



## New Mexico Rising

Engaging our Communities for Excellence in Education

### GOVERNMENT TO GOVERNMENT MEETING

- Community meetings on the Every Student Succeeds Act (ESSA) occurred throughout New Mexico in fall 2016.
- This report summarizes the Tribal Government to Government sessions held November 14, 2016.
- A separate, statewide report includes all community feedback.

### CONVENER

New Mexico Public Education Department

### FACILITATOR

New Mexico First



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# CONTENTS

<b>Executive Summary</b> .....	<b>4</b>
<b>Forward</b> .....	<b>5</b>
<b>Purpose of the Community Meetings</b> .....	<b>5</b>
<b>What Happened at the Meetings?</b> .....	<b>5</b>
<b>What Happens Next?</b> .....	<b>5</b>
<b>Convener</b> .....	<b>5</b>
<b>Facilitator</b> .....	<b>6</b>
<b>Community Feedback</b> .....	<b>7</b>
<b>Communication and Coordination</b> .....	<b>7</b>
<b>What Works Well</b> .....	<b>8</b>
Community Collaboration .....	8
Student Assessments, Graduation Requirements and Vocational Support.....	8
Cultural Awareness.....	8
Additional Comments.....	8
<b>What Needs Improvement and Suggestions</b> .....	<b>9</b>
Student Assessments and Graduation Rates.....	9
Student Services and Parental Engagement .....	10
Policy, Tribal Consultation and Intergovernmental Coordination.....	10
Teacher Training, Support and Evaluations.....	11
<b>Additional Concerns</b> .....	<b>12</b>
School Effectiveness .....	12
Funding.....	12
Cultural Competency and Understanding of Tribal Best Practices .....	13
Infrastructure .....	13
<b>Conclusion</b> .....	<b>14</b>

# EXECUTIVE SUMMARY

New Mexico students have made gains in test scores recently for math and reading, and more students are graduating high school. These achievements while positive, have not yet moved the state's near-bottom ranking in the U.S. for student performance, scoring among the lowest math and reading scores in the nation.

Providing all New Mexico children with a quality education is the key to our state's future. In a continuing effort to ensure better student outcomes, the federal government passed the Every Student Succeeds Act (ESSA). This new law replaces the federal law "No Child Left Behind" (NCLB) in governing K-12 education.

The New Mexico Public Education Department (PED) convened six regional meetings throughout the state in Gallup, Farmington, Santa Fe, Albuquerque, Rowell, and Las Cruces as well as a Tribal Government to Government consultation meeting in Farmington, to solicit input about how to best implement the state's ESSA plan to support student learning. The PED partnered with the nonpartisan, nonprofit New Mexico First to facilitate the meetings.

Two facilitated sessions occurred at the Government to Government meeting in Farmington on November 14, 2016. One session was tailored for pueblo governors and Jicarilla Apache, Mescalero Apache and Navajo Nation presidents, and the other for tribal education administrators and stakeholders. Approximately 50 people took part in the two sessions, in which the participants were consulted about what they felt was working well and what needed improvement concerning education in tribal communities. They were also asked for ideas and suggestions for ESSA implementation, especially concerning the following variables associated with ESSA reform:

- School accountability and report cards
- Student assessment and coursework requirements
- Identification and support for English language learners (ELLs)
- Support for low performing schools
- Support and evaluation of teachers and school leaders

At the Government to Government meeting, the most common themes included:

- Community collaboration for a nurturing learning environment
- Student assessments, graduation requirements and vocational support
- Cultural awareness
- Student services and parental engagement
- Policy, tribal consultation and intergovernmental coordination
- Teacher training, support and evaluations

PED will use the input received from the community meetings to inform the development of its ESSA plan for improving education in New Mexico. An individual report for each regional community meeting has been published online along with a final report that highlights the overarching themes among all the community engagement meetings. You may access the reports at [nmfirst.org](http://nmfirst.org).

# FORWARD

## Purpose of the Community Meetings

The federal Every Student Succeeds Act (ESSA) is the primary law governing K-12 education in the United States. Passed in December 2015, the new law replaces the previous federal education policy known as No Child Left Behind (NCLB). Throughout the country, states are holding public meetings about ESSA – providing an opportunity to engage with students, educators, district leaders, families and the community for input on how to continuously refine education systems.

The New Mexico Public Education Department (PED) partnered with New Mexico First to facilitate a series of six regional meetings throughout the state and a Tribal Government to Government Consultation meeting in fall 2016, to solicit input about how New Mexico's ESSA plan could best support student learning, teachers and schools. New Mexico First also issued an online survey in English and in Spanish for those unable to attend a community meeting to submit feedback. Prior to the community meetings all participants received a background report on ESSA and the status of student learning in New Mexico that can be accessed at [www.nmfirst.org](http://www.nmfirst.org).

PED has also engaged in additional outreach activities, including additional scheduled district visits and meetings, teacher feedback through summit and advisory groups, and technical working groups.

## What Happened at the Meetings?

These meetings provided participants a chance to learn about ESSA and share with PED their priorities, expectations and concerns helping PED set informed goals and expectations for our public education system. In each community there were three meetings that took place throughout the day and into the evening to accommodate the work and family schedules of community members. In each community, one of the three meetings was specifically designed for teachers to garner their feedback from a teacher's perspective. Meetings began with a brief opening session to set the context, with the bulk of the time focused on small group discussions among participants each of whom want to contribute to the success of New Mexico students.

## What Happens Next?

PED will use the input received to inform the development of its ESSA plan for improving education in New Mexico. According to PED, participants' suggestions will play an important role in guiding the state public education system to better support our students and teachers. Suggestions will also inform which aspects of New Mexico's existing system should be retained or revised.

## Convener

The ESSA community meetings series is convened by the NM Public Education Department (PED). The PED serves as New Mexico's State Education Agency (SEA) and provides oversight to New Mexico's Local Education Agencies (LEAs). The series is funded by the Council of Chief State School Officers and administered by HCM Strategists, LLC.

## Facilitator

New Mexico First engages people in important issues facing their state or community. Established in 1986, the public policy organization offers unique town halls and forums that bring together people from all walks of life to develop their best ideas for policymakers and the public. New Mexico First also produces nonpartisan public policy reports on critical issues facing the state. These reports – on topics like education, healthcare, the economy, water and energy – are available at [nmfirst.org](http://nmfirst.org).

Our state's two U.S. Senators, Tom Udall and Martin Heinrich, serve as New Mexico First's honorary co-chairs. The organization was co-founded in 1986 by retired U.S. Senators Jeff Bingaman and Pete Domenici.

The community reports were prepared by Elizabeth Perrachione and the tribal government to government report was prepared by Sharon Berman. All reports were reviewed by Pamela Blackwell and Heather Balas.

## GOVERNMENT TO GOVERNMENT

# COMMUNITY FEEDBACK

In July 2016, the NM Public Education Department (PED) ratified a policy to guide consultation with tribal governments regarding programs and activities affecting Native American students. The PED State-Tribal Collaboration Act (STCA) Collaboration and Communication Policy ensures “consistency and compliance with the State-Tribal Consultation Act and the Indian Education Act.”<sup>1</sup> The Indian Education Act calls for PED to seek input on education of tribal students in the form of Government to Government meetings held several times each year. The fall Government to Government meeting took place on November 14, 2016 in Farmington, NM.

Approximately 50 people took part in the two tribal consultation sessions at the Government to Government meeting facilitated by New Mexico First. The first session was a formal tribal consultation with tribal leaders, and the second session included tribal education administrators and teachers and other tribal education stakeholders.

During the two sessions, tribal leaders and tribal education stakeholders were consulted about what they felt was working well, and which areas needed improvement, regarding education in tribal communities. They were also asked for their ideas and suggestions for ESSA implementation. In both sessions, and especially Session 2, participants were asked to address the following variables associated with ESSA reform:

- School accountability and report cards
- Student assessment and coursework requirements
- Identification and support for English language learners (ELLs)
- Support for low performing schools
- Support and evaluation of teachers and school leaders

### Communication and Coordination

Overwhelmingly, participants in the public meetings had much to say about communication and coordination. Some communities lauded the work their districts and other education and community leaders have done in this arena while others called for improvements. For participants, optimal communication means that information is transparent, informative, accessible, appropriate, applicable and consistently provided. Because of how cross-cutting the two themes of communication and coordination were, detailed comments and suggestions about communication and coordination offered by participants in the Government to Government meeting are included under the more specific themes in the sections below.

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<sup>1</sup> Hanna Skandera, Secretary of Education, communication July 1, 2016

## What Works Well

Meeting participants identified several areas they believed were working well in tribal communities, with the most weight given to the following areas:

- Community collaboration for a nurturing learning environment
- Student assessments, graduation requirements and vocational support
- Cultural awareness

### COMMUNITY COLLABORATION

Participants noted that success happens in environments where partnerships work, leading to a nurturing environment for students. They pointed to specific contributing factors including:

- Increasing engagement by tribal leaders
- Collaboration between tribal communities as well as between tribal communities and public schools
- Inclusion of parent advisory committee presence on school websites
- Community wellness and health programs
- Growing opportunities, due in part to community volunteers, in career readiness, trades and vocational education in high school

### STUDENT ASSESSMENTS, GRADUATION REQUIREMENTS AND VOCATIONAL SUPPORT

Tribal leaders expressed pride that many Native American students are doing well, and the system works for some students. Tribal education stakeholders also said that schools were being honest when students were not doing well and would call on a third party to help. They recognized the Navajo Nation for developing education standards and assessments, taking important steps in coursework development and working well with local districts and the PED. Participants from both tribal groups highlighted successful dual-credit programs between multiple entities and school systems. Teen centers were mentioned in several contexts and were also considered key support in the area of trade and vocational support. In the area of student achievement and scholarship, both groups acknowledged tuition waivers and tribal education scholarships.

### CULTURAL AWARENESS

Tribal leaders underlined the importance of culturally appropriate education. Some public school districts were recognized as having open communication with tribal communities, a strong understanding of the importance of competency training and cultural awareness at the schools, hiring Native American teachers, as well as working with the tribal calendar. Both groups mentioned bilingual education as well as specific language programs (e.g., Zuni and Tiwa).

### ADDITIONAL COMMENTS

Participants also provided positive comments in the following areas.

**Funding:** Tribal education consultants pointed to a variety of ways in which funding was going well. For example, they felt that cost-sharing with local education agencies (LEAs) and implementation of Johnson-O'Malley<sup>2</sup> and

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<sup>2</sup> The Johnson-O'Malley Act is a federal law addressing education, medical attention, and other services provided by states to Native Americans.

the Institute of American Indian Arts contracts enabled the education department at Isleta Pueblo to be fully staffed, increased parental involvement and student engagement, as well as resulting in support of PreK through post-secondary years as well as language and dual credit programs.

Infrastructure: Positive comments regarding developments in infrastructure included statewide planning on the part of PED, the tremendous potential in the Indian Education Act, tribal consultation for construction in progress (CIP) projects, the New Mexico Tribal Higher Education Commission's plan for working with K-12 and higher education, and general communication among tribal communities as well as with school districts, including monthly meetings.

Teacher and Administrator Support and Evaluations: Tribal leaders felt that some aspects of teacher and administrative support and evaluations are going well. They found that teachers are well prepared, and noted that some are partnering with Columbia University's Teacher College.

## What Needs Improvement and Suggestions

Both tribal leaders and tribal education stakeholders identified a number of sectors needing improvement in tribal communities, with the following four areas earning the most comments:

- Challenges with student assessments and graduation rates
- Student services and parental engagement
- Policy, tribal consultation and intergovernmental coordination
- Teacher training, support and evaluations

### STUDENT ASSESSMENTS AND GRADUATION RATES

Tribal education stakeholders found that the current approach to acquisition of Native American student data and assessments had significant flaws and therefore negatively impacts the accuracy of the resulting analysis and findings. They pointed out that assessment data is skewed due to the removal of Native American identifiers and subgroups. Stakeholders felt that year-round assessments do not reflect culturally appropriate questions, also leading to unrepresentative and inaccurate findings of student performance and growth. They noted that assessments are English-based, which is not always students' first language.

Stakeholders were troubled by the inadequacy of tracking migrating families and the resulting difficulty of adequately supporting those students. Tribal leaders felt there were too many assessments, taking away from important classroom instruction time necessary for an appropriate education. They also believed requiring computer-based assessments do not take into consideration rural areas lacking access to broadband. Some tribal leaders believed that the current assessment system does not empower the state to help struggling students.

Tribal leaders and education stakeholders alike were also troubled by the low graduation rate, which tribal leaders pointed out may have been adversely affected by an abrupt change of matriculation schedules, which has not yet been corrected.

Many suggestions were offered regarding appropriateness of student assessments and graduation rates:

- Develop and implement student assessments for Native American students that are culturally inclusive and include alternative assessment models (not English only) for tribal communities, such as dual-language and multilingual options.
- Prioritize the development of identifiers for Native American students and schools, ensuring that the data reflect the true population.
- Implement academic and diagnostic assessments earlier in the school year to better identify and support struggling students.
- Obtain parental releases granting permission to access raw data at the school level.
- Reduce the number of mandatory student assessments.
- Develop a system to track migrating populations so students receive support and are prepared to transition into higher education.
- Regarding graduation rates, clarify matriculation schedules.

### **STUDENT SERVICES AND PARENTAL ENGAGEMENT**

Tribal leaders felt that tribal communities need improved services for students. Some said that that tribal communities do not have enough control of their students' education, especially those attending schools in large cities. While many urban public schools have consultants or staffers assigned to coordinate with tribal communities, participants felt those professionals often lack appropriate training.

Education stakeholders stated that parent participation is difficult to maintain because parents do not feel respected or heard. Tribal leaders felt there were not enough Native parent advisory councils in public school districts. Education stakeholders noted that the school environment and structure is antiquated and not responsive to families and students.

Tribal leaders and tribal education stakeholders offered a number of suggestions regarding student services and parental engagement:

- Improve integration of different agencies to meet needs of students (wrap-around services, etc.).
- Re-establish teen centers across all communities.
- Work with superintendents to visit Native American schools and become cognizant of tribal ways of thinking and familiar with tribal education aspirations.
- Restore effective programs that have been watered down or eliminated.
- Improve parental involvement by:
  - Ensuring that school districts acknowledge and are responsive to parents' expertise, knowledge and concerns
  - Creating more Native American parent advisory councils in public school districts
  - Identifying other adults who have time to attend to students' needs in parents' stead (with consent) per the Johnson-O'Malley (JOM) Act provisions
- Improve coordination between government title programs.

### **POLICY, TRIBAL CONSULTATION AND INTERGOVERNMENTAL COORDINATION**

Tribal leaders and educational stakeholders alike found that issues surrounding policy development and implementation need improvement especially with regards to tribal consultation. In some cases, they pointed

out, the inherent structure of political bodies does not allow for optimal maintenance of tribal education. For example, political rotation for tribal leaders and elected officials, as well as school districts, creates challenges for reliable or long-term support of tribal education. In addition, tribal education stakeholders perceived a disconnect between local and tribal priorities and the state's priorities. Tribal leaders felt a lack of communication within the state and school districts has led to lack of access to information and services.

Tribal stakeholders emphasized that consultation is a process, not an event, and that making relevant and sound recommendations requires that tribal communities be involved in the continuum of data analysis. Tribal leaders found ESSA input opportunities unsatisfactory. Both tribal leaders and stakeholders wanted consultation about ESSA to be meaningful and rich. Many points they raised related to concerns about communication and coordination of the consulting process.

A number of suggestions were offered regarding policy and tribal consultation:

- Fully implement the Indian Education Act.
- Identify state staff who are experienced and qualified to work with the PED Indian Education Division.
- Recognize the value of the Indian Education Advisory Council, and grant it more authority.
- Recognize tribal authority, tribal sovereignty and the vision of a seamless education for all students, and let that inform policy.
- De-politicize school districts so they can be committed to long-term issues.
- Develop a comprehensive early education plan (e.g., pre- Head Start).
- Ensure that the Bureau of Indian Education (BIE), PED and school districts work proactively on cross-jurisdictional issues, preventing future conflicts.
- Incorporate reciprocity in laws so tribes may regain control of education for their students.

Regarding tribal consultation, specifically for Government to Government and ESSA:

- Take into consideration tribal schedules and elections when planning timelines, and provide advance notice.
- Hold another tribal consultation before the next Government to Government meeting.
- Urge the NM Secretary of Education and Governor of New Mexico to attend the next meeting.
- Consult with individual tribes for deeper input.
- Include tribal leaders in PED's ESSA working groups.

### **TEACHER TRAINING, SUPPORT AND EVALUATIONS**

Tribal leaders felt there are not enough local and Native American teachers. They also commented that many teachers are not sufficiently trained, resulting in funding being used to provide remedial teacher education courses. They remarked that housing can be an economic hardship for many teachers, as is transportation for rural teachers. Tribal education stakeholders pointed out that teachers' expertise in language and culture are not accounted for in the evaluation, licensure and certification processes. In addition, stakeholders observed a decrease in the number of public school teachers with language and culture expertise. Finally, stakeholders emphasized that a lack of sufficient staffing has caused existing staff to be spread too thin to do meaningful work in all of their programs.

Suggestions to improve teacher training, support and evaluations included the following:

- Improve support for highly qualified teachers.
- Address rules and systems tied to licensure, which requires tribal consultation, through collaboration between PED and tribal communities.
- Create and implement comprehensive, yet fair, teacher evaluation and support systems.
- Improve teacher training and preparation, including training in mental health practices.
- Provide incentives for the following:
  - Retention of effective teachers
  - Rural teacher recruitment and retention
  - Reduction of transportation expenses for rural teachers.
- Invest in Native American teachers.
- Encourage high school graduates to become teachers, administrators, counselors, etc.
- Support school boards to develop policies that enable those in teacher assistant training programs to ultimately become teachers.

## Additional Concerns

Beyond the priority themes above, some participants offered additional comments in areas they believed needed improvement.

### SCHOOL EFFECTIVENESS

Tribal leaders suggested that schools needed better stability across the board. They noted that authority was transferred several decades ago from school boards to superintendents, who cycle through the system too quickly to maintain continuity and stability. Tribal education stakeholders found the increased use of police in schools oppressive. They also thought that school start times were unreasonable. Stakeholders noted that districts have repurposed cultural liaisons to serve as counselors to a wide range of students rather than as liaisons. They found the school grading system wanting. Finally, stakeholders remarked that although there are 24,000 Navajo Nation students in New Mexico, school report cards do not include criteria for language and cultural education so that the school report cards may give relevant credit in those areas.

Suggestions to improve school effectiveness included:

- Place and utilize cultural liaisons appropriately.
- Districts should be directed to research and incorporate best practices for Native American students.
- Coordinate with all stakeholders to establish working arrangements to develop school policies and administrative procedures.

### FUNDING

Tribal leaders expressed concerns that Indian Country is several years behind in receiving appropriations. They pointed to the Zuni lawsuit as an example of ways in which funding could be sought. Tribal leaders commented that U.S. Department of Education Impact Aid funds come through the state and are distributed to LEAs, but they seemed uncertain whether funds were, ultimately, appropriately distributed. They added that, despite provisions in the sample Indian Policies and Procedures (posted online by PED), tribal members have difficulty

getting adequate time with school boards. Stakeholders felt that the funding formula through the Johnson-O'Malley Program, a federal program authorized by the Johnson-O'Malley Act of 1934, needs improvement, and that all tribal communities need to be educated about the program<sup>3</sup>. They noted that funds through Johnson-O'Malley are limited, and added that federal funding for younger children is lacking. Stakeholders also expressed that districts are not matching funding as provided for in partnerships.

Suggestions to improve inadequate funding covered local, state and federal efforts, including:

- Lengthen the terms of the Indian Education Act grants that are distributed via the Indian Education Division, so they last 3-4 years as opposed to one.
- New Mexico should funnel all of the Impact Aid funds from the federal government to Native American children.
- Identify additional resources for funding, such as game, revenue and permanent land grants.
- Ensure that dollars intended for tribal liaisons or tribal student counselors are, in fact, spent on those professionals, and they are allowed to practice accordingly.
- Consider supporting infrastructure and hiring of high quality teachers from casino general funds.
- Invest resources so that there is improved collaboration with and between the 22 nations.

### **CULTURAL COMPETENCY AND UNDERSTANDING OF TRIBAL BEST PRACTICES**

Perceptions were that superintendents cycle through office fairly quickly, and are not cognizant of tribal ways of thinking and education aspirations. Tribal leaders found that public schools lack education about tribal best practices, and that non-Native teachers lack awareness about cultural competency. They also noted that bilingual language programs had decreased significantly. Tribal leaders maintained that some good programs have been watered down and eliminated, especially in the area of tribal language preservation and support.

Suggestions regarding cultural competency and understanding of tribal best practices included the following:

- Include culturally responsive factors, such as education best practices, when designing curricula.
- Develop cultural awareness in non-Native teachers.
- Mandate cultural competency training.
- Expand knowledge of successful models that strive for best practices and seamless education (Participants noted Jemez Pueblo as having a successful model.).
- Expand language programs, including to young parents who may not know their own native language.

### **INFRASTRUCTURE**

Tribal leaders and education stakeholders pointed out that withdrawal of transportation funding resulted in students losing access to extracurricular activities such as tutoring and STEM programs. In addition, tribal leaders felt facilities were overcrowded and dilapidated. They also believed there was inadequate access to computers and the internet.

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<sup>3</sup> Information on the Johnson-O'Malley Program is available on the Bureau of Indian Education website at <https://www.bie.edu/JOM/>

Suggestions regarding infrastructure included:

- Improve and replace facilities so they will be conducive to learning.
- Provide technology and data sharing training for students and teachers.
- Provide access to computers and internet to schools and community. Consult with tribes to plan broadband networking, both in urban and rural areas

## Conclusion

Implementation of ESSA provides an opportunity for education stakeholders throughout New Mexico to continue to work together to provide all students a quality education that will shape their futures, allow them to reach their potential, and support our state's economic future for decades to come.

The PED and New Mexico First appreciate the time, effort and commitment to education of those who participated in the consultation sessions at the Government to Government meetings. The PED will use the input received from the community meetings to inform the development of its ESSA plan for improving education in New Mexico.

Comments from these meetings will be combined with the other community engagement meetings into a statewide report. All reports are available on [nmfirst.org](http://nmfirst.org).