

RESPONSE TO THE GOVERNMENT TO GOVERNMENT FORMAL RECOMMENDATIONS FROM THE SPRING OF 2019

ACTION ITEMS	PED STATUS
<p>1. Support the IEAC tribal advisement.</p>	<p><i>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 Secretary Stewart. A work session is scheduled for December to focus on the development of an advisement package.</i></p>
<p>2. Develop plan and timeline to address results in the NMPED Tribal Education Status Report.</p>	<p>Working Timeline for TESR:</p> <ul style="list-style-type: none"> ❖ <i>June – NMPED Graduation rates data available</i> ❖ <i>June 30th – Affirmations of Tribal Consultation forms to be submitted and IED receives copies of the Indian Policies and Procedures (Department of Education Application deadline January 30th).</i> ❖ <i>July 12th – IEA Grant End of Year reports due to IED highlighting school district initiatives.</i> ❖ <i>July 30th – deadline for Local Tribal Education Status Reports to be submitted to IED, mandated by IEA Rule. IED will compile local TESRs into statewide report.</i> ❖ <i>July/August – NMPED Student Achievement, graduation rates, financial reports</i> ❖ <i>October 15th – NMPED deadline for leadership review and copy editing review process.</i> ❖ <i>November 15th – deadline for statewide TESR to be completed, mandated by IEA.</i>
<p>3. Meaningful and timely tribal involvement and tribal consultation on rulemaking initiatives and curriculum development. Tribal consultation with LEAs shall be formal.</p>	<p>PED Rule Making Process</p> <ul style="list-style-type: none"> ❖ <i>Change to federal law, state statute (NMSA), or policy priority as determined by the Secretary</i> ❖ <i>PED identifies an opportunity to add clarity around implementation or accountability to rule (NMAC)</i> ❖ <i>PED chooses to: (1) adopt a new rule (2) amend an existing rule (3) repeal a rule or (4) repeal and replace a rule</i> ❖ <i>PED holds Tribal Consultation – Tribal Leadership and IEAC</i> ❖ <i>PED holds stakeholder engagement and develops proposed draft</i> ❖ <i>Public notice and draft are released</i> ❖ <i>Minimum 30 day comment period held on rule</i> ❖ <i>Public Hearing is held a minimum of 31 days from the notice</i> ❖ <i>PED considers public comment</i> ❖ <i>PED adopts rule</i> ❖ <i>PED files rule</i>

<p>4. Tribal access to data related to rulemaking processes to more fully understand rulemaking outcomes, to support tribal positions and input for rulemaking, and to further understand NM PED methodology for decision making.</p>	<p><i>IED will work with the policy office to provide training or technical assistance to tribes on the tribal consultation process of rulemaking at IED Education Summits and Regional Meetings.</i></p>
<p>5. Involve the NM Indian Affairs Department in NM PED tribal consultation and rulemaking processes/meetings.</p>	<p><i>IED will work with the NM Indian Affairs Department to provide tribal consultation and rulemaking.</i></p>
<p>6. Establish a Tribal Education Workgroup to support tribal involvement in NM PED rulemaking.</p>	<p><i>IED will work with the policy office to develop a meaningful process for tribal consultation on rulemaking.</i></p>
<p>7. Access to Pre-K and CYFD data similar to TESR.</p>	<p><i>IED does not have an MOU in place at this time. IED may work on an MOU with CYFD and the ECECD.</i></p>
<p>8. Tribal access to state funding information related to Federal Impact Aide, and information on school district distribution to more fully understand Impact Aide distribution throughout the State.</p>	<p><i>IED receives copies of the impact aid Indian Policies and Procedures and data for approved applications and funding from the US Department of Education. Additionally, the NMPED is collaborating with the Indian Affairs Department, DFA, Tribes, the Legislature and key stakeholder to create policy recommendations. The recommendations to increase oversight on how funding is used to improve outcomes for Native American students.</i></p>

<p>9. Administrative and financial support for teachers who will be implementing newly developed rules. All education mandates shall be funded. Example: Literacy and Alternative Demonstrations of Competency.</p>	<p><i>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 and 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).</i></p> <p>LEVEL OF FUNDING</p> <p><i>For fiscal year 2020, NMPED intends to award amounts within the following ranges:</i></p> <ul style="list-style-type: none"> ➤ <i>\$75,000 - \$100,000 for New Mexico Tribal and Pueblo Departments of Education</i> ➤ <i>\$50,000 - \$90,000 for LEAs and Charters that enroll a significant number of Native American students, as previously determined by the NMPED</i>
<p>10. Multi-year funding grants and agreements instead of single year or annual funding grants/agreements- in alignment with other state agency practices.</p>	<p><i>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.</i></p>
<p>11. State-Tribal consultation to be held on dates that support tribal leadership and education staff participation, mindful of community cultural calendars.</p>	<p><i>IED will work with the IEAC to schedule appropriate dates for state-tribal consultation i.e. government to government.</i></p>
<p>12. Continuity of State Indian education initiatives, rulemaking and tribal consultation, and projects during changes in leadership.</p>	<p><i>NMPED has established regular monthly calls with Secretary Stewart and Tribal Education Directors to support the communication with Tribes throughout transitions.</i></p>
<p>13. Develop and implement alternative assessment for teacher certification for tribal teachers.</p>	<p><i>NMPED is working with Tribal colleges to support the expansion of educator preparation programs.</i></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><i>IED will continue to work with Tribes concerning the development of culturally appropriate curriculum development, i.e. Indigenous New Mexico Curriculum.</i></p>
<p>15. NM governor to attend NM PED government-to-government meetings.</p>	<p><i>IED will continue to work with the Governor's Office concerning Government to Government meetings.</i></p>
<p>16. Tribal consultation 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><i>The NMPED has moved away from PARCC to a balanced assessment system with the guidance of the Student Success Taskforce.</i></p>
<p>17. Access to Native American student dropout rates/data from 2010 to 2017.</p>	<p><i>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.</i></p>
<p>18. Revisit the awarding process for language grants for efficiencies and timeliness.</p>	<p><i>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 and 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).</i></p> <p>LEVEL OF FUNDING <i>For fiscal year 2020, NMPED intends to award amounts within the following ranges:</i></p> <ul style="list-style-type: none"> ➤ <i>\$75,000 - \$100,000 for New Mexico Tribal and Pueblo Departments of Education</i> ➤ <i>\$50,000 - \$90,000 for LEAs and Charters that enroll a significant number of Native American students, as previously determined by the NMPED</i>

	<p><i>Applications must demonstrate alignment with the IEA, the following are NMPED priority areas that may be used as alignment to the proposed programs:</i></p> <p><i>College, Career and Life Readiness, Culturally and Linguistically Relevant Education and Social and Emotional Learning, Culture and Identity Development and Increasing Access to Native American Language Programs:</i></p>
19. NMPED to share tribal education priority list with state legislative committees on education and with the Interim Indian Affairs Committee.	<p><i>This will occur once finalized prior to the legislative session.</i></p>
20. Fill vacant positions on the Indian Education Advisory Council.	<ul style="list-style-type: none"> ❖ <i>NMPED filled 2 positions the Urban Indian Representative-Albuquerque, the Non-Indian Representative, and Southern Pueblos Representative.</i> ❖ <i>NMPED is still receiving nominations for Urban Indian Representative-Gallup, Navajo Nation Representative, and Urban Indian Representative Farmington.</i>
21. Continue 3rd party facilitation of NM PED government-to-government meetings, and Indian education summits.	<p><i>IED will continue to contract a third party individual to facilitate government to government meetings.</i></p>
22. Tribal consultation and side-by-side review, analysis and compliance of NMPED rulemaking and NMPED State-Tribal Collaboration and Communication Policy.	<p><i>IED will continue to work with the policy office to conduct an analysis for compliance of rulemaking and adhering to the NMPED State-Tribal Collaboration and Communication Policy.</i></p>
23. Agenda for NM PED government-to-government	<p><i>IED will continue to foster a shared agenda to be tribally driven by continuing to hold pre-government to government meetings in preparation of agenda. Government to Government Meeting Format:</i></p>

<p>meetings to be tribally driven. Example: Development of Tribal Education Priority List.</p>	<p><i>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.</i></p>	<p><i>Day 2: Government to Government Meeting – Tribal convening in meeting space post meeting.</i></p>	<p><i>Day 3: Tribal Leaders provide formal recommendations to PED.</i></p>
<p>24. Support, increased resources, and advocacy for Native American students with disabilities or special needs. Include information and data on special education in the state/district Tribal Education Status Report.</p>	<p><i>IED will continue to work with Special Education Division to support, increased resources, and advocacy for Native American students with disabilities or special needs.</i></p>		
<p>25. NMPED coordination with Higher Education Department on tribal education priority for college and career readiness.</p>	<p><i>IED will continue to work with the Higher Education Department on tribal education priorities for college and career readiness.</i></p>		
<p>26. Extend invitations to:</p> <ul style="list-style-type: none"> ❖ State legislative Interim Indian Affairs Committee ❖ State legislative Education Committee ❖ Cabinet Secretaries from: <ul style="list-style-type: none"> ➤ Higher Education Department ➤ Indian Affairs Department 	<p><i>IED will provide invitation for the following:</i></p> <ul style="list-style-type: none"> ❖ <i>State legislative Interim Indian Affairs Committee</i> ❖ <i>State legislative Education Committee</i> ❖ <i>Cabinet Secretaries from:</i> <ul style="list-style-type: none"> ➤ <i>Higher Education Department</i> ➤ <i>Indian Affairs Department</i> 		

<p>27. Transparency on LEAs budget process and expenditures, and increased support.</p>	<p><i>IED provides awarded budget amount in the Tribal Education Status Report for Impact Aid, Title VI and Indian Education Act Funding. The NMPED is working to create a system to track specific funding sources to schools and students.</i></p>			
<p>28. Support Yazzie v. New Mexico court decision and funding for tribal education infrastructure, to include but not limited to:</p> <ul style="list-style-type: none"> ❖ Needs assessment and technical assistance 	<p><i>The NMPED’s Indian Education Division (IED) will assist school districts and charter schools in developing and implementing the systemic framework. To this aim, the IED will be conducting regional meetings in the month of October to provide additional guidance and training to district and charter school staff.</i></p> <table border="1" data-bbox="569 391 2001 591"> <tr> <td data-bbox="569 391 1283 591"> <p><i>Monday, October 28, 2019 From 8:30 AM to 12:30 PM Location: Rio Rancho Public Schools Board Room 1 & 2 500 Laser Rd. NE, Albuquerque, NM 87124</i></p> </td> <td data-bbox="1289 391 2001 591"> <p><i>Tuesday, November 5, 2019 From 8:30 AM to 12:30 PM Location: Ruidoso Schools Board Room 200 Horton Cir, Ruidoso, NM 88345</i></p> </td> </tr> </table> <p><i>Thursday, October 31, 2019 From 8:30 AM to 12:30 PM Location: Dulce Independent School District Board Room Hawks Dr., Dulce, NM 87528</i></p>		<p><i>Monday, October 28, 2019 From 8:30 AM to 12:30 PM Location: Rio Rancho Public Schools Board Room 1 & 2 500 Laser Rd. NE, Albuquerque, NM 87124</i></p>	<p><i>Tuesday, November 5, 2019 From 8:30 AM to 12:30 PM Location: Ruidoso Schools Board Room 200 Horton Cir, Ruidoso, NM 88345</i></p>
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<ul style="list-style-type: none"> ❖ Education buildings 	<p><i>PFSa and PSCOC address the needs of educational facilities for the NMPED.</i></p>			
<ul style="list-style-type: none"> ❖ Libraries 	<p><i>LEAs and Charter schools submit annual capital needs through their capital master plans.</i></p>			
<ul style="list-style-type: none"> ❖ Broadband Internet 	<p><i>NMPED is collaborating IAD and tribes and pueblos to assess the needs of tribal communities regarding increased access to Broadband.</i></p>			
<ul style="list-style-type: none"> ❖ Teacher housing 	<p><i>The NMPED Legislature allocated additional capital funding for districts to utilize for teacher housing projects.</i></p>			