



Sunny Liu
K-12 Fiscal Analyst
Legislative Finance Committee

Rachel Mabe
K-12 Fiscal Analyst
Legislative Finance Committee

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Status Update: *Martinez-Yazzie* Lawsuit





The *Martinez-Yazzie* Lawsuit

The New Mexico constitution requires that...

*“A **uniform** system of free public schools **sufficient** for the education of, and open to, all the children of school age in the state shall be established and maintained.”*

- Constitution of the State of New Mexico, Article XII, Section 1

On February 14, 2019, First Judicial District Court Judge Sarah M. Singleton ordered the state to:

*“...take immediate steps, by no later than April 15, 2019, to **ensure** that New Mexico schools have the resources necessary to give at-risk students the **opportunity** to obtain a uniform and sufficient education that prepares them for **college and career**.”*

*“In entering an injunction, however, the Court does not want to ignore the **deference** that should be given the **legislature** and the **executive** branches and wishes to give them an opportunity to create a funding system that will meet the constitutional requirements.”*

The *Martinez-Yazzie* Lawsuit

In 2014, plaintiffs alleged New Mexico was not meeting constitutional obligations to provide sufficient funding and programming for at-risk students.

In 2019, the 1st Judicial District Court ruled:

Inputs (funding/programming) were inadequate,

Outputs (student outcomes) were “dismal,” and as such

Funding and Oversight were insufficient.

In 2020, the court assigned a new judge and noted the lack of access to Internet, devices, and IT support during school closures caused harm to at-risk students.

In 2025, the court ordered PED to develop a remedial action plan, using an outside expert to identify stakeholders, and invites LESC to participate.

Remedial Plan Timeline

July 1. 2025: PED and LESC select an outside expert to develop the plan

October 1. 2025: PED produces a draft remedial plan, with input from plaintiffs and stakeholders

November 3. 2025: PED submits final remedial plan

December 1. 2025: Plaintiffs may file objections to the plan

2018 Plaintiff Proposed Inputs

2018 Yazzie Remedies

- Restore \$307 million lost since FY09
- Expand prekindergarten access to all 4-year-olds
- Mandate K-5 Plus to all at-risk students and require at least the equivalent of 192 school days statewide
- Expand literacy services, community schools, and culturally and linguistically relevant materials
- Require IEA and HEA needs assessments and tribal consultations
- Mandate nursing, social work, and counseling service levels
- Create stipends for bilingual teachers and require all teachers to be TESOL endorsed
- Raise teacher minimums to \$45k, \$55k, and \$65k for levels 1, 2, and 3 and tie increases to inflation
- Raise at-risk index to 0.366 and BMEP factor to 1.0
- Increase transportation and small school funding

2018 Martinez Remedies

- Fund and monitor ELL programs and training
- Convert T&E index to TCI factor
- Account for ELLs in the teacher evaluation system
- Reduce class sizes
- Fund afterschool and extended learning time
- Provide anti-racism and restorative justice training
- Ensure at-risk dollars follow at-risk students
- Fund and monitor special education programs
- Implement a plan to close the achievement gap
- Fund full-day, quality prekindergarten
- Fund K-3 Plus programs
- Ensure instructional materials reflect a culturally relevant curriculum
- Amend school grading system to include educational sufficiency
- Fund bilingual multicultural education programs

Source: LFC Files, LESC Files

2018 Responsible Parties

Legislature should:

- ✓ Fund prekindergarten, K-3 Plus, reading interventions, extended learning time, and evidence-based programs
- Provide instructional materials, technology, curricula, and transportation
- ✓ Improve teacher pay, preparation, certification, and working conditions
- ✓ Close formula loopholes and increase at-risk student formula funding

PED should:

- Develop a statewide plan and timetable for compliance, develop curriculum standards, and monitor student performance
- ✗ Ensure schools budget funds toward evidence-based programs that support at-risk students
- ✓ Enforce provisions of the Bilingual Multicultural, Indian, and Hispanic education acts
- ✓ Refine evaluation systems and provide technical assistance and training

Schools should:

- ✗ Expend funds for evidence-based academic and social supports for at-risk students
- Monitor student outcomes and provide interventions to close achievement gaps
- Recruit and retain staff to meet student learning needs
- Implement tribal consultation, as appropriate
- ✓ Provide professional development and training to school staff

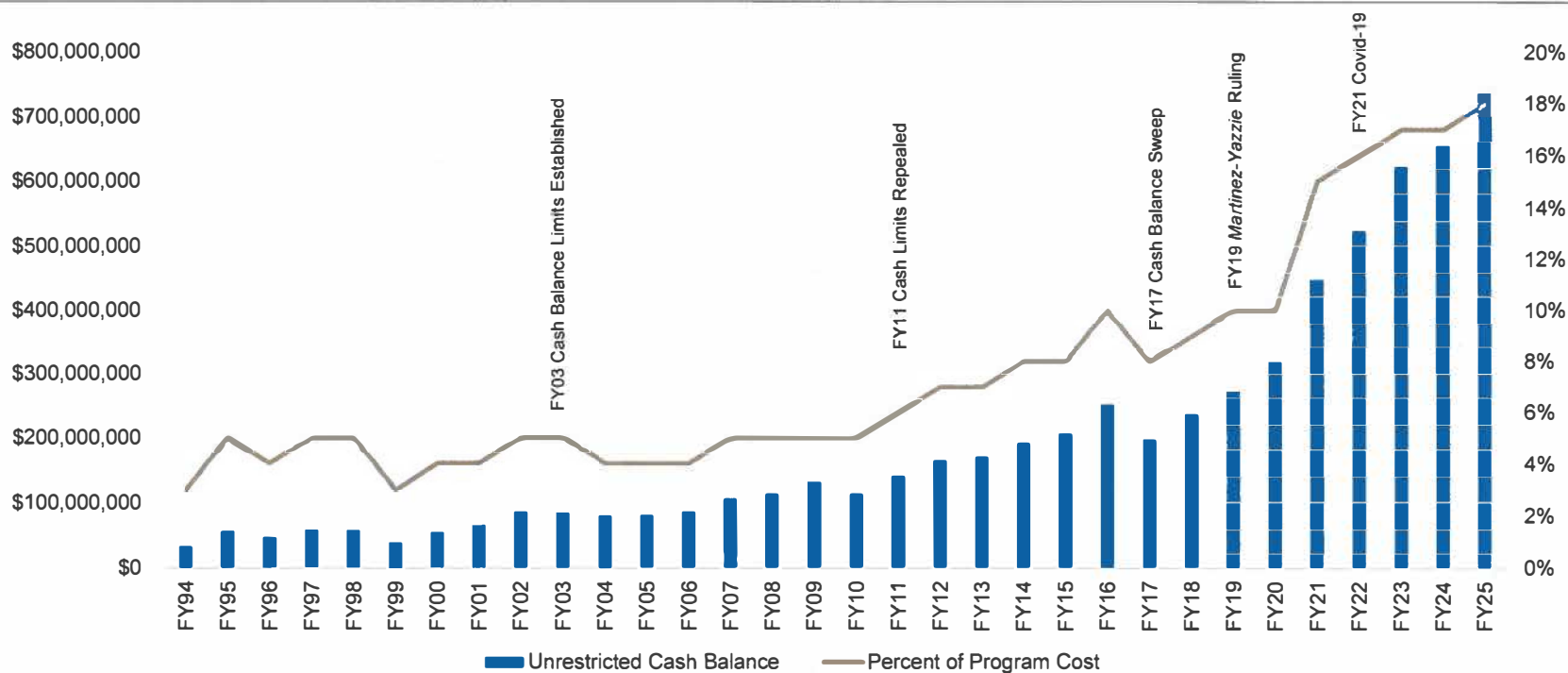


Status of 2018 Inputs

Proposed Input	2018	2025
K-12 Total Recurring Appropriations	\$2,801,153,100	\$4,761,061,800
At-Risk Student Formula Funding	\$101,076,255	\$431,799,143
Minimum Teacher Salaries (Levels 1, 2, 3)	\$36k, \$44k, \$54k	\$55k, \$65k, \$75k
Average School Days	175.6	176
4-year-olds in Prekindergarten	9,716 (38%)	16,243 (82%)
Students in Bilingual Multicultural Education	46,225 (14.3%)	45,374 (14.6%)*
Statewide Student-to-Teacher Ratio	15.4	13.9*
Community Schools	29	91
PED Agency FTE	227	296

*Latest available data from 2024
Source: LFC Files, PED

School Unrestricted Cash Balances



Source: LFC Files, PED

2018 Court Findings of Outputs

“The evidence of both student outputs and State inputs presented at trial proves that the vast majority of New Mexico’s at-risk children finish each school year without the basic literacy and math skills needed to pursue post-secondary education or a career. Outputs are test results, graduation rates, and frequency of need for remedial courses in college.”

- 1st Judicial Court’s 2018 Findings of Fact and Conclusions of Law for the Martinez-Yazzie Case

Output: Test Results

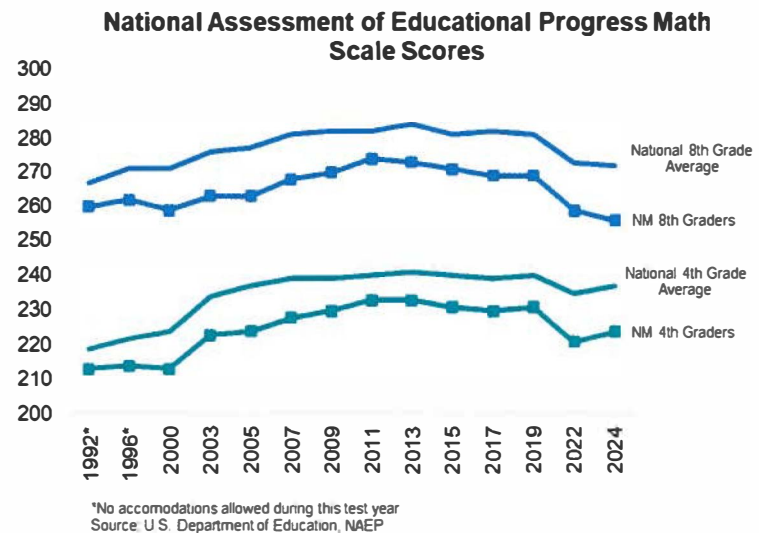
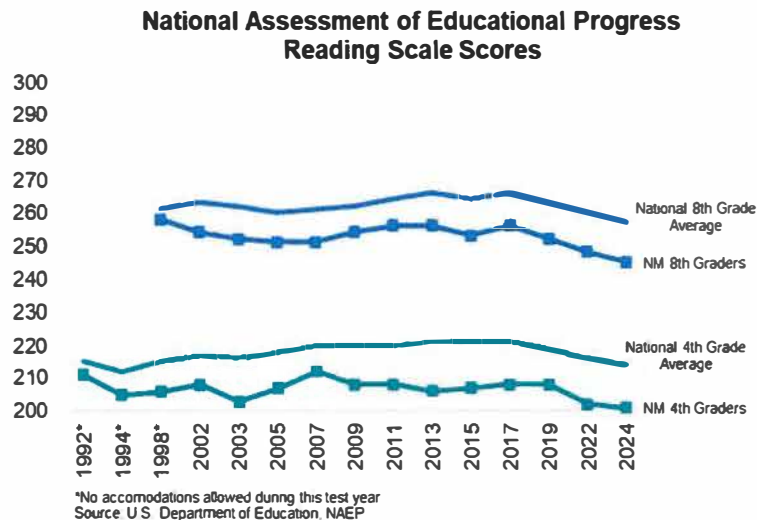
- National Assessment of Educational Progress (NAEP) reading proficiency and achievement gap
- NAEP math proficiency and achievement gap
- State standardized test (NMSBA, PARCC) reading proficiency and achievement gap
- NMSBA, PARCC math proficiency and achievement gap

Output: College and Career Ready

- High school graduation rate
- Graduation gaps with at-risk students
- Dropout rates
- Alternative demonstrations of competency rates
- College remediation rates
- Labor force participation rates
- Unemployment rates

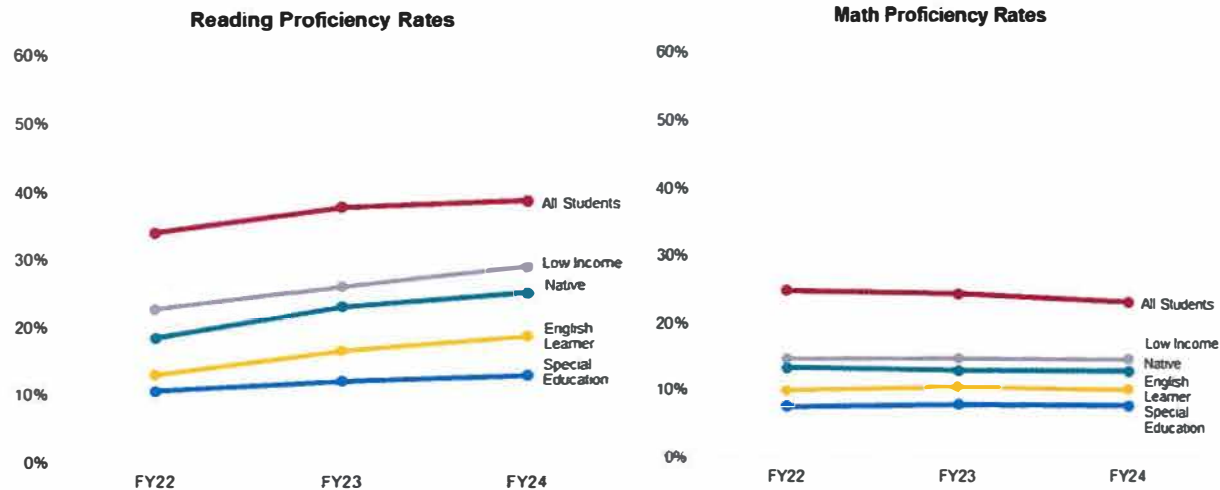
Status of 2018 Outputs

- National (NAEP) reading and math scores in New Mexico have remained relatively flat since 1992.
- Small year-to-year changes have occurred, but no consistent upward or downward trend has emerged.
- New Mexico continues to score below the national average in both subjects and grade levels.



Status of 2018 Outputs

- In FY24, statewide reading proficiency rates remained consistent with the prior year and math proficiency declined slightly.
- Some subgroups, including Native students, English learners, and low-income students showed small gains in reading.
- Gaps in math proficiency have remained largely unchanged over the past two years.



Source: NM-MSSA reading and math state tests, PED

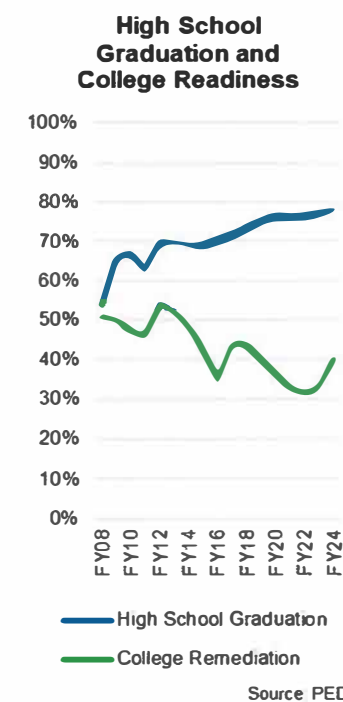
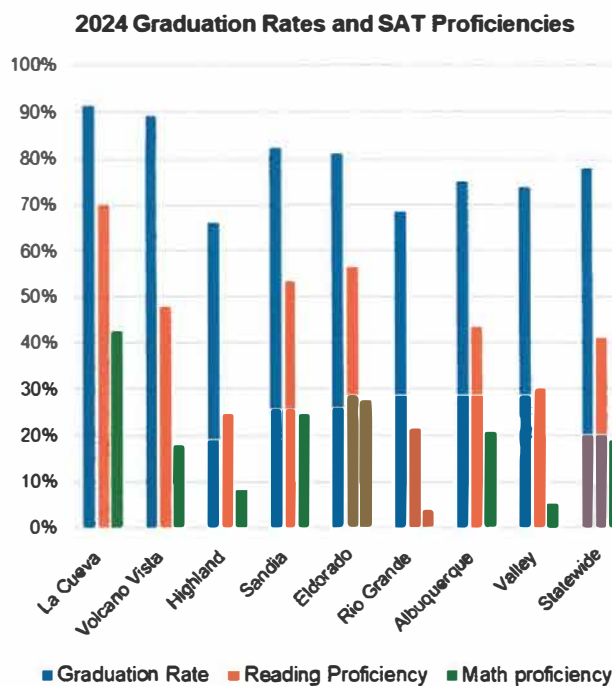
Status of 2018 Outputs

Graduation Rate Improvement: Class of 2024 graduation rate increased to 78 percent, reaching a 15-year high.

College Readiness: Gaps remain between graduation rates and academic proficiency:

- SAT reading proficiency at 41 percent
- SAT math proficiency at 19 percent

College Remediation: College remediation rates declined between 2015 and 2020 but have increased again after Covid-19. Nationally, remediation is one of the strongest predictors of college dropout.



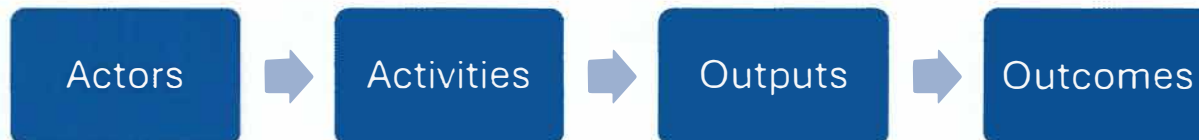
Connecting Inputs to Outputs

Laws 2025, Chapter 72 (Senate Bill 201), repurposed the **public education reform fund (PERF)** into a research fund to study and pilot educational innovations.

\$68 million in PERF projects over the next three years—overseen collectively by PED, LFC, LESC, and DFA—create an opportunity to measure the impact of inputs on expected outputs before long-term investments are made.

PERF projects must be:

- Guided by a logic model
- Measured with performance metrics
- Evaluated independently and transparently before implementation
- Reviewed annually



Connecting Inputs to Outputs

	PERF Initiative: Math Achievement	PERF Initiative: Secondary E ducator Literacy	PERF Initiative: Attendance for Success	PERF Initiative: Innovative Staffing Models	PERF Initiative: Supports for Unhoused Students
PED Goal I: Accelerate Literacy Achievement		✓		✓	
PED Goal II: Accelerate Mathematics Achievement	✓			✓	
PED Goal III: Improve Student Attendance			✓		✓
PED Goal IV: Increase Graduation Rates					✓
PED Goal V: Foster Shared Accountability	✓	✓	✓	✓	✓

Contact Information



Sunny Liu
Fiscal Analyst
Legislative Finance Committee
Sunny.liu@nmlegis.gov
(505) 986-4572

Rachel Mabe
Fiscal Analyst
Legislative Finance Committee
Rachel.mabe@nmlegis.gov
(505) 986-4572
