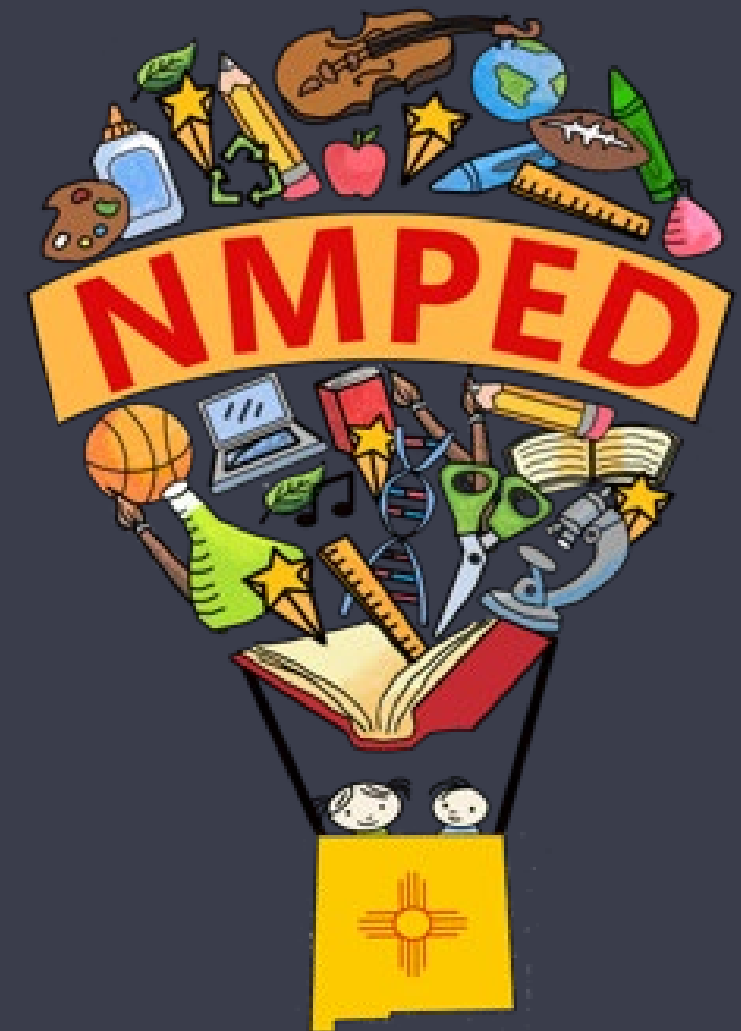


Response to Judge  
Singleton's Decision  
*Martinez/Yazzie v. NM*  
&  
*Draft Action Plan*

Prepared for  
2021 Semi-Annual Government to Government Summit  
August 19, 2021

Kurt Steinhaus, Education Secretary (designate)  
Vickie Bannerman, Deputy Secretary  
Lashawna Tso, Assistant Secretary



*Equity, Excellence and Relevance*

# Overview

The *draft action plan* is in response to Judge Sarah Singleton's decision in the Martinez and Yazzie Consolidated Lawsuit brought against the State of New Mexico as it relates to sufficiency of funding and the education of New Mexico's:

- Native American students
- English language learners
- Students with disabilities receiving special education services
- Economically disadvantaged students

**This Draft Plan is just that — a draft, but it is not a starting point.**

**Extensive work has already been accomplished as outlined in slides 5-14.**

**The ongoing and overall focus is on outcomes for students.**

# Development of the Draft Action Plan

Developed as a collaborative initiative under the direction of Governor Michelle Lujan Grisham, including:

- Student groups impacted by this lawsuit
- Children's Cabinet
- Tribal representatives
- Legislators

Additional input was received from individuals, institutions, organizations, advocacy groups, community-based organizations, school and charter school leaders, boards of education, higher education, and professional organizations.

# Participating State Agencies

This work, under Governor Michelle Lujan Grisham's administration and led by the New Mexico Public Education Department, includes actions and commitments by the following state agencies:

- Department of Cultural Affairs
- Department of Indian Affairs
- Early Childhood Education and Care Department
- Higher Education Department
- Human Services Department
- Department of Information Technology

# Funding Supports

There have been significant funding increases under Governor Michelle Lujan Grisham’s Leadership

Over \$1 billion increase in education funding, including:

- Extended Learning Time

	FY20 Budget	FY21 Budget	FY22 Budget
ELTP	\$ 62,497,500	\$ 71,394,100	\$160,222,500
K5+	\$ 119,895,900	\$ 79,895,900	\$119,895,900

- \$8.3 million over two years for community schools
- \$4.5 million to build capacity in Tribal Education departments
- \$10 million over two years for Career Technical Education

# Additional Funding Supports

- \$1.6 million for native language programs
- Tribal libraries
  - \$4.5 million for tribal libraries
  - \$5 million for internet in tribal schools and libraries
- \$8 million over 5 years for early childhood bilingual educators and AA degrees
- \$2.5 million for early childhood at the Pueblo of Jemez
- \$30 million over two years for the Family Income Index

# Supports for Native American students

- Legislative
  - \$5.25 million each year for past two years to the Indian Education Fund
  - \$5.5 million over two years for Indigenous, Multilingual, Multicultural, and Special Education Initiatives
  - \$9 million for culturally and linguistically diverse instructional materials and curriculum development
- PED
  - Awarded grants to 21 tribes, Pueblos, and Nations and 28 school districts and charter schools serving large numbers of Native American students.
  - Working with stakeholders to develop culturally and linguistically diverse instructional materials
  - Provided 6,252 Chromebooks to 22 tribes and schools with a significant Native American student population, 101 hotspots for tribal schools and 22 tribes, and 700 residential hotspots to the Navajo Nation to assist in closing the Digital Divide (fall 2020)

# Supports for At-risk Students

- Legislative
  - Increased at-risk funding factor from .13 in 2018 to .30 in 2021
    - ✓ \$296 million
    - ✓ ~Three times the funding
    - ✓ Directly for classrooms, students and teachers
  - \$3 million to establish school budget transparency website in order to better report back to stakeholders on the intended and actual use of increased funding
- Schools and Districts
  - Awarded 59 planning and implementation grants for FY20 and FY21 for community schools
  - Assure that districts align their annual budgets with the Education Plan submitted to PED for approval
  - Districts will utilize Equity Councils to guide programming and budget development



# Financial Measures

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

# Supports for Students with Disabilities

- Legislative
  - \$250,000 for Special Education Ombud
  - \$750,000 for statewide special education convening
- PED
  - Convening a special education planning group in an effort to improve oversight, accountability, and support services for SWD
  - Implementing multi-layered systems of support (MLSS) to ensure students receive support and intervention in a timely manner in an effort to reduce delays in special education diagnosis when appropriate
  - Implement administrative rule increasing reporting and further outlining the parameters of the use of restraint and seclusion, which disproportionately affect students with disabilities

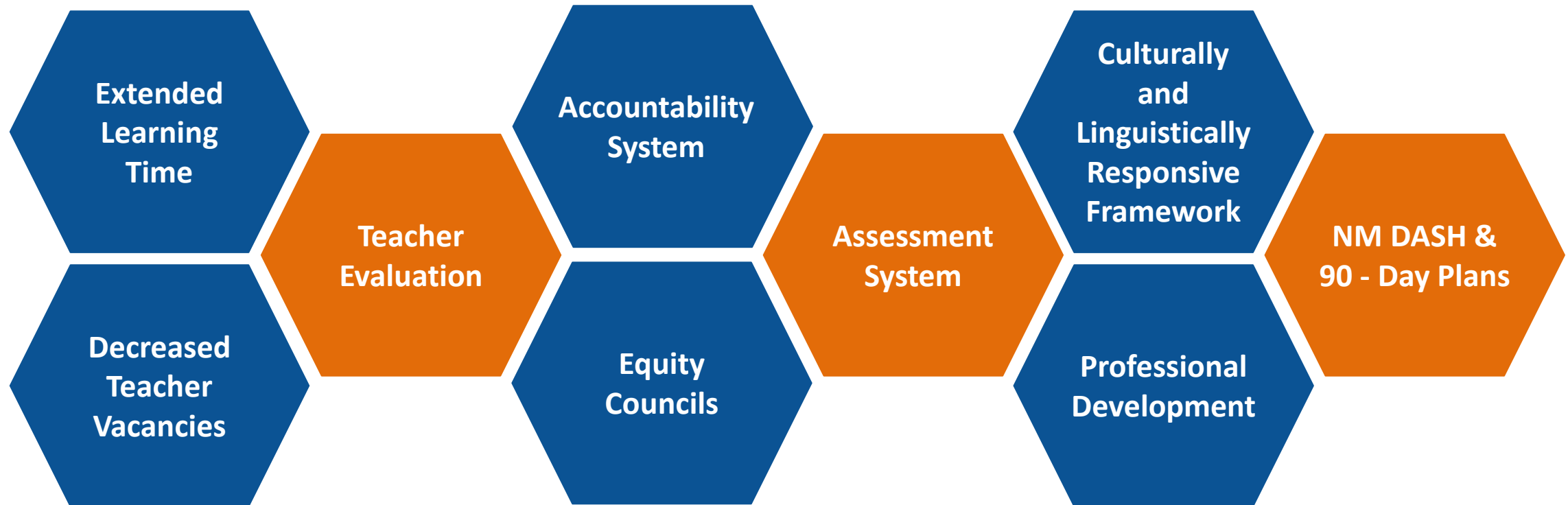
# Supports for English Learners

- Legislative
  - Appropriated an additional \$6.9 million for bilingual and multicultural education programs
  - \$9 million for culturally and linguistically diverse instructional materials and curriculum development
- Schools and Districts
  - Provide professional development for teachers in English language development strategies
  - Established a Culturally and Linguistically Responsive (CLR) Framework
  - Funding a statewide Spanish language proficiency assessment
  - Review and adoption of high-quality instructional materials

# Supports for Tribal Libraries

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

# Programmatic Measures to Address Martinez/Yazzie



# Next Steps for the Action Plan

- Receive feedback and input from participants in today's Government to Government Summit
- Broadly disseminate the draft action plan for consultations to garner input and ascertain the priorities of our stakeholders and representatives of the student groups
- Aggregate and prioritize the feedback to include timelines, initiatives/future actions, resources, supports, and funding needed, as well as key performance indicators and evidence of completion for each initiative or action.

This administration is committed to transparency, short- and long-term planning, and commitment in response to the Singleton decision.

