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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/21/07  
 LAST UPDATED 2/28/07      HB \_\_\_\_\_

SPONSOR Cisneros

SHORT TITLE Statewide Indian Education Assessment      SB 1011/aSIAC

ANALYST Weber

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$100.0	Recurring	General

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From

Indian Affairs Department (IAD)  
 Public Education Department (PED)

No Response Received From

Higher Education Department (HED)

### SUMMARY

Synopsis of SIAC Amendment

The Senate Indian and Cultural Affairs Committee amendment redirects the appropriation to the Public Education Department from the Indian Affairs Department.

Synopsis of Original Bill

Senate Bill 1011 appropriates \$100 thousand from the general fund to the Indian Affairs Department to do an assessment of Indian education statewide, including all New Mexico tribes, nations and pueblos.

## FISCAL IMPLICATIONS

The appropriation of \$100 thousand contained in this bill is an expense to the general fund. Any unexpended or unencumbered balance remaining at the end of Fiscal Year 2008 shall revert to the general fund.

## SIGNIFICANT ISSUES

Indian Affairs reports that Indian education has been a pressing concern for both tribal governments and the State of New Mexico in recent years. The passage of the Indian Education Act (“the Act”) in 2003 prompted an expanded role and greater responsibilities for the State’s Public Education Department (“PED”) in educating New Mexico’s Indians. Among other things, PED created the Indian Education Division and the position of Assistant Secretary for Indian Education.

One of the other outcomes of the Act has been extensive and formalized study of Indian Education in the State by the PED and others. Among the work products generated has been a report published by the PED entitled “Indian Education Status Report, 2004-2005 School Year.” It includes a wide range of relevant information regarding Indian Education – from student achievement statistics to dropout rates to policy approaches and more. The report could be characterized as comprehensive and current. PED’s report is located on the internet and can be found at <http://www.ped.state.nm.us/indian.ed/dl/2004-2005.Indian.Education.Status.Report.pdf>

PED adds that PED’s Indian Education Division currently has a contract to conduct research on the status of Indian Education in New Mexico. The current study:

- Must align with key provisions of the 2003 New Mexico Indian Education Act;
- Must identify and examine faulty assumptions regarding contemporary Indian education research and evaluation;
- Must describe needs, issues and recommendations for implementation and resources utilizing factors of the 2003 New Mexico Indian Education Act;
- Must discuss best practices and exemplary programs in Indian education that include parental and community involvement;
- Must recommend effective and successful inclusion of Native language and culture in school programs;
- Must describe ways to build tribal capacity to improve Indian education;
- Must describe and recommend areas of overall tribal, state and federal systems that require effective processes for change;
- Must describe recommendations on how Adequate Yearly Progress (AYP) measures must be changed to incorporate tribal culture and language needs;
- Will also coordinate and interface with, but not duplicate, existing national, New Mexico and regional Indian education studies.

The current study shall include three interdependent tracks of investigation:

- The federal dimension that includes the “No Child Left Behind Act,” including Executive Order 13336;
- The state dimension that includes the 2003 New Mexico Indian Education Act; and
- The community dimension that includes tribal education policy. This dimension would assume a slower, more deliberate organic evolution of Indigenous research

methodology that focuses on community ownership of education research and evaluation processes that would eventually affect tribal education policy.

Indian education research and evaluation must build upon the rich cultural vitality of Native peoples. Research and evaluation being conducted needs to shift paradigms from western dominant measures to Indigenous parameters and methodology, while seeking to balance the two.

### **POSSIBLE QUESTIONS**

The Indian Affairs Department expresses concern that the agency lacks the expertise and manpower to execute the directive in SB 1011. Conducting an assessment of education, or securing contractors to execute that task, fall more appropriately within the purview of the Public Education Department. If IAD were charged with carrying out the assessment, it would need additional personnel resources above and beyond current levels.

Since PED is already involved in Indian Education and related studies should the appropriation be made to PED?

MW/nt