



Every Child in NM Has a Right to A Sufficient and Equitable Education.

HB 159 establishes a multicultural, multilingual framework for public education that aligns the duties and powers of the New Mexico Indian Education Act, Hispanic Education Act and Bilingual Multicultural Education Act, to address the unique cultural and linguistic needs of New Mexico students. The bill ensures that PED and all 89 school districts are provided the necessary funding, resources, and accountability measures to fully implement these laws. **This bill would move the State towards compliance with the *Yazzie/Martinez* court order.**

The Court ruled that the State is violating the constitutional rights of students to a sufficient education, and must provide schools a framework to use for a multicultural education.

The court found that “In order to meet the needs of the State’s culturally and linguistically diverse student population, the State has a duty to ensure that all students enrolled in New Mexico public schools are provided a multicultural education.” (Findings of Fact and Conclusions of Law, p. 545).

The State must fully implement the NMIEA, HEA and BMEA, which are significant to the academic success of at-risk students, including culturally and linguistically diverse students, English learners, and Students with Disabilities. (566-67).

The IEA has requirements for what constitutes an adequate multicultural education. (125).

Defendants have a duty to provide for the study, development and implementation of educational systems that affect the educational success of Native American and Hispanic students. (566).

Defendants have failed their duty to ensure that English Language Learner students are provided sufficient English language acquisition programs, as required under state and federal law. (568-575)

A multicultural, multilingual framework must be at the core of our education system:

- 76% of all New Mexico public school students are culturally and linguistically diverse.
- New Mexico’s education system must value the cultural and linguistic aptitudes that students bring to the classroom.
- The New Mexico Legislature has a long history of passing education laws that respect and respond to the multicultural/lingual learning needs of our communities; yet these laws have never been implemented.
- The research demonstrates a strong, positive correlation between multicultural education, inclusivity and academic learning.
- Structural changes are needed at PED to expand capacity, expertise, and program and funding accountability for responding to the cultural and linguistic needs of students – in curriculum, instruction and assessments.
- Collaboration with New Mexico’s tribes and local communities is critical to ensure our families, tribal leaders, educators and local experts are at the forefront of shaping the education system.

*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 Preston Sanchez, Attorney at NM Center on Law and Poverty, (505) 255-2840, preston@nmpovertylaw.org.*

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).