

A MEMORIAL

REQUESTING THAT THE PUBLIC EDUCATION DEPARTMENT AUDIT  
BILINGUAL EDUCATION PROGRAMS IN PUBLIC SCHOOLS.

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WHEREAS, over the last three fiscal years, while state bilingual education program funding has increased three percent overall, bilingual education program funding for each student has decreased nine percent; and

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WHEREAS, over the last three fiscal years, while the number of students whose home language is not English has increased twenty percent, the number of students classified as having limited English proficiency has decreased four percent; and

WHEREAS, during the 2001-2002 school year, New Mexico served approximately twenty percent of its statewide student population through limited English proficiency services, and the only state serving a higher percentage of limited English proficiency students was California, which serves approximately twenty-five percent of its statewide student population through those services; and

WHEREAS, the state's bilingual education program goal is to develop a student's literacy skills in both English and the home language; and

WHEREAS, New Mexico is not currently funding its bilingual education program according to the mandates of the Bilingual Multicultural Education Act, which requires that the state fund programs for students in kindergarten through third grade for whom there is an identifiable need to improve language capabilities before funding those programs at higher grade levels; and

WHEREAS, expenditure data reported to the public education department by school districts is insufficient to determine the cost of bilingual education and does not show how much of the state equalization guarantee funding is actually spent on the program; and

WHEREAS, according to the 2004 legislative finance committee audit of bilingual education, school districts do not fully understand how to properly assess, place and monitor students in bilingual education programs so that the students may become academically successful; and

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WHEREAS, bilingual program participation is inaccurately reported by school districts, including that:

- A. ten percent of students reported as enrolled were not enrolled;
- B. five percent of students reported as not enrolled were enrolled;
- C. nineteen percent of assessment dates were incorrect;
- D. nine percent of students were incorrectly characterized as limited English proficient students;
- E. nine percent of students were incorrectly characterized as fluent English proficient students who have a primary language other than English but are able to speak, read, write and understand English at levels comparable to their grade-level English proficient peers; and
- F. sixteen percent of assessment dates were not reported; and

WHEREAS, inaccurate reporting on students in bilingual programming has a direct impact on state and federal funding;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the public education department be requested to conduct audits of all public schools with bilingual programs; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the secretary of public education, the state director of bilingual and multicultural education, the New Mexico office of Indian affairs and the interim legislative Indian affairs committee.