



New Mexico courts refuse to dismiss Yazzie/Martinez case

WINDOW ROCK, Ariz. — Navajo Nation President Jonathan Nez and Vice President Myron Lizer commend the June 30 ruling by New Mexico First Judicial District Court Judge Matthew Wilson denying the State of New Mexico's request for dismissal in the Yazzie/Martinez vs. the State of New Mexico case, which highlighted the faltering education system in New Mexico, particularly its failure to provide at-risk students, including Native American students, the education to which they are constitutionally entitled.

In July 2018, Judge Sarah Singleton ruled that all New Mexico students have a right to be college and career ready and that the state failed to meet that obligation. The state was unable to comply with the state and federal laws regarding the education of Native American and English Language Learner students. The state failed to provide Native American and ELL students programs and services to prepare for college or a career, such as extended learning, dual language, culturally and linguistically relevant education, social services, and others.

"This is a victory on the path to securing a better education system for all students of New Mexico, including our Navajo students whose futures depend on the quality of education they receive," Nez said. "This is not a fight for short-term benefits, but it is a fight for the future of our Navajo people and for all tribes throughout the state who demand a fairness and equality for our youth.

"We thank the court for making the right decision today. Navajo students, and all Native

At-risk students get another chance

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American students, deserve the highest quality education. The only way that will be achieved is if the(sic) New Mexico fully complies with the court's order to increase education funding, improve educational opportunities, and meets the intent of the state's Indian Education Act with decisive action." Nez said.

On June 23, President Nez and Vice President Lizer issued a letter to New Mexico State House Speaker Brian Egolf, D-Santa Fe, Majority Floor Leader Sheryl Stapleton, D-Bernalillo, New Mexico State Reps. Derrick Lente, D-Sandoval, San Juan, Wonda Johnson, D-McKinley, San Juan, Anthony Allison, D-San Juan, and Georgene Louis, D-Bernalillo, opposing the motion to dismiss the case because the state has not complied with the spirit of the court's order.

"We want to let the State of New Mexico know that the Navajo Nation does not want any more stalling tactics. Get on with fully funding Indian education, provide the necessary school materials, and begin the systematic overhaul of the state's educational system so that our kids can enjoy the same quality education as other school children in other parts of the state," Lizer said. "We stand ready to work together with the State of New Mexico."

Two years after Judge Singleton's decision, the state of New Mexico has not yet implemented the systemic change required in the Order. State schools serving Navajo students have not provided quality or useful technical assistance, guidance, or training needed to assist in the implementation of special education programs. The reports are of great concern to the Navajo Nation.

"The court's ruling today [June 29] reaffirms what we all have known for years — that the state failed to abide by the New Mexico Indian Education Act," Nez said. "Our Navajo students are the foundation of our families, culture, and future, and they have every right to carry that forward. We will continue to fight for our students."