

Dr. Rebecca Blum Martinez
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February 1, 2026

Honorable Judge Matthew J. Wilson
First Judicial District Court of NM
225 Montezuma Ave
Santa Fe, NM 87501
RE: Martinez v. State of New Mexico: No. D-101-CV-2014-00793
Yazzie v. State of New Mexico: No. D-101-CV-2014-02224

Dear Judge Wilson,

My name is Rebecca Blum Martinez. I am professor emerita at the University of New Mexico.

In 2017, I provided expert trial testimony on the needs of Native American English Learners; the significance of bilingual education and language learning needs for Native American EL students; and the failures by the State of New Mexico to enforce state and federal ELL provisions for Native American EL students, resulting in their poor academic outcomes and language acquisition scores. I have reviewed the PED Action Plan (dated Nov 3, 2025). Based on my review, the Action Plan does not address the needs of Native American English Learners, nor does it include plans for how EL students will receive access to adequate English Language instruction or curriculum or bilingual instruction in their heritage languages. Below I address some of the aspects of PED's deficient plan.

High quality instructional materials.

The PED does not have the expertise to provide guidance or professional development to educators in the development of high-quality materials. At best, they can provide information about the standards. They do not have the knowledge nor have they ever shown any interest in developing materials that speak to the experiences and backgrounds of Native American students. Further, HQIM materials should provide linguistic supports and practice in reading and writing more advanced literary and informational texts. The New Mexico Literacy Center recently created focuses on basic literacy skills and ignores the kinds of literacy practices the students of New Mexico need, namely access and practice in advanced literacy with a focus on comprehensions.

The PED plan calls out expert partners that will help them provide guidance and professional development. The criteria for selection of these expert partners is not mentioned. Presently, one of the expert partners working with the PED lacks knowledge about language development in bilingual students, particularly those from indigenous communities. Who will decide on the criteria for these experts?

Multilingual/Multicultural Education

There is little mentioned in this plan to address the needs of indigenous communities and their language retention/revitalization efforts. This demonstrates the lack of knowledge in the PED about the linguistic needs of indigenous students. A resource library located and selected by the PED does little to assist the many communities that are in need of more resources.

There are experts in the New Mexico's state universities that provide guidance to Native American communities in the development of materials, especially for those that are oral-based. Why are those university experts not mentioned in the plan, and again, what are the criteria for calling on experts and community leaders?

The lack of any details and the lack of expertise in the PED should worry everyone concerned about the future of New Mexico students.

Sincerely,

/s/ Rebecca Blum Martinez