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**Purpose:** Identify state-level efforts toward implementation of bilingual multicultural education programs.

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**Expected Outcome:** Understand resources available for implementation of high-quality bilingual multicultural education programs.

## Dual Language Programs in New Mexico

### Background

National studies show bilingual multicultural and dual language programs are beneficial for students regardless of their home language. Dual language programs are effective because they promote bilingualism and biliteracy by ensuring high academic standards in both the target language and the student's home language. Experts argue that when students receive instruction in their home language, they learn to value their own culture, making dual language programs a high-yield strategy in the implementation of culturally and linguistically responsive instruction. Additionally, bilingual multicultural education strengthens executive function, expands career and higher education opportunities, and increases academic achievement when programs are implemented in a developmentally appropriate manner.

Executive function refers to skills that allow individuals to manage thoughts, actions, and emotions to accomplish tasks.

This brief will examine the state's efforts in providing services to English learners and how the Public Education Department (PED), school districts, charter schools, and other stakeholders implement high-quality dual language programs to comply with federal and state requirements.

### Addressing the Needs of English Learners

Title VI of the federal Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974 require public schools to provide equal opportunities for English learners. Schools are given flexibility to choose the model of language instruction, including models that use focused instruction through English as a second language, bilingual maintenance, and dual language programs.

In FY18, there were over 50 thousand English learners enrolled in New Mexico public schools; however, English learners represent only 43 percent of students participating in a bilingual multicultural education program. Proponents of bilingual multicultural education argue that bilingual multicultural education programs, specifically dual language programs, may be the best route to meet the needs of the state's diverse student population. The district court decision in the consolidated *Martinez* and *Yazzie* lawsuit found the state is not meeting the needs of English learners. Increasing access to dual language programs could

Fiscal Year	Number of Schools	Number of Students
FY14	523	58,074
FY15	484	53,045
FY16	465	52,365
FY17	461	49,847
FY18	484	49,327

Source: PED

help the state meet the cultural and linguistic needs of English learners and in turn, lead to increased proficiency for English learners.

### Legislative Efforts to Address English Learners' Needs

For FY20, the 2019 Legislature appropriated an additional \$7 million to the public school funding formula to expand access to bilingual multicultural education programs. It is unclear how many additional students will be able participate in new or expanded bilingual multicultural education programs. School districts and charter schools receive approximately \$1,100 per student participating in a three-hour program; however, most students are not enrolled in three-hour programs. This additional funding will allow school districts and charter schools to expand these programs or create new programs without diluting the unit value.

**Participation in Bilingual Multicultural Education Programs by Language Taught**

Fiscal Year	Number of Spanish/English Programs	Number of Native American /English Programs
FY14	425	86
FY15	595	149
FY16	552	102
FY17	500	123
FY18	443	104

Source: PED

**New Mexico State Law.** The Bilingual Multicultural Education Act (BMEA) requires research-based bilingual and multicultural education programs to be fully implemented with regard to professional development for teachers and instruction and assessment for students. Because key components of the BMEA are not fully implemented and monitored, students across the state encounter inconsistent bilingual multicultural learning experiences.

To be eligible for financial support from the state, the BMEA requires programs to address students' cultural and linguistic needs, prioritize funding for students in kindergarten through third grade, use two languages as the medium of instruction, employ teachers who have a license

endorsement in bilingual education for the two languages of instruction, emphasize the history and cultures associated with the students' home language, establish a parent advisory committee, and provide procedures that ensure parents are notified annually before students are placed in a bilingual multicultural education program.

**Program Models.** There are five bilingual multicultural program models funded by the state: heritage, enrichment, transitional, dual language, and maintenance. According to PED, many schools offer more than one model to meet the needs of their specific students. Most schools implementing a bilingual multicultural education program offer a heritage or dual language program. Heritage programs comprise 45 percent of bilingual multicultural education programs offered in the state, while dual language programs make up 23 percent.

Programs teaching a Native American language that is oral only measure literacy in the skill domains of listening, speaking, and comprehension.

Pursuant to Part 2 of 6.32 NMAC, Guidelines for Implementing Bilingual Multicultural Education Programs, dual language programs develop proficiency in two languages. Enrichment programs develop the home language of fully English proficient students. Heritage language programs support a student's heritage language and culture through oral and written communication when applicable. Maintenance programs maintain proficiency in the home language while developing a student's literacy and oral skills in English.



Transitional programs develop skills in the home language and culture while developing continued skills and proficiency in English.

Some bilingual multicultural programs provide more flexibility than others regarding implementation and instructional time, although schools receive maximum funding when they implement a three-hour bilingual multicultural education program. All state-funded bilingual multicultural education programs must provide one hour of home or heritage language arts instruction to all students enrolled in the bilingual multicultural education program. Programs must additionally provide a second hour of English language development instruction for all English learners enrolled in the bilingual multicultural education program. The English language development instruction must be provided by a teacher that is endorsed in bilingual education or Teaching English to Speakers of Other Languages. Dual language programs are required to provide a third hour of content area instruction in the home or heritage language. Other programs may offer this third hour, but it is only required for dual language programs.

Instructional time refers to the daily amount of hours dedicated to a specific type of instruction.

Instruction provided in the home or heritage language must be taught by a teacher who holds a bilingual education endorsement or a Native American language and culture certificate.

## The Public Education Department and English Learners

***Program Support.*** The department recently published multiple documents that provide school districts and charter schools with guidance in identifying, supporting, and monitoring English learners. Among this guidance is an instructional framework for English language development, written by a group of New Mexico-based English language development teachers and PED staff. The framework is meant to help teachers of English learners to modify their teaching practices to meet the needs of the students in their specific communities through improved instructional practices, identification of rigorous curriculum and instructional materials, and professional development.

***Program Accountability.*** PED notes the department is increasing monitoring and improving technical assistance for school districts and charter schools to ensure proper implementation of bilingual multicultural education programs. The department adopted rule changes to increase bilingual multicultural education program accountability to ensure academic language proficiency in English and a second language for all student participants. The updated rule is aligned with the federal Every Student Succeeds Act. The final adopted rule, 6.32.2 NMAC, Guidelines for Implementing Bilingual Multicultural Education Programs, requires assurances that all school district personnel are knowledgeable of the requirement to comply with the statutory and regulatory requirements for bilingual multicultural education programs and that programs providing a Native American language program provide evidence of tribal consultation. The adopted rule also shortens the evaluation period from four to three years. If a program fails to make sufficient progress toward meeting the state's targets for language and academic proficiency during the three-year period, PED is required to notify the school district and require the school district to develop an action plan to adjust the curriculum, program, method of instruction, or discontinue the program.

## Resources and Opportunities

With an increase in available funds and technical support, school districts and charter schools have the opportunity to expand bilingual multicultural education programs or implement new bilingual multicultural education programs. Organizations like Dual Language New Mexico partner with local school districts and charter schools to prioritize local resources to implement a program that best fits the community. Larger school districts have the capacity through dedicated departments that provide individual schools with support in implementation of bilingual multicultural education programs.

For school districts and charter schools that may not have the capacity to support the implementation of bilingual multicultural education programs, Laws 2019, Chapter 200 (House Bill 111) gives regional education cooperatives (RECs) the opportunity to make a joint funding request to PED to provide professional development to teachers and other school staff in culturally and linguistically responsive instruction. It is up to the discretion of the department to determine whether to allocate any funds toward this initiative. The General Appropriation Act of 2019 included a \$2.5 million appropriation to PED for bilingual and multicultural education support.

