

Policy Brief

Bilingual Multicultural Education and Hispanic Education Advisory Councils Roles and Impact

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Advisory councils play a key role in strengthening New Mexico's kindergarten through 12th (K-12) grade education system. Established through state and federal law, advisory councils were created to ensure community voices shape education policy, giving families, educators, and tribal and cultural leaders a formal role in guiding the Public Education Department (PED) in its responsibilities, programs, and strategies to deliver equitable opportunities and academic success. During the 2025 interim, the Legislative Education Study Committee (LESC) began to review five advisory councils, examining their recommendations to PED over the past five years. These councils include the Indian Education Advisory Council, the Black Education Advisory Council, the Hispanic Education Advisory Council (HEAC), the Bilingual Multicultural Education Advisory Council (BMEAC), and the federally mandated Individuals with Disabilities Education Advisory Panel.

Each act that established these councils reflects New Mexico's commitment to ensuring opportunity and academic achievement.

- **The Indian Education Act** ([Chapter 22, Article 23A NMSA 1978](#)) seeks to ensure equitable and culturally relevant learning environments for Native American students by developing educational systems that support their success, requiring PED to partner with tribes, pueblos, and nations to increase local control, establishing formal government-to-government relationships with New Mexico tribes, pueblos, and nations, and the Bureau of Indian Affairs, engaging urban Indian communities in decision-making, and fostering collaboration among parents, tribal education departments, universities, and policymakers to improve educational opportunities.
- **The Black Education Act** ([Chapter 22, Article 23C NMSA 1978](#)) was enacted to improve educational outcomes for Black students by creating an advisory council and liaison, requiring culturally responsive learning environments, expanding parent and community engagement, addressing systemic racism, and ensuring curricula and professional development include the history, culture, and experiences of Black people in New Mexico, the United States, and the world.
- **The Hispanic Education Act** ([Chapter 22, Article 23B NMSA 1978](#)) aims to improve the academic and lifelong success of Hispanic students by developing educational systems that increase graduation rates, protect and preserve New Mexico's heritage Spanish language and culture, fostering parental involvement, and creating mechanisms for parents, schools, higher education institutions, community organizations, and policymakers to expand educational opportunities and postsecondary attainment.
- **The Bilingual Multicultural Education Act** ([Chapter 22 Article 23 NMSA 1978](#)) was enacted to ensure equal educational opportunities by promoting bilingualism, biliteracy, and cultural identity, requiring school districts and charter schools to provide culturally and linguistically responsive instruction, professional development, and accountability systems that support English learners, heritage language speakers, and all students in developing academic achievement through two languages.
- **The federal Individuals with Disabilities Education Act (IDEA)** requires states to ensure students with disabilities receive a free and appropriate public education, supported by advisory panels that guide service delivery, individualized supports, and compliance with federal protections. Each of these laws not only reflects New Mexico's broader effort to address inequities in public education through statutory

Key Takeaways

- The BMEAC and HEAC were selected as the priority advisory councils for this report (*Page 2*).
- Council members stressed effectiveness depends on advisements leading to ongoing dialogue (*Page 3*).
- Shifts in administration affect consistency of engagement and action (*Pages 5-6*).
- Advisements that are tracked, acted on, and aligned with policy cycles may ensure accountability, partnerships, and student success (*Pages 6-7*).

commitments and community voice, but also establishes advisory councils to ensure that the intent of the law is carried forward through ongoing advisement and community participation.

However, many questions remain about how New Mexico’s education advisory councils are functioning in practice. The LESC’s 2025 interim [work plan](#) identified areas for further study, including the role and responsibilities of the councils in practice, the consistency with which PED tracks and responds to council recommendations, and the variation in meeting operations and documentation. Exploring these areas is crucial to understanding whether advisory councils are effectively positioned to inform policy and practice.

The importance of these councils is also underscored by the *Martinez-Yazzie* education sufficiency lawsuit. The court found many students did not have equitable access to the programs and services needed to prepare them for college or careers, funding levels were insufficient for school districts and charter schools to meet student needs, and oversight by PED was not ensuring resources were used effectively for at-risk populations. The education acts and their advisory councils are among the mechanisms the state has to address these findings, ensuring the voices of communities are directly involved in shaping solutions. Examining how the councils function provides insight into how communities and PED work together to contribute to the progress in addressing the concerns raised in the consolidated *Martinez-Yazzie* lawsuit.

As an initial step in this broader review, this report focuses its analysis on the BMEAC and the HEAC. The following sections synthesize the major themes raised by each council over the past five years, assess PED’s responses, and highlight how these advisements contribute to ongoing equity efforts in New Mexico. The remaining advisory councils—the Indian Education Advisory Council, the Black Education Advisory Council, and the Individuals with Disabilities Education Advisory Panel—will be reviewed in subsequent LESC staff work.

Before turning to council advisements, it is helpful to review legislative funding for the Bilingual Multicultural Education Act and the Hispanic Education Act. While these acts were designed to address longstanding inequities, their impact has been closely tied to the resources allocated for implementation. **Table 1: Legislative Appropriation for the Bilingual Multicultural Education Act and the Hispanic Education Act for FY20-FY26** illustrates the fluctuations in direct appropriations across fiscal years, reflecting both legislative priorities and budgetary constraints. Such shifts impact program stability and growth, and advisory councils must consider these funding patterns when developing recommendations for PED.

Table 1: Legislative Appropriation for the Bilingual Multicultural Education Act and the Hispanic Education Act for FY20-FY26
(in thousands)

	FY20	FY21	FY22	FY23	FY24	FY25	FY26
The Bilingual Multicultural Education Act	1	2	2	2	\$5,000	2	\$500
The Hispanic Education Act	2	2	2	\$500	\$1,000	\$500	\$500

¹In FY20, the Bilingual Multicultural Education Act did not receive a direct appropriation; however, the Legislature provided PED with a special appropriation that included \$2.5 million designated for bilingual and multicultural education support.

²The General Appropriation Act (GAA) did not provide direct allocations to either the Bilingual Multicultural Education Act or the Hispanic Education Act during the specified fiscal year.

Source: 2019-2025 GAA

Bilingual Multicultural Education Advisory Council (BMEAC)

Statutory Role

In 1973, the BMEA (see [Chapter 22, Article 23 NMSA 1978](#)) was established to ensure equitable access to education for students from culturally and linguistically diverse backgrounds, including English learners (ELs), heritage language speakers, and others who benefit from bilingual programming. The act affirms bilingualism and biliteracy strengthen student learning, cultural identity, and future opportunities. It further emphasizes all students should have the opportunity to become proficient in English and at least one additional language, whether Spanish, Native American languages with tribal approval, or other world languages.

The BMEA grants PED the authority to develop program guidelines, oversee accountability, and provide technical assistance to school districts and charter schools implementing bilingual multicultural education programs (BMEPs). Each school district or charter school offering bilingual education is required to submit a program plan for PED approval and participate in ongoing evaluations of effectiveness and compliance. Funding is directly tied to participation and accurate reporting, thereby reinforcing the connection between state financial support and program quality.

An added layer of support from the act is the creation of the BMEAC, which focuses on bilingual program quality, biliteracy development, family and community partnerships, teacher supports, and support for English learners and heritage language speakers. The BMEAC consists of 15 members composed of eight educators (including one member with a special education background), two parents, and five tribal representatives with expertise in bilingual education and EL support. Newly appointed members serve a term of three years and may serve no more than two consecutive terms, while co-chairs are permitted to serve one additional year to support leadership transition. The council advises the PED secretary and department staff on curriculum, instruction, assessment, teacher preparation, licensure, professional development, and family partnerships to strengthen BMEPs and ensure equitable access to high-quality instruction.

Although the BMEAC is currently undergoing member appointments and transitions, it is important to note the council was not at full capacity in previous years. In the previous year (2024), four tribal representative positions, one parent position, and the special education educator position remained vacant.

BMEAC Year-By-Year Advisements

Over the past five years, the BMEAC has consistently focused on strengthening bilingual education through three recurring themes: 1) Expanding high-quality professional development and recruitment for bilingual educators; 2) Creating rigorous and culturally affirming biliteracy pathways; and 3) Improving accountability and communication between PED and school districts and charter schools on program quality and student access.

As part of 2025 interim research, LESC staff spoke with council members who described their role as both identifying needed shifts in bilingual education and proposing constructive solutions, drawing on their own experiences as well as input from parents, teachers, and communities across New Mexico. Recent advisements have emphasized the preservation of heritage languages initiatives, aligning biliteracy approaches with the state's literacy reforms, and ensuring students who are dually identified for special education continue to have access to bilingual programs.

LESC staff found while PED has responded to some advisements, such as providing feedback on biliteracy recommendations and expanding guidance on dually identified students, council members noted effectiveness depends on whether advisements spark an ongoing dialogue rather than being issued and set aside. Members also highlighted barriers, including inconsistent timing of advisements, varying levels of responsiveness from PED leadership, and the need for clearer written processes to ensure continuity as council membership changes. The BMEAC's work underscores the importance of sustained dialogue between PED and communities to ensure bilingual education policies are culturally and linguistically responsive, aligned to equity goals, and reflective of the voices of those most impacted.

Summarized information about the council's annual recommendations and PED's response is provided in the sections below.

2020–2021 Advisements

The BMEAC emphasized the need for ongoing professional development in culturally and linguistically responsive instruction and raised concerns about the availability of bilingual educators. The council also highlighted issues related to program structure and resources, recommending PED strengthen guidance for school districts and charter schools implementing bilingual and dual language models.

- **PED Response:** Limited action was reported this year, with council members noting feedback loops were inconsistent during the Covid-19 disruptions. However, PED continued to address these concerns in later years. For instance, PED initiated efforts to expand professional development offerings through Canvas modules, collaboration efforts with the World-Class Instructional Design and Assessment (WIDA) Español resource, state subgrants, and conferences, as well as engaging in ongoing discussions on the recruitment and retention of bilingual teachers, including revisions to la Prueba de Español para la

Certificación Bilingüe (La Prueba). La Prueba is the Spanish language proficiency exam used in New Mexico to assess bilingual educators. The test measures candidates' ability to read, write, and communicate effectively in Spanish, ensuring they have the linguistic skills necessary to teach in bilingual programs and support students' development of biliteracy.

- **Council Perspective:** Members observed the timing and consistency of advisements were disrupted during the pandemic, which hindered effectiveness in 2020-2021, but emphasized professional development, leadership preparation, and teacher recruitment are part of an ongoing, structured system requiring sustained attention.

2021–2022 Advisements

Council advisements focused on revising La Prueba and ensuring that assessments align with academic rigor and cultural relevance. The council also underscored the need for clearer recruitment and retention strategies for bilingual teachers.

- **PED Response:** Work on updating La Prueba began, though members felt progress was uneven and communication about next steps was limited.
- **Council Perspective:** Members stressed that without clear timelines and procedures, advisements risk losing momentum between administrations or secretaries.

2022–2023 Advisements

The BMEAC advised PED to ensure students dually identified for special education maintain full access to bilingual programs. The council also raised concerns that some school districts and charter schools discouraged bilingual participation for students receiving special education services.

- **PED Response:** PED began addressing the issue by including guidance in statewide trainings for school districts and charter schools on serving emergent bilingual students who also qualify for special education.
- **Council Perspective:** Members viewed this as an example of an advisement leading to meaningful dialogue and follow-through when PED responded with training and resources.

2023–2024 Advisements

The BMEAC recommended the development of a dynamic biliteracy framework to strengthen bilingual multicultural education statewide. They also advised providing secondary placement guidance for bilingual multicultural programs through a Spanish Language Development (SLD) course code and additional resources for differentiated instruction.

- **PED Response:** PED invited the council to review existing Canvas professional learning modules, specifically the EL professional learning series before developing new content. On secondary placement, PED declined to create a new course code or new funding, opting instead to clarify existing codes and convene a Spanish Heritage Language Instructional Materials Workgroup.
- **Council Perspective:** The advisements reflected long-standing council priorities around biliteracy and secondary pathways, highlighting the importance of ongoing dialogue with PED.

2024–2025 Advisements

Although the council convened multiple times during the 2024–2025 school year and formal advisements were submitted, no formal responses have yet been issued. LESC staff held discussions with BMEAC members, which provided valuable insight into the council's ongoing challenges and opportunities. Members emphasized the importance of elevating bilingual and multicultural voices in statewide education, maintaining representation from across New Mexico, and ensuring the council remains a forum for dialogue rather than one-time recommendations.

- **PED Response:** A formal response to the council's advisements has not yet been documented. However, discussions between LESC and council members highlighted the importance of consistent feedback loops and engagement from department leadership.

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- **Council Perspective:** Advisory members shared the effectiveness of the council depends on timely dialogue with PED, continuity despite membership and department turnover, and clearer written procedures to guide the advisement process.

Hispanic Education Advisory Council (HEAC)

Statutory Role

The HEAC was created in 2010 (see [Chapter 22, Article 23B NMSA 1978](#)) as an advisory body to the PED secretary to improve educational opportunities and outcomes for Hispanic students. The council's responsibilities include advising on strategies to strengthen public school education for Hispanic students, increase parent involvement and community engagement, and expand the number of Hispanic high school graduates who succeed in postsecondary academic, professional, or vocational pathways. In 2025, Laws 2025, Chapter 153 ([House Bill 487](#)) amended the Hispanic Education Act and broadened this role by refining the act's purpose to emphasize both academic and lifelong success, as well as the protection and preservation of New Mexico's heritage, including the Spanish language and culture. These statutory changes have expanded the areas HEAC is expected to consider in its advisements, ensuring the council continues to address both student outcomes and cultural identity.

The PED secretary appoints up to 23 members who are knowledgeable about Hispanic education, representing public schools, postsecondary institutions, educator preparation programs, parents, and Hispanic cultural, community, and business organizations, with attention to geographic representation. Members serve at the pleasure of the secretary, and the council elects a chairperson and officers as needed. The current HEAC includes 20 members. The 2025 amendments also authorized stipends, mileage, and per diem for council members, strengthening their capacity to participate in statewide initiatives and support the statutory mission of the act.

By statute, the council is required to meet as necessary, but at least twice annually, at the biannual Hispanic Education Summit.

HEAC Year-By-Year Advisements

The HEAC has consistently focused on advancing the goals of the Hispanic Education Act by improving academic and lifelong success for Hispanic students, preserving New Mexico's heritage Spanish language and culture, and fostering stronger family and community engagement over the past five years. Its advisements have emphasized recurring priorities: 1) Establishing and expanding the Hispanic Education Bureau to operationalize the act; 2) Addressing inequities in staffing and funding relative to the scale of the Hispanic student population; 3) Increasing access to high-quality, culturally and linguistically relevant curricula and professional development; and 4) Strengthening data collection and accountability to ensure policies reflect the diversity of Hispanic communities statewide.

While PED has acted on several recommendations, most notably by creating the Hispanic Education Bureau at PED in 2021 and supporting the development of heritage language instructional materials, council members continue to highlight persistent barriers, including limited bureau capacity, variable engagement across administrations, and the need for sustained legislative and budgetary support.

Summarized information about the council's year-to-year recommendations and PED's responses is provided in the sections below.

2020-2021 Advisements

HEAC advisements focused on three priorities: strengthening Hispanic family and community partnerships, establishing consistent measures to monitor student progress, and advancing the implementation of the Hispanic Education Act. The council emphasized filling the vacant Family Engagement Coordinator position and improving tools like [NMEngaged](#), a collaborative project between PED and the Center for the Education and Study of Diverse Populations at New Mexico Highlands University, based on National PTA Standards for Family-School Partnerships. Today, the site provides research-based tools and resources to help school communities build sustainable family engagement initiatives and collaborative action plans to improve student outcomes. Additionally, the HEAC recommended coordinating family engagement training and aligning efforts across divisions at PED and federal programs. It also called for consistent data reporting through annual Hispanic

Education Status Reports and urged legislative revisions to ensure the act could be more effectively operationalized with dedicated funding.

- **PED Response:** PED committed to filling the Family Engagement Coordinator role and expanding family engagement resources, updated NMEngaged, and issued a request for proposal to support educator training in culturally responsive family partnerships. PED also began exploring options for a longitudinal data system spanning prekindergarten through postsecondary and workforce. Further, while legislative efforts in 2021 to restructure the Hispanic Education Act ([House Bill 131](#)) did not pass, PED engaged the council in reviewing draft legislation. Many of these recommendations resurfaced in what is now Laws 2025, Chapter 153 (House Bill 487), which amended the act to emphasize academic and lifelong success, heritage Spanish language and culture, biannual summit meetings, and council stipends.
- **Council Perspective:** Members reported viewing 2020–2021 as a pivotal year, laying the groundwork for later changes. They emphasized meaningful family engagement requires infrastructure and continuity, and data systems and accountability are essential to measure progress for Hispanic students. While legislative reforms took several years to advance, the council’s recommendations helped shape the eventual statutory amendments of 2025, strengthening HEAC’s capacity and affirming the importance of culture, community, and long-term success in Hispanic education.

2022–2023 Advisements

HEAC advisements during this year focused on two areas: 1) Strengthening family engagement; and 2) Improving student achievement, highlighting the need for systematic data collection and research to guide both areas.

During this year, HEAC and PED documented informal family engagement recommendations, including creating parent microcredentialing programs, piloting school-based engagement models, updating PED’s family engagement websites, expanding public communication (including Spanish media), improving the translation of legal documents, and incentivizing innovative district-level practices. The council also called for greater use of equity council data and a shift toward viewing engagement as an authentic partnership with families.

The HEAC also provided student achievement advisements, emphasizing the implementation of restorative justice practices, adding financial literacy as a graduation requirement, and addressing transportation barriers.

The council identified the need for stronger data systems to track demographics, program access, bilingual staffing, funding disparities, and student outcomes to target supports more effectively.

- **PED Response:** While PED did not issue formal responses, informal feedback was provided in March 2024. Department staff expressed general support for the council’s ideas, but often deferred details to specific bureau directors, requested more information, or noted funding limitations.
- **Council Perspective:** Members noted responsiveness often depends on leadership changes at PED and government administration levels, resource limitations hinder follow-through, and expectations placed on the council can feel inequitable compared to other education acts. Members noted Hispanic education is continuously asked to provide more data and meet higher thresholds of proof despite representing the majority of New Mexico’s student population.

2021-2022, 2023-2024, and 2024-2025 Advisements

LESC staff found the HEAC did convene every year, but no formal advisements were publicly documented during these years. Conversations continued around themes raised in prior years, including family and community engagement, data reporting, and sustained advocacy for a dedicated office within PED, leading to the establishment of the Hispanic Education Bureau in 2023.

- **PED Response:** With no public-facing formal advisements, PED did not issue public-facing responses. However, department staff continued to consult with HEAC members on draft legislation and family engagement initiatives already in development. Notably, with the creation of the Hispanic Education Bureau in 2023, PED and the HEAC became more closely aligned.
- **Council Perspective:** Members emphasized the importance of maintaining consistent advisement cycles, noting lapses in formal recommendations can slow progress on long-term goals such as accountability systems, family engagement infrastructure, and legislative reforms. Despite the absence

of published advisements, the council saw its role in shaping the evolving policy conversation as ongoing. A significant outcome of this influence was the creation of the Hispanic Education Bureau, whose foundation was explicitly built on HEAC advisements over the past 15 years. The bureau actively uses the councils work to define its scope and priorities, creating closer alignment between the council and PED.

Policy Considerations and Recommendations

LESC staff's review of the BMEAC and the HEAC highlights both the promise and the challenges of New Mexico's education advisory structures. Over the past five years, both councils have consistently raised themes that directly address the state's statutory obligations and the *Martinez-Yazzie* lawsuit findings, including family engagement, culturally and linguistically responsive instruction, support for heritage language preservation, expanded professional development, and clear accountability for student outcomes.

At the same time, the councils' impact has been limited by uneven response. While BMEAC advisements have sometimes resulted in professional learning modules, instructional materials, or dialogue around biliteracy, members emphasized that recommendations and responses often arrive inconsistently to influence key policy decisions during specific sessions. HEAC successfully advanced the creation of the Hispanic Education Bureau and helped shape the 2025 amendments to the Hispanic Education Act. However, members noted limited bureau staffing and changes in staff and government administration have slowed progress on family engagement and student achievement goals. Members also noted the inequitable thresholds for Hispanic education are a major barrier to equitable program and academic success and opportunities. Both councils emphasized the importance of sustained capacity, transparent reporting, and timely feedback to ensure advisements translate into meaningful action.

These findings suggest opportunities to strengthen the role of advisory councils in state education policymaking. Ensuring advisements are systematically tracked, actively and consistently engaged with, and considered within legislative and budgetary cycles could enhance accountability, strengthen partnerships and influence, and improve student success.

The LESAC's work will continue in the months ahead with a review of the Indian Education Advisory Council, the Black Education Advisory Council, and the Individuals with Disabilities Education Advisory Panel. Together, the study of all five councils will provide insight into how New Mexico can strengthen advisory structures to better reflect community voice and ensure state obligations are met for all students.

The Legislature should...

- Ensure sustained funding and staffing for PED to ensure the department can respond to advisements from HEAC and BMEAC appropriately.
- Provide equitable statutory supports across education acts, such as bureau capacity, to reduce disparities in how councils function.
- Require clear accountability mechanisms, such as written responses to advisements and reporting timelines, to make sure council recommendations are considered in policymaking and budget cycles.

The Public Education Department should...

- Establish formal procedures for tracking, responding to, and following up on advisements from both councils, including clear feedback loops.
- Strengthen collaboration with advisory members by institutionalizing dialogue (not just one-time responses) so recommendations inform ongoing work.
- Support long-term initiatives raised by the councils, such as biliteracy frameworks, heritage language preservation, bilingual educator recruitment, and culturally responsive family engagement systems.
- Improve data systems for monitoring Hispanic and bilingual student progress, including transparent publication of reports and use of consistent metrics.