

The page features three blue, 3D-rendered circles of varying sizes. The largest circle is at the bottom right, a medium one is at the top center, and a small one is in the middle. Two thin blue lines intersect at the top left and extend diagonally across the page, framing the circles and text.

# National Association of State Personnel Executives

**2016 Eugene H. Rooney, Jr. Awards Nomination  
Innovative State HR Management Program**

## **New Mexico State-Tribal Collaboration Act Training**

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## Summary

In 2009 the Governor of New Mexico, working with tribal leadership, signed into law, the *State-Tribal Collaboration Act (STCA)*. The STCA is the *only* state law in the United States that mandates state agencies to promote: 1) positive government-to-government relations; 2) effective communication and collaboration; and 3) cultural competency when working with New Mexico’s 22 Indian pueblos, tribes and nations. In addition to these three mandates, Governor Susana Martinez’s administration has worked successfully to implement the requirements of the STCA, which are to:

- Designate tribal liaisons
- Conduct an annual state-tribal summit
- Provide an annual report on state-tribal intergovernmental relations
- Develop communication and collaboration policies specific to agency activities
- Conduct tribal competency trainings

New Mexico’s 22 Indian pueblos, tribes and nations are located within ten percent of the state’s land base, or 7.7 million acres of land. The total population of Native Americans within the state is over 243,000, or 10.6 percent of the state’s total population, and there are over 90 distinct tribal communities. Together, these statistics reveal the prevalence of Native American issues within the state that range from health care collaboration, mutual interests in protecting natural and environmental resources, economic development, education, public safety, and social services, to name a few. The STCA assists more than 68 state executive agencies, offices and programs, and more than 18,000 state employees to work more effectively with New Mexico’s Indian pueblos, tribes and nations.

One of the central programmatic undertakings of the STCA is the “New Mexico State-Tribal Collaboration Act Training” for state personnel. This program will be discussed below.

### **1. Please provide a brief description of this program.**

The “New Mexico State-Tribal Collaboration Act Training” is developed around three overarching goals: 1) positive government-to-government relations; 2) effective communication and collaboration; and 3) cultural competency. The curriculum for this unique state personnel training, centers on understanding relevant federal, state, and tribal laws and policies underscoring the unique government-to-government relationship between the State of New Mexico and New Mexico’s 22 Indian pueblos, tribes and nations, including government structures and protocols. The training also focuses on understanding the governmental and cultural dynamics of state-tribal collaboration, and an extended interactive training element on cultural competencies



## New Mexico State Personnel Office – State Tribal Collaboration Act Training

and cultural communication skills. The “New Mexico State-Tribal Collaboration Act Training” is an eight-hour training for state personnel who work or communicate with tribal governments, programs, or tribal members. The training is also developed to address the highly unique needs of agencies such as the New Mexico Department of Health, the New Mexico Department of Public Safety, the New Mexico Department of Human Services, and the New Mexico Energy, Minerals and Natural Resources Department, and the New Mexico State Insurance Office.

This is the only comprehensive one-of-its-kind training within the United States.

### **2. How long has this program been operational (month and year)?**

The State-Tribal Collaboration Act has been in effect since 2009. The “New Mexico State-Tribal Collaboration Act” Training design and curriculum was developed with state agency and tribal input and feedback from April to July 2009. Training was provided in August of 2009. The program has been operational for over seven years.

### **3. Why was this program created? (What problem[s] or issues does it address?)**

The New Mexico State-Tribal Collaboration Act and training was developed in response to increasingly complex state-tribal intergovernmental relations. During the 1990’s state and tribal gaming compacts reached a critical impasse that resulted in a challenging intergovernmental relations environment. In response, in 2003 and 2005 the Governor of New Mexico signed executive orders outlining general principals and protocols for state consultation with New Mexico’s 22 Indian pueblos, tribes and nations. The state also elevated the New Mexico Indian Affairs Commission and Commissioner to become the New Mexico Indian Affairs Department and Secretary of Indian Affairs. To date, this is the only state cabinet level agency and cabinet level secretary in the United States.

With this background, the State of New Mexico and New Mexico’s 22 Indian pueblos, tribes and nations recognized the need for state-tribal intergovernmental relations legislation that provided sufficient and detailed policy guidance for New Mexico state agencies, offices and programs working with tribal governments, communities, and tribal members. One of the primary focal points of the STCA is the “New Mexico State-Tribal Collaboration Act Training,” which is designed to assist state personnel in establishing a foundational understanding of state-tribal intergovernmental relations, collaboration and communication, and cultural competencies.



## New Mexico State Personnel Office – State Tribal Collaboration Act Training

The problems or issues the STCA and training addresses include:

- Collaborative resolution of potential areas of state and tribal conflict;
- Identifying and understanding areas of mutual interests;
- Strengthen state-tribal relations for the provision of state services and funding with tribal lands;
- Provide effective and efficient state services to tribal communities and tribal members in cultural appropriate ways;
- Develop cultural communication skills to ensure program and project success; and
- Effective and practical government-to-government working relationships.

#### **4. Why is this program a new and creative method?**

The STCA training approaches state-tribal government and community relations in a proactive manner that supports a knowledgeable state personnel workforce that interacts on a daily basis with New Mexico's 243,000 Native Americans and 22 Indian pueblos, tribes and nations. This program requires by law that all employees who have ongoing communication with Indian Nations, Tribes or Pueblos complete training provided by the State Personnel Office, with assistance from the Indian Affairs Department. The premise of the program is to avoid time consuming and costly state-tribal intergovernmental and community relations conflicts by being proactive and focusing on understanding the unique relationship that the State of New Mexico shares with tribal governments and communities, developing critical skills to work better together, and to ensure cultural sensitivity. The demand for the training has been continuous, with most classes having an average of 20 state employees in attendance. No other state in the United States has developed a state-tribal training with a focus on improving government relations, effective communication and collaboration, and cultural sensitivities. The creative method is not only in the development and presentation of the training materials, but it is creative in that the training philosophy is to actively engage and include training participants' experiences through a dialogue driven interaction. The basis for this approach is to ensure that state personnel gain experiential understanding of the uniqueness of state-tribal relations and their important role in ensuring the mandates of the STCA are met, and that state and tribal governments and communities continue to benefit from successful and efficient working relations. The training has also produced a booklet that incorporates the training PowerPoint presentation, tribal collaboration resources, and significant state and tribal history. Furthermore, the training creatively addresses cost efficiencies for state agencies and programs who may find it cost prohibitive to send personnel to training by sending the trainer to their offices and programs to conduct onsite training.



**5. What was the program’s start up costs? (Provide detailed information about specific purchases for this program, staffing needs and other expenditures, as well as existing materials, technology and staff already in place.)**

The Indian Affairs Department and the State Personnel Office jointly developed the program with little or no cost with the use of staff within the respective programs, and with assistance from tribal liaisons from multiple state agencies. This included the development of the initial draft PowerPoint Presentation. There were no costs for training locations due to the use of state training offices, and meeting rooms. Although a minimal expenditure was required for the printing of training materials, this was absorbed by both sponsoring agencies and their use of office equipment to produce the training.

**6. What are the program’s operational costs?**

Approximately \$50,000 is appropriated from the Indian Affairs Department to pay the trainer and to cover printing of training manuals. Of this total amount, the training contract for the expert trainer is \$47,250.00, this includes more than 24 trainings, or nearly 240 hours of classroom training and preparation time, travel throughout the state, and ongoing training materials updates and developments, training report outs, and more than 50 hours of trainer follow up with training participants.

**7. How is this program funded?**

This program is funded through the Indian Affairs Department’s annual operating budget.

**8. How did this program originate in your state?**

Through the recognition by state and tribal leadership of ineffective communication and collaboration, the misalignment of tribal and state goals and objectives, and an inconsistent level of collaboration on key tribal-state issues such as health care, natural and environmental resources, education, and economic development, to name a few. As mentioned in question #3, the background for the training program was an outgrowth of challenging state-tribal relations during the 1990’s and the realization that positive and effective collaboration and communication would significantly reduce the time state and tribal governments spent in conflict, and miscommunications, the avoidance of extremely costly potential litigation. Additionally, the complexity of government-to-government relations had grown exponentially with the creation and direction for state-tribal consultation across all state agencies, offices, and programs;



## New Mexico State Personnel Office – State Tribal Collaboration Act Training

hence the need for formal legislation providing guidance to state and tribal governments, and their respective agencies, programs, and offices.

### **9. Are you aware of similar programs in other states? If yes, how does this program differ?**

Other state's leaders, notably in Oregon, Washington, Arizona, Wisconsin, and California meet with their state's tribal leadership under the guidance of an executive order. However, our research indicates that no other state in the nation has legislatively mandated initiative similar to the New Mexico State-Tribal Collaboration Act. Nor has any other state developed and implemented a comprehensive training program in an ongoing and sustained effort as the State of New Mexico. The institutionalization of the training elements throughout New Mexico state government has not been replicated by any other state, especially for state law enforcement, health care, social services, natural and environmental resources, taxation, and game and fish.

### **10. How do you measure the success of this program?**

Through the number of state employees trained and direct feedback from tribal leaders and tribal liaisons at quarterly and annual meetings. The New Mexico State Personnel Office has also developed post-training surveys that measure the qualitative and quantitative learning elements for the training. The surveys have consistently ranked, on average, above 90 percent satisfaction and applicability for state personnel working with tribal governments, staff, and community members. Success is also measured with the substantial decrease in time consuming government-to-government conflicts, and the strengthening of state outreach and collaboration with New Mexico's 22 Indian pueblos, tribes and Nations.

### **11. How has the program grown and/or changed since its inception?**

Through ongoing feedback from tribal leaders and tribal liaisons, the material is reviewed and updated regularly to ensure the highest quality product is available. Additionally, materials are updated to reflect the ongoing developments of state-tribal relations, highlighting successful partnerships and outcomes. Since the programs inception, the program has dramatically increased the number of state personnel who have taken the training; at its inception less than 50 state staff participated in the training to more than 4,000 state personnel participating in the training (most of these during the last three years of the training from 2013 to 2016).