



ALL PUEBLO COUNCIL OF GOVERNORS

505.212.7041 | 2401 12th St. NW, Suite 201N, Albuquerque, NM 87104 | www.apcg.org

Chairman:

Joey Sanchez

Vice Chairman:

Governor Mark Mitchell

Secretary:

Lt. Governor Cordelia Hooee

February 18, 2026

Honorable Judge Matthew J. Wilson
First Judicial District Court

RE: No. D-101-CV-2014-00793; Court Order Requiring Remedial Action Plan

Dear Honorable Judge Wilson,

The All Pueblo Council of Governors (APCG) wishes to respectfully inform you that we must reject the Public Education Department's "*Martinez/Yazzie Action Plan*" ("Plan") of November 3, 2025. On October 23, 2025, APCG passed Resolution 2025-06, which requested a comprehensive rewrite of the *Draft Martinez/Yazzie Action Plan*. The Resolution asked PED to consult with Tribal Nations in such a rewrite, and to incorporate the *Tribal Remedy Framework* (TRF) into the Plan.

Although the November 3 version of the Plan contains some new information, it is not the comprehensive rewrite we asked for, nor were APCG or its members consulted about, or involved in, preparing that version. The additions made to the Draft Plan did not alter its substance, which remains inadequate for remedying the constitutional violations identified in the 2018 Court Decision and Order.

The Plan does not include the goals, strategies, and solutions contained in the TRF. APCG has repeatedly endorsed the TRF, the tribal roadmap for meeting Native students' needs and rights and complying with the Court ruling. Over the past seven years, APCG members and experts have continued adapting, refining, and updating the TRF to reflect new data and developments, and to facilitate local implementation. This information was shared with PED and their consultants.

The TRF envisions the following outcomes for an adequate and equitable public education system that remedies the constitutional violations endured by Native students:

1. Native students are confident and respected in their identities, cultures, and languages.
2. Native students have equitable education outcomes and are ready for college, career, and community, on par with their peers.
3. Native students receive community and school-based supports that meet their social, health, technology, and learning needs.
4. Tribes are partners in public education governance and exercise self-determination over our children's education.

APCG does not believe that PED's Plan provides the type of actions that could achieve these outcomes. APCG is disappointed that the plan does not contain a section that specifically addresses Native students and the particular challenges they face, guided by data on disparities and by desired outcomes. While Native students are mentioned here and there, a systematic, targeted strategy is missing. Native students are subsumed into the general student population, which risks perpetuating the assimilation paradigm.

Acoma
Cochiti
Isleta
Jemez
Laguna
Nambe
Ohkay Owingeh
Picuris
Pojoaque
Sandia
San Felipe
San Ildefonso
Santa Ana
Santa Clara
Santo Domingo
Taos
Tesuque
Ysleta del Sur
Zia
Zuni



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In APCG’s assessment, the plan falls short in key issue areas of concern to Pueblos, including:

1. Lack of strategies for implementing the Indian Education Act
2. Insufficient recognition of tribal sovereignty
3. Insufficient support for Native languages
4. Insufficient attention to the Native teacher shortage
5. Insufficient support for Indigenous curricula and materials
6. Insufficient funding for Native students
7. Lack of support for tribal community-based education
8. Lack of protection from civil rights violations

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APCG recognizes the importance of having a comprehensive education plan in place to guide policies and investments that are needed to remedy the constitutional violations faced by Native and other students. But we are concerned that the Plan, as submitted, will not be able to fulfill this function.

APCG is ready to work with PED, alongside other stakeholders, to improve the Plan and to help create a public education system that fully protects the rights of all students, including Native students.

Sincerely,

Joey Sanchez, Chairman
Former Governor Pueblo of Santa Ana

Mark Mitchell, Vice Chairman
Governor Pueblo of Tesuque

Cordelia Hooee, Secretary
Lieutenant Governor Pueblo of Zuni



ALL PUEBLO COUNCIL OF GOVERNORS

Resolution No. 2025-06

**DECLARING THE STATE OF NEW MEXICO'S DRAFT YAZZIE/MARTINEZ
ACTION PLAN INADEQUATE AND URGING IMMEDIATE CONSULTATION
WITH TRIBAL NATIONS**

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WHEREAS, the All Pueblo Council of Governors (“APCG”) is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Ysleta del Sur, Zia, and Zuni, each having the sovereign authority to govern their own affairs; and

WHEREAS, the purpose of the APCG is to advocate, foster, protect, and encourage the social, cultural, and traditional well-being of the Pueblo Nations; and

WHEREAS, the APCG has recognized through numerous Resolutions its support for the consolidated lawsuit and 2018 court ruling in Yazzie/Martinez vs State of New Mexico, as well as the Tribal Remedy Framework, because New Mexico’s public education system has systemically failed to invest in culturally relevant education for our Native students, threatening the maintenance, preservation, and language revitalization efforts of our Pueblos; and

WHEREAS, in a letter dated May 21, 2021, from APCG to Governor Michelle Lujan Grisham on the Outcomes of the 2021 Legislative Session, the body called upon the State and the New Mexico Public Education Department (PED) to Create a Plan to Comply with the Yazzie/Martinez Court Order, Decision, and Findings of Fact; and

WHEREAS, in May of 2022, the PED issued a discussion draft plan that purported to respond to the court ruling and on July 8, 2022, APCG reiterated in a five-page letter its collective comments highlighting:

1. The draft plan lacks sufficient respect for tribal education sovereignty.
2. The draft plan lacks sufficient understanding of how to advance equity for Native Students.
3. The draft plan is not an action plan; it is largely a list of past and current projects not connected to goals and outcomes.

WHEREAS, the PED promised an updated draft by September of 2022, but it was never produced; and



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Officers:

Dominic Gachupin, Chairman

Lt. Governor Craig Quanchello, Vice Chairman

Governor Cordelia Hooee, Secretary

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WHEREAS, on September 4, 2024, a joint motion by the Yazzie/Martinez plaintiffs urged the court to order the development of a comprehensive remedial action plan to address the systemic failures outlined in the 2018 court ruling and findings of fact. The motion asked the court to ensure a comprehensive plan included specific timelines, measurements, and accountability mechanisms and nine components for a sufficient education as outlined by the Plaintiffs; and

WHEREAS, on April 1, 2025, the court found New Mexico's public education system is still unconstitutional and ordered PED to develop a comprehensive education plan to correct ongoing violations, and ordered 1) PED work with outside experts to develop the plan and 2) the plan be created with real input from students, families, educators, and Tribal Nations; and

WHEREAS, the Tribal Education Alliance, with its affiliated education and Native language subject matter experts, conducted a thorough review and analysis of PED's Draft Remedial Action Plan (Draft Plan) that included only Four Critical Needs:

1. Equitable Access to High-Quality Instruction
2. Equitable Access to Well-Prepared, Culturally, and Linguistically Responsive Educators
3. Equitable Access to Academic, Social, Well-Being, and Behavioral Services
4. Effective Funding, Support, and Accountability to Drive Systemic Improvement

WHEREAS, the Tribal Education Alliance's analysis concluded that the Draft Plan is inadequate and incomplete because it lacks specific timelines, measurements, and accountability mechanisms, and fails to incorporate the Tribal Remedy Framework (TRF) solutions as part of the plan; and

WHEREAS, it is in the interest of the All Pueblo Council of Governors to declare that PED has failed to produce a Draft Plan to remedy the constitutional violations and extensive deficiencies identified by the court, despite years of Tribal input and recommendations provided to PED to improve the education to meet the needs of Native American students and repeated requests by Tribal Leaders and their Tribal Education officials that PED adopt and implement the Tribal Remedy Framework that prioritizes a balanced education and the preservation of our Native languages and culture for future generations of Pueblo children.

NOW THEREFORE BE IT RESOLVED THAT, the All Pueblo Council of Governors declares the State of New Mexico's October 1st, 2025, Draft Plan as inadequate for failing



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to meet the requirements of the 2018 court ruling and subsequent orders and the needs of our Native students.

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BE IT FURTHER RESOLVED THAT, the APCG demands a comprehensive rewrite of PED Remedial Action Plan and reaffirms that the Tribal Remedy Framework remains the only comprehensive, Tribal-developed compliance roadmap that PED must incorporate into its next draft plan.

BE IT FURTHER RESOLVED THAT, the APCG declares that the State of New Mexico should collaborate with the Yazzie Plaintiffs' subject area experts that provided the in-depth analysis of the Draft Plan to assist in the development of a new draft plan for submission to the court that will achieve constitutional compliance.

BE IT FURTHER RESOLVED THAT, the APCG recognizes that PED is required by the Court to submit its Plan on or before November 3, 2025, and that the Pueblos fully expect to participate in further development and implementation of the Plan.

BE IT FINALLY RESOLVED THAT, the All Pueblo Council of Governors authorizes its Chairman and Officers to submit a copy of this Resolution to the State Executive, State Public Education, the Legislative Education Study Committee, Los Alamos National Laboratory Foundation, WestED, and the Yazzie and Martinez Plaintiffs.

CERTIFICATION

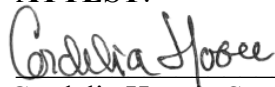
We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2025-06 was considered and adopted at a duly called council meeting held on the 23 day of October, 2025, and at which time a quorum was present and the same was approved by a vote of in 16 favor, 0 against, 1 abstain, and 3 absent.

ALL PUEBLO COUNCIL OF GOVERNORS

By:


Dominic Gachupin, Chairman

ATTEST:


Cordelia Hooee, Secretary