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FISCAL IMPACT REPORT

ORIGINAL DATE 2/13/06

SPONSOR Zanetti LAST UPDATED _____ HB HM 24

STUDY NATIVE AMERICAN STUDENT

SHORT TITLE EDUCATION SB _____

ANALYST Weber

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	None		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Indian Affairs Department (IAD)

Public Education Department (PED)

SUMMARY

House Memorial 24 “Study Native American Student Education” notes the following conditions:

- a multiyear initiative targeted toward encouraging Hispanic students in New Mexico to enter and complete college has demonstrated success
- the initiative designed for enhancing the educational experience of Hispanic students has served as a catalyst to strengthen partnerships and create coalitions among Hispanic-serving institutions, including colleges and universities with twenty-five percent or higher Hispanic enrollments, school districts, communities, businesses, families and funders, creating opportunities for Hispanics to enter and complete college
- the initiative for Hispanic students has collected information on program participants at a variety of sites and at multiple points during program implementation so that the effectiveness of the services can be accurately assessed
- initiative for Hispanic students involves the students in research and assessment of the program
- New Mexico Native American students could benefit from a similar program focusing on college enrollment and completion, and student research and participation;

The memorial requests that the New Mexico legislative council be encouraged to direct an appropriate interim committee to study ways such a program could be applied to improve the educational experience of Native American students in New Mexico and that copies of this memorial be transmitted to the co-chairs of the New Mexico legislative council.

SIGNIFICANT ISSUES

The Indian Affairs Department comments.

There are 22 Indian Tribes and Pueblos in the State of New Mexico, each with a unique culture, language and tradition. The uniqueness of these sovereign nations is quite different than the culture, language and tradition of the Hispanics. The geography, socio-economic and history of these native tribes of New Mexico is also different than Hispanics.

The federal government formally assumed responsibility for the education of Indian Children with the Act of March 3, 1819. Thereafter, in 1873, responsibility for Indians, including their education was transferred from the War Department to the Secretary of the Interior and a new Bureau of Indian Affairs (BIA). After World War II, tribal communities and other minorities began to organize to gain greater self-determination and civil rights. The passage of the Indian Education Act of 1972 (PL-92-318 as amended) and in 1975 of the Indian Self-Determination and Education Assistance Act allowed for Native communities to improve Native education. Today, the majority of Native students attend state-run public schools with a few tribes operating tribal schools funded through the BIA. (Improving Academic Performance among Native American Students, ERIC Clearinghouse on Rural Education and Small Schools, Dec. 2001)

Today, the federal government has a trust responsibility for Indian Education consistent with this history. However, Native students experience high levels of educational failure and a growing ambivalence towards formal Western academic learning. (Improving Academic Performance among Native American Students, ERIC Clearinghouse on Rural Education and Small Schools, Dec. 2001) (BIA and DOD schools: student achievement and other characteristics often differ from public schools: report to Congressional requesters, pub. Date: 2001-09-00, GAL-01-924)

On April 30, 2004, President Bush signed Executive Order 13336, supporting tribal sovereignty. In particular, it recognizes the unique legal relationship between the United States and American Indian tribes, as well as a special relationship with Alaska Native entities. The order commits the Federal government to work with tribes on a government-to-government basis. It specifically states that the Bush Administration supports tribal sovereignty and tribal self-determination. The Executive Order states that its purpose is to assist American Indian and Alaska Native students to meet the challenging academic standards of the “No Child Left Behind Act” (P.L. 107-110) in a manner consistent with tribal traditions, languages and cultures. This is an important step towards refining the No Child Left Behind Act so that it works for Native students in a manner that supports Native culture. (National Indian Education Association, www.niea.org)

Improving the quality of education for Native American students, especially with the intent of improving academic performance, presents a complex challenge for schools serving Native communities. (Improving Academic Performance Among Native American Students, A Review of the Research Literature, Dec. 2001).

Cultural and language differences often present difficulties to Indian students (Pavel, et. Al, Minorities in Higher Education, 1994; Thirteenth Annual Status Report, Washington D.C.: American Council on Education, March, pp33-56).

The National Assessment of Educational Progress (NAEP), an ongoing assessment conducted by the National Center for Education Statistics, which examines reading, writing, mathematics, science, and other academic performance of students from across the nation, has shown lower performance scores for students whose families live below the poverty line compared to students whose family incomes are too high to qualify. (U.S. Bureau of the Census. (2001). Poverty in the United States: 2000. Report NO. P60-214. Washington, DC: U.S. Dep. Of Commerce. Retrieved from Feb. 21. 2002, from <http://www.census.gov/prod/2001pubs/p60-214.pdf>)

Nationally, between 1998-2000, 25.9 percent of American Indians and Alaska Natives had incomes below the poverty line; the rate for Indian children is even higher. (U.S. Bureau of the Census. (2001). Retrieved on Feb. 21. 2002, from <http://www.census.gov/prod/2001pubs/p60-214.pdf>)

Consequently, the academic performance of a large portion of Native children is affected by complex social factors associated with poverty.

The Public Education Department makes the following points.

- Academic achievement and dropout data show a significant gap between Native American students and other student groups in New Mexico public schools who are performing at a higher level;
- Educational research has shown that, in order to reduce this gap, efforts must come from different educational entities, parents and community groups (Source: Baca and Cervantes, 1998; Bridglall and Gordon, 2003; Gregory, 2000; and Krashen, 1996);
- Native American students (36,067) in New Mexico's public schools constitute 11.1% of the state's total school enrollment (325,338);
- Approximately 8,370 of these students are currently enrolled in Bilingual Multicultural Education and Title III programs. This represents approximately 23% of all Native American students in the public schools;
- According to the New Mexico Standards-Based Assessment 2004-05 State-Level Results by Grade & Subgroup, Native American student performance was consistently below the proficient level in Reading and Math.
- In Fall 2002, 7% of Native American students attended New Mexico institutions of higher education. Over the past 4 years, an average of 2,700 Native American students entered New Mexico institutions of higher education, including colleges and vocational schools.
- The average age of the undergraduate Native American student was 28; i.e., several years older than the general average. The average age for graduate Native American students was 41.
- According to the Data Collection and Reporting Bureau (PED), 2,096 Native American students graduated from New Mexico high schools in 2004-05.

