HOUSE BILL 116

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING THE BILINGUAL
MULTICULTURAL EDUCATION ACT; REQUIRING ELIGIBLE PROGRAMS TO USE
A HOME OR HERITAGE LANGUAGE AS THE PRIMARY MEDIUM OF
INSTRUCTION OR TO USE A LANGUAGE REVITALIZATION INSTRUCTION
MODEL APPROVED BY THE PUBLIC EDUCATION DEPARTMENT; MAKING
CONFORMING AMENDMENTS.

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

SECTION 1. Section 22-23-6 NMSA 1978 (being Laws 1973,
Chapter 285, Section 6, as amended) is amended to read:

"22-23-6. BILINGUAL MULTICULTURAL EDUCATION PROGRAMS--
ELIGIBILITY FOR STATE FINANCIAL SUPPORT.--[A.] To be eligible
for state financial support, [each] a bilingual multicultural
education program shall be approved by the department and
shall:

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1   [(1)] A. provide for the educational needs of

2 [linguistically and] culturally and linguistically different

3 students [including Native American children and other students

4 who may wish to participate] and other bilingual learners in

5 [grades] kindergarten through [twelve, with] twelfth grade;

6 provided that the department shall give priority [to be given]

7 to programs [in grades] for culturally and linguistically

8 different students in kindergarten through [three, in a

9 district;

10   (2) fund programs for culturally and

11 linguistically different students in the state in grades

12 kindergarten through three for which there is an identifiable

13 need to improve the language capabilities of both English and

14 the home language of these students before funding programs at

15 higher grade levels;

16   (3) use two languages as mediums of

17 instruction for any part or all of the curriculum of the grade

18 levels within the program] third grade who have an identifiable

19 need to improve development of English and a home or heritage

20 language;

21   B. use:

22   (1) a home or heritage language as the primary

23 medium of instruction for part or all of the curriculum in each

24 grade included in the program; or

25   (2) a language revitalization instruction

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model, which shall be a department-approved strategic framework
to revive and strengthen a heritage language that is at risk of
falling out of use;

[(4)] C. use teachers or other personnel who [have
specialized] specialize in elementary or secondary education
and [who have received specialized training] in bilingual
education [conducted through the use of two languages. These
teachers or other trained personnel] who shall administer
language proficiency assessments in both English and [in] the
home or heritage language until proficiency in each language is
achieved;

[(5) emphasize] D. include instruction on the
history and cultures associated with the [students'] home or
heritage language used in the program;

[(6)] E. establish a parent advisory committee that
is representative of the language and culture of the students,
to assist and advise in the development, implementation and
evaluation of the [bilingual multicultural education] program;
and

[(7) provide] F. include procedures to [ensure
that parental notification is given annually prior to bilingual
multicultural education program placement.

B. Each bilingual multicultural education program
shall meet each requirement of Subsection A of this section and
be approved by the department to be eligible for state

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financial support] provide parents with adequate notice of the

parents' ability to place students in the program."

- 4 -

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