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HOUSE BILL 151

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Derrick J. Lente

AN ACT

RELATING TO INDIAN EDUCATION; REQUIRING NEEDS ASSESSMENTS TO DETERMINE WHAT SERVICES SCHOOL DISTRICTS NEED TO PROVIDE TO INDIAN STUDENTS TO HELP THEM GRADUATE AND BE READY FOR COLLEGE AND CAREERS; REQUIRING A SYSTEMIC FRAMEWORK THAT FOCUSES ON MEASURES TO CLOSE THE ACHIEVEMENT GAP BETWEEN INDIANS AND ALL OTHER STUDENT GROUPS IN NEW MEXICO; REQUIRING ACCOUNTABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Indian Education Act is enacted to read:

"NEW MATERIAL INDIAN EDUCATION--SCHOOL DISTRICT RESPONSIBILITIES--NEEDS ASSESSMENTS--USE OF DATA--PRIORITIZING BUDGETS--REPORTS.--

A. As used in Sections 1 through 3 of this 2018 act, "school district" includes charter schools.

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1           B. Historically defined Indian impacted school  
2 districts are required to conduct a needs assessment to  
3 determine what supports are needed in public school, at home  
4 and in the community to help Indian students succeed in school,  
5 graduate with a diploma of excellence and be prepared to enter  
6 post-secondary education or the workplace.

7           C. After the needs assessment, the school district  
8 shall meet with the local tribes to prioritize the needs to be  
9 addressed. The school district shall make meeting the needs of  
10 Indian students and closing the achievement gap between Indian  
11 students and all other student groups a priority in the school  
12 district budget, including applying state and federal funding  
13 for Indian students, disadvantaged students, at-risk students,  
14 students in poverty and other categories of state and federal  
15 funding to help disadvantaged students.

16           D. The school district shall apply for appropriate  
17 state, federal and private grants to help it carry out the  
18 provisions of Sections 1 through 3 of this 2018 act. When  
19 approving budgets, the department shall consider whether a  
20 school district's budget accomplishes the prioritized needs  
21 from the Indian students needs assessment.

22           E. The school district shall develop an  
23 accountability tool that measures public school efforts  
24 pursuant to the systemic framework provided for in Sections 2  
25 and 3 of this 2018 act and the success or failure of those

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1 efforts.

2 F. The school district shall hold a public meeting  
3 with members of the Indian students' tribal leaders, parents  
4 and the Indian education division of the department at least  
5 twice in the school year to report on the needs assessment and  
6 the school district's evaluation of progress."

7 SECTION 2. A new section of the Indian Education Act is  
8 enacted to read:

9 "[NEW MATERIAL] SYSTEMIC FRAMEWORK FOR IMPROVING  
10 EDUCATIONAL OUTCOMES FOR INDIAN STUDENTS.--Historically defined  
11 Indian impacted school districts shall develop and publish a  
12 systemic framework for improving educational outcomes for  
13 Indian students. The school district shall develop the  
14 framework in collaboration with school employees, tribal  
15 leaders, Indian students and families, social service providers  
16 and community and civic organizations. The Indian education  
17 division of the department shall assist the school district as  
18 required during the development and implementation of the  
19 framework. The school district may request assistance from  
20 schools of education at state educational institutions to  
21 identify best practices in collecting and using student-  
22 centered data to inform teaching strategies and schoolwide  
23 efforts to close the achievement gap between Indian students  
24 and all other student demographic groups."

25 SECTION 3. A new section of the Indian Education Act is

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1 enacted to read:

2 "[NEW MATERIAL] SYSTEMIC FRAMEWORK ELEMENTS.--

3 A. The systemic framework for improving educational  
4 outcomes shall include programs, services, culturally relevant  
5 activities and professional development that need to be  
6 provided to improve Indian education in the state. Based on  
7 the priorities developed through the needs assessment and the  
8 priorities set in the budget for the school year, the systemic  
9 framework may include some or all of the elements provided in  
10 this section.

11 B. Academic and other programs may include, within  
12 the context of the Indian education division's development or  
13 selection of culturally relevant curricula and instructional  
14 materials as provided in Subsection E of Section 22-23A-5 NMSA  
15 1978:

16 (1) innovative programs designed to meet the  
17 educational needs of educationally disadvantaged Indian  
18 students;

19 (2) high-quality professional development for  
20 teaching professionals and paraprofessionals;

21 (3) the identification of early childhood,  
22 pre-kindergarten and family programs in the school district  
23 that emphasize school readiness and that are effective in  
24 preparing young children to make sufficient academic growth by  
25 the end of grade three, including family-based early childhood

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1 programs that provide screening and referral and provide  
2 services to Indian children with developmental delays or  
3 disabilities;

4 (4) educational programs that are not usually  
5 available in sufficient quantity or quality, including remedial  
6 instruction, to raise the achievement of Indian students in one  
7 or more of the subjects of English, mathematics, science,  
8 foreign languages, art, history and geography;

9 (5) bilingual and bicultural programs and  
10 projects;

11 (6) enrichment programs that focus on problem  
12 solving and cognitive skills development and directly support  
13 the attainment of challenging state academic standards;

14 (7) programs designed to encourage and assist  
15 Indian students to work toward, and gain entrance into,  
16 institutions of higher education;

17 (8) special compensatory and other programs  
18 and projects that are designed to assist and encourage Indian  
19 students to enter, remain in or reenter school and to increase  
20 the rate of high school graduation for Indian students;

21 (9) career preparation activities that enable  
22 Indian students to participate in programs such as the programs  
23 supported by the federal Carl D. Perkins Career and Technical  
24 Education Act of 2006, including programs for technology  
25 preparatory education, mentoring and apprenticeship;

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1 (10) partnership projects between public  
2 schools and local businesses for career preparation programs  
3 designed to provide Indian students with the knowledge and  
4 skills needed to make an effective transition from school to a  
5 high-skill career; and

6 (11) rigorous and meaningful curricula and  
7 educational opportunities that will lead to lifelong success  
8 for all students.

9 C. Culturally related activities may include:

10 (1) culturally related activities that support  
11 the academic program of the public school;

12 (2) activities that support Indian language  
13 programs and Indian language restoration programs that may be  
14 taught by traditional leaders and that qualify for the state  
15 seal of bilingualism-biliteracy on a student's diploma of  
16 excellence as provided in Section 22-1-9.1 NMSA 1978;

17 (3) activities that promote the incorporation  
18 of culturally responsive teaching and learning strategies into  
19 the public school's educational program; and

20 (4) activities to educate students about the  
21 prevention of violence, suicide and substance abuse.

22 D. Services to be provided may include:

23 (1) early interventions to help struggling  
24 students, such as after-school programs, tutoring and mentoring  
25 and school and community interventions to prevent truancy and

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1 reduce dropout rates;

2 (2) comprehensive guidance and counseling  
3 services;

4 (3) integrated educational services in  
5 combination with other programs that meet the needs of Indian  
6 students and their families, including programs that promote  
7 parental involvement in school activities and increase student  
8 achievement;

9 (4) special health- and nutrition-related  
10 services and other related activities that address the special  
11 health, social and psychological problems of Indian students  
12 and their families; and

13 (5) family literacy services, including New  
14 Mexico even start and adult basic education programs."

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