A MEMORIAL

REQUESTING THE LEGISLATIVE EDUCATION STUDY COMMITTEE AND THE
INTERIM LEGISLATIVE INDIAN AFFAIRS COMMITTEE TO CONVENE A
JOINT SUBCOMMITTEE TO ASSESS THE EFFECTIVENESS OF THE INDIAN
EDUCATION ACT.

WHEREAS, it is the state's responsibility to ensure that New Mexico Indian children receive an education that values and respects the wisdom, knowledge, cultures and languages of tribal communities; and

WHEREAS, Indian children deserve a quality education to continue the legacy of strong Indian leadership for tribal nations and the state; and

WHEREAS, the national Indian education association has stated in its recommendations to improve the efficacy of the federal Elementary and Secondary Education Act of 1965 that federal and state agencies should collaborate with Indian tribes to provide greater financial and technical support for bureau of Indian education schools, including the opportunity to utilize alternative measurement assessments and the development of tribal adequate yearly progress or other annual measurements of achievement; and

WHEREAS, the national Indian education association also has stated in its recommendations to improve the efficacy of the federal Elementary and Secondary Education Act of 1965.
that a tribal "teacher preparation initiative" be authorized and geared toward educators working or interested in working at Native American schools or wherever there are significant numbers of Native American students enrolled; and

WHEREAS, the legislature established the Indian Education Act to "ensure that the department of education partners with tribes to increase tribal involvement and control over schools and the education of students located in tribal communities"; and

WHEREAS, the Indian Education Act states the purpose of that act is to "provide for the study, development and implementation of educational systems that positively affect the educational success of American Indian students"; and

WHEREAS, the 2009 New Mexico achievement gap solutions summit convened by the office of the governor, public education department and higher education department identified several policy solutions to address the Native American achievement gap, and these solutions include:

A. funding, implementing and enforcing the Indian Education Act;

B. increasing the authority of the Indian education advisory council;

C. ensuring that funds follow Indian students; and

D. redefining Native American student achievement and developing alternative assessments;
NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the legislative education study committee and the interim legislative Indian affairs committee be requested to convene a joint subcommittee composed of:

A. four members of the interim legislative Indian affairs committee appointed by the committee co-chairs; and

B. three members of the legislative education study committee appointed by the committee chair; and

BE IT FURTHER RESOLVED that the joint subcommittee be requested to:

A. examine the role of the Indian education division of the public education department in improving the academic achievement of the state's Native American students;

B. evaluate the role of the Indian education advisory council in improving the academic achievement of the state's Native American students;

C. study the effectiveness of the Indian Education Act in improving the academic achievement of the state's Native American students;

D. research and identify mechanisms to foster parental involvement in the education of Native American students;

E. reassess the utilization of funds to improve Native American students' academic outcomes; and
F. develop an action plan with accompanying time lines to improve Native American students' academic achievement and narrow the achievement gap; and

BE IT FURTHER RESOLVED that the joint subcommittee be requested to make recommendations to the legislative education study committee and the interim legislative Indian affairs committee by October 1, 2011, and that the recommendations should include:

A. identification of suggested amendments to the Indian Education Act to increase the effectiveness of the act in improving Native American students' academic outcomes;

B. suggested revisions to the formation, purpose, duties and directive of the Indian education advisory council to increase the effectiveness of the Indian Education Act in improving Native American students' academic outcomes; and

C. proposed alternatives to the current methods of funding for Indian education in New Mexico; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the co-chairs of the interim legislative Indian affairs committee, the director of the legislative education study committee, the secretary of public education and the secretary of Indian affairs.