

1 SENATE BILL 420

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Benny Shendo

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10 AN ACT

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

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

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

21 "[NEW MATERIAL] INDIAN EDUCATION--SCHOOL DISTRICT
22 RESPONSIBILITIES--NEEDS ASSESSMENTS--USE OF DATA--PRIORITIZING
23 BUDGETS--REPORTS.--

24 A. As used in Sections 1 through 3 of this 2019
25 act, "school district" includes charter schools.

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

7 C. After the needs assessment, the school district
8 shall meet with the local tribes to prioritize the needs to be
9 addressed. The school district shall make meeting the needs of
10 Indian students and closing the achievement gap between Indian
11 students and all other student groups a priority in the school
12 district budget, including applying state and federal funding
13 for Indian students, disadvantaged students, at-risk students,
14 students in poverty and other categories of state and federal
15 funding to help disadvantaged students.

16 D. The school district shall apply for appropriate
17 state, federal and private grants to help it carry out the
18 provisions of Sections 1 through 3 of this 2019 act. When
19 approving budgets, the department shall consider whether a
20 school district's budget accomplishes the prioritized needs
21 from the Indian students needs assessment.

22 E. The school district shall develop an
23 accountability tool that measures public school efforts
24 pursuant to the systemic framework provided for in Sections 2
25 and 3 of this 2019 act and the success or failure of those

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1 efforts.

2 F. The school district shall hold a public meeting
3 with members of the Indian students' tribal leaders, parents
4 and the Indian education division at least twice in the school
5 year to report on the needs assessment and the school
6 district's evaluation of progress."

7 SECTION 2. A new section of the Indian Education Act is
8 enacted to read:

9 "[NEW MATERIAL] SYSTEMIC FRAMEWORK FOR IMPROVING
10 EDUCATIONAL OUTCOMES FOR INDIAN STUDENTS.--Historically defined
11 Indian impacted school districts shall develop and publish a
12 systemic framework for improving educational outcomes for
13 Indian students. The school district shall develop the
14 framework in collaboration with school employees, tribal
15 leaders, Indian students and families, social service providers
16 and community and civic organizations. The Indian education
17 division shall assist the school district as required during
18 the development and implementation of the framework. The
19 school district may request assistance from schools of
20 education at state educational institutions to identify best
21 practices in collecting and using student-centered data to
22 inform teaching strategies and schoolwide efforts to close the
23 achievement gap between Indian students and all other student
24 demographic groups."

25 SECTION 3. A new section of the Indian Education Act is

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1 enacted to read:

2 "[NEW MATERIAL] SYSTEMIC FRAMEWORK ELEMENTS.--

3 A. The systemic framework shall include programs,
4 services, culturally relevant activities and professional
5 development that need to be provided to improve Indian
6 education in the state. Based on the priorities developed
7 through the needs assessment and the priorities set in the
8 budget for the school year, the systemic framework may include
9 some or all of the elements provided in this section.

10 B. Academic and other programs may include, within
11 the context of the Indian education division's development or
12 selection of culturally relevant curricula and instructional
13 materials as provided in Subsection E of Section 22-23A-5 NMSA
14 1978:

15 (1) innovative programs designed to meet the
16 educational needs of educationally disadvantaged Indian
17 students;

18 (2) high-quality professional development for
19 teaching professionals and paraprofessionals;

20 (3) the identification of early childhood,
21 pre-kindergarten and family programs in the school district
22 that emphasize school readiness and that are effective in
23 preparing young children to make sufficient academic growth by
24 the end of grade three, including family-based early childhood
25 programs that provide screening and referral and provide

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1 services to Indian children with developmental delays or
2 disabilities;

3 (4) educational programs that are not usually
4 available in sufficient quantity or quality, including remedial
5 instruction, to raise the achievement of Indian students in one
6 or more of the subjects of English, mathematics, science,
7 foreign languages, art, history and geography;

8 (5) bilingual and bicultural programs and
9 projects;

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

13 (7) programs designed to encourage and assist
14 Indian students to work toward, and gain entrance into,
15 institutions of higher education;

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

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

25 (10) partnership projects between public

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1 schools and local businesses for career preparation programs
2 designed to provide Indian students with the knowledge and
3 skills needed to make an effective transition from school to a
4 high-skill career; and

5 (1) rigorous and meaningful curricula and
6 educational opportunities that will lead to lifelong success
7 for all students.

8 C. Culturally related activities may include:

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

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

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

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

21 D. Services to be provided may include:

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

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1 (2) comprehensive guidance and counseling
2 services;

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

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

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