



# All Pueblo Council of Governors

Officers:

Governor J. Michael Chavarria, Chairman  
Governor Wilfred Herrera, Jr., Vice-Chair  
Governor David M. Toledo, Secretary

June 26, 2020

Acoma

The Honorable Governor Michelle Lujan Grisham

Cochiti

Office of the Governor

Isleta

490 Old Santa Fe Trail, Room 400

Santa Fe, New Mexico 87501

Jemez

## **Re: All Pueblo Council of Governors Respond to the State of New Mexico's Dismissal of the Yazzie/ Martinez Court Ruling**

Laguna

Dear Governor Michelle Lujan Grisham,

Nambe

As leadership of New Mexico's Pueblos have become inundated with responding to the COVID-19 Public Health Crisis, Pueblo leadership was blindsided and dismayed to hear that the State of New Mexico has filed a motion to dismiss the 2018 Yazzie/Martinez Landmark Education Lawsuit on the grounds that orders have been sufficiently met. In making a decision of this magnitude, the State Tribal Collaboration Act was clearly violated. It is unsettling for Pueblo leadership that this legal move has come at a time of sheer uncertainty during the critical State of Emergency within our Pueblos, and as the state and nation respond to one of the most challenging times in recent history.

Ohkay Owingeh

Picuris

Pojoaque

Sandia

Pueblo leadership has unanimously agreed with the Court's original decision that the State of New Mexico has failed to provide Native children with an equitable education through the public education school system, and has not provided them with the kind of education guaranteed and envisioned under the State's Constitution. The State argues in its motion to dismiss that increased funding over the past two legislative sessions and modifying programs for English language learners, Native American students, low-income students and students with disabilities is substantial enough to comply with the Court's order, however Pueblo leadership disagrees and feels this action is premature and completely unacceptable. The Courts have an obligation to provide proof from the State to the Pueblo leadership on how the determination was made and what measurables were used to promulgate these decisions.

Santa Clara

Santo Domingo

Taos

Tesuque

Ysleta del Sur

Zia

Zuni

Pueblo leadership agrees that you, your staff and the State deserve gratitude and appreciation for the preventative measures and proactive response to the COVID-19 pandemic. However, for Native students ordered to stay at home and with the closure of all New Mexico schools for the remainder of the academic year, learning at home has been nearly impossible because of a lack of reliable internet in many tribal communities. The Pueblos now feel COVID-19 has disproportionately widened the already existing opportunity gap due to the lack of critical education infrastructure in Pueblo communities, amongst other disparities.

Prior to and since the decision to file this motion was rendered, Pueblos agree that there has not been any real meaningful collaboration or consultation with Pueblo leadership to



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discuss detailed plans to address critical issues including Native American teacher shortages, culturally relevant curriculum, infrastructure shortages, and the lack of social and behavioral health services – all of which are glaringly noted in the Court’s Findings of Fact and Conclusions of Law.

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Laguna

The Pueblo leadership stands by our position that the State must support funding levels sufficient enough to provide Native children and generations to come with an education that results in a decent paying job, a prosperous life, and a personal sense of academic achievement without compromising Native languages and culture.

Nambe

Kuunda; Thank you,

Ohkay Owingeh

J. Michael Chavarria, APCG Chairman

Picuris

Pojoaque

cc: Secretary Ryan Stewart, New Mexico Public Education Department

Sandia

Secretary Lynn Trujillo, New Mexico Indian Affairs Department

San Felipe

San Ildefonso

Santa Ana

Santa Clara

Santo Domingo

Taos

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Zia

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