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AN ACT

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

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

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

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

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

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

C. After the needs assessment, the school district shall meet with the local tribes to prioritize the needs to

1 be addressed. The school district shall make meeting the
2 needs of Indian students and closing the achievement gap
3 between Indian students and all other student groups a
4 priority in the school district budget, including applying
5 state and federal funding for Indian students, disadvantaged
6 students, at-risk students, students in poverty and other
7 categories of state and federal funding to help disadvantaged
8 students.

9 D. The school district may apply for appropriate
10 state, federal and private grants to help it carry out the
11 provisions of Sections 1 through 3 of this 2018 act. When
12 approving budgets, the department shall consider whether a
13 school district's budget accomplishes the prioritized needs
14 from the Indian students needs assessment.

15 E. The school district shall develop an
16 accountability tool that measures public school efforts
17 pursuant to the systemic framework provided for in Sections 2
18 and 3 of this 2018 act and the success or failure of those
19 efforts.

20 F. The school district shall hold a public meeting
21 with members of the Indian students' tribal leaders, parents
22 and the Indian education division of the department at least
23 twice in the school year to report on the needs assessment
24 and the school district's evaluation of progress."

1 enacted to read:

2 "SYSTEMIC FRAMEWORK FOR IMPROVING EDUCATIONAL OUTCOMES
3 FOR INDIAN STUDENTS.--Historically defined Indian impacted
4 school districts shall develop and publish a systemic
5 framework for improving educational outcomes for Indian
6 students. The school district shall develop the framework in
7 collaboration with school employees, tribal leaders, Indian
8 students and families, social service providers and community
9 and civic organizations. The Indian education division of
10 the department shall assist the school district as required
11 during the development and implementation of the framework.
12 The school district may request assistance from schools of
13 education at state educational institutions to identify best
14 practices in collecting and using student-centered data to
15 inform culturally and linguistically responsive strategies to
16 close the achievement gap between Indian students and all
17 other student demographic groups."

18 SECTION 3. A new section of the Indian Education Act is
19 enacted to read:

20 "SYSTEMIC FRAMEWORK ELEMENTS.--

21 A. The systemic framework for improving
22 educational outcomes shall include programs, services,
23 culturally and linguistically responsive policies and
24 professional development that need to be provided to improve
25 Indian education in the state. Based on the priorities

1 developed through the needs assessment and the priorities set
2 in the budget for the school year, the systemic framework may
3 include some or all of the elements provided in this section.

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

9 (1) culturally and linguistically innovative
10 programs designed to meet the educational needs of
11 educationally disadvantaged Indian students;

12 (2) high-quality professional development
13 for teaching professionals and paraprofessionals;

14 (3) the identification of early childhood,
15 pre-kindergarten and family programs in the school district
16 that emphasize school readiness and that are effective in
17 preparing young children to make sufficient academic growth
18 by the end of grade three, including family-based early
19 childhood programs that provide screening and referral and
20 provide services to Indian children with developmental delays
21 or disabilities;

22 (4) educational programs that are not
23 usually available in sufficient quantity or quality,
24 including remedial instruction, to raise the achievement of
25 Indian students in one or more of the subjects of English,

1 mathematics, science, foreign languages, art, history and
2 geography;

3 (5) bilingual and bicultural programs and
4 projects;

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

9 (7) programs designed to encourage and
10 assist Indian students to work toward, and gain entrance
11 into, institutions of higher education;

12 (8) special compensatory and other programs
13 and projects that are designed to assist and encourage Indian
14 students to enter, remain in or reenter school and to
15 increase the rate of high school graduation for Indian
16 students;

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

23 (10) partnership projects between public
24 schools and local businesses for career preparation programs
25 designed to provide Indian students with the knowledge and

1 skills needed to make an effective transition from school to
2 a high-skill career; and

3 (11) rigorous and meaningful curricula and
4 educational opportunities that will lead to lifelong success
5 for all students.

6 C. Culturally and linguistically responsive
7 activities may include:

8 (1) culturally related activities that
9 support the academic program of the public school;

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

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

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

20 D. Services to be provided may include:

21 (1) early interventions to help struggling
22 students, such as after-school programs, tutoring and
23 mentoring and school and community interventions to prevent
24 truancy and reduce dropout rates;

25 (2) comprehensive guidance and counseling

1 services;

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

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

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

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