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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 2nd Session, 2020

Bill Number	<u>HM12/aHEC</u>	Sponsor	<u>Garratt</u>
Tracking Number	<u>.216328.1</u>	Committee Referrals	<u>HEC</u>
Short Title	<u>Cultural Diversity & Bilingual School Pgms</u>		
Analyst	<u>Waite</u>	Original Date	<u>1/24/2020</u>
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BILL SUMMARY

Synopsis of HEC Amendment

The House Education Committee Amendment to House Memorial 12 (HM12/aHEC) adds a date by which the working group is requested to make its report to the LESC.

Synopsis of Memorial

House Memorial 12 (HM12) requests the secretary of the Public Education Department (PED) to convene a working group to share best practices for implementing bilingual and multicultural programs. The working group will consist of members from magnet, charter, and traditional public schools and educational organizations that support cultural diversity and bilingual education. The working group would be requested to make a report of its findings and recommendations to the LESC.

FISCAL IMPACT.

Legislative memorials do not carry appropriations.

SUBSTANTIVE ISSUES

Targeted Bilingual and Multicultural Education Programs. Bilingual and multicultural education programs represent a strategy to implement culturally and linguistically responsive instruction for Native American students and English learners, programs the court found in the consolidated *Martinez* and *Yazzie* lawsuit to be inadequate. Increasing access to high-quality bilingual and multicultural education programs could help the state meet the cultural and linguistic needs of English learners and narrow an achievement gap that has widened since FY15.

For FY20, the Legislature appropriated an additional \$7 million to the public school funding formula to expand access to bilingual and multicultural education programs. PED reports 23 schools applied to start new bilingual or multicultural education programs, although six schools

that had an existing program did not reapply. Fewer students participated in FY20 despite the \$7 million investment to increase slots.

The state Bilingual Multicultural Education Act (BMEA) requires research-based bilingual and multicultural education programs to be fully implemented, including professional development for teachers and instruction and assessment for students. Because key components of the BMEA are not fully implemented by school districts and monitored by PED, students across the state encounter inconsistent bilingual and multicultural learning experiences. PED notes the department is increasing monitoring and improving technical assistance for school districts and charter schools to ensure proper implementation of bilingual and multicultural education programs. The department adopted rule changes to increase bilingual and multicultural education program accountability to ensure academic language proficiency in English and a second language for all student participants.

Bilingual Multicultural Education Definition. New Mexico's BMEA defines "bilingual multicultural education program" as a program using two languages, including English and the home or heritage language, as a medium of instruction in the teaching and learning process.

Bilingual Programs in New Mexico. As outlined in Section 22-1-9.1 of NMSA, the state of New Mexico confers a seal of bilingualism-biliteracy on a high school diploma based on rigorous criteria. HM12/aHEC identifies programs that may serve as bilingual multicultural education models, including 63 dual-language traditional and magnet schools in Albuquerque, five Albuquerque charter schools, and the Indigenous Language Institute at Santa Fe Indian School. The memorial also cites 266 Albuquerque public high school students who earned the bilingual-biliteracy seal in 2019 as evidence that there are high-quality programs and educators from which PED and other educators can learn.

Analysis from the New Mexico Indian Affairs Department (IAD) states that rebuilding New Mexico's education has been a priority of the 23 tribes, nations, and pueblos in the state. The Public Education Department's Indian Education Division and the Indian Education Advisory Council study have studied best practices from school districts that have a high population of students who practice their culture and speak their heritage language. Among these schools are: Central Consolidated School District, Dulce Public School District, Native American Community Academy, Bernalillo Public School District, Grants Cibola County Schools and Pojoaque School District. IAD cites findings from a 2010 report, *Indian Education in New Mexico, 2025*. This report included findings and recommendations from local Indigenous educators. The qualitative study was organized into seven best practices (theme-base) from their focus group findings, as follows:

- *Accountability - offer professional development opportunities to improve knowledge and appreciation of the local community's historical, cultural, and social context.*
- *School Climate - involve the tribal community to participate and be proactive in the long-range design and development of facilities to serve their students and the community.*
- *Successful Relationships - teachers make an effort to learn about the community and the social conditions that affect their student's lives.*
- *Vision - developing proactive and reciprocal relationships between administrators and tribal leadership in a manner that advances the future goals and needs of the community*
- *Pedagogy – teachers to use holistic practice to student learning and prepare visual/hands-on materials.*
- *Curriculum – students stated they did not learn from worksheets from textbooks when they were in Navajo Language classes, therefore the teaching methods to engage students with*

relevant materials through hands-on, and group work.

- Language – *parents and students are supportive of their heritage language taught within their school districts. It helps to have a school administrator who is from the community to bridge communities' language to teachers.*

Communities of Practice. HM12/aHEC would provide a space for educators to share and network, possibly generating a community of practice around bilingual and multicultural education. Communities of practice are groups of people who share a concern or a passion for something they do and learn how to do it better as they interact regularly. It can also be defined as a process of social learning that occurs when people who have a common interest in a subject or area collaborate over an extended period of time, sharing ideas and strategies, determine solutions, and build innovations. Learning can be an incidental outcome that accompanies these social processes. Research demonstrates that communities of practice help educators by reducing isolation, as well as expanding teaching capabilities.

Bilingual Education in the United States. According to the Association for Supervision and Curriculum Development (ASCD), bilingual education can generally be organized into four main goals: cognitive development, affective development, linguistic growth, and cultural enrichment. Cognitive development objectives stress the importance of learning concepts, knowledge or skills in a dominant language and reinforcing them in the second language. Affective development refers to the emotional/relational growth of students. Linguistic growth focuses on language proficiency and the rules underpinning language itself. Cultural enrichment refers to the growth associated with being able to compare, appreciate and even operate in different cultures. Bilingual education programs differ based on which goal(s) are emphasized.

There are two generalized approaches to bilingual education in the United States. Both of these frame bilingual education as an intervention on behalf of English learners. A “transitional approach” uses the native language and culture of a student only to the extent necessary for the student to acquire English and thus function in the regular – English dominant – school curriculum. The ‘maintenance approach’ to bilingual education tends to promote the value of linguistic and cultural diversity. In this model, students are encouraged to become literate in their native language and English, and to develop bilingual skills in school and throughout their lives. The transitional approach is generally supported by state and federal legislation, but many individual districts or schools throughout the United States go beyond the law to implement maintenance programs for language-minority students.

RELATED BILLS

Relates to HB87, Bilingual Multicultural Advisory Council, which creates the "state bilingual multicultural advisory council" to advise the secretary, department staff, the governor and the legislature through its interim and standing committees on the effective implementation of the Bilingual Multicultural Education Act and the support of all English language learners to have equitable access to instruction and learning as required by state and federal education and civil rights laws.

Relates to HB 135, Native Language Educational Units, which provides native language education program units.

Relates to HB153, Bilingual Multicultural Educational Program, which raises the bilingual multicultural educational program units and makes an appropriation.

Relates to HB199, Study Biliteracy Frameworks, which creates a biliteracy framework working group to study successful national and state-wide biliteracy models.

Relates to SB98, Bilingual Teacher Scholarship Act, which creates a new scholarship for teachers and makes an appropriation for the purposes of implementing the Bilingual Multicultural Education Act.

SOURCES OF INFORMATION

- LESC Files
- Indian Affairs Department (IAD)

JLW/tb/mc/sgs