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HOUSE BILL 541

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO PUBLIC EDUCATION; ESTABLISHING A SEAL TO DENOTE
PROFICIENCY IN TWO OR MORE LANGUAGES; CREATING THE BILINGUAL
EDUCATION ADVISORY COUNCIL.

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] SEAL OF BILINGUAL PROFICIENCY.--

A. The department shall, with the advice and
consent of the bilingual education advisory council, establish
a statewide seal of bilingual proficiency. The seal shall
serve as a capstone on a high school diploma or general
equivalency degree of a student who meets the bilingual and
biliteracy standards set by the bilingual education advisory
council. A school district, charter school or other school may

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1 provide a graduating student with the opportunity to
2 demonstrate proficiency in understanding, speaking, reading and
3 writing two or more languages to earn the seal.

4 B. The bilingual education advisory council and the
5 department shall consult and collaborate with an Indian nation,
6 tribe or pueblo to develop an appropriate recognition to honor
7 and designate proficiency in the native language of that Indian
8 nation, tribe or pueblo."

9 SECTION 2. A new section of the Bilingual Multicultural
10 Education Act is enacted to read:

11 "[NEW MATERIAL] BILINGUAL EDUCATION ADVISORY COUNCIL--
12 CREATED--DUTIES.--

13 A. The "bilingual education advisory council" is
14 created and shall advise the department on the implementation
15 of the provisions of the Bilingual Multicultural Education Act
16 and on all matters related to the education of linguistically
17 and culturally diverse students. The council shall consist of
18 twelve members proficient in one or more languages other than
19 English with at least:

20 (1) two representatives from Indian nations,
21 tribes or pueblos;

22 (2) one representative who is a parent; and

23 (3) nine representatives who are from
24 different geographical areas of New Mexico and different
25 education areas, such as institutions of higher education,

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1 local education agencies, charter schools and tribal schools,
2 one of whom is an expert in English as a second language
3 instruction.

4 B. The initial members of the council shall be
5 appointed by a committee consisting of the director of the
6 bilingual multicultural education bureau of the department, two
7 members appointed by the director who are also members of the
8 Indian education advisory council and two members appointed by
9 the director who are also members of the Hispanic education
10 advisory council; thereafter the secretary shall appoint the
11 members of the council.

12 C. The initial members shall draw lots to determine
13 which four members shall serve one-year terms, two-year terms
14 and three-year terms; thereafter, each member of the council
15 shall serve a three-year term. Terms shall be staggered so
16 that the term of no more than four members expires in one year.

17 D. A majority of the members of the council
18 constitutes a quorum. The council shall elect a chair from its
19 membership.

20 E. Members of the council are entitled to receive
21 per diem and mileage as provided for nonsalaried public
22 officers in the Per Diem and Mileage Act for five meetings per
23 year.

24 F. The council shall:

25 (1) meet quarterly;

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1 (2) hold an annual meeting with members of the
2 Hispanic education advisory council and the Indian education
3 advisory council to exchange information, collaborate on joint
4 initiatives and discuss and plan for future needs of
5 linguistically and culturally diverse students;

6 (3) develop the criteria and process for
7 awarding the seal of bilingual proficiency;

8 (4) advise the department on:

9 (a) the development, implementation and
10 evaluation of bilingual multicultural education programs; and

11 (b) policy issues related to the
12 education of linguistically and culturally diverse students;

13 (5) recommend, assist and advise in the
14 development of new education initiatives by the department;

15 (6) provide a list of names from which the
16 secretary shall appoint new members of the council; and

17 (7) report before the legislative education
18 study committee on the needs and status of linguistically and
19 culturally diverse students."

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