



## Indian Education Advisory Council Meeting Regular Quarterly Meeting Minutes

**Date:** November 19, 2017

**Location:** Zuni Elementary School,  
Zuni Pueblo, NM

**Time:** 9a.m. – 5:00 p.m.




**Facilitated by:** Theresa Frazier,  
Chair

IEAC Members	Representative	Present	Absent	Excused
Theresa Frazier, Chair	Urban-Gallup	X		
Pandora Mike, Vice-Chair	Navajo Nation	X		
Pauletta White, Secretary	Navajo Nation	X		
Cynthia Aragon	Navajo Nation	X		
James Lujan	Navajo Nation	X		
Vacant	Navajo Nation			
Jeremy Oyenque	Northern Pueblos			X
Audrey Simplicio	Southern Pueblos	X		
Patricia Sandoval	Southern Pueblos	X		
Bernadine Largo	Mescalero Apache	X		
Claudia Vigil-Muniz	Jicarilla Apache	X		
Dr. Tiffany Lee	Urban-Albuquerque	X		
Lena Benally-Smith	Urban-Farmington	X		
Casey Sovo	Bureau of Indian Education	X		
Dr. Sylvia Rodriguez Andrew	Non-Indian	X		
James Conyers	PEC	X		
<b>Public Education Department</b>				
Matthew Montano	Deputy Secretary	X		
Latifah Phillips	Assistant Secretary	X		
Jamie Gonzales	Policy	X		
De Alva Calabaza	General Manager	X		
Daphne Littlebear	Education Administrator	X		
Shayla Yellowhair	Education Administrator	X		
<b>Minute Taker(s):</b> Daphne Littlebear and Shayla Yellowhair				

Agenda Item	Discussions
I.	<b>Call to Order (Teri, Fraizer, Chair)</b> 9:25 a.m.
II.	<b>Invocation</b>
III.	<b>Roll Call (Pauletta White, Secretary)</b>






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IV.	<p><b>Approval of Agenda</b>  <i>Dr. T. Lee motion to approve agenda; seconded by Dr. S. Rodriguez Andrew (no opposition, no abstentions, Motion Carried)</i></p>
V.	<p><b>Approval of Meeting Minutes</b>  <i>P. White motion to accepted IEAC meeting minutes; seconded by P. Mike. (no opposition, no abstentions, Motion Carried)</i></p>
VI.	<p><b>Introduction of New Advisory Council Members (Teri, Fraizer, Chair)</b></p> <ul style="list-style-type: none"> <li>▪ Audrey Simplicio, Southern Pueblos</li> <li>▪ Patricia Sandoval, Southern Pueblos</li> <li>▪ Bernadine Largo, Mescalero Apache</li> <li>▪ Jeremy Oyenque, Northern Pueblos (just appointed two days before the meeting)</li> </ul> <p><i>Comments: Welcome James Conyers, PEC representative for attending the meeting.</i></p>
VII.	<p><b>Bilingual Programs Proposed Rule Update (Matthew Montano, Deputy Secretary)</b></p> <ul style="list-style-type: none"> <li>▪ Presentation of Tribal input and proposed draft changes</li> </ul> <div style="display: flex; justify-content: space-around; align-items: center; margin: 10px 0;"> <div style="text-align: center;">   <a href="#">6.32.2_Integrated (3)_Website.pdf</a> </div> <div style="text-align: center;">   <a href="#">6.32.2_PublicNotice_Final.pdf</a> </div> <div style="text-align: center;">   <a href="#">6.32.2_Strikethrough(3)_Website.pdf</a> </div> </div> <p><i>*postpone in agenda until arrival of Deputy Secretary, returned to item at 10:46 a.m.</i></p> <ul style="list-style-type: none"> <li>▪ Deputy Secretary Montano expressed that the proposed rule change was postponed in order to receive more public comments from all communities, specifically to address concerns from Pueblo and Tribal communities. The Bilingual Multicultural Education Office (BMEB) traveled statewide to address concerns from all stakeholders. A new draft of the regulation posted on October 30<sup>th</sup> and was the third posting of the regulation. This draft included input from the IEAC meeting on October 24, 2017.</li> <li>▪ Deputy Secretary Montano stated that the proposed rule change discussion is scheduled on the Fall Government to Government agenda with Tribal leaders.</li> <li>▪ Deputy Secretary Montano shared that as a result of statewide public comment, the enrichment and maintenance programs were reinstated in the bilingual regulation. He further clarified that the two bilingual programs Enrichment and Maintenance are two programs that do not impact any Native Language programs, as most of the Native language programs are heritage or dual language.</li> <li>▪ A question was raised regarding the evaluation component about priority language and academic language. <ul style="list-style-type: none"> <li>○ Deputy Secretary Montano confirmed that proficiency for Native languages is determined by the tribes and that the state adopts the tribe's evaluations to determine language proficiency.</li> </ul> </li> </ul> <p>Furthermore, MOUs need to be put into place to agree to what the assessments will be, as</p>








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	<p>determined by each tribe, so that measures aren't universally applied.</p> <p>It was requested that Article 23a, the Indian Education Act, be highlighted in the rule since not everyone is familiar with "Article 23a". Additionally, a suggestion was made that a tri partnership between the tribes, states and districts be put into place to help guide the conversation regarding effective programs.</p> <p>Lastly, the question was raised regarding whether there was training and requirements specific to principals or administrators. Deputy Secretary Montano discussed the importance of cross cultural skills and the development of unique training and instruction for cultural responsiveness. He also mentioned the 520 language certification and that Tribes and Pueblos determine who meets these requirements and qualifies for a language teacher certification.</p> <p>At the conclusion of this presentation, Chairperson Fraizer paused to allow Mr. Eriacho the opportunity to welcome the council and audience to Zuni.</p>
VIII.	<p><b>Rulemaking Process Presentation (Jamie Gonzales, Policy Innovation and Division)</b></p> <ul style="list-style-type: none"> <li>○ See attached documents</li> </ul> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">               Rule Flowchart_Public Con         </div> <div style="text-align: center;">               Rulemaking Introduction_Tribal A         </div> <div style="text-align: center;">               STCR-Policy.pdf         </div> </div> <p>Jaime Gonzales from the policy office provided a presentation on rule making and explained what the IEAC should anticipate when there is a notice of rule-making released by the PED.</p> <p>Recommendations were made for the policy staff to be trained on the Indian Education Act and State Tribal Collaboration Act. Furthermore, recommendations were made to educate tribal leadership on the rule making process and to provide them with advance notice to provide input within a proposed rule.</p> <p>A recommendation was made to Ms. Gonzales to attend more tribal council presentation meetings in order to build more trusting partnerships with indigenous peoples.</p>
IX.	<p><b>Indian Education Report (Latifah Phillips, Assistant Secretary)</b></p>
a.	<p><b>IEAC Nomination Process Update (Latifah Phillips, Assistant Secretary)</b></p> <ul style="list-style-type: none"> <li>▪ Ms. Phillips announced that the agency is seeking applications for two Navajo Nation representative seats.</li> </ul>
b.	<p><b>2016 – 2017 TESR Overview (Latifah Phillips, Assistant Secretary)</b></p>



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	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">             G2G Fall 2017 Presentation.pdf         </div> <div style="text-align: center;">             IED 2016-2017 TESR 11.15.17final.pdf         </div> </div> <p>Ms. Phillips presented highlights of data from the 2016-2017 Tribal Education Status Report. A recommendation was made to identify what students feel is working in their classrooms and to look back to research to better understand what’s working for students rather than reinventing the wheel.</p> <p>Questions were raised around what percentage of Native American students were being served in the Principals Pursuing Excellence and Teachers Pursuing Excellence schools. Questions were also raised around supports for Special Education students.</p> <p>There was discussion on data and accountability and the definition of success. Ms. Phillips announced that the Indian Education Division will hire a data analyst to work specifically on analyzing data as it relates to Native American students.</p>
c.	<p><b>SEA and LEA Tribal Consultation Process Improvements (Latifah Phillips, Assistant Secretary and Daphne Littlebear, Education Administrator)</b></p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">             2017 Affirmation of Tribal Consultation Dc         </div> <div style="text-align: center;">             G2G Tribal Consultation Complair         </div> <div style="text-align: center;">             Impact Aid Toolkit package with regs an         </div> </div> <p>Document were provided in the IEAC’s packet to support the tribal consultation agenda item. The Indian Education Division expressed the importance of strengthening tribal consultation at the local level through the development of a tribal consultation complaint process. IED shared the federal complaint process that was developed as part of the Impact Aid process and stated the Division’s intent to mirror a similar state process</p> <p>The Indian Education Division also discussed their goal of conducting pre-consultation with Tribal Education Directors in order to assist them with preparing their Tribal leaders for the Government to Government topics for discussion.</p> <p>The IED encouraged mediation before entering a formal complaint process, and the hope for both parties to exhaust all options prior to engaging in a formal complaint process.</p> <p>Several IEAC members expressed hesitation about including this process within the Indian Education Act regulation and one member wondered whether the complaint process was going to be driven by a one size fits all approach. One member expressed concerns about whether this type of process would set precedence for state involvement in local relationships.</p> <p>Ms. Phillips expressed that this process already exists at the federal level and that this would be a mechanism in place for those districts and tribes who are not able to resolve matters after</p>



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	<p>exhausting every other option.</p> <p>Jacob Tsoitigh from the South Central Comprehensive Center was permitted to share his thoughts on the complaint process discussion topic. He shared that NM would be at the forefront with this type of process to ensure meaningful consultation. A potential penalty for not meeting tribal consultation expectations could be to withhold money for other programs. He expressed that NM will continue to be a model for other SEAs that are less willing to support consultation.</p> <p>Chairperson Fraizer raised a question from the audience regarding a year when Acoma and Laguna pueblos did not sign off on the required Indian Policies and Procedures for Impact Aid. The audience member wondered how a complaint process could have helped in such a situation. Ms. Phillips explained that a formal complaint process brings in a neutral third party to mediate and find resolution. The process is initiated by tribes and empowers tribes in the local consultation process.</p>
d.	<p><b>IED Five Priority Areas Update</b></p> <ul style="list-style-type: none"> <li><b>i. Cultural Competency and Culturally Responsive Learning Environments</b></li> <li><b>ii. Indian Education Curriculum Initiative Update (NM-IECI)</b></li> <li><b>iii. Cultural Competency Training Update</b></li> </ul> <p>Stephanie Owens, a curriculum consultant with the Indian Education Division, presented on the status of the Indian Education Curriculum Initiative for secondary social studies. She shared the updated website, discussed the project timeline and the intention to complete the secondary social studies project by the end of 2018.</p> <p>An IEAC member highlighted the Indian Pueblo Cultural Center curriculum and inquired about permission to highlight IPCC's lesson plans.</p> <p>The curriculum consultant expressed the intent of the Division to support existing curriculum initiatives around the state and to provide as many resources to teachers as possible relating to Native history and culture.</p> <p>Next, Milton Bluehouse, a consultant with Indian Education and Indian Affairs, and Education Administrator Shayla Yellowhair, provided an update on the Cultural Competency training being developed by the Indian Education Division. The presenters indicated that a pilot would be conducted in the spring in order to refine the modules and determine the training needs for teachers and schools.</p> <p>Given time constraints, the IEAC made a motion to skip the remainder of the Indian Education Report.</p> <p>Claudia Vigil-Muniz motioned to move to letter E; the motion was seconded by Audrey Simplicio.</p>



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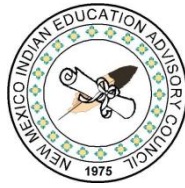
Agenda Item	Discussions
	<ul style="list-style-type: none"> <li>iv. <del>College and Career Readiness</del> <ul style="list-style-type: none"> <li>a. <del>Early Warning System Initiative</del></li> </ul> </li> <li>v. <del>Supporting the Maintenance of Native Language and Support for English Learners</del> <ul style="list-style-type: none"> <li>a. <del>520 Teacher Listening Session Professional Learning Communities</del></li> <li>b. <del>New Language Development Grants for Tribal Programs</del></li> <li>e. <del>Salary Schedule for Native Language Teachers Discussion</del></li> </ul> </li> <li>vi. <del>Attendance and Truancy</del> <ul style="list-style-type: none"> <li>a. <del>Data system improvements</del></li> <li>b. <del>Parent Engagement Opportunities</del></li> </ul> </li> <li>vii. <del>BIE PED Tribally Controlled School Alignment</del> <ul style="list-style-type: none"> <li>a. <del>Data Sharing</del></li> <li>b. <del>Student Transitions</del></li> </ul> </li> </ul>
e.	<p><b>2017-2018 Indian Education Acts Grants</b></p> <p>Ms. Phillips reported that the IED was looking to improve the contracting process for FY 19. All grantees for FY18 applied on time; however, there were challenges both internally and externally with executing the grants prior to the start of the school year. IED is looking to provide professional development around goal setting and identifying clear program outcomes as part of an effort to improve the Indian Education Act grant implementation.</p>
f.	<p><b>Staffing Update</b></p> <p>Ms. Phillips reported that the Division has fully staffed its EA positions. She also indicated an intention of recruiting a contract position to support language programs, teacher recruitment and health and wellness. Ms. Phillips recognized that the sustainability and continuity of these positions would be contingent on funding.</p>
g.	<p><b>Year to Date Budget Report</b></p>
h.	<p><b>FY19 Budget Proposal</b></p> <p><u>Dealva Calabaza</u> provided the IEAC members with an updated spreadsheet of the Indian Education Act tribal and district grant recipients.</p> <p>A concern was expressed over the grant dollars not being fully expended each year. New processes and procedures were recommended to be put into place to improve expenditure of dollars toward student outcomes.</p> <p>There was a request on the role of the EAs and the work they will support.</p>
i.	<p><b>Indian Education Act 15 Year Celebration Update</b></p> <p>Ms. Phillips announced January 25th as the date of the 15 year celebration.</p>





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	It will consist of a community wide dinner, student performance, keynote speaker and recognition of the Acts two sponsors – Ray Begaye and Leonard Tsosie.
j.	<b>Upcoming Meetings and Presentations</b> <ul style="list-style-type: none"> <li>▪ Indian Education Act 15 year celebration – January 25, 2017</li> </ul>
IX.	<b>New Business (Teri Fraizer)</b> The chair announced that the IEAC had met to discuss the updating of the IEAC bylaws but only a small group was able to attend. The IEAC will continue to follow up on bylaws update for the next meeting.
A.	<b>Formal Recommendations – IEAC</b>  The IEAC discussed the potential for restructuring the next quarterly meeting. The chair suggested a window for the IEAC to meet and discuss matters of importance. Ms. Phillips expressed the importance of advising the agency as a whole and not just the Indian Education Division.  Ms. Phillips also shared the suggestion of the bylaws consultant, Julia Rosa Emslie, that the IEAC should identify big goals that would help to inform legislative priorities and budget development.
B.	<b>Public Comment</b>  Rebecca Nez; Indian Education committee representative in Gallup. Commented on rural schools and graduation rates. Expressed the need for leadership development as well as the importance of equipping students with materials they need for school, such as books.  Zuni Tribal Councilwoman/Virginia Chavez expressed the need for funding for teachers and the importance of all teachers receiving training prior to the start of school. Furthermore, she expressed support for the complaint process and supporting tribal consultation.  1st Lt. Governor of Acoma, Raymund Concho spoke on the importance of language support and tuancy/behavior services. He spoke on the importance of closing the gap for Native students in school.  Ivan Pino spoke on the importance of supporting the State Tribal Collaboration Act. Stated that we need to work together and to consider a process for strengthening tribal consultation  A LaClaire Clayton council woman from the Mescalero Apache Council stated that she wanted to be supportive of the complaint process. The tribe works with 3 districts and having a complaint process in place gives the tribe something to fall back on. She also expressed thanks to Zuni for hosting the meeting.



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C.	<b>Upcoming Meeting</b> <ul style="list-style-type: none"><li>▪ Government to Government change in location to John Kennedy School common area.</li><li>▪ Next quarterly meeting – January 2018</li></ul>
D.	<b>Adjourned</b> <i>Claudia Vigil-Muniz motion to adjourn the meeting; seconded by XX??</i>

DRAFT