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HOUSE BILL

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO PUBLIC EDUCATION; CREATING THE BILINGUAL
MULTICULTURAL EDUCATION ADVISORY COUNCIL; PROVIDING DUTIES;
DEFINING "BILINGUAL LEARNER" IN THE BILINGUAL MULTICULTURAL
EDUCATION ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Bilingual Multicultural
Education Act is enacted to read:

"[NEW MATERIAL] BILINGUAL MULTICULTURAL EDUCATION ADVISORY
COUNCIL--CREATED--MEMBERSHIP--DUTIES.--

A. The "bilingual multicultural education advisory
council" is created and shall advise the secretary, department
staff and the governor on the effective implementation of the
Bilingual Multicultural Education Act and the support of all
bilingual multicultural education students, including bilingual

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1 learners and English language learners, to have equitable
2 access to instruction and learning as required by state and
3 federal education and civil rights laws. The secretary and
4 department staff shall provide biannual reports to the council
5 regarding progress on yearly advisements.

6 B. The bilingual multicultural education advisory
7 council consists of fifteen members who have technical
8 knowledge of and expertise in bilingual multicultural education
9 and teaching English to English language learners as follows:

10 (1) three members appointed or designated by
11 the Indian nations, tribes and pueblos they represent;

12 (2) nine members who represent pre-
13 kindergarten through twelfth grade teachers, principals,
14 superintendents, other education administrators and higher
15 education faculty who are from different geographical areas of
16 the state and at least one of whom has a special education
17 background; and

18 (3) three parents of bilingual students,
19 including one parent of an American Indian student and one
20 parent of a Hispanic student, whose students are enrolled in
21 bilingual multicultural education programs.

22 C. The department shall appoint council members
23 from a list approved by both the department and the bilingual
24 multicultural education advisory council co-chairs that is
25 representative of various stakeholder groups.

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1 D. The bilingual multicultural education advisory
2 council shall elect two members to serve as co-chairs of the
3 council. The co-chairs shall assist with the selection of new
4 members for the council.

5 E. Members of the council shall begin to serve
6 their appointments on July 1, 2021 for a term of three years.
7 All council members may serve two consecutive terms, and co-
8 chairs may serve one additional year to assist with transition.

9 F. The council shall:

10 (1) study issues of bilingual multicultural
11 education for all students, including the needs of bilingual
12 learners and English language learners; and

13 (2) provide advice to the department in the
14 areas of curriculum, instruction, assessment, teacher
15 preparation, teacher evaluation, professional development,
16 licensure and student and family services to:

17 (a) strengthen the quality of bilingual
18 multicultural education programs;

19 (b) promote rigorous culturally and
20 linguistically responsive instruction in bilingual
21 multicultural education programs;

22 (c) support effective classroom teaching
23 for participating bilingual multicultural education program
24 students, including bilingual learners and English language
25 learners who may or may not be part of standalone federal

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1 language acquisition programs;

2 (d) recruit, develop and train effective
3 bilingual multicultural education teachers and teachers of
4 bilingual learners and English language learners;

5 (e) identify professional development
6 best practices to support teachers, educational assistants and
7 other licensed employees to work effectively with bilingual
8 multicultural education program students, including bilingual
9 learners and English language learners;

10 (f) promote professional development
11 opportunities to build the capacity of public education
12 administrators to effectively lead bilingual multicultural
13 education programs and become knowledgeable regarding second
14 language acquisition research, theory and pedagogy, including
15 culturally and linguistically responsive teaching practices,
16 biliteracy and assessments in English and the home or heritage
17 language;

18 (g) develop solutions for streamlining
19 and strengthening program management, implementation and
20 monitoring of bilingual multicultural education programs at the
21 state, district and school site levels;

22 (h) develop family and community
23 partnerships representative of the languages and cultures of
24 all students in the bilingual multicultural education program,
25 to assist and advise in the development, implementation and

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1 evaluation of the program; and
2 (i) achieve programmatic goals,
3 including oral language and culture development in accordance
4 with tribal expectations and tribal sovereignty and, when
5 applicable with other languages, academic achievement in two
6 languages and bilingual biliteracy growth as demonstrated and
7 measured by language proficiency in English and the home or
8 heritage language, based on data for all students placed in
9 bilingual multicultural education programs, including bilingual
10 learners and English language learners.

11 G. Members of the council may receive per diem and
12 mileage as provided for nonsalaried public officers in the Per
13 Diem and Mileage Act."

14 SECTION 2. Section 22-23-2 NMSA 1978 (being Laws 1973,
15 Chapter 285, Section 2, as amended) is amended to read:

16 "22-23-2. DEFINITIONS.--As used in the Bilingual
17 Multicultural Education Act:

18 A. "bilingual learner" means a student whose
19 bilingualism is emerging through the development of English and
20 a language other than English;

21 [~~A.~~] B. "bilingual multicultural education program"
22 means a program using two languages, including English and the
23 home or heritage language, as a medium of instruction in the
24 teaching and learning process;

25 [~~B.~~] C. "culturally and linguistically different"

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1 means students who are of a different cultural background than
2 mainstream United States culture and whose home or heritage
3 language, inherited from the student's family, tribe or country
4 of origin, is a language other than English;

5 ~~[G-]~~ D. "district" means a public school or any
6 combination of public schools in a district;

7 ~~[D-]~~ E. "English language learner" means a student
8 whose first or heritage language is not English and who is
9 unable to read, write, speak or understand English at a level
10 comparable to grade level English proficient peers and native
11 English speakers;

12 ~~[E-]~~ F. "heritage language" means a language other
13 than English that is inherited from a family, tribe, community
14 or country of origin;

15 ~~[F-]~~ G. "home language" means a language other than
16 English that is the primary or heritage language spoken at home
17 or in the community; and

18 ~~[G-]~~ H. "standardized curriculum" means a district
19 curriculum that is aligned with the state academic content
20 standards, benchmarks and performance standards."