



Every child in NM has a right to a sufficient and equitable education.

HB 120 will increase the amount of bilingual and TESOL-endorsed teachers in New Mexico by allowing for the Higher Education Department to provide grants for students seeking degrees and/or endorsements in bilingual/multicultural education or teaching English to speakers of other languages (TESOL), prioritizing current bilingual educational assistants, bilingual seal recipients, and speakers of indigenous languages. The loans follow the same procedures for Teacher Loan for Service Act. HB 120 requires a survey by HED and PED to track the number of ELL and bilingual teachers in the state and determine how many more teachers are needed to serve New Mexico’s diverse student population.

The Court ruled that the State is violating the constitutional rights of students to a sufficient education that prepares them for college and career. (*Yazzie/Martinez Decision*, 2018)

The Court found that New Mexico lacks enough teachers to meet student demands, including teachers trained in teaching English language learner (ELL) and bilingual students. (Findings of Fact and Conclusions of Law, at 81)

The Court ruled that the State has failed to comply with state laws that require a multicultural, bilingual education and “has not provided a framework [for school districts to use] in providing a multicultural education” (Decision & Order, at 31).

...Native American and Hispanic **ELL** students are the lowest performing student demographics and, therefore, there is a need for more targeted recruitment and retention of teachers serving these students. (FFCL, at 173).

New Mexico, with our diversity, should be a leader in providing a bilingual/multicultural education for our students.

- “The Legislature has found that the key to success is having a multicultural education system that attracts and retains quality and diverse teachers to teach New Mexico’s diverse student population.” (§ 22-1-1.2(B)).
- Nearly 30% of New Mexico’s students speak a language other than English at home,¹ yet the state lacks enough teachers trained in teaching ELL and bilingual students.²
- It is undisputed that New Mexico has a crisis of teacher turnover and correspondingly lower student achievement.³
- Effective programs for English language learner (ELL) students must have qualified teachers— meaning bilingual or TESOL-endorsed teachers.⁴
- New Mexico’s Constitution requires all teachers to be trained in bilingual education, but the State has failed to live up to this obligation. (Art. XII, Sec. 8).

*This legislation is part of the **Platform for Action** developed by the **plaintiffs in the sufficiency lawsuit, the Transform Education NM coalition, and hundreds of education and community leaders** including educators, parents, tribal leaders, experts and researchers. For information about this bill, contact Edward Tabet-Cubero, Executive Director, NM Learning Alliance at (505) 433-8128, email: etabetcubero@gmail.com.*

¹ American Fact Finder, US Census data for 2017.

² *Yazzie/Martinez* Court Findings of Fact and Conclusions of Law, December 20, 2018 at 81.

³ Fuller, Expert, Trial Testimony, 7/13/17 at 41:12-42:13-53:14, 55:8-19, 57:9-60:13, 62:17-65-3, 116:23-119:17.

⁴ Fuller, Expert, Trial Testimony, 7/13/17 at 41:12-42:13-53:14, 55:8-19, 57:9-60:13, 62:17-65-3, 116:23-119:17.

Transform Education NM

Platform for Action

To transform education for our students and meet the constitutional mandates of the Yazzie/Martinez education ruling, a Platform of Proposed Remedies was developed by the plaintiffs in the Yazzie lawsuit, the Transform Education NM coalition, and hundreds of education and community leaders including educators, parents, tribal leaders, and experts.

Find the full platform at: <http://nmpovertylaw.org/wp-content/uploads/2018/12/Transform-Education-NM-Platform-2018-12-11.pdf>



The platform is endorsed by Transform Education NM: New Mexico Center on Law and Poverty, College Horizons, Dual Language Education of NM, Native American Community Academy (NACA), NACA Inspired School Network (NISN), Learning Alliance NM, AFT-NM, National Education Association NM (NEA-NM), NM School Boards Association, New Mexico Association for Bilingual Education (NMABE), New Mexico Voices for Children, Keres Learning Center, Coalition for the Majority, Native American Budget & Policy Institute (NABPI), New Mexico Education Action Alliance, CHI St. Joseph's, NGAGE NM, NM Dream Team/United We Dream, Southwest Organizing Project (SWOP), The Santa Fe Indian School Leadership Institute, The Sun Project, and current and former superintendents of school districts and plaintiff school districts (Cuba Independent School District, Gallup-McKinley County Schools, Lake Arthur Public Schools, Moriarty Edgewood School District, Rio Rancho Public Schools, Santa Fe Public Schools).