

HOUSE BILL 52

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

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

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

.218361.4AIC February 4, 2021 (10:12am)

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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 HEC→,←HEC HEC→and←HEC department staff HEC→and the governor←HEC on the effective implementation of the Bilingual Multicultural Education Act and the support of all bilingual multicultural education students, including bilingual learners and English language learners, to have equitable access to instruction and learning as required by state and federal education and civil rights laws. The secretary and department staff shall provide biannual reports to the council regarding progress on yearly advisements.

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

(1) HEC→three←HEC HEC→five←HEC members appointed or designated by the Indian nations, tribes and pueblos HEC→they represent←HEC HEC→to include one member each from the Navajo Nation, the Mescalero Apache Tribe, the

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Jicarilla Apache Nation, the southern pueblos and the northern pueblos ←HEC ;

(2) HEC→~~nine~~←HEC HEC→~~eight~~←HEC members who represent pre-kindergarten through twelfth grade teachers, principals, superintendents, other education administrators and higher education faculty who are from different geographical areas of the state and at least one of whom has a special education background; and

(3) HEC→~~three~~←HEC HEC→~~two~~←HEC parents ~~of bilingual students, including one parent of an American Indian student and one parent of a Hispanic student,~~ ←HEC whose students are enrolled in bilingual multicultural education programs.

C. The department shall appoint HEC→~~the~~←HEC council members HEC→~~noted in Paragraphs (2) and (3) of Subsection B of this section~~←HEC from a list generated and approved by both the department and the HEC→~~existing ad hoc~~←HEC bilingual multicultural education advisory council co-chairs that is representative of various stakeholder groups.

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

E. HEC→~~Members~~←HEC HEC→~~New members~~←HEC of the council shall begin to serve their appointments on July 1, 2021

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for a term of three years. HEC→Members who are currently  
serving their appointments prior to the effective date of this  
2021 act shall continue to serve through the remainder of their  
appointed term.←HEC All council members may serve two  
consecutive terms, and co-chairs may serve one additional year  
to assist with transition.

F. The council shall:

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

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

(a) strengthen the quality and  
effectiveness of bilingual multicultural education programs;

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

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

(d) recruit, develop and train effective

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bilingual multicultural education teachers and teachers of bilingual learners and English language learners;

(e) identify professional development best suited and appropriate for the languages being taught to support teachers, educational assistants and other licensed employees to work effectively with bilingual multicultural education program students, including bilingual learners and English language learners;

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

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

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

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(i) support bilingual learners and English language learners to achieve programmatic goals, including academic achievement in two languages and bilingual biliteracy growth as demonstrated and measured by language and literacy assessments in English and the home or heritage language, and with regard to tribal languages, language-appropriate programmatic goals with progress determined in accordance with tribal priorities and sovereignty.

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

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

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

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

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

~~[B.]~~ C. "culturally and linguistically different" means students who are of a different cultural background than mainstream United States culture and whose home or heritage

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language, inherited from the student's family, tribe or country of origin, is a language other than English;

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

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

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

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

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