

Delivering on the Promise of Bilingual Education in New Mexico:

*Proposed Changes to 6.32.2 NMAC, Guidelines for
Implementing Bilingual Multicultural Education Programs*

Icela Pelayo, PhD, Director
Bilingual Multicultural Education Bureau
New Mexico Public Education Department



Hanna Skandera
Secretary of Education

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Acronyms

- ALD4ALL = Academic Language Development for All
- BMEP = Bilingual Multicultural Education Program
- EL = English Learner
- ELA = English language Arts
- ELD = English Language Development
- ELL = English Language Learner
- ELP = English Language Proficiency
- ESSA = Every Student Succeeds Act
- NCLB = No Child Left Behind
- OCR = Office for Civil Rights (w/in the US Department of Education)
- SBAC = State Bilingual Advisory Council
- SLA = Spanish Language Arts
- SLD = Spanish Language Development

22-23-1.1B NMSA, 2004

Bilingual Multicultural Education Act

Program Goals:

- (1) Become bilingual and biliterate in English and second language**, including Spanish, a Native American language, where a written form exists and there is tribal approval, or another language; and
- (2) Meet state academic content standards and benchmarks in all subject areas**

Creating Positive Change for Students Together: Responding To Stakeholder Input Over Time

- State Bilingual Advisory Committee reinstated (2013)
- Academic Language Development for All project (2013)
- Updated English Language Development (ELD) Standards (2014)
- State Seal of Bilingualism & Biliteracy (2014), Taskforce, rule development, and implementation (2015)
- Statewide EL identification process (2014) and New Mexico Language Usage Survey (2016)
- NMTEACH Classroom Observation Rubric enhanced to include ELD Standards and effective instructional strategies for ELs (2015)
- Targeted technical assistance based on data-driven program monitoring (2015), including revised guidance and redesigned website and tools
- Taskforce - Spanish language arts (SLA) and Spanish language development (SLD) standards (2017)
- Sample K-12 SLA curriculum (2017)

Purpose of Proposed Rulemaking on BMEP Guidelines, 6.32.2 NMAC

- Direct focus back to students the statute and regulation intend to serve
- Strengthen supports for Native American students and English Learners
- Align program evaluation with statutory program goals:
 - 1) Bilingualism and biliteracy
 - 2) Meet academic standards & benchmarks in all subject areas

Why Now: Every Student Succeeds Act (ESSA) and English Language Proficiency (ELP)

- Set up bilingual multicultural education programs (BMEPs) for success to effectively serve ELs
- Clarify language to strengthen implementation of BMEPs
- Ensure BMEPs meet federal Office for Civil Rights (OCR) expectations for serving ELs
- Address ELP in school accountability for ESSA
 - Remove obsolete language related to the 2001 No Child Left Behind Act (NCLB)

What Concerns Do the Proposed Rule Changes Address?

We are hearing...

1. Lack of community input from Tribes or families
2. ELs not receiving dedicated ELD instruction
3. Lack of home or heritage language instruction
4. Confusion about program models
5. Current program accountability only for ELs

What Does the Proposed Rule Do?

Clarify Rule to Better Support Bilingual Programs

1. Respects Tribal sovereignty and empower parent voice
2. Strengthens supports for English Learners
3. Protects time for students to receive dedicated instruction in their home or heritage language
4. Streamlines BMEP models
5. Aligns BMEP goals and evaluation

Respect Tribal Sovereignty and Empower Parent Voice

Include explicit requirement for districts to:

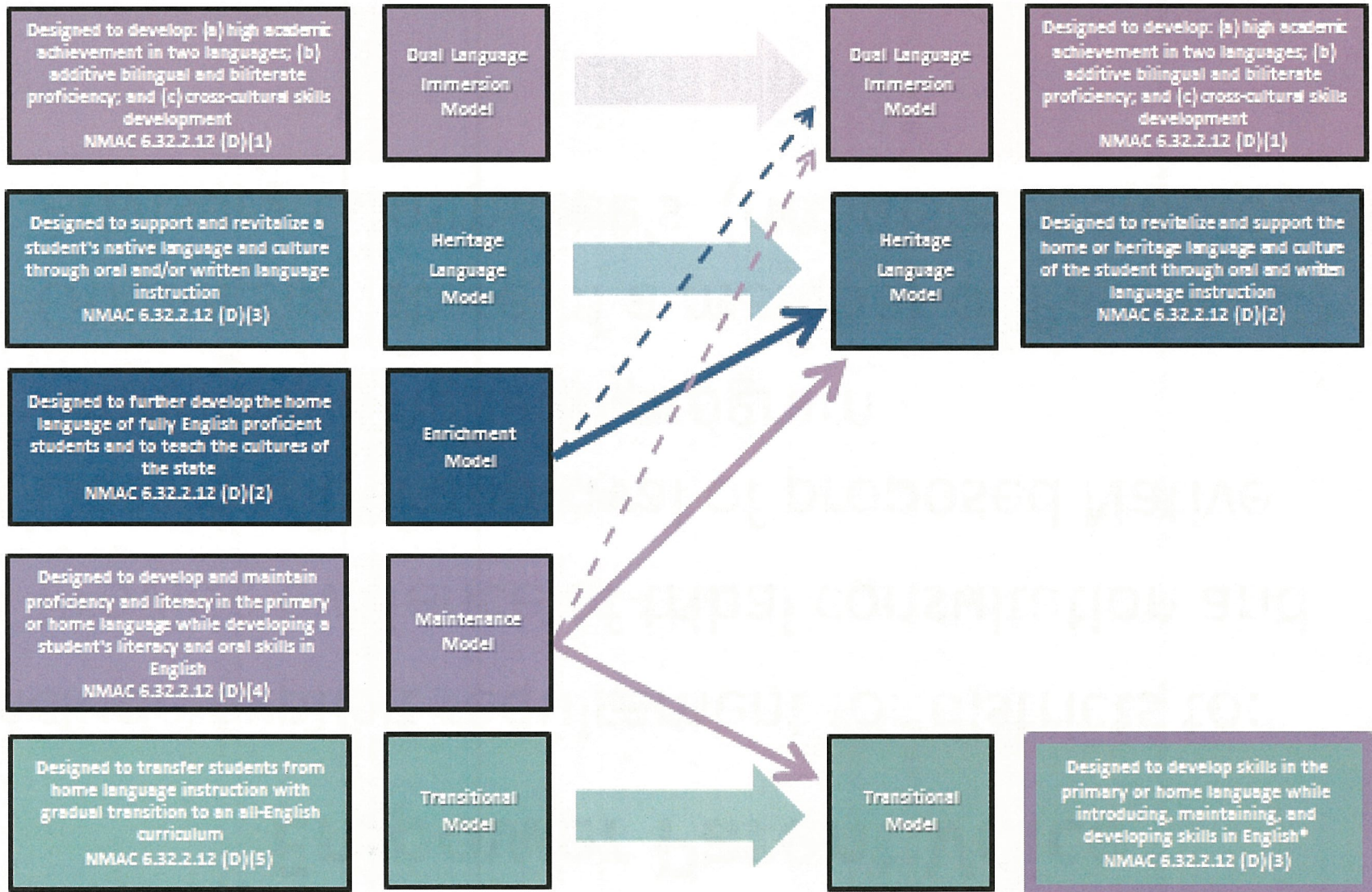
- Provide evidence of tribal consultation and
- Obtain tribal approval of proposed Native American language program
- Obtain signature of a member of Parent Advisory Committee's (not district employee)

6.32.2.12 NMAC Bilingual Multicultural Education Program Models

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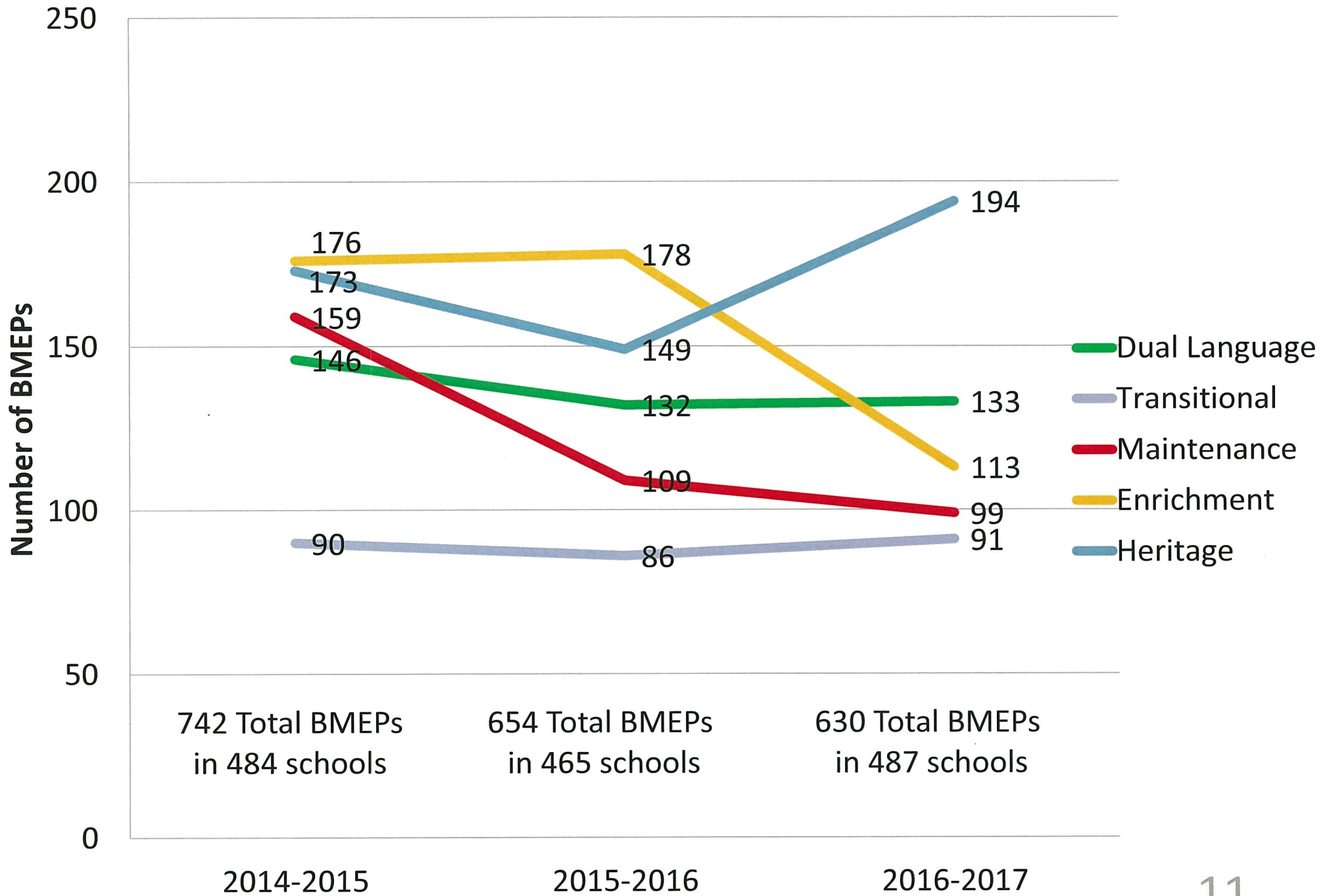
6.32.2 NMAC Guidelines for BMEPs 2005

6.32.2 NMAC Guidelines for BMEPs 2018



- Eligible program currently using model may be moved to model in 2018 without program disruption
- - - - -> Eligible program currently using model may be moved to model in 2018 with increase in program intensity (time allotted)
- * Definition has been updated to better serve English Learners

Change in Number of BMEPs by Model, Three School Years



Statewide Snapshot: Students in Bilingual Multicultural Education Programs

Number and Percentage of Students in BMEPs by Program Model

Total Students	Dual Language	Heritage	Transitional	Maintenance	Enrichment
49,458	17,928	16,151	2,630	2,657	10,092
100%	36.3%	32.7%	5.3%	5.3%	20.4%

Number and Percentage of Students in BMEPs by Program Intensity (Number of Hours)

Total Students	1 Hour	2 Hour	3 Hour
49,458	19,321	10,321	19,816
100%	39%	21%	40%

Total Number of Students By Model and Percentage of Students by Program Model by Program Intensity

Models	Dual Language	Heritage	Transitional	Maintenance	Enrichment
Students per model	17,928	16,151	2,630	2,657	10,092
1 hour		70%			79%
2 hours		27%	57%	82%	21%
3 hours	100%	3%	43%	18%	

Shaded box = not an allowable configuration

BMEP Streamlining: Impact on Funding

- BMEP funding is generated by student membership and program intensity (number of hours), not the program model itself.
- No anticipated fiscal impact for eligible students, which can continue to be served in remaining models.
- Limitations on funding new programs at the 40th day starting next school year could impact BMEP funding.

Strengthen Support for English Learners

- OCR requires that ELs be provided support “above and beyond” English language arts
 - A program that ensure English Learners:
 - 1) Attain **English Language proficiency**
 - 2) Have access to the **academic content**
- Ensure BMEPs are compliant with federal guidelines for serving ELs
 - Ensure ELs in BMEPs receive required language support
 - Explicitly require a dedicated block of English language development instruction designed to ensure English language proficiency is achieved

Align program goals and evaluation

Parents and stakeholders deserve to know:

- Whether or not districts are delivering on the promise that students:
 - become bilingual/biliterate
 - succeed academically in all subject areas
 - English Learners achieve English language proficiency
- How the funding generated by students in BMEPs is being used to support them

Stakeholder Engagement and Input

- State Bilingual Advisory Council (SBAC) Meeting, December 2016.
- Recorded webinar and online survey link for feedback disseminated to SBAC members, District BME and Title III Directors, and Indian Education Directors in December 2016.
- BME Director's Stakeholder Engagement Session on BME regulation, January 2017.
- Regional Professional Learning Sessions for District BME and Title III Directors, March 2017.
- Indian Education Advisory Council (IEAC) meeting, April 2017.

What's Next: Continued Stakeholder Engagement and Expected Changes

- Provide stakeholders opportunities for input and feedback for another draft of the proposed rule
- **Public Hearing: August 9, 2017**
- Engage stakeholders in development of implementation plan to address expected changes
 - District BME Program Directors
 - School Leaders, Teachers, and Parents
 - Tribes, Nations, and Pueblos
 - Partner Organizations

Tribal Consultation and Stakeholder Engagement

Entity	Date
Pueblo of Pojoaque	June 2, 2017
New Mexico Association for Bilingual Education (NMABE) Board	June 9, 2017
Dual Language Education New Mexico (DLeNM) Board	June 9, 2017
Hispanic Education Advisory Council (HEAC)	June 19, 2017
Navajo Nation	June 29, 2017
Pueblo of Mescalero Apache	July 6, 2017
Indian Education Advisory Council (IEAC)	July 20, 2017*
All Pueblo Council of Governors	July 21, 2017*
Pueblo of Jicarilla Apache	TBD
State Bilingual Advisory Council (SBAC)	TBD
Bilingual Multicultural Education Directors	TBD