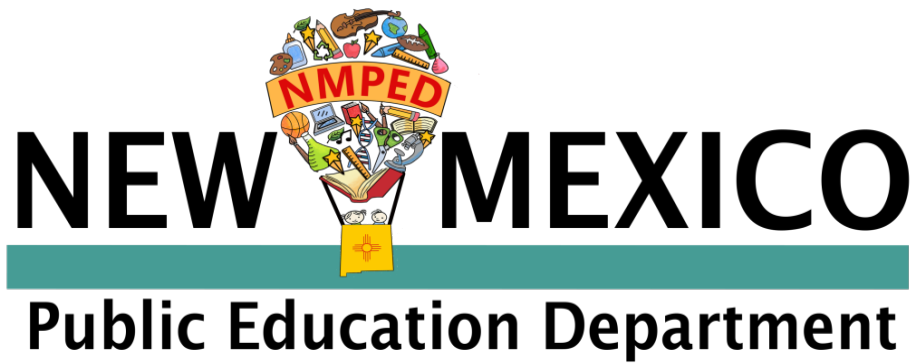


July 2020

# State-Tribal Collaboration Act Annual Report



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## Executive Summary

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The State-Tribal Collaboration Act (STCA) reflects the commitment of the New Mexico Public Education Department to work with tribal leaders on a government-to-government basis and provide guidance for the implementation of Indian Education Act. The STCA signifies a milestone achievement that the State and the 22 sovereign nations, tribes, and pueblos accomplished together and will pave the way for the future benefit and longevity of cooperative and productive State-Tribal relationships. The STCA institutionalizes the intergovernmental relationship through several interdependent components and provides a basis on which the New Mexico Public Education Department (PED) and the tribes can work together to better collaborate and communicate on educational issues of mutual concern.

### Agency Overview and Background

#### **Mission Statement: Equity, Excellence and Relevance**

The New Mexico PED partners with educators, communities, and families to ensure that ALL students are healthy, secure in their identity, and holistically prepared for college, career, and life.

#### **Vision: Rooted in Our Strengths**

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.

The State Tribal Collaboration Act provides guidance for the Indian Education Act.

### Statutory Requirement

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The State-Tribal Collaboration Act (STCA ) is a regulatory requirement located at Subsection C of Section 18.11.1 NMSA 1978 and requires that the PED issue this report. This section describes the laws and rules that apply to the STCA in relevant part as follows:

No later than July 31 of every year, a State agency shall submit a report to the Indian Affairs Department on the activities of the State agency pursuant to the State-Tribal Collaboration Act, and the Indian Affairs Department shall compile all such reports for submittal to the governor and to the legislature. The report shall include

- (1) the policy the state agency adopted pursuant to the State-Tribal Collaboration Act;
- (2) the names of, and contact information for, the individuals in the state agency who are responsible for developing and implementing programs of the state agency that directly affect American Indians or Alaska Natives;
- (3) the current and planned efforts of the state agency to implement the policy set forth in Subsection A of Section 3 of the State-Tribal Collaboration Act;
- (4) a certification by the state personnel office of the number of managers and employees

- of each state agency who have completed the training required by Subsection B of this section;
- (5) a description of current and planned programs and services provided to, or directly affecting, American Indians or Alaska Natives and the amount of funding for each program; and
  - (6) the method the state agency established for notifying employees of the state agency of the provisions of the State- Tribal Collaboration Act.

## The Policy the PED Adopted Pursuant to the State-Tribal Collaboration Act

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On July 8, 2016, the PED approved and adopted its Collaboration and Communication Policy in compliance with the State-Tribal Collaboration Policy. Implementation of the policy requires a constant and ongoing government-to- government relationship between the tribes, pueblos, and nations of New Mexico, and the PED. The many collaborative outreach activities with tribes and pueblos are a reflection of the PED's commitment to engage in meaningful dialogue, and they improve the opportunities for American Indian students to succeed both academically and culturally. Collaborative outreach activities stemming from the policy include such as the following:

1. Formalize the requirement of the STCA to implement a collaboration and communication policy that seeks collaboration and participation by Indian nations, tribes, and pueblos in the policy development and program activities or services related to education.
2. Establish a minimum set of requirements and expectations with respect to a government-to government relationship to increase educational attainment.
3. Promote the development of innovative methods of obtaining collaboration on issues from tribal governments and involving tribal governments in agency decision-making processes that affect education policy.
4. Establish a process that can assist in resolving potential conflicts, maximizing inter-governmental relations, and enhancing an exchange of ideas and resources between the entities for the greater good of all New Mexico's citizens.

The complete policy may be accessed at the following link: <https://webnew.ped.state.nm.us/wp-content/uploads/2019/02/STCR-Policy-with-Colver-Letter.pdf>

## Development & Implementation Programs for Native Americans/Alaskan Natives

The following table shows the work plan from the Tribal Leaders Summit with the Indian Affairs Department and Tribal liaisons that took place on October 16, 2019.

Action Plan: Education	Agency Responsible	Actions Taken	Lead	Additional Resources Required/Concerns
<b>B. PRIMARY AND SECONDARY EDUCATION</b>				
Track every dollar in every school district by 2020.	PED	Goal is in place. Point person established (Deputy Secretary Adan Delgado). Next step: work both internally and with districts to triangulate financial systems.	Adan Delgado, Deputy Secretary of Finance and Operations David Craig, Director School Budget and Finance Analysis	Additional Support:  Kara Bobroff, Deputy Secretary of Identity, Equity and Transformation and Acting Assistance Secretary of Indian Education  Mayra Valtierrez, Director of Language and Culture and Interim Deputy Director of Indian Education Division
Consult with tribal education directors next quarter on HB 250. (Indian Education Act reauthorization).	PED	10/16/2019 Review with the Indian Education Advisory Council 10/22/2019 Consultation at Government to Government 10/22/2019 – 1/7/2020 Consultation period open upon tribal request 1/8/2020 Consultation with tribal leaders and tribal education departments 1/28/2020 published on NM Register for public comment period 3/16/2020 – Public hearing at NMPED Mabry Hall	Timothy Hand, Ph.D., Deputy Secretary of Policy, Strategy and Accountability John Sena, Director of Policy, Innovation, and Measurement Heidi Macdonald, Policy Analyst	Additional Support:  Kara Bobroff, Deputy Secretary of Identity, Equity and Transformation and Acting Assistance Secretary of Indian Education  Mayra Valtierrez, Director of Language and Culture and Interim Deputy Director of Indian Education Division

<p><b>Require school districts to submit a 90-day plan at the start of the school year showing compliance with the Indian Education Act and how at-risk funding is being utilized and what services are being offered to students with disabilities, English language learners, economically disadvantaged students, and Native American students.</b></p>	<p><b>PED</b></p>	<p>The NM DASH 90-day plan is required by all schools and per the Ideal State (attached) the work for the NM DASH Annual Plan and 90-day plan begins in March/April, with approval by the LEA in May, and ready for implementation August (beginning of school).</p> <p>Will be launched soon since select districts participating in Principals Pursuing Excellence. Will be implemented by all districts in the 2020-2021 school year.</p> <p>The Indian Education Act and how at-risk funding is being utilized and what services are being offered to students with disabilities, English language learners, economically disadvantaged students, and Native American students, this information is being gathered by an alternate process.</p>	<p>Katarina Sandoval, Deputy Secretary of Academic Engagement and Student Success</p> <p>Elisabeth Peterson, Director of Priority Schools</p> <p>Kara Bobroff, Deputy Secretary of Identity, Equity and Transformation and Acting Assistance Secretary of Indian Education</p> <p>Mayra Valtierrez, Director of Language and Culture and Interim Deputy Director of Indian Education Division</p>	
<p><b>Review annual reports submitted by school districts and make recommendations for improvement.</b></p>	<p><b>PED</b></p>	<p>Tribal Education Status Report April-June, 2020: Regional Meetings/Technical Assistance to provide recommendations for improvement. July 30, 2020: Reports must be provided to the assistant secretary and tribes. August-October, 2020: IED will review district reports and synthesize for statewide report. November 15, 2020: Annual statewide tribal</p>	<p>Kara Bobroff, Deputy Secretary of Identity, Equity and Transformation and Acting Assistance Secretary of Indian Education Daphne Littlebear, Indian Education Division-Education Administrator Judith Harmon, Indian Education Division-Data Analyst</p>	

		<p>education report submitted to NM Tribes.</p> <p>Indian Education Grant Funding Reports April-June, 2020: Regional Meetings/Technical Assistance to provide recommendations for improvement.</p> <p>June 30, 2020: IEA funds must be expended</p> <p>July 12, 2020: End of Year report must be submitted to IED.</p>		
<p><b>Outreach to families so in the future 90,000 students are taking advantage of K5 Plus.</b></p>	<p><b>PED, Tribal Leaders</b></p>	<p>Outreach has started (projections, support), considerations of necessary legislative revisions.</p>	<p>Katarina Sandoval, Deputy Secretary of Academic Engagement and Student Success Severo Martinez, Director Literacy, Humanities, Early Childhood Bureau</p>	<p>Additional Support:</p> <p>Kara Bobroff, Deputy Secretary of Identity, Equity and Transformation and Acting Assistance Secretary of Indian Education</p> <p>Mayra Valtierrez, Director of Language and Culture and Interim Deputy Director of Indian Education Division</p>
<p><b>Support the Indian Education Native American Advisory Council and provide information about new programs and initiatives.</b></p>	<p><b>PED, HED, Tribal Leaders</b></p>	<p>8/17/2019 – IEAC work session and updates 10/26/2019 – NMPED Open House for Advisory Councils 11/20/19 – Government to Government and IEAC work session updates 01/25/2020 – IEAC work session and updates 3/7/2020 – IEAC work session and updates</p> <p>*IED sends communication directly to IEAC members on any information shared with tribal leaders, tribal education directors, school</p>	<p>Kara Bobroff, Deputy Secretary of Identity, Equity and Transformation and Acting Assistance Secretary of Indian Education</p>	<p>Additional Support:</p> <p>Mayra Valtierrez, Director of Language and Culture and Interim Deputy Director of Indian Education Division</p>

		districts and stakeholders.		
<b>Provide input and participate in the assessment of school districts and curriculum.</b>	<b>PED, Tribal Leaders</b>	Assessment team is engaging tribal leadership around curriculum and instructional materials and will do so more formally at the G2G meeting. March/April: Reconvening of Indigenous NM: Social Studies Curriculum Initiative	Gwen Perea Warniment, Ph.D., Deputy Secretary of Teaching, Learning and Assessment Lynn Vasquez, Director of Assessment Jacqueline Costales, Director of Curriculum and Instruction	Additional Support:  Kara Bobroff, Deputy Secretary of Identity, Equity and Transformation and Acting Assistance Secretary of Indian Education  Mayra Valtierrez, Director of Language and Culture and Interim Deputy Director of Indian Education Division

## Current and Planned Implementation STCA Efforts

In accordance with the State Tribal Collaboration Act, the New Mexico Public Education Department policy follows guidelines set forth in Subsection A of Section 3 of the State Tribal Collaboration Act as shown below:

Subsection A of Section 3 STCA states:

A. By December 31, 2009, every state agency shall develop and implement a policy that:

- (1) promotes effective communication and collaboration between the state agency and Indian nations, tribes or pueblos;
- (2) promotes positive government-to-government relations between the state and Indian nations, tribes or pueblos;
- (3) promotes cultural competency in providing effective services to American Indians or Alaska Natives; and



(4) establishes a method for notifying employees of the state agency of the provisions of the State-Tribal Collaboration Act and the policy that the state agency adopts pursuant to this section.

*Promotes effective communication and collaboration between the state agency and Indian nations, tribes, or pueblos*

The NM Public Education Department Indian Education Division (IED) has been engaged in the following conferences, workshops, information sessions, activities, and formal agreements to improve education achievement of and accountability for American Indian students in New Mexico.

### **Monthly meetings with the Secretary of Education**

Ryan Stewart, Ed, LD became the NM PED Secretary in September, 2019 and has conducted monthly calls with the Tribal Education Directors. Joining him on these calls has been Deputy Secretary for IED/Deputy Secretary of Identity, Equity, and Transformation, Kara Bobroff.

During the 2019-2020 academic year the Indian Education Division hosted various tribal governing boards throughout the year. These meetings include those to:

The Secretary of Education, Ryan Stewart, ED, LD, has a monthly call with Tribal Indian Education Directors. Deputy Secretary for Indian Education/Deputy Secretary of Identity, Equity, and Transformation, Kara Bobroff, joined the Secretary on these calls.

In December 2019, the Secretary participated in a Roundtable Discussion regarding the Yazzie/Martinez lawsuit.

During the 2019–2020 academic year, the IED hosted various tribal governing boards throughout. These include those that follow below.

*Promote communication and collaboration between tribes and the PED*

Tribal and Governing Board Retreat, February 27–28, 2020

Pueblo of Jemez ~ Pueblo of Zia

Presenters and Topics:

Kara Bobroff, Deputy Secretary of Identity, Equity, and Transformation—Education Department’s goals

Mayra Valtierrez, Director of Language and Culture—Equity Councils, Indigenous Language Programs and the Indigenous Education Curriculum Initiative

Alan Brauer, Director of Charter Schools—Indigenous Education Initiative

Heidi McDonald policy analyst—The NM legislative priorities and Yazzie/Martinez lawsuit

### **Meetings with Interim Assistant Secretary of Indian Education**

Assistant Secretary for Indian Education and Deputy Secretary of Identity, Equity, and Transformation, Kara Bobroff chaired all the Tribal Education Director (TED) weekly check-in meetings, as well as the check-in calls. She had the following interactions with Tribes from July 1, 2019–June 30, 2020.

<b>Date, 2019</b>	<b>Event</b>
July 2	Meeting w/ Pueblo of Acoma Department of Education
July 2	Navajo Nation Visit
July 15	Acoma Pueblo Visit
July 26	Zuni Pueblo Impact Aid
July 31	Santa Ana Pueblo Impact Aid
July 31	Isleta Pueblo Impact Aid
August 1	Indian Affairs Presentation at Laguna Middle School
August 7	Sandia Pueblo Impact Aid
August 8	Santa Clara Pueblo Impact Aid
August 8	Nambe Pueblo Impact Aid
August 9	Taos Pueblo Impact Aid and Capital Outlay
August 12	San Ildefonso Pueblo Impact Aid
August 23	Pojoaque Pueblo Impact Aid
August 27	Meeting w/ President Paiz Jicarilla Apache Nation on Indigenous NM Curriculum and Impact Aid
August 29	Navajo Nation Impact Aid
September 6	Navajo Nation Board Meeting
September 9	Zia Pueblo Impact Aid
September 12	Ohkay Owingeh Impact Aid
September 20	Navajo Nation Tribal Consultation
October 1	Santo Domingo Impact Aid
October 4	Cochiti Pueblo Impact Aid
October 15	San Felipe Pueblo Impact Aid
October 17	APGC Meeting
November 20–22	G2G
December 6	NM IEAC Work Session
December 18	Tribal Education Leader's Y/M Roundtable Discussion
<b>Date, 2020</b>	<b>Event</b>
January 14	Indigenous Education Initiative Orientation
January 16	Collaboration Meeting: NMPED and Dine College
January 22	BIE Meeting
January 25	IEAC Work Session
February 3	NN Language Revitalization Taskforce

February 3	Indigenous Education State Leaders Network (IESLN) Quarterly Virtual Meeting
February 13	Tribal Certification Discussion
February 18	DLA Meeting, Window Rock, NM
February 19, 2020	HEHSC 24th Navajo Nation Council Regular Meeting—To'Hajiilee Navajo Chapter House, 117 Tribal Rd N7071 To'Hajiilee NM 87026
February 19	APS & NN Tribal Consultation
February 19	NAS 50th Anniversary Celebration
February 20	Monthly Call with Secretary Stewart and Tribal Education Directors
February 27	Tribal Higher Education Director/HED call
February 27–28	Pueblo of Jemez - Pueblo of Zia: Tribal and Governing Board Retreat
March 17	NMPED IED Updates Call
March 23	BIE Leadership Team Call
March 27	IED Call Updates from NMPED
March 27	PED and DODE—Call
March 31	HED/TED Call
March 31	Continuous Learning Updates for Native American Students
April 3	IAD Tribal Leaders Call
April 3	Broadband Update and CLP
April 8	Follow-up meeting NM Navajo Tribally Controlled Schools
April 14	Tribally Controlled Schools and IT support for BIE schools on Navajo Nation
April 30	Navajo Nation Data Sharing Agreement Review
May 6	BIE-NM-AZ-OK meeting
May 11	Zia Pueblo WiFi router questions
May 22	Indian Education Division—TED Meeting
May 27	NM PED/BIE call
June 26	Tribal Consultation—Tularosa and Mescalero
June 26	Tribal Consultation—Ruidoso and Mescalero
June 26	Tribal Community Profile presentation

*Provide trainings to, and consult with, various Tribes*

(These meetings did not occur beyond December of 2019, nor since the COVID-19 pandemic in the spring of 2020.)

**July 2019**

- July 9—Tribal Consultation: Rule Making at Albuquerque Public Schools
- July 16—Webinar: IEA Request for Application Online Grant Application training

<ul style="list-style-type: none"> <li>July 22, 23, 24—Engagement Convening with SFIS Leadership Institute Pueblo Convocation on Education: Student Needs Analysis/IEA Amendments</li> </ul>
<p><b>August 2019</b></p> <ul style="list-style-type: none"> <li>August 8—Meeting with Mescalero Apache Tribe regarding IEA RfA</li> <li>August 9—Meeting with SFIS Leadership Institute regarding College and Career Resources for Pueblos</li> </ul>
<p><b>September 2019</b></p> <ul style="list-style-type: none"> <li>September 17—Webinar: IEA Request for Application Online Grant Application training</li> <li>September 25—Webinar: IEA Request for Application Online Grant Application training</li> </ul>
<p><b>October 2019</b></p> <ul style="list-style-type: none"> <li>October 16—Tribal Education Directors Meeting at NM PED Mabry Hall</li> <li>October 28—Regional Indian Education Directors’ Meeting at Rio Rancho Public Schools Board Rooms</li> <li>October 31—Regional Indian Education Directors’ Meeting at Dulce Independent School District Board Room</li> </ul>
<p><b>November 2019</b></p> <ul style="list-style-type: none"> <li>November 5—Regional Indian Education Directors’ Meeting at Ruidoso School Board Room</li> <li>November 21—Indian Education Summit</li> <li>November 22—Bi-annual Government-to-Government</li> </ul>
<p><b>December 2019</b></p> <ul style="list-style-type: none"> <li>December 6—Meeting with Pueblo of Picuris regarding IEA Grant</li> <li>Third Annual American Indian English Learner Research Alliance (AIERA) Conference celebrating Native languages, cultural preservation, and culturally responsive instruction and assessment with tribes, districts, schools, the BIE, and State Education Agencies. The purpose was to share resources, information, and tools, as well as to provide opportunities for networking and collaboration.</li> </ul>

*Promote positive government – to –government relations between the state and Indian nations, tribes, or pueblos*

The 22 NM tribes/pueblos/nations, school districts, tribal education departments, educators, parents, and students were convened at the fall 2019 semi-annual government-to-government summit. During this summit, the PED and its bureaus provided hands-on trainings, including those for

- policies and procedures
- ESSA tribal consultation for covered programs
- cultural competency
- Tribal Education Department support
- program management
- technical assistance on tribal language and bilingual programs
- how schools are funded and impact aid
- college and career readiness

- special education

An approximate 235 participants attended the government-to-government summit.

Recommendations from the spring 2019 government-to-government meeting were presented at the fall 2019 government-to-government meeting:

Fall Government-to-Government Convening	
Action Items	PED Status
1. Support the IEAC tribal advisement.	The IED has added new members to the IEAC. A meeting was held in conjunction with the Government-to-Government meeting with a focus on onboarding new members and meeting PED’s Secretary Stewart. A work session is scheduled for December to focus on the development of an advisement package.
2. Develop plan and timeline to address results in the NM PED Tribal Education Status Report.	<p>Working Timeline for Tribal Education Status Reports (TESR):</p> <ul style="list-style-type: none"> <li>• June—NM PED Graduation rates data available</li> <li>• June 30—Affirmations of Tribal Consultation forms to be submitted, and IED receives copies of the Indian Policies and Procedures (DOE application deadline, January 30 2020).</li> <li>• July 12—IEA Grant End of Year reports due to IED highlighting school district initiatives.</li> <li>• July 30—deadline for Local TESRs to be submitted to IED, mandated by IEA Rule. The IED will compile local TESRs into statewide report.</li> <li>• July/August—NM PED Student Achievement, graduation rates, financial reports</li> <li>• October 15—NM PED deadline for leadership review and copy editing review process</li> <li>• November 15—deadline for statewide TESR to be completed, mandated by IEA.</li> </ul>
3. Ensure meaningful and timely tribal involvement and tribal consultation on rulemaking initiatives and curriculum development. Tribal consultation with LEAs are formal.	<p>The PED’s Rule-Making Process includes:</p> <ul style="list-style-type: none"> <li>• Change federal law, state statute (NMSA), or policy priority, as determined by the Secretary</li> <li>• Identify an opportunity to add clarity around implementation or accountability to rule (NMAC)</li> <li>• Choose to: (1) adopt a new rule, (2) amend an existing rule, (3) repeal a rule, or (4) repeal and replace a rule.</li> <li>• Hold Tribal Consultation—Tribal Leadership and IEAC</li> <li>• Hold stakeholder engagement and develops proposed draft</li> <li>• Release public notice and draft</li> <li>• Provide a minimum 30-day comment period held on rule</li> <li>• Hold the public hearing a minimum of 31 days from the notice</li> <li>• Consider public comment</li> <li>• Adopt rule</li> <li>• File rule</li> </ul>

<p>4. Enhance Tribal access to data related to rulemaking processes to: ensure clarity of rule-making outcomes, support tribal positions and input for rulemaking, and further the understanding of NM PED’s methodology for decision making.</p>	<p>The IED will work with the policy office to provide training and technical assistance to tribes on the tribal consultation process of rulemaking at IED Education Summits and regional meetings.</p>
<p>5. Involve the NM Indian Affairs Department in NM PED tribal consultation and rulemaking processes/ meetings</p>	<p>The IED works with the NM Indian Affairs Department to provide tribal consultation and rulemaking.</p>
<p>6. Establish a Tribal Education Workgroup to support tribal involvement in NM PED rulemaking.</p>	<p>The IED works with the policy office to develop a meaningful process for tribal consultation on rulemaking.</p>
<p>7. Provide access to PreK and CYFD data, similar to TESR.</p>	<p>The IED does not have an MOU in place at this time. The IED may work on an MOU with CYFD and the ECECD.</p>
<p>8. Increase Tribal access to state funding information related to Federal Impact Aide and information on school district distribution to more fully understand its distribution throughout the State.</p>	<p>The IED receives copies of the Impact Aid Indian Policies and Procedures and data for approved applications and funding from the USDOE. Additionally, the NM PED is collaborating with the Indian Affairs Department, DFA, tribes, the Legislature, and key stakeholders to create policy recommendations. The recommendations to increase oversight on how funding is used is to improve outcomes for Native American students.</p>
<p>9. Provide for administrative and financial support for teachers who will be implementing newly developed rules. All education mandates shall be funded. Examples: Literacy and Alternative Demonstrations of Competency.</p>	<p>The Indian Education Act RFA is issued for the purpose of improving academic and cultural achievement opportunities, in alignment with the requirements of the Indian Education Act. Grants will be made available to tribal departments of education, local education agencies (LEAs), and charter schools serving significant numbers of Native American students, for purposes that align with New Mexico’s Indian Education Act (NMSA 1978 Section 22-23A-1 through 22- 23A-8).</p> <p><b>Level Of Funding</b></p> <ul style="list-style-type: none"> <li>• \$75,000–\$100,000 for NM Tribal and Pueblo Departments of Education</li> <li>• \$50,000–\$90,000 for LEAs and charters that enroll a significant number of NA students, as previously determined by the PED</li> </ul>

<p>10. Move to multi-year funding grants and agreements, instead of single year or annual funding grants/agreements, in alignment with other state agency practices.</p>	<p>The IED is working internally so that Indian Education Act Funding applicants may propose a project period between one and four years. The above amounts reflect annual funding. Current and continued funding for this project is dependent upon annual legislative appropriations and program performance.</p>
<p>11. Hold State-Tribal consultations on dates that support tribal leadership and education staff participation, mindful of community cultural calendars.</p>	<p>The IED will work with the IEAC to schedule appropriate dates for State-Tribal consultation, i.e., Government-to-Government.</p>
<p>12. Ensure continuity of the state’s Indian education initiatives, rulemaking, tribal consultations, and projects during changes in leadership.</p>	<p>The NM PED has established regular monthly calls with Secretary Stewart and Tribal Education Directors to support the communication with tribes throughout transitions.</p>
<p>13. Develop and implement alternative assessment for teacher certification for tribal teachers.</p>	<p>The NM PED is working with Tribal colleges to support the expansion of educator preparation programs.</p>
<p>14. Reach out to the All Pueblo Council of Governors, Indian Pueblo Cultural Center, the Navajo Nation, the Jicarilla Apache Nation, and the Mescalero Apache Tribe for alignment on culturally appropriate curriculum development, i.e., Indigenous New Mexico Curriculum.</p>	<p>The IED will continue to work with tribes concerning the development of culturally appropriate curriculum development, i.e. Indigenous New Mexico Curriculum.</p>
<p>15. The NM Governor will attend NM PED government-to- government meetings.</p>	<p>The IED will continue to work with the Governor’s Office concerning Government-to-Government meetings.</p>
<p>16. Consult with tribes on PARCC to address tribal concerns related to appropriateness of the test within tribal education and understanding impacts on Native American student dropout rates.</p>	<p>The NM PED has moved away from PARCC to a balanced assessment system with the guidance of the Student Success Taskforce.</p>

<p>17. Provide access to Native American student dropout rates/data from 2010 to 2017</p>	<p>Graduation rates are included in the Tribal Education Status Report and the IED can work to add dropout rates to the report based on data reported by districts and charters.</p>
<p>18. Revisit the awarding process for language grants for efficiencies and timeliness</p>	<p>The Indian Education Act RFA is issued for the purpose of improving academic and cultural achievement opportunities, in alignment with the requirements of the Indian Education Act. Grants will be made available to tribal departments of education, local districts, and charter schools serving significant numbers of Native American students for purposes that align with New Mexico’s Indian Education Act (NMSA 1978 Section 22-23A-1 through 22-23A-8).</p> <p><b>Level of Funding</b> For fiscal year 2020, the PED intends to award amounts within the following ranges:</p> <ul style="list-style-type: none"> <li>• \$75,000– \$100,000 for NM Tribal and Pueblo Departments of Education</li> <li>• \$50,000–\$90,000 for LEAs and charter schools that enroll a significant number of NA students, as previously determined by the NM PED</li> </ul> <p>Applications must demonstrate alignment with the IEA. The following are NM PED priority areas that may be used as alignment to the proposed programs:</p> <ul style="list-style-type: none"> <li>• College, Career and Life Readiness</li> <li>• Culturally &amp; Linguistically Relevant Education &amp; Social &amp; Emotional Learning</li> <li>• Culture and Identity Development &amp; Increasing Access to Native American Language Programs</li> </ul>
<p>19. NMPED to share tribal education priority list with state legislative committees on education and with the Interim Indian Affairs Committee.</p>	<p>This will occur once finalized and prior to the 2020 legislative session.</p>
<p>20. Fill vacant positions on the Indian Education Advisory Council</p>	<p>The PED filled three positions: 1) the Urban Indian Representative, Albuquerque, 2) the Non-Indian Representative, and 3) the Southern Pueblos Representative.</p> <p>The PED continues to receive nominations for the Urban Indian Representative, Gallup; the Navajo Nation Representative; and the Urban Indian Representative, Farmington.</p>
<p>21. Continue third-party facilitation of NM PED government-to-government meetings and Indian education summits.</p>	<p>The IED will continue to contract a third-party individual to facilitate government-to-government meetings.</p>



<p>22. Tribal consultation and side- by-side review, analysis and compliance of NMPED rulemaking and NMPED State-Tribal Collaboration and Communication Policy.</p>	<p>IED continues to work with the PED policy office to conduct an analysis of compliance with rulemaking and to the NM PED State-Tribal Collaboration and Communication Policy.</p>
<p>23. Agenda for the NM PED government-to-government meetings are tribally driven. Example: Development of the Tribal Education Priority List</p>	<p>The IED continues to ensure a tribally driven, shared agenda in the two-day G2G format. to be tribally driven by continuing to hold pre-government to government meetings in preparation of agenda. Government to Government meeting format:</p> <ul style="list-style-type: none"> <li>• Day 1: Pre-Government to Government: Tribal Leaders meeting space a day before G2G and work with facilitator to have tribally driven agenda of priorities.</li> <li>• Day 2: Government to Government Meeting – Tribal convening in meeting space post meeting.</li> </ul>
<p>24. Support increased resources and advocacy for Native American students with disabilities and special needs. Include information and data on special education in the state/district Tribal Education Status Report.</p>	<p>State and district Tribal Education Status Reports include data on special education, thus providing the PED with information about the specific needs of those students. The IED continues to work with Special Education Division to support increased resources and advocacy for Native American students with disabilities and special needs.</p>
<p>25. Coordinate with Higher Education Department on tribal education priority for college and career readiness</p>	<p>The IED continues to work with the Higher Education Department on tribal education priorities for college and career readiness.</p>
<p>26. Extend invitations to:</p> <ul style="list-style-type: none"> <li>• State legislative Interim Indian Affairs Committee</li> <li>• State legislative Interim Indian Affairs Committee</li> <li>• Cabinet Secretaries from: <ul style="list-style-type: none"> <li>○ Higher Education</li> </ul> </li> </ul>	<p>The IED provides invitation to the following:</p> <ul style="list-style-type: none"> <li>• State legislative Interim Indian Affairs Committee</li> <li>• State legislative Education Committee</li> <li>• Cabinet Secretaries from: <ul style="list-style-type: none"> <li>○ Higher Education Department</li> <li>○ Indian Affairs Department</li> </ul> </li> </ul>
<p>27. Ensure transparency on LEAs' budget process and expenditures; provide increased support.</p>	<p>The IED provides awarded budget amounts in the Tribal Education Status Report for Impact Aid, Title VI, and Indian Education Act Funding. The NM PED is working to create a system to track specific funding sources to schools and students.</p>
<p>28. Support Yazzie v. New Mexico court decision and funding for tribal education infrastructure, to include but not limited to:</p>	<p>The NM PED's Indian Education Division (IED) will assist school districts and charter schools in developing and implementing the systemic framework. To this aim, the IED conducted regional meetings October, 2019 to provide additional guidance and training to district and charter school staff.</p> <ul style="list-style-type: none"> <li>• Monday, October 28, 2019 From 8:30 AM to 12:30 PM</li> </ul>

<p>❖ Needs assessment and technical assistance</p>	<p>Location: Rio Rancho Public Schools Board Room 1 &amp; 2 500 Laser Rd. NE, Albuquerque, NM 87124</p> <ul style="list-style-type: none"> <li>• Thursday, October 31, 2019 From 8:30 AM to 12:30 PM</li> </ul> <p>Location: Dulce Independent School District Board Room Hawks Dr., Dulce, NM 87528</p> <ul style="list-style-type: none"> <li>• Tuesday, November 5, 2019 From 8:30 AM to 12:30 PM</li> </ul> <p>Location: Ruidoso Schools Board Room 200 Horton Cir, Ruidoso, NM 88345</p> <ul style="list-style-type: none"> <li>• March 2 and 3rd, 2020 work group From 9:00 AM to 4:00 PM</li> </ul> <p>Location: 4216 Balloon Park Rd NE, Albuquerque, NM 87109</p> <ul style="list-style-type: none"> <li>• My 11th, 2020 from 11:00PM to 12:00 PM</li> </ul> <p>Location Zoom</p> <ul style="list-style-type: none"> <li>• Math 12<sup>th</sup>, 2020 From 1:00 PM-2:00 PM from 11:00PM to 12:00 PM</li> </ul> <p>Location Zoom</p>
<p>❖ Education buildings</p>	<p>PFSA and PSCOC address the needs for educational facilities</p>
<p>❖ Libraries</p>	<p>LEAs and charter schools submit annual capital needs through their capital master plans.</p>
<p>❖ Broadband Internet</p>	<p>The NM PED is collaborating with IAD, tribes, and pueblos to assess the needs of tribal communities accessing broadband internet.</p>
<p>❖ Teacher housing</p>	<p>The Legislature allocated additional capital funding for districts to utilize for teacher housing projects.</p>

*Promote culture competency in providing effective services to American Indians or Alaska Natives;*

*A certification by the state personnel office of the number of managers and employees of each state agency who have completed the training required by Subsection B of this section;*

All PED upper management and other employees who have ongoing communication with Indian nations, tribes, or pueblos actively participate in the cultural trainings, as they are available.

### *Description current & planned programs and services provided, including funding amounts*

The Indian Education Division provides grants to tribal departments of education, local education agencies (LEAs), and charter schools serving significant numbers of Native American students for purposes that align with New Mexico's Indian Education Act (NMSA 1978 Section 22-23A-1 through 22-23A-8). Indian Education Act funding for FY 20 are listed below.

## **Indian Education Act Funding—Grants FY20**

### **Priority Areas**

College, Career and Life Readiness: K–12 public education prepares students to have the necessary knowledge and skills to participate in a rapidly-changing, democratic society by successfully transitioning to a post-secondary institution (without requiring remedial coursework) and/or entering the workforce and competing in the labor market. This occurs when education entities assist students to align their interests to the career of their choice, best ensuring they live fulfilling lives.

Culturally and Linguistically Relevant Education and Social and Emotional Learning: Social and emotional learning provides the foundation for students to develop social skills (empathy, reflection, cooperation, interpersonal skills, communication); academic behaviors (attendance, academic purpose, self-guided learning, participation); and an academic mindset (belonging, belief in one self, value in work, and meaningful learning). These are critical success factors to improving academic and life outcomes.

Culture and Identity Development: Programs that embrace culture and identity development provide opportunities for students to participate in activities that reflect their unique cultural and linguistic heritages, are centered on student strengths and needs, and incorporate student voice into the design of curriculum. These programs must be grounded in the context of the student's community, language, and culture.

Increasing Access to Native American Language Programs: We are committed to provide Indigenous language programs within the community or school that are accessible to students on a regular basis and grounded in the context of the community and approved by the tribe in which the program represents. Indigenous language programs should set goals for students that are aligned with the LEA, charter, and tribe's overall Indigenous Language Program goals. If the district or charter receives funding from the Bilingual Multicultural Education Act, a justification must be provided as to how the IEA funding will be used to support a Native American Language Program.

These programs also emphasize collaboration with staff, 520 teachers (Native language teachers), program educators, and tribal members. Grants to districts supported by the Indian Education Act were awarded based on the inclusion of home visits to communities, descriptions of services provided, teacher observations, and surveys.

### **Level of Funding**

For fiscal year 2020, the NM PED intends to award amounts within the following ranges:

- \$75,000–\$100,000 for New Mexico Tribal and Pueblo Departments of Education

- \$50,000– \$90,000 for LEAs and charters that enroll a significant number of Native American students, as previously determined by the PED

## Collaboration and Communication

The policy of the Public Education Department includes collaboration and communication. In order to promote cultural competence and educational success, the agency utilizes, as appropriate: tribal liaisons, tribal advisory bodies (e.g., the New Mexico Indian Education Advisory Council—NMIEAC), work groups, and informal communication.

### *Role of Tribal Advisory Bodies*

The policy of the New Mexico Public Education Department states that the agency may solicit advice and recommendations from NMIEAC to collaborate with tribes in matters of policy development, prior to engaging in consultation, as contained in this policy. The agency's tribal liaison to these advisory bodies shall provide, in a timely manner, advice and recommendations on departmental policies, programs, and/or service matters that have tribal implications. Input derived from such activities is not defined as this policy's consultation process.

### **Indian Education Advisory Council**

Pursuant to the Indian Education Act, the PED Communication and Collaboration Policy recognizes the role of the Indian Education Advisory Council in advising the Public Education Secretary and Assistant Secretary of Indian Education on implementation of the provision of the Indian Education Act. The sixteen-member council consists of representatives from: the Navajo, Apache, and Pueblo nations; urban areas, including Albuquerque, Gallup, and Farmington; representatives from the Bureau of Indian Education, a Head Start organization, and the general public—at least one of whom shall be non-tribal, but all of whom shall have knowledge of, and involvement in, the education of tribal students. The purpose of this duly-appointed group of individuals is to provide advice and recommendations on matters relative to agency policies, programs, and services.

<b>Indian Education Advisory Council Members During 2019–2020</b>	
<b>Tribal Representation</b>	<b>Member</b>
<b>Navajo Nation</b>	<b>Jonathan Hale</b>
<b>Navajo Nation</b>	<b>Wendy Grayeyes</b>
<b>Navajo Nation</b>	<b>Dr. Pandora Mike</b>
<b>Navajo Nation</b>	<b>Dr. Pauletta White</b>
<b>Mescalero Apache Nation</b>	<b>Berdine Largo</b>
<b>Jicarilla Apache Nation</b>	<b>Claudia Vigil-Munoz</b>
<b>Southern Pueblo</b>	<b>Patricia Sandoval</b>
<b>Southern Pueblo</b>	<b>Tracey Cordero</b>
<b>Northern Pueblo</b>	<b>Jeremy Oyenque</b>
<b>Northern Pueblo</b>	<b>James Lujan</b>
<b>Urban Representative—Albuquerque</b>	<b>Duta Flying Earth</b>
<b>Urban Representative—Farmington</b>	<b>Shawl Iron Moccasin</b>

Urban Representative—Gallup	Alray Nelson
Bureau of Indian Affairs—at large	Ventura Lovato
Tribal Liaison, Director of Indian Education, HED	Nathan Moquino
Non-Tribal—general public—at large	Amber Wallin
PEC Representative	Georgina Davis
Head Start—at Large	Marsha Leno

The Indian Education Advisory Council (IEAC) meets on a regular basis with representatives of the Public Education Department. The following are a list of the meetings of the IEAC from July 2019 – June 2020.

Date	Type of Meeting
8/17/2019	IEAC work session and updates
10/26/2019	NM PED Open House for Advisory Councils
11/20/19	Government-to-Government and IEAC work session updates
01/25/2020	IEAC work session and updates
3/7/2020	IEAC work session and updates
4/04/2020	IEAC meeting
05/02/2020	IEAC work session

**Note:** The Indian Education Division (IED) sends communication directly to IEAC members on any information shared with tribal leaders, tribal education directors, school districts and stakeholders.

*Establishes a method for notifying employees of the state agency of the provisions of the State-Tribal Collaboration Act and the policy that the state agency adopts pursuant to this section.*

Divisions of the PED and their Current and Planned STCA Implementation Efforts		
NM PED Offices and Programs	Key Division and Support Areas	Current and Planned Programs and Services for American Indians/Alaska Natives
Assessment	For SY 19–20: Training for implementing and supporting the NM-MSSA, NM-ASR, DLM, SAT Monthly Calls with BIE members to assist with assessment-related topics, such as administration, training, reviews.	BIE will have their own assessments for SY2020–2021, but the PED will ask that educators working in public schools that serve our Native students participate in bias and sensitivity assessment reviews.
Educator Growth and Development/Title II	Teacher Evaluation	<b>Elevate NM:</b> All teachers, administrators, including superintendents, will be trained in teacher evaluation. American Indian representation from

		Santa Fe Indian School and Central Consolidated School District helped generate new evaluation systems in the past. Five convening's took place from August 2019 to January 2020.
<b>Educator Pipeline, Pathways, and Preparation</b>	Teacher Residency and Program approval (EPPs)	PED share teacher residency RFA with Native American IHEs. PED has worked with Diné College to provide technical support in presenting their licensure program to the PPSC
<b>Language and Culture</b>	State-funded BMEPs for districts, schools, and charter schools that include Native language programs. The LCD requires proof of Tribal consultation for BMEP applications, as well as for federal Title III applications (through the consolidated Titles I, II, and III questionnaire) from districts/state charter schools.	State-funded BMEPs for districts, schools, and charter schools that include Native language programs.
<b>Licensure</b>	Licensure, Native Language and Culture Certificate	Continued discussions on licensure needs.
<b>Policy &amp; Legislative Affairs</b>	Administrative rulemaking, MOUs, Legislative strategic planning; Education policy	Future tribal consultations on administrative rulemaking
<b>Priority Schools</b>	School Improvement	RISE, SOAR, LAUNCH, AE (application driven) NM DASH (required of all schools and charters)
<b>Student Success and Wellness</b>	Work with BIE entities to gather data in SNAP and provide free meals to all Native Americans participating in the National School Lunch Program	Provide breakfasts and lunches to students and schools participating in NSLP

<p><b>Options for Parents and Families Division—to include the Charter School Bureau</b></p>	<ul style="list-style-type: none"> <li>• Provide staff support to the Public Education Commission, the elected public body that approves, denies, overseas state-authorized charter schools</li> <li>• Provide technical support to all charter schools which includes: <ul style="list-style-type: none"> <li>o annual site visits, compliance support</li> <li>o training for school leaders, staff</li> <li>o training for governing board members</li> <li>o needs-based support and guidance</li> </ul> </li> <li>• Review and approve state-authorized charter school budget matters</li> <li>• Make recommendations to the commission regarding the approval, denial, suspension or revocation of the charters of state-authorized charter schools</li> <li>• Provide guidance to parents interested in home schooling their children, track all home school registrations</li> <li>• Maintain &amp; disperse information pertaining to non-public school options including independent schools and BIE schools</li> <li>• Manage the NM Charter School Program Grant</li> </ul>	<p>All charters in New Mexico must comply and adhere to the services provided by the PED. The Charter School Division, in partnership with the Public Education Commission (the state elected body that over sees 52 state authorized charter schools) updated processes and policies relevant to new charter applications and renewal applications. Both processes require applicants to provide detailed assurances and data that indicate a commitment to adhering to the Indian Education Act.</p>
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*Promote communication & collaboration – PED divisions*

The following divisions developed training to promote communication and collaboration

NM PED Offices and Programs	Trainings that support Communication, Collaboration, and Cultural competency
<b>Assessment</b>	Professional development on formative, interim, and summative assessments, as well as available resources and supports in the classroom.
<b>Educator Growth and Development/Title II</b>	All New Mexico teachers will be trained on the new teacher evaluation system and the new language that brings attention to Culturally and Linguistically relevant instruction. This training can be provided to State and Tribal Leaders.
<b>Educator Pipeline, Pathways, and Preparation</b>	Presented at the G to G conference on Teacher residency

<b>Language and Culture</b>	Culturally and Linguistically Responsive instruction pathways I and II for school districts and charter schools.
<b>Licensure</b>	We typically attend G to G but were unable to attend this year due to weather. We did meet with tribal members to discuss the Native Language and Culture Certificate and improvements to the process that we may be able to make. For this next year we would like to find a way to improve our communication with Tribal Education Directors to ensure we are supporting their needs and to keep them up to date on licensure in NM.
<b>Options for Parents and Families (often referred to as Charter Schools Division)</b>	<p>The 2020 Annual Charter Conference was cancelled due to the COVID-19 emergency. The intention was to focus learning experiences for charter leaders, teachers and Governing Board members on engaging all learners (including indigenous students) in an excellent and relevant manner. The 2021 Conference will focus on equity and collaboration and is slated for spring 2021.</p> <p>All charter schools in New Mexico were required to launch Equity Councils in the Winter of 2020. Each charter complied with the expectations for developing councils and have been actively engaged in the on-going trainings.</p>
<b>Policy &amp; Legislative Affairs</b>	<p>Policy conducted informal tribal consultations on proposed administrative rules:  July 2019; October 2019; January 2020 The department held a formal tribal consultation on November 22, 2019 during the Government-to-Government meeting on 6.35.2 NMAC, Implementing the Indian Education Act. Additionally, the following gatherings/meetings were an opportunity for tribal folks to provide comments, feedback, and suggestions for the 6.35.2 NMAC rule:</p> <ul style="list-style-type: none"> <li>-October 17, 2019 – Navajo Nation Education Institute, St. Michaels, AZ</li> <li>October 28, 2019 – Regional Indian Education Directors’ Meeting, Rio Rancho</li> <li>-October 31, 2019 – Regional Indian Education Directors’ Meeting, Dulce</li> <li>-November 5, 2019 – Regional Indian Education Directors’ Meeting, Ruidoso</li> <li>-November 20, 2019 to January 28, 2020 – Open Pre-public, Informal Comment Period for Tribal Leadership and Tribal Education Directors</li> <li>-November 20, 2019 – Tribal Consultation with the Indian Education Advisory Council, Isleta</li> <li>-December 4, 2019 – American Indian English Learner Research Alliance Conference Breakout Session, Albuquerque</li> <li>-January 8, 2020 – In-person Meeting/Webinar for Pre-draft Rule Discussion with Tribal Education Directors (Collaboration Meeting with TEDs), Albuquerque</li> <li>-January 28, 2020 to March 16, 2020 – Original Public Comment Period for Rulemaking</li> </ul>



	<p>-February 28, 2020 – Pueblo of Jemez and Pueblo of Zia Tribal and Governing Board Retreat, Isleta</p> <p>-March 2, 2020 – Indian Education Division’s Work Session on HB250 with WEEAC, Albuquerque</p> <p>Policy worked in collaboration with PED's IT, SFIS, and DoIT to create and revise the tribal guidance document for tribal connectivity: April/June 2020</p> <p>March 16, 2020 to May 19, 2020 – Extended Public Comment Period for Rulemaking (Re: Covid-19 Pandemic)</p>
<b>Priority Schools</b>	<p>RISE, SOAR, LAUNCH, AE, programs will provide training and support to LEA/Schools/participants</p> <p>NM DASH supports are online and open source</p>
<b>Student Success and Wellness</b>	<p>No trainings scheduled at this time.</p>

## Certification and Training

The following NM PED trainings and professional development was obtained by divisions within the Public Education Department.

NM PED Offices and Programs	Training and Professional Development for American Indians/Alaska Natives
<b>Assessment</b>	The Assessment Bureau will work in collaboration with the Literacy, Math and Science bureaus to provide professional learning opportunities that support common core standards, classroom strategies, and understanding the Balanced Assessment System (BAS).
<b>Educator Growth and Development/Title II</b>	Elevate NM—All teachers will be trained as well as administrator and Super.
<b>Educator Pipeline, Pathways, and Preparation</b>	Provided training to Dine College on PPSC

<b>Licensure</b>	Met with staff and educators in Dulce School District to provide guidance and support for Licensure.
<b>Options for Parents and Families (often referred to as Charter Schools Division)</b>	Recently, The Division worked with the Policy Division to update the Governing Board Training Rule to include an hour on equity for all charter boards to engage with annually. The equity trainings will include governing board members from the state's nine (9) charter schools that serve predominantly indigenous students/communities.
<b>Priority Schools</b>	RISE, SOAR, LAUNCH, AE are open to all LEAs/Schools via an application

## Conclusion and Appendices

Due to the COVID-19 pandemic it was necessary for the New Mexico Public Education Department to partner with various agencies in the state to provide internet access to schools and tribes as well as computers to schools and tribes to alleviate inconsistencies in coverage for our students, teachers, staff and community members. The following is a list of the progress PED, in collaboration with its external partners, has achieved during the short-term period. PED's Indian Education Division purchased and distributed the following wireless technology devices and equipment: 700 residential hotspots (Navajo Nation); 101 Cradle Point fixed and mobile hotspots (for teacher ages, chapter houses, inside buildings; buses; and indoor antennas) (all Tribes, Nations, and Pueblos); and 6,282 Chromebooks (all Tribes, Nations, and Pueblos and schools with a significant Native American student population). PED staff delivered to or arranged for pickup of the Chromebooks with 23 Tribes, Nations, and Pueblos in the state. Additionally, PED staff worked in collaboration with SFIS staff and the Information Technology Disaster Resource Center, which is a non-profit organization charged with providing communities with the technical resources necessary to continue operations and begin recovery after a disaster, to assist with installation of the Cradle Points.

Tribe/Nation/Pueblo or Charter School	Receiving Wireless Access Points (Cradle Points)
Cochiti Pueblo	Yes
DEAP	Yes
Dream Diné	Yes
Jemez Pueblo	Yes
Jicarilla Apache	Yes
Mescalero Apache	Yes
NACA	Yes
Nambe Pueblo	Yes
Picuris Pueblo	Yes
Pojoaque Pueblo	Yes
Sandia Pueblo	Yes
Santa Ana Pueblo	Yes
Santo Domingo Pueblo	Yes
Taos Pueblo	Yes
Zuni Pueblo	Yes
<b>Total WAPs (Cradle Points)*</b>	<b>95 (46 fixed/inside and 49 on buses)</b>

Tribe/Nation/Pueblo or Tribal School	Receiving Chromebooks
Acoma Pueblo	Yes
A:shiwí College and Career Readiness Center	Yes
Cochiti Pueblo	Yes
Isleta Pueblo	Yes
Jemez Day School	Yes
Jemez Pueblo	Yes
Jicarilla Apache	Yes
Kha'p'o Community School	Yes
Laguna Pueblo	Yes
Mescalero Apache	Yes
Nambe Pueblo	Yes
Navajo Nation Department of Diné Education	Yes
Ohkay Owingeh	Yes
Picuris Pueblo	Yes
Pojoaque Pueblo	Yes
Sandia Pueblo	Yes
San Felipe Pueblo	Yes
San Ildefonso Pueblo	Yes
Santa Ana Pueblo	Yes
Santa Clara Pueblo	Yes
Santo Domingo Pueblo	Yes
Taos Pueblo	Yes
Tesuque Pueblo	Yes
Te Tsu Geh Oweenge School	Yes
T'siya Day School	Yes
Zia Pueblo	Yes
Zuni Pueblo	Yes
<b>Total Chromebooks</b>	<b>6,282</b>

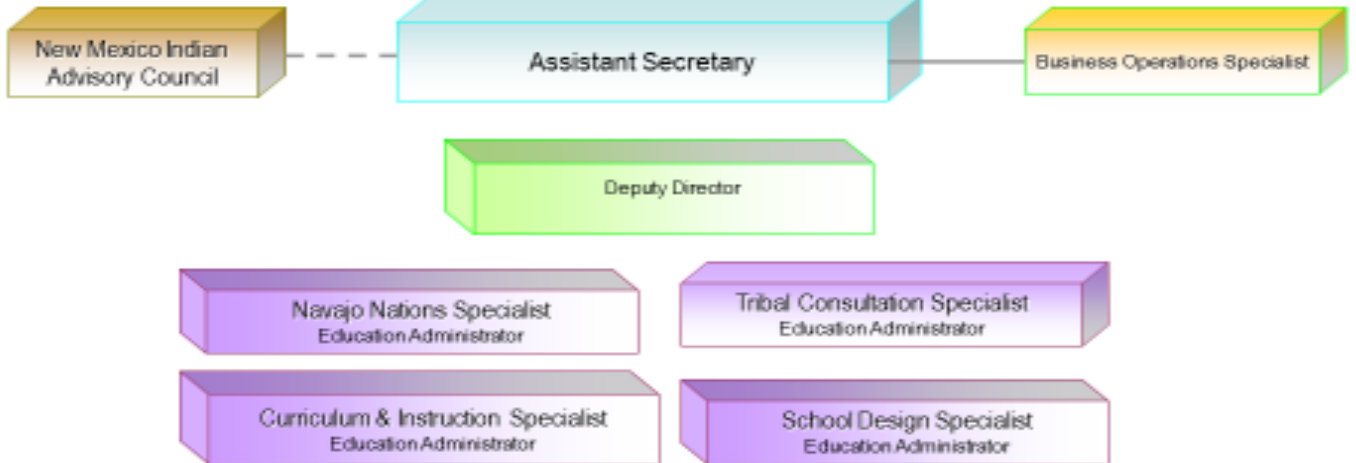
# Organizational Chart



**NEW MEXICO PUBLIC EDUCATION DEPARTMENT**  
**DR. Ryan Stewart, CABINET SECRETARY**  
**Identity, Equity and Transformation**  
**DEPUTY SECRETARY**



## INDIAN EDUCATION DIVISION



July 2020