Martinez and Yazzie Lawsuit Update

Prepared for the Legislative Education Study Committee

Senator Bill Soules, *Chair* Representative Andrés Romero, *Vice-Chair*

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Overview

- M-Y Discussion Planning Overview
- Examples of Public Comments
- Next Steps: Timeline
- Current and Future Initiatives
- Communication with Stakeholders

Status of Martinez-Yazzie Draft Action Plan



1. Development of NMPED Q&A document (synthesis of public feedback and responses to the feedback from agency staff).

2. Identification of two sets of trends from stakeholder feedback (Findings of Fact aligned and general feedback).

3. Facilitation of meetings with agency teams to determine best responses to feedback using initial responses as a blueprint.

4. Completion of the next version of the plan by September 30, 2022 to include stakeholder feedback, interagency feedback (PED, HED, ECECD, IAD) identified for inclusion in the plan.

Example of Q&A Document Format

Action Plan Item	Recommendation/Comment	Direct Alignment with Martinez – Yazzie Findings of Fact	NMPED Response	NMPED Office Responsible
Section III Outcome Targets Page 5 Statewide	To achieve the goal of the overall plan, data collection must improve at PED. On page 5, the table regarding average class sizes is a great example of this unbelievable data. The data could be	Smaller Class Sizes	Will work directly with our data and accountability team to make sure the plan reflects the most accurate data available we can source.	School Transformation and Innovation
average class size table	displayed reflecting the variation between urban and rural districts.			

Public Comments: Trends (Findings of Fact Aligned)

Respondents: NMPED received a total of 94 public comments (including some duplicates) on the discussion draft action plan. Out of 70 unique comments, five themes emerged most frequently.

Supported efforts to specifically improve Native American student outcomes (41%) ~ 29/70

Encouraged more formal and effective methods of consulting with community members, particularly those representing marginalized student populations (31%) ~ 22/70

Called for greater accountability for the outcomes and strategies named in the plan, (use of funding to support specific student populations, hiring staff that is more representative of the student population) (21%) ~ 15/70

Asked for greater specificity in the plan (action steps, funding allocations, milestones, and disaggregated outcome targets) (17%) ~ 12/70

Requested equitable distribution of funds targeting programs that support all at-risk student groups (14%) ~ 10/70

More than five, fewer than 10, individual comments included the following requests:

- Follow the Tribal Remedy Framework recommendations (8/70) ~ 11%
- Increase NMPED capacity to carry out the plan (8/70) $\sim 11\%$
- Collect additional data $(7/70) \sim 10\%$
- Improve or expand the targets cited in the plan $(7/70) \sim 10\%$
- Hire more Native Americans in state, district and school spaces (7/70) ~ 10%
- Add specific types of data to the report to allow for clear comparisons among demographic groups (6/70) ~ 9%

Key Themes of All Input Received

Educator Preparation Programs	Micro Credentials	Professional Development and Incentives	National Board Certifications	Licensure- Endorsements	Class Size Waivers
Literacy (LETRs Training)	Literacy- Dyslexia Screening	Curriculum Development	Assessments	Funding Instructional Material	Alternative Teachers
College and Career Opportunities	Graduate Profile	AP Capstones	Targets for improvement	Technology	Surveys
K-5 Plus	Community Schools	Extended Learning	Tribal and Rural After School ELTP	Data collection	Mathematics Interventions
M/Y Response Team Development	Special Education	Equity Councils	Restraint and Seclusion	Student Attendance and Chronic Absences	Suspension and Expulsion
Bilingual Programs	Indian Education	Social and Emotional Learning	English Learners	Understanding Section 504	At Risk Funding Formula

Next Steps: Timeline

Date	Target	Plan
Present to 9/29/2022	Finalize the rewrite of the M-Y Action Plan Discussion Draft and Q&A Document	IET leadership team, under the supervision of Dr. Bannerman, will revise and restructure current iteration with technical assistance from WestEd led by Niki Sandoval.
9/30/2022	Submit updated draft for review (Tribal leaders, PED, Gov's team and other stakeholders)	Dr. Bannerman will submit the current draft to stakeholders and Dr. Steinhaus to begin the reviewing process and offer feedback. After initial approval is received from the Secretary, Dr. Steinhaus will forward to the Gov's team to review and offer feedback.
October – November 2022	Final approved M-Y Action Plan and Q&A Documents released to all stakeholders	IET leadership team under the supervision of Dr. Bannerman will revise current iteration of the plan based on feedback from stakeholders, Secretary Steinhaus and Gov's team.
Annually (Ongoing)	Annually review the M-Y Action Plan focused on edits, updates, and tracking data for accountability	M-Y Response Team and IET leadership team, under the supervision of Dr. Bannerman, in partnership with PED staff and other interagency supports.

Future Initiatives







Current and Future Initiatives: NMPED Actions Based on Public Comments

Public Comment	NMPED Future Initiatives
There are many references to auditing, tracking, assessing, reporting, and surveying as part of this act. Does NMPED have the infrastructure, personnel, and the processes and procedures in place to handle the bureaucratic necessities associated with implementation?	Continued development of Open Books to aid in auditing, tracking, assessing, reporting, and surveying. NMPED will develop a sustainable infrastructure by creating and staffing new positions that will directly relate to the work outlined in the Martinez-Yazzie Action Plan.
We need to be proactive in <mark>supporting the mental and emotional health of children</mark> , rather than waiting to react when there is a crisis. Counselors must be utilized to counsel students!	Provide access to the 7 Mindsets, which is the leader in online social emotional learning (SEL) solutions. NMPED will focus on providing free SEL resources available through online state portal. The portal provides students, parents, and educators at no-cost access to 7 Mindset's SEL courses and curriculums, leadership training, and teacher professional development. The portal can be found at www.NewMexicoSELPortal.com.
To narrow the at-risk achievement gap, significantly more must be spent per student (with respect to low-income students, some say 25 percent more; others say at least 50 percent more) in schools with large concentrations of at-risk students than in schools with more favored populations.	In FY22, the state slated \$15 million through Family Income Index for at-risk student groups. State funding increased to \$30 million in FY23 to meet the needs of more schools with a larger concentration of at-risk students specifically who are economically disadvantaged. NMPED is requesting \$45 million in FY24 for interventions dedicated to at-risk student groups.
Implementation of cultural practices for aid. In lieu of discipline such as suspension, it is an option to require students to attend counseling so our staff can identify their issues and help them work through it. Any other practices should follow local tribal values and allow our Navajo students to be subject to traditional Navajo healing and practices. [Restorative Practices]	PED has hired a trauma response coordinator who will be developing guidance and providing professional development and technical assistance on restorative justice that will reduce the disciplinary practices that push students out of school.
Just to be clear, listing specific supplemental services does not imply that PED would dictate to each district and school how to serve its at-risk students. PED could offer not only a menu of pre-approved options from which districts and schools could choose but also provisions for districts or schools to develop their own treatment models and submit them for PED approval.	The At-Risk Intervention Response Team, which houses the majority of Martinez-Yazzie Response Team, created a <u>Resource Guide</u> to provide options for academic and behavioral interventions dedicated to improving the educational outcomes of at-risk student groups. The guide provides suggestions in Structured Literacy/Reading, Mathematics and other student support interventions along with suggested vendor list provided by districts who used Family Income Index in FY22.

Current and Future Initiatives: NMPED Actions Based on Martinez-Yazzie Action Plan

Responses to M-Y Action Plan Targets	NMPED Initiatives	
NMPED's Special Education Division will develop a special education teacher portal to support the unique needs of special educators. While there are other portals, none target topics that are specific to special education. This portal will support educators with quickly finding vetted resources related to IEP procedures, questions about caseloads, evidence- based instructional practices, IDEA B, and more. This resource will impact student outcomes by providing teachers with the information they need to serve their students.	Our Special Education Division will work on launching a Special Education Teacher Mentor program. They are expanding LEAP (Leading Educators through Alternative Pathways) to include dyslexia with the Annie May Foundation. The team will roll out funds to support schools using ARP (American Rescue Plans). Class wallet (because of previous success) and additional surveys are being developed for teachers.	
NMPED is staffing a Martinez -Yazzie Response Team consisting of eight members. Team members will include the following: Identity, Equity and Transformation Division Director, one At-Risk Program Coordinator, Equity Specialist, Students with Disabilities Specialist, At-Risk specialist, Hispanic Education representative, Indian Education representative and a Black Education Family and Community Engagement Coordinator. One primary focus of the MY Response Team will be providing assistance, oversight, and financial review of atrisk programs and related spending.	The Identity, Equity and Transformation division of NMPED hired the Identity, Equity and Transformation Division Director and the At-Risk Program Coordinator. Three, new positions are currently posted with one position in process. The two remaining positions will be staffed by current Hispanic Education and Indian Education staff or new Division employees. Existing team members are currently supporting districts and charter schools who received Family Income Index and At-Risk Intervention Response funding for 2022 – 2023.	
NMPED will create a certification process for district and charter school staff focused on how to utilize the Language Usage Survey (LUS) as a resource to assist with the identification of potential English Learners at school sites.	The Language and Culture Division is creating the certification within Canvas. Once completed the certification course will be calibrated and ready for statewide administration. Staff who have completed the certification will be surveyed to gauge if they have sufficient training to understand the purpose, how the results are used, and the importance of providing accurate information to guide families to complete this form.	
NMPED completed a Tribal Consultation Guide. It serves as a resource for New Mexico Local Education Agencies, school administrators, school boards, educators, tribal leaders, and tribal education departments regarding best practices and expectations for defining and facilitating tribal consultation.	Consultation guide released earlier this calendar year. Tribal consultation was facilitated in September and October of 2021. Rebecca Reyes will discuss initiatives for Indian Education during her presentation.	

Communication with Stakeholders

Tribal Leaders ~

Monthly communication meetings with Tribal Education Directors, annual Tribal Leader Summits and Twice annual Government to Government convenings

District and Charter Leaders ~

Communication will appear in twice weekly eBlasts sent from NMPED on Tuesday and Thursday, during monthly Leadership virtual convenings and during special meetings when needed

Public ~ Communication will appear on NMPED's website

Thank you

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