 10 percent Native American and is located wholly or partially on tribal land; or has a student body that is 45 percent more Native American regardless of location. Unlike the IEF funds directly allocated to tribes, pueblos, and nations, HDIISDs must apply for grants and will receive a base amount with no additional funds for students with special needs. PED reports school districts implemented activities such as Native language instruction, cultural content, and experiential learning during regular school days and outside of instructional hours that show alignment with the Indian Education Act. Some examples include students in Dulce participating in New Mexico State University’s college and career exploration, and families in Española initiating a dual-language literacy night and a moccasin making class.

## Policy Considerations and Recommendations

In April 2025, IED released an implementation plan template for pueblos, tribes, and nations to ensure their proposed plan for grant initiatives are based on community needs and are sustainable over the course of one

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fiscal year. Since awards were distributed directly to tribal communities, IED program staff, along with PED's general counsel, remained consistent in consulting with tribal leaders, tribal attorneys, and tribal education directors to ensure the funding process and funding amounts are meeting the needs of tribal communities. Furthermore, IED is working to revise its implementation plan, as well as considering expanding the provisions for allowable costs to ensure sustainable and stable approaches for funded Tribal education programs. IED's approach to consultation and support has allowed tribal communities to create scalable and successful education models by ensuring tribes are diversifying funding opportunities, implementing evaluation metrics that allow replication and expansion, and being responsive to barriers and concerns.

### Tribal Needs Assessment Update

The Indian Education Act requires historically defined Indian impacted school districts (HDIISDs) to develop a student needs assessment and systemic framework at the start of each three-year cycle, in consultation with Tribal leaders and partners. The Act also mandates annual requirements, including public meetings, budget alignment statements, and progress evaluations.

In August 2025, revised guidance for meeting all requirements under the Indian Education Act were released by IED. Based on feedback from HDIISDs, external partners expressed robust guidance prior to 2025 did not exist. IED held its first ever in-person training on the student needs assessment on April 28, 2026 and trained HDIISDs, tribal leaders, and tribal education directors on the requirements of the Indian Education Act, namely the process for drafting and reporting a student needs assessment, along with training on tribal consultation. Since its revision, IED has expanded its services to virtual meetings and office hours for HDIISDs across the state on Indian education, tribal consultation, and Laws 2025, Chapter 7 (Senate Bill 163, Tribal Regalia at Public School events).