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Santa Fe Indian School**

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“H.R. 1556

“To Amend the Omnibus Indian Advancement Act, to allow certain land to be used to generate income, to provide funding for academic programs at Santa Fe Indian School.”

September 22nd, 2011

Good Morning Chairman Young and members of the Natural Resources Subcommittee on Indian and Alaska Native Affairs. We bring you tidings and blessings from the State of New Mexico the heart of Pueblo Country. We extend special greetings to our very own, Congressman Ben Ray Lujan from Northern New Mexico. Thank you for this opportunity to speak on an effort that is crucially important to our students at the Santa Fe Indian School now and more importantly in the future.

Historical Perspectives

In the 1860s, the federal government set up 48 "day schools" near some of the reservations. Indian students would travel off the reservations, attend school and return home. The intent of the US Government was that this reform system would allow the students to civilize their parents, as well, by sharing what they were learning.

In the late 1870s, reformers tried a new experiment — reservation boarding schools. The idea was that students would live all week in the boarding schools that were built away from the reservations. But as time went by, the families simply found ways to overcome this approach.

Between 1880 and 1902, Twenty Five, off-reservation boarding schools were built and 20,000 to 30,000 Native American children went through the system; that was roughly 10 percent of the total Indian population in 1900. The intent to educate Indian students had varying effects and impacts on the student base, good, bad, or otherwise.

Despite the negative aspects of boarding schools, many students stubbornly held on to their tribal identities. Studies have shown that many students went back to their reservations and became leaders in tribal politics. Others found that getting to know members of other tribes contributed to their sense of kinship and pan-Indian identity. That sense of identity with other tribes led directly to Indian activism of the late 20th Century over political and cultural self-determination.

The Santa Fe Indian School and the Albuquerque Indian School were products of this era. Over the years, the establishment of the Santa Fe Indian School (SFIS), as it currently exists came in several phases.

The prior 30-year history of SFIS was not without challenge or struggle. In 1976 nineteen (19) Tribal Resolutions authorizing the All Indian Pueblo Council (AIPC) to contract for the operations of the Albuquerque Indian School. The journey included becoming the first Tribes, under the auspices of AIPC, to navigate the uncharted waters of Indian Self-Determination (P.L. 93-638 of 1975) by taking ownership of Indian education at the old Albuquerque Indian School site and eventually, as an act of defiance, abandoning the unsafe facilities and reclaiming the Santa Fe campus.

In 1979 the Albuquerque Indian School 10th through 12th grades were moved to the present Santa Fe Indian School campus. In 1980 the remaining 7th through 9th grade programs were also moved.

In 1988 the Santa Fe Indian School Board, Inc. contracted for the operation of the Santa Fe Indian School under P.L. 100-297 Title V, part B Tribally Controlled and Operated Grant School with funding via the BIA Schools Programs.

In 1998 the 19 Pueblos passed resolutions that authorized SFIS, Inc. for facilities planning, design and construction monies under P.L. 100-297 for design and construction of a math, science, technology building which was built and currently a great asset to the students. In 2000 SFIS, Inc. authorized SFIS Administration to submit application for construction of facilities under BIA New Construction Process. Some of the infrastructure is still in construction at this time.

Since the transitions from the old Albuquerque Indian School property and the contracting for the operations of Santa Fe Indian School as part of a move from the AIS property. A significant event in the history of the Santa Fe Indian School came on December 27, 2000 with the passage of H.R. 5528 Omnibus Indian Advancement Act (P.L. 106-568) signed by President Clinton. Known as the "Santa Fe Indian School Act" Congress authorized the transfer of the Santa Fe Indian School property into trust to the 19 Pueblos of New Mexico. Transfer of the 115-acre property created the opportunity for a prosperous new beginning for the Santa Fe Indian School. This represents the manifestation of the perseverance and strength of our Pueblo leadership. SFIS and the 19 Pueblos of New Mexico are now at an important crossroad of opportunity.

Educational Sovereignty

The path has not always been clear or without challenges, the most compelling reason SFIS has aggressively pursued a vision called “educational sovereignty”. This was the knowledge that if we controlled our own education we would be able to control our own destiny. Educational Sovereignty in brief – “the right and the responsibility to instruct, inform, and empower our students through the use of critical constructive pedagogy and methodologies”

Serving and meeting the 19 Pueblo's educational needs, in a relevant and responsive manner, is of paramount importance. We must utilize our tribal sovereignty as the basis to design curricula that will produce our next generation of entrepreneurs, medical professionals, lawyers, and tribal leaders. Sovereignty must be taught to our students, but more importantly, demonstrated through action by SFIS. It is our responsibility to improve our own educational institution with improved standards of performance, academics and cultural relevance to better our lives and the lives of our children.

The following statements have been adopted by the Santa Fe Indian School as our guide to education for life.

Vision:

Santa Fe Indian School is a sovereign educational community building upon its rich cultural legacy to be the leader in Native American Education.

SFIS Mission

Santa Fe Indian School utilizes our rich cultural heritage to enhance the knowledge and skills of each student. We shape and nurture future leaders to meet the challenges of tomorrow. Our students are here to embrace the rigorous educational experiences, their Native cultures, and our high expectations to provide a positive impact on our communities. Our students graduate as young adults who are responsible, productive members of their tribal nations and the global community.

Core educational requirements at SFIS are provided with funding from the Bureau of Indian Education, the Bureau of Indian Affairs within the Department of the Interior. Funding under Indian School Equalization Program (ISEP) covers the basic curricula established by the dominant society, such as No Child Left Behind while the curriculum involving other most important core values and principles developed at the SFIS takes additional resources.

Other areas of required funding for the provided services at SFIS not adequately funded are listed here as reference:

- Language and culture curriculum
- Senior Class (12th, grade) community based projects
- Behavioral Mental Health related activities
- Career /College Prep
- Student living (dormitory life)
- Counseling
- Athletics
- Transportation
- Facilities Maintenance and Operations

Over the years SFIS has made remarkable progress in all areas of endeavors despite funding shortfalls and challenges. To name a few of the most significant SFIS accomplishments; in the past 5 years, SFIS has had an average of 8 Gates Millennium Scholars recipients per year, over the past 5 years, Health careers Pipeline Project with the University of New Mexico, 3A girls basketball champions two years now, Spoken Word –Modern Native Story Telling through Poetry.

To build upon our immediate successes, SFIS has developed a very intensive 2011-2016 strategic plan that extends over the topic matters listed above as well as other prudent areas. This plan reflects the input of all SFIS stakeholder groups, to include:

- Students
- Parents
- Parent Advisory Council (PAC)
- Alumni
- Faculty
- Residential Staff
- Other Staff
- Administrators
- Tribal Leadership
- SFIS Board

The following nine top-priority needs have been identified in five major focus areas:

- **STRENGTHEN SCHOOL CULTURE**
 - 1) Increased Student Voice and Engagement
 - 2) Stronger School Values and Culture
- **FOCUS ON STUDENT-CENTERED TEACHING AND LEARNING**
 - 3) Enhanced Instruction and Classroom Practices
 - 4) Personalized Teaching and Learning
 - 5) Flexible Schedule to Support Needs
- **DEVELOP A STUDENT SUPPORT SYSTEM**
 - 6) Proactive Assessment of Students to Identify Needs
 - 7) System of Support of Life Long Wellness and Healthy Living
- **BUILD A PROFESSIONAL LEARNING COMMUNITY**
 - 8) Professional and Respectful Working Climate
- **ENHANCED LEADERSHIP**
 - 9) Enhanced Communication

(See Attachment A, Strategic Plan Development Overview)

Implementation of this plan can only be accomplished by having sustained funding levels beyond the inadequate programmatic funding via normal channels.

Long-term Sustainability

The new crossroads of opportunity means SFIS must explore and create strategies similar to the 19 Pueblo tribes in terms of economic viability. Creating local internal economies allow tribes to circulate dollars more times before it goes out. The fact that SFIS is located in a city that was recently recognized as the number one tourist city in the nation increases our economic viability to a higher level, thereby improving SFIS' prospects for long-term economic growth and benefit.

Economic strategies since the transfer of the SFIS property in 2000, but even before, numerous attempts have been made to formulate strategies intended to capture economic opportunities at that time, and even trying to predict future economic prospects. Since SFIS did not own the land base it was occupying prior to 2000, it could not fully engage in a strategic economic development planning with real outcomes. While owning the land creates some liabilities, the benefit outweighs the liabilities many-fold because SFIS can leverage access to economic opportunities. The current and future economic opportunities are virtually limitless so long as the three primary purposes of education, health, and culture are strategically linked to the academic programming.

Tribal Ownership

Beyond the efforts in providing quality well-rounded education and continued improvement in student services, the Santa Fe Indian School also accepts the new role as property owner. This has required the development of a department that functions as the responsible entity for managing all property within the exterior boundaries of the 115 acres. The Trust Land Management Office (TLM Office) was created to address numerous trust land management issues.

In order to reach the ultimate goal of a self-sustaining educational institution, but also keeping in mind the parameters of the SFIS Act, we needed to begin with the development of an infrastructure system that would accommodate this growth. The infrastructure to be developed would be a multi-layered system.

The first and most important, is a comprehensive strategic road map that will guide all efforts which we can call a Self Sufficiency Master Plan, from which a number of other priority specific strategic plans can be developed (i.e., curriculum, re-development, ROW easements, water rights, consolidated utilities).

The other layers of the infrastructure system will include governance issues such as establishment of ordinances/laws, law enforcement, tribal court system, environmental ordinances, etc... The current SFIS Inc. organizational structure was determined to be the beginning structure with modifications to accommodate the new TLM Office.

The following is a short list of Santa Fe Indian Schools, Trust Land Management responsibilities as a comprehensive approach to Sovereignty Protections that are necessary to properly meet the mandates of H.R. 5528, P.L. 106-568. Though this list only highlights the

core responsibility, each of these items creates their own set of administrative responsibilities and administrative program needs.

- **Law Enforcement & Safety**

- (a) Development of a Law and Order Code, with all laws applicable to Indian country pursuant to H.R. 5528 Sec. 824. Land Use (c) Applicability of Laws. To provide for the protection of the SFIS community and the protection of assets.

Administrative / Program Funding \$0.00

- **Tribal or contracted CFR Courts**

- (a) Development of Court System
- (b) Jurisdiction identification and development of partnerships with the Northern Pueblos Agency, Department of Interior

Administrative / Program Funding \$0.00

- **Water Rights (Litigation and Negotiation)**

- (a) Adjudication of Water Rights through appearances in Anaya v. PNM et al., (Civil No. 43,347, Santa Fe Stream System)
- (b) Hydrographic Study and Water Use Plan, for the development of future upgrade and expansion of utility infrastructure, while creating storage capacity for Santa Fe Indian School.

Funding (Technical Services Only)

FY 2008 \$40,000.00

FY 2009 \$30,000.00

FY 2010 \$40,000.00

Funding (Attorney Fees)

FY 2008 \$0.00

FY 2009 \$0.00

FY 2010 \$0.00

Administrative / Program \$0.00

- **Realty (Trespass & Leasing)**

- (a) Preparation and Negotiations of Trespass issues, ROW & Easements with Private Residences, City of Santa Fe, and the State of New Mexico, and PNM, a public service company of New Mexico.

- (b) Development of Lease Arrangements as authorized through 19 Pueblo's Council Resolutions 2004, for the purpose of generating alternative funding through economic development initiatives.
- (c) Environmental Protection Requirements

Administrative / Program Funding \$0.00

- **Taxation**

- (a) Development of Taxation Ordinance and Cooperative Tax Agreement with the State of New Mexico to create funding base for government operations and management of land held in trust.

Administrative / Program Funding \$0.00

- **Economic Development**

- (a) Development of a Section 17 Federal Corporation Charter for the 19 Pueblos for the sole purpose of generating revenue for Santa Fe Indian School in accordance with H.R. 5528, Santa Fe Indian School Act.

Administrative / Program Funding \$0.00

Trust Land Management Challenges

Under P.L. 106-568, H.R. 5528, (SFIS Act) Section 824. Land Use (c) Applicability of Laws. The 19 Pueblos, through the Board of Trustees for the Santa Fe Indian School, have provided Operations and Management of the land now held in trust. Though the SFIS Act, subjected the 19 Pueblos to all laws applicable to Indian Lands, the transfer provided no funding to meet this mandate. Since that time, and as late as October 30th, 2009, the Santa Fe Indian School, has been seeking base budget funding, so that it can comply with this mandate. To date, Santa Fe Indian School through its Superintendent and the Board of Trustees, has been meeting this mandate with alternative funding sources that cannot be sustained long term.

With the myriad of new issues and challenges facing SFIS and the Trust Land Management (TLM) Office it was imperative that SFIS Inc., in conjunction with all critical stakeholders, develop the necessary management tools and documents to guide its' progress, both short-term and long-term. In addition, beyond day-to-day management, the Trust Land Management responsibilities must also have a sound governance infrastructure system in place with funding resources to carry out these responsibilities.

Responsible management of all our trust resources, within the boundaries of SFIS is dependent on the decisions and investments made today and in the near future. Inherent in the transfer of property was an unwritten mandate to begin the process of taking over all previous functions of the government. A mandate, that Santa Fe Indian School has taken full responsibility for to date.

Land Use Limitations

While the act provided for the land transfer of SFIS property, Section 824 Land Use (a). limit's the use of the property as shown below.

SEC. 824. LAND USE.

(a) LIMITATION FOR EDUCATIONAL AND CULTURAL PURPOSES- The land taken into trust under section 823(a) shall be used solely for the educational, health, or cultural purposes of the Santa Fe Indian School, including use for related non-profit or technical programs, as operated by Santa Fe Indian School, Inc. on the date of the enactment of this Act.

** NOTE: Important note why this Amendment is crucial to Santa Fe Indian School to seek a the technical amendment from current SFIS Act P.L. 106-568

Sec. 824

(b) REVERSION-

(1) IN GENERAL- If the Secretary determines that the land taken into trust under section 823(a) is not being used as required under subsection (a), the Secretary shall provide appropriate notice to the 19 Pueblos of such noncompliance and require the 19 Pueblos to comply with the requirements of this subtitle.

(2) CONTINUED FAILURE TO COMPLY- If the Secretary, after providing notice under paragraph (1) and after the expiration of a reasonable period of time, determines that the noncompliance that was the subject of the notice has not been corrected, the land shall revert to the United States.

The use of the land is limited to "educational, health or cultural purposes of the Santa Fe Indian School, including use for related non-profit or technical programs as operated by the Santa Fe Indian School, Inc."

What We Are Seeking in H.R. 1556

Though we have interpreted the language in its current format, to proceed with any development of the SFIS property, so long as we integrated education curricula into the development agenda, i.e.: Internships, Educational partnerships etc. We feel that the language insertion would provide a better foundation of which to advance our development agenda for the sake of generating revenue to create a model self-sustainable educational community and educational sovereignty.

To achieve this we are seeking the amendment in *Section 824(a) of the Omnibus Indian Advancement Act (Public Law 106-568) now amended in H.R. 1556 to read as follows:*

SEC. 824. LAND USE.

*“(a) Limitation for Educational, Health, Cultural, and **Economic Development Purposes**-
The land taken into trust under section 823(a) shall be used solely for the educational,
health, or cultural purposes of the Santa Fe Indian School and **economic development
projects that provide funding for such purposes.**”*

Santa Fe Indian School, Serving Pueblo Priorities Now and Future:

It is the view of the TLM Office that we are in such an exciting time and place for SFIS. The opportunity for the 19 Pueblos and the SIFS community to discuss the visions of the future beyond a new school is profoundly important. We are all at a new crossroads! The success that we see today was made possible by a collective vision of the past leadership and many other people committed to Indian Education and SFIS, and many that are still here to see it to its completion.

Re-development of the old SFIS property in general is exciting, along with innovative revenue-generating initiatives, and managing trust resources are all new visionary goals that we must set in place immediately. And hopefully, if SFIS does it according to the roadmap set in place, the future beneficiaries of all our efforts will be challenged with how to spend all the money that will be derived.

And finally, it is equally important that we develop the internal infrastructure that will be responsible to implement the roadmap, and to guide it along in terms of important milestones that must be met, and maintaining its intended direction. While the establishment of the TLM Office has been accomplished, the funding commitments and staff support have yet to be fully determined.

The amendment as stated provides for the long needed clarification that the SFIS property can be used to provide the means by which the institution can better accomplish our goals and provide for our Vision, Mission and responsibility to our children and grandchildren.

We humbly and respectfully ask for your support in moving forward the proposed amendment, H.R. 1556 to the Omnibus Indian Advancement Act as proposed by Congressman Ben Ray Lujan.

Thank you.

(Attachment A)

STRATEGIC PLAN DEVELOPMENT OVERVIEW

1. IDENTIFY & PRIORITIZE NEEDS	2. CREATE OR REFINE VALUES, VISION & MISSION	2. CREATE GOALS & MEASUREMENT SYSTEM	3. IDENTIFY, PRIORITIZE, & ALIGN STRATEGIES WITH GOALS & NEEDS	4. CREATE IMPLEMENTATION PLAN	5. EXECUTE PLAN - MONITOR & ADJUST
Oct 09 - Jun 10	Jul 10 - Dec 11	Jan - Feb 11	Jan - Feb 11 (cont'd)	Mar - May 11	Jun 11 - Sep 11
<ul style="list-style-type: none"> • Created structure <ul style="list-style-type: none"> - Process Team - Data Team - Possibilities Team - Communication Team • Collected values information • Identified needs (19) <ul style="list-style-type: none"> - Past reports - Interviews - Focus Groups - Student Shadowing - Student IMPACT exercises • Created needs & potential possibilities/strategies report 	<ul style="list-style-type: none"> • Elaborated on needs (A-S) and sorted into five broad categories/ goals <ul style="list-style-type: none"> - Strengthen School Culture (A-E) - Build a PLC (F-J) - Focus on Student-Centered Teaching & Learning (K-N) - Develop Student Support System (O-P) - Enhance Leadership (Q-S) • Created preliminary strategies • Identified values, vision, mission & slogan 	<ul style="list-style-type: none"> • Prioritized needs (7) <ul style="list-style-type: none"> - A) Increased Student Voice & Engagement - D) Stronger School Values & Culture - F) Enhanced Inst. & Classroom Practices - H) Personalized Teaching & Learning - K) Proactive Assessment of Students to ID Needs - M) System of Support for Lifelong Wellness & Healthy Living 	<ul style="list-style-type: none"> - P) Professional & Respectful Working Culture • Two Needs Treated as "Givens" <ul style="list-style-type: none"> - J) Flexible Schedule to Support Needs - Q) Enhanced Communication • Conducted SMART Goal Training 	<ul style="list-style-type: none"> • Conducted SMART Goal Training • Identified Strategies to Address the Top 7 Needs • Created SMART Goal <ul style="list-style-type: none"> - Problem Solving <ul style="list-style-type: none"> • MS: Analysis, application & communicating understanding • HS: Synthesis, application & communicating understanding 	<ul style="list-style-type: none"> • Establish a Goal Measurement System • Prioritize & Align Strategies with Goals & Needs • Identify Low-Hanging Fruit & Strategies for Year 1 & Strategies for Year 2 • Identify Infrastructure & Cultural Elements Required to Support Strategy Implementation for Years 1 & 2 • Identify Benchmarking Needs and Tentative Schedule • Identify Implementation Plan Requirements