

# Education in Tribal Schools, Cross-Border School Information, and Update on the Martinez/Yazzie lawsuit

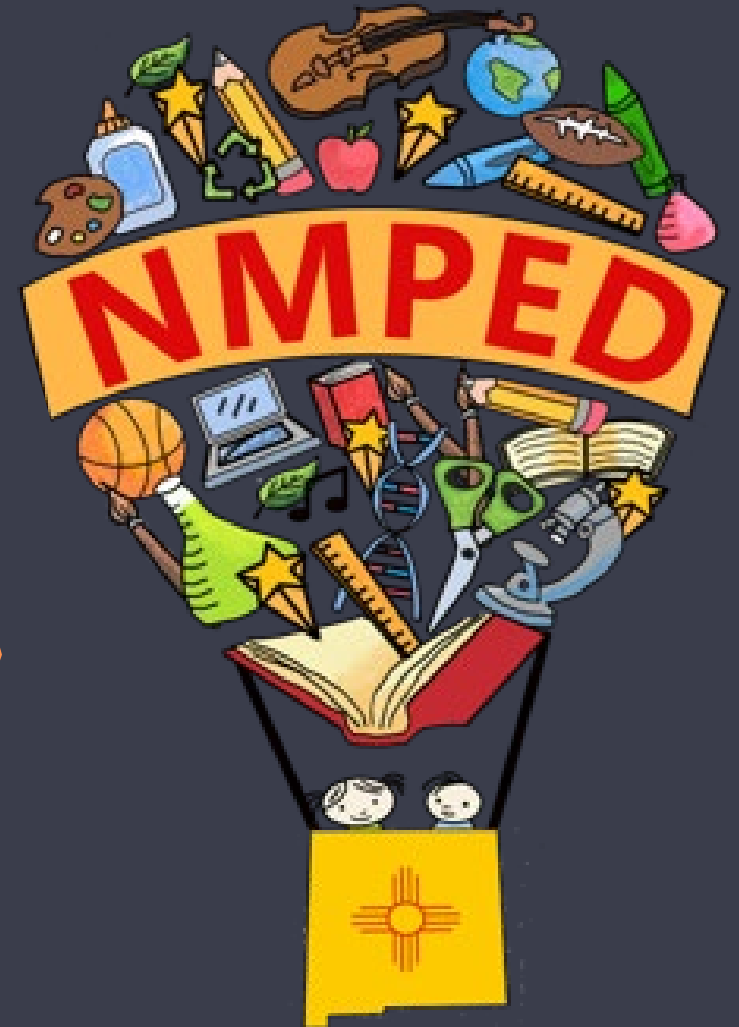
Indian Affairs Committee & Rural Economic  
Opportunities Task Force

August 5, 2021

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Public Education Department (PED)

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Teaching, Learning, and Assessment, PED

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# Overview

- Progress in addressing the Martinez-Yazzie lawsuit and findings
- PED Strategic Plan impact
- Funding for the Tribal Remedy Framework
- Tribal education appropriations issued to IED for FY21-23
- Cross Border Schools

# Consolidated Lawsuit Update

- Discovery phase of lawsuit is in process and is scheduled to conclude this year
  - No depositions taken to date
- Plaintiffs filed motion in December 2020 related to technology
- April 30, 2021: Judge Wilson's ruling
- May 18, 2021: Judge Wilson's written order:
  - Access to digital devices
  - Access to high speed internet
  - Sufficient funding for IT staff

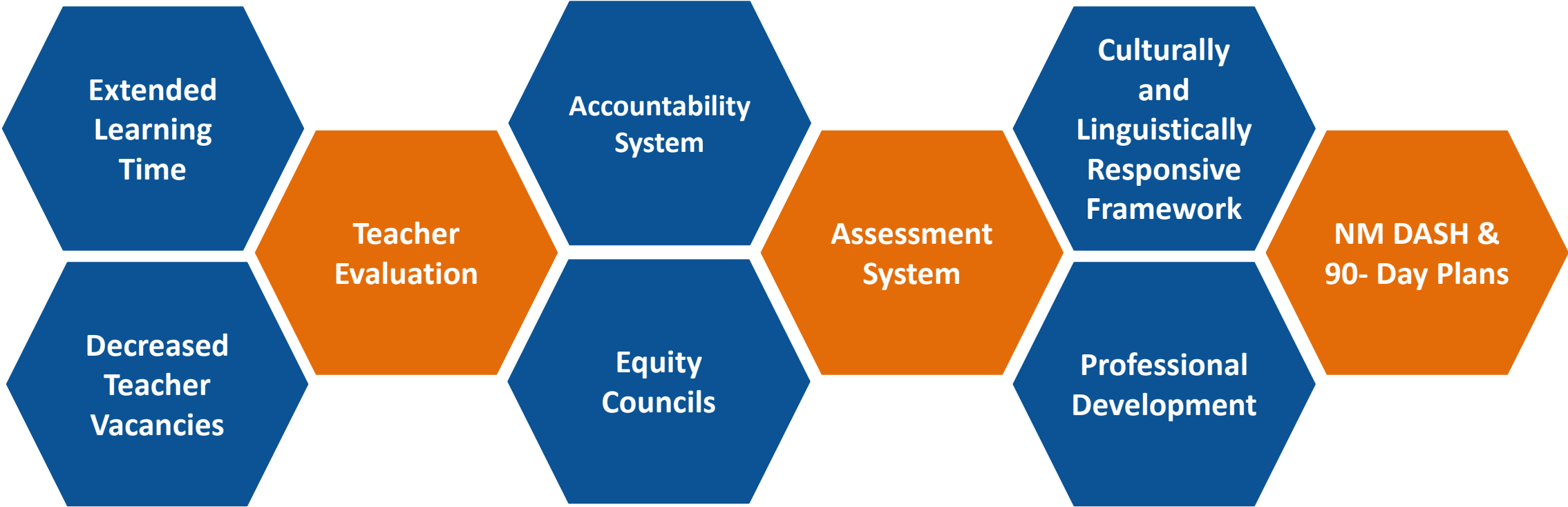
# Measures to Address Consolidated Lawsuit: Legislative

- Extended Learning Time
- At-Risk Funding
- Early Childhood Education
- CTE Funding
- Overall increased education funding
- Family Income Index
- Special Education Ombud

# Measures to Address Consolidated Lawsuit: Financial

- Investments in key programs (e.g. community schools, Native language programs)
- Oversight of districts and schools through audit, budget, and finance processes
- Process improvements in funding distribution
- Tracking of at-risk funding in order to better report back to stakeholders on the intended and actual use of increased funding
- Alignment of district and charter annual budgets with the annual education plan submitted to PED for approval
- Financial transparency website

# Measures to Address Consolidated Lawsuit: Programmatic



# Measures to support Native American students

- Legislative
  - \$5.25 million each year for past two years to the Indian Education Fund
  - \$5.5 million over two years for Indigenous, Multilingual, Multicultural, and Special Education Initiatives
  - \$9 million for culturally and linguistically diverse instructional materials and curriculum development
- PED
  - Awarded grants to 21 nations, tribes, and pueblos and 28 school districts and charter schools serving large numbers of Native American students
  - Working with stakeholders to develop culturally and linguistically diverse instructional materials
  - Provided 6,252 Chromebooks to 22 tribes and schools with a significant Native American student population, 101 CradlePoint fixed and mobile hotspots to tribal schools and 22 tribes, and 700 residential hotspots to the Navajo Nation to assist in closing the digital divide
  - Trained district, charter, and tribal education departments in culturally and linguistically responsive instructional and family engagement practices

# Measures to support at-risk students

- Legislative
  - Increase at-risk funding factor from .13 in 2018 to .30
  - \$5.3 million over two years to establish community schools
  - \$3 million to establish school budget transparency website in order to better report back to stakeholders on the intended and actual use of increased funding
  - Increased funding for extended learning opportunities
- PED
  - Awarded 59 planning and implementation grants for FY20 and FY21
  - Districts will be required to align their annual budgets with the annual education plan submitted to PED for approval
  - Requiring districts to establish Equity Councils to guide programming and budget development
  - Implementing multi-layered systems of support (MLSS) to ensure students receive support and intervention in a timely manner



# Measures to support students with disabilities

- Legislative

- Special education ombud
- \$750,000 for statewide special education convening

- PED

- Convening a special education planning group in an effort to improve oversight, accountability, and support services for SWD
- Implementing multi-layered systems of support (MLSS) to ensure students receive support and intervention in a timely manner in an effort to reduce delays in special education diagnosis when appropriate
- Implement administrative rule increasing reporting and further outlining the parameters of the use of restraint and seclusion, which disproportionately affect students with disabilities

# Measures to support English learners

- **Legislative**

- Appropriated an additional \$6.9 million for bilingual and multicultural education programs
- \$9 million for culturally and linguistically diverse instructional materials and curriculum development

- **PED**

- Professional development for teachers in English language development strategies
- Establish a Culturally and Linguistically Responsive (CLR) Framework
- Funding a statewide Spanish language proficiency assessment
- Review and adoption of high quality instructional materials

# PED Strategic Planning

The PED is committed to ensuring equity, excellence, and relevance for **all** students, with particular focus on those called out in the lawsuit. PED engaged stakeholders in a strategic planning process to evaluate current initiatives and determine ways to strengthen and improve strategies within each of its four strategic pillars.

## **Vibrant Educator Ecosystem**

Addressing the critical teacher shortage through professionalizing education, recruiting and retaining top talent, providing extra support to new teachers, and providing resources to develop strong school leaders

## **Whole Child Education**

Providing the resources and accountability to ensure that students in New Mexico are engaged in a culturally and linguistically responsive educational system that meets the social, emotional, and academic needs of all students

## **Pathways and Profiles**

Develop multiple robust and relevant college and career pathways while defining the educational, social, and civic skills every New Mexico high school graduate will possess

## **Asset-Based Supports and Opportunities**

Ensuring every student in New Mexico has equitable access to achieve personal success regardless of their demographics

# Pillar I: Educator Ecosystem

<b>Strategy</b>	
<b>Diverse and Robust Educator Pipeline</b>	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Increase the number of Educators Rising chapters focused on Native American students</li> <li>• Provide support and assistance for Native language instructors seeking a 520 certificate</li> <li>• Educator Fellows program</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Establish a pathway to compensation parity for teachers who hold 520 Native American Language and Culture certifications</i></li> <li>• <i>Provide scholarships for Native American students to complete teacher preparation programs</i></li> </ul>
<b>Induction for Early Career Teachers</b>	<p><b>Current actions</b></p> <ul style="list-style-type: none"> <li>• Increase financial support for mentorship programs for new teachers</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Target mentorship resources to schools serving high concentrations of Native American students</i></li> </ul>
<b>Growth-Oriented Career Ladder</b>	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Develop and fund Native American language programs that train teachers and coordinate curriculum and assessment development</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Launch the use of microcredentials in bilingual education/biliteracy and Indigenous language education</i></li> </ul>

# Pillar II: Whole Child Education

Strategy	
<b>Deeper Learning</b>	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Work with tribes to establish expectations and launch new programming for indigenous language retention and growth</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Provide technical assistance to tribal liaisons and district/school leadership on equity-centered data analysis and program evaluation with a focus on Native American students</i></li> </ul>
<b>Culturally and Linguistically Responsive Curriculum and Pedagogy</b>	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Supporting all district leaders to build strong relationships and collaborations among districts and charters and charters and the nations, tribes, and pueblos in the state</li> <li>• Develop and implement Native American language programs</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Ensure all teacher candidates receive instruction relevant to the Indian Education Act, Hispanic Education Act, bilingual Multicultural Education Act, Black Education Act, and anti-racism practices to better inform learning for all students</i></li> </ul>
<b>Social Emotional Learning</b>	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Establish and provide training on an SEL framework</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Expand the use of trauma-informed practices and use Indigenous justice models</i></li> </ul>

# Pillar III: Profiles and Pathways

Strategy	
<b>Reimagined System of College and Career Preparation</b>	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Create a formal pathway for Native American students to increase access to and completion of certificate-granting CTE pathways and dual credit programs</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Ensure all certificate- or diploma-granting programs engage in consultation with nations, tribes, and pueblos</i></li> </ul>
<b>Experiential Learning Opportunities</b>	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Increase work-based learning opportunities for Native American students</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Implement and publicize internship and work-based learning programs in Native American communities</i></li> </ul>
<b>Culture of College and Career Readiness</b>	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Increase FAFSA participation rate</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Increase outreach to culturally and linguistically diverse families to ensure they are aware of different opportunities and pathways</i></li> </ul>

# Pillar IV: Asset-Based Supports and Opportunities

Strategy	
Community Schools	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Increase the number of community schools</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Establish at least one community school in every high school attendance zone in the state</i></li> </ul>
Closing the Digital Divide	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Provide digital devices and internet connectivity supports to rural and Native American communities lacking essential remote learning technology</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• Ensure all students have access to a digital device and connection to high-speed internet</li> </ul>
Student Attendance	<p><b>Current Actions</b></p> <ul style="list-style-type: none"> <li>• Encouraging schools and districts to conduct landscape or community needs assessment in order to identify barriers and co-create solutions that mitigate chronic absenteeism with families of Native American students via Attendance for Success Act mandates</li> </ul> <p><b>Proposed Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Provide culturally relevant and linguistically responsive professional development to educators and school staff on best practices in family engagement, in service of strong school-home relationships that promote consistent attendance for all students</i></li> </ul>

# Addressing the Tribal Remedy Framework

- Cross agency effort to address various components of the framework
  - PED, ECECD, HED, IAD, DCA, DoIT
- Recommendations vary from early childhood education to teacher preparation and curriculum development
- PED legislative requests toward TRF totaled \$30 million over two years
- The legislature appropriated \$15.6 million toward efforts related to the Tribal Remedy Framework in FY22



# Educational Blueprints & Governance Structures

## RFA

- Issued from June 8, 2021-July 8, 2021
- Panel Review from July 12, 2021-July 16, 2021
- Finalize contractual agreements July 20, 2021-July 23, 2021
- Contract awards July 26, 2021-July 28, 2021

## Applied

- 18 out of 22 nations, tribes, and pueblos have applied

## Awards Issued

- Issue awards
  - ✓ Agreement starts as of 7/1/2021 and terminates June 30, 2023
- Set up quarterly meetings
  - ✓ Discuss funding
  - ✓ Goals
  - ✓ Current status of their award
  - ✓ Any roadblocks
  - ✓ Round table discussion of what is working and not working

# Native American Language Programs

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# Outcomes and Goals

## Educational Blueprints

- Resource mapping
- Support college and career readiness and leadership growth
  - Workshops
  - SAT preparatory courses
  - Leadership conferences
- Tutoring to address urgent needs
- Develop a Youth development program
- Address academic gaps
- Address attendance and behavior
- Assess education technological needs due to the COVID-19 pandemic

## Native American Language Programs

- Develop culturally and linguistically appropriate language assessment
- Recruit and train teachers and obtain certification
- Develop and continue language curriculum
- Organize language activities that compliment and promote involvement in language program
- Create and expand multimedia opportunities
- Curriculum mapping
- Establish a bilingual seal program

# Tribal Libraries

- Signed MOU with DCA/State Library for management of SB377 funding
- The State Library has the authority to issue grants to public and tribal libraries
- Many tribal libraries do not have the financial capacity to pre-pay expenses, and wait for reimbursement
- Having funds flow through NMSL allows all tribal libraries to receive funds who may otherwise be unable to access them
- The State Library has long term experience and working relationships with Tribal Libraries through its Tribal Libraries Program
- Grant agreements will be signed using an expedited online process, and expenditures will use existing library reporting mechanisms Tribal Libraries are familiar with
  - The process will not require an RFA
- Funds are in the process of being transferred to DCA with a goal to distribute funds in August

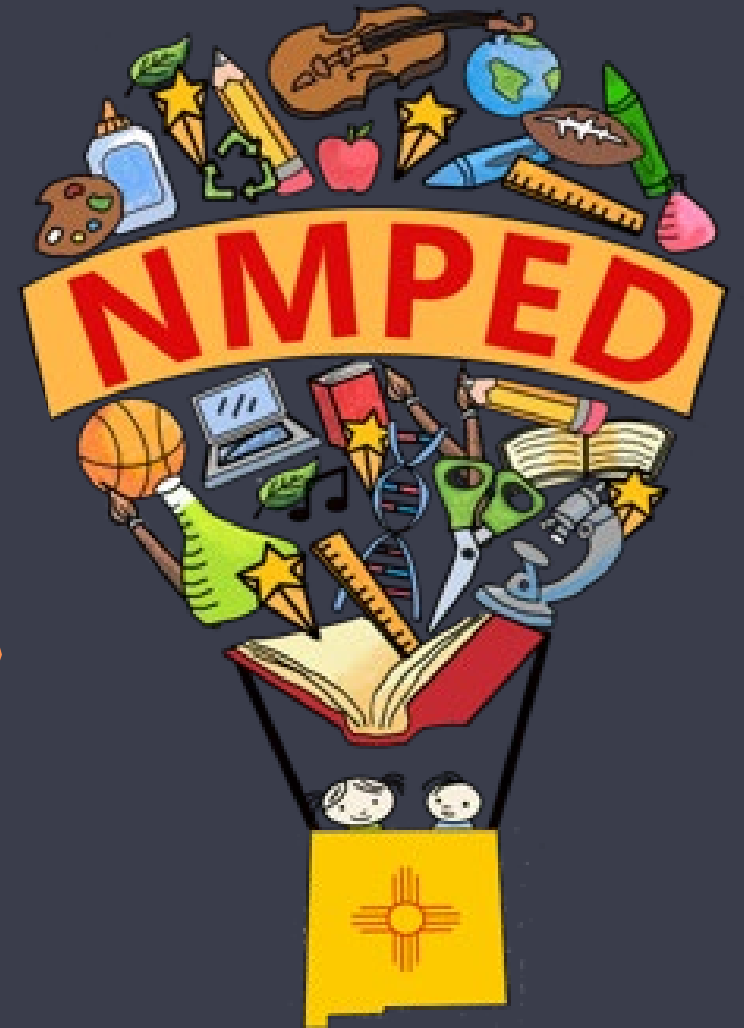
# Tribal Libraries

- Funding will total \$4.5M and will be disbursed in FY22
- Each Pueblo and both Apache libraries will each receive \$200,000 to be spent by June 30, 2023
- The Navajo Nation will receive \$300,000 to be spent by June 30, 2023
- The State Library will work with the three pueblos that currently do not have libraries with a goal to meet minimum standards to qualify for state library funding as recognized tribal libraries

# Cross Border Schools

- HM43, Navajo Nation Bi-State Charter School Study, from the 2013 legislative session
  - Requested the PED's Indian Education Division and the Indian Affairs Department to study the feasibility of a bi-state charter school in the Red Lake Chapter of the Navajo Nation
  - Working group met three times in 2013 and concluded that the state's laws would allow for the establishment of such a charter school
  - As a result of this foundational work, the Dził Ditł'ooí School of Empowerment, Action, and Perseverance (DEAP) charter school opened its doors in the fall of 2015
- Best practices
  - MOUs between bi-state bordering school districts (in past years, a school district in southwest New Mexico and Arizona school districts entered into an MOU related to this issue)
  - Recommendation to reach out to leadership at the school district level as this is a local control concern

Thank you!



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