

FINAL NMPED Martinez/Yazzie Action Plan Analysis

The Final NMPED Martinez-Yazzie Action Plan included additional information, such as key insights from community members, a glossary, and an appendix with methods/methodology. Overall, the final Martinez-Yazzie Action Plan falls short of providing a comprehensive plan that addresses the diverse learning needs of the student groups named in the lawsuit.

Additional Concerns Regarding the NMPED Martinez-Yazzie Final Action Plan

The Final Action Plan acknowledges stakeholder demands for a complete overhaul of curricula to replace the "one-size-fits-all" model with learning environments that reflect student diverse learning needs and local communities. However, the plan fails to meet this fundamental demand. The initiatives it outlines are predominantly built upon frameworks from 2019, which perpetuate the very standardized approach the stakeholders criticized. This approach does not account for the diverse cultural and linguistic backgrounds of New Mexico's student population.

Specific concerns include:

1. **Lack of Evidence-Based Justification:** The plan provides no data demonstrating how the previously implemented (2019) initiatives have contributed to the academic success of the four student groups identified in the Martinez-Yazzie lawsuit. Without this evidence, it is unclear why these same approaches form the foundation of the new plan.
2. **Monocultural and Monolingual Assumptions:** The proposed initiatives appear designed for a monolithic, monolingual student body. While the plan nominally acknowledges diversity by listing student groups and promising continued consultation with tribes, pueblos, and communities, these elements feel like an afterthought rather than a foundational principle integrated into each initiative.
3. **Punitive and Coercive Language:** The plan's tone is concerningly punitive, particularly in its threat to withhold funding and program accreditation from teacher preparation programs that fail to integrate structured literacy. This coercive approach prioritizes compliance over genuine, meaningful collaboration and capacity-building, which are essential for sustainable educational improvement.
4. **Inadequate Citations:** The citations section is insufficient, spanning only a page and a half and lacking references that specifically address the cultural, linguistic, and educational needs of the student groups central to the Martinez-Yazzie case.

In summary, the Final Martinez-Yazzie Action Plan does not represent the demanded overhaul but instead reinforces a standardized system, using superficial nods to diversity without a substantive, evidence-based strategy for serving all students.

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What follows are recommendations for expanding, developing, implementing, and funding critical needs, goals, and actions in the final action plan are provided for ELs and Bi-Multilingual learners to help them reach their full potential.

NMPED Critical Need 1-Goal 1.1: Districts and schools statewide provide culturally and linguistically responsive education through culturally relevant curricula, instructional programs, and student assessment from preschool through secondary school.
Literacy Learning Preparation for Educators (pages 24-25)

Biliteracy Development Training Program (2026-2028)

Program Goal: To equip K-5 educators with the expertise to effectively implement biliteracy programs in English, Spanish, and Indigenous languages, in alignment with the Bilingual Multilingual Education Act (BMEA), Indian Education Act (IEA) and New Mexico Public Education Department (NMPED) rules.

Key Learning Objectives:

- Understand the developmental pathways of biliteracy across multiple languages.
- Design instruction that integrates metalinguistic awareness and translanguaging strategies.
- Embed Spanish and Indigenous literacy within the science of reading using a "both/and" pedagogical approach.
- Foster strong home-school partnerships to bolster bilingual identity and community engagement.

Implementation Plan & Budget

Phase & Focus	Target Audience & Key Activities	Budget
Year 1 (2026): Foundation Establishing core principles and practices for Spanish and Indigenous literacy.	125 PreK-2 teachers. Training and virtual coaching.	\$1,645,600
Year 2 (2027): Expansion Deepening cross-linguistic comprehension and strategy transfer.	250 teachers (expansion to Grade 3). Advanced training and coaching.	\$2,454,100
Year 3 (2028): Sustainability Scaling for long-term, statewide impact.	500 teachers (expansion to Grade 5). Statewide coaching and train-the-trainer models.	\$3,906,100
Total Program Budget (3 Years)	Funding Supports: Program Administration, Curriculum Development, Professional Development, Technology Infrastructure, Program Evaluation, and Outreach.	\$8,005,800

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NMPED Goal 1.1: Access to High-Quality Culturally Relevant Assessment (pages 36-37.)

Equitable Assessment for Multilingual Learners: A Formative Framework

With approximately 70% of our students from culturally and linguistically diverse (CLD) backgrounds, the imperative for high-quality, equitable assessments is clear. Moving beyond monolingual paradigms is essential to accurately capture student knowledge and drive instructional equity.

Core Strategies for Equitable Assessment:

1. **Implement a Transliteracy Assessment Framework:** Shift from assessing languages in isolation to adopting frameworks that honor how students dynamically use their full linguistic repertoire to make meaning, as championed by scholars like Dr. Allison Briceño.
2. **Develop Biographic Biliteracy Profiles:** Utilize qualitative, student-centered measures—such as those developed by Dr. Bobbie Kabuto—to document the literacy journeys of diverse learners. This approach captures strengths and growth that are often invisible to traditional, deficit-focused assessments.

Outcome: By integrating these innovative approaches, the state will ensure its assessment systems are not only culturally responsive in content but also fundamentally linguistically inclusive in design. This provides a valid, holistic, and asset-based picture of what every student knows and can do.

Implementation Plan & Budget

Phase & Focus	Target Audience & Key Activities	Budget
Year 1 (2026): Foundation & Piloting Establishing core principles and piloting transliteracy and biographic profile tools.	125 PreK-2 Teachers Introductory training, virtual coaching, and toolkit development.	\$500,000
Year 2 (2027): Expansion & Deepening Scaling practices and deepening analysis of cross-linguistic student data.	250 Teachers (Expansion to Grade 3) Advanced training, coaching cycles, and community of practice launch.	\$1,000,000
Year 3 (2028): Systemic Sustainability Embedding practices system-wide and building internal capacity.	500 Teachers (Expansion to Grade 4) Statewide coaching, train-the-trainer programs, and resource refinement.	\$1,500,000
Total Program Budget (3 Years)	Funding Supports: Program Administration, Professional Development, Technology Infrastructure, Program Evaluation, and Outreach.	\$3,000,000

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NMPED Goal 2.1: New Mexico has highly effective teachers, administrators, and support professionals who serve students with disabilities, English Learners, Native American students and economically disadvantaged students.

Improved Educator Recruitment and Retention (pages 74-81)

NMPED Goal 2.2: All schools serving students with disabilities, English Learners, Native American students and economically disadvantaged students have enough teachers certified in bilingual education and special education, and all teacher are trained to support English Learners and students with disabilities.

Improved Teacher Preparation (page 85)

Analysis of Current PED Pathways & Strategic Recommendation

Current State Analysis:

The New Mexico Public Education Department (PED) has identified valuable pathways such as Educators Fellows and Educator Rising, alongside legislative efforts like HB157 (2025) for administrator licensure. The stated intent to partner with Institutes of Higher Education (IHEs) and Tribal entities to recruit Hispanic and Native American students is a positive step.

However, the current plan lacks a detailed, actionable roadmap with defined short- and long-term steps. To ensure the success of these initiatives, the PED should provide greater specificity, particularly regarding:

- **Stakeholder Engagement:** Identifying and collaborating with specific Bilingual and Native American faculty at IHEs who possess the critical expertise to shape effective programs.
- **Leveraging Existing Work:** Building upon the foundation laid by the HED grant with UNM, NMHU, NMSU, and WNMU—the EL/Bilingual Teacher Pipeline Program. This program already has established goals for bilingual educator recruitment and the creation of Educator Rising chapters at IHEs, representing a ready-made platform for expansion.

Proposed Strategic Initiative: A Dedicated Bilingual Teacher Pathway

To address the identified gaps and build a robust, sustainable educator pipeline, we recommend the following actionable, three-year initiative:

Establish a Bachelor's in Bilingual Multicultural Elementary Education (BMEE):

The state should formally support the creation and funding of a dedicated BA/BS degree in Bilingual Multicultural Elementary Education. This program would provide an integrated, coherent preparation pathway, moving beyond the current fragmented model of supplemental endorsements.

We note that a collaborative effort to design a shared BA/BS program, led by Dr. Christine Sims and involving bilingual faculty from UNM, NMSU, WNMU, and NMHU, is already in progress. The state should actively leverage this foundational work to accelerate the establishment of this critical credential, ensuring it is rooted in local expertise and collaborative design.

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Implementation Plan & Budget

Phase & Focus	Target Audience & Key Activities	Budget
Year 1 (2026): Program Finalization & Legislative Action Secure legislative mandate and finalize the shared degree curriculum among partner IHEs.	Bilingual/Native American Faculty at UNM, NMSU, WNMU, NMHU. Finalize the BMEE degree framework, courses, and articulation agreements.	\$400,000
Year 2 (2027): Launch & First Cohort Officially launch the degree program and recruit the inaugural student cohort.	20 Undergraduate Students. Comprehensive support for Cohort 1, including tuition, books, materials, professional development, conference travel, and living stipends.	\$800,000
Year 3 (2028): Expansion & Sustained Support Scale the program by adding a second cohort while continuing support for the first.	40 Total Undergraduate Students (20 new + 20 from Cohort 1). Continued full financial and academic support for all enrolled students.	\$1,600,000
Total Program Budget (3 Years)	Funding Allocation: Direct student support (tuition, stipends), academic resources (books, materials), and professional enrichment (PD, conferences).	\$2,800,000

Policy Proposal: Bilingual Special Education Certificate Program

New Mexico faces a critical shortage of educators equipped to serve the unique needs of students who qualify for both bilingual and special education services. This gap risks the misidentification of multilingual learners and the provision of inadequate, inequitable services. This proposal recommends the establishment of a **Bilingual Special Education Certificate** program. This high-demand credential will empower educators to accurately distinguish between language acquisition and learning disabilities, design effective interventions, and deliver legally mandated services in culturally and linguistically responsive ways. An investment of **\$1.8 million over three years** will fund the certificate's development, pilot, and scaling, directly addressing a vital need for our most vulnerable student populations.

Students at the intersection of bilingual and special education needs represent a uniquely vulnerable population. Without educators specifically trained in this dual specialization, school systems will continue to:

- **Misidentification:** Over-identifying emergent bilingual students for special education due to perceived language "deficits," or under-identifying those with genuine learning disabilities, attributing their challenges solely to language acquisition.
- **Ineffective Intervention:** Providing special education services that are not linguistically accessible or culturally relevant, thereby limiting their efficacy and violating students' rights to a Free Appropriate Public Education (FAPE).

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- **Systemic Inequity:** Perpetuating achievement gaps for diverse learners by failing to provide them with educators who possess the sophisticated skill set their situations require.

The state should partner with its public Institutions of Higher Education (IHEs) bilingual and Special Education faculty to develop and implement a post-baccalaureate or graduate-level Certificate in Bilingual Special Education.

Certificate Focus: This credential will provide educators with advanced, interdisciplinary training in:

- Assessment and distinction between language acquisition processes and learning disabilities.
- Development and implementation of culturally responsive Individualized Education Programs (IEPs) for multilingual learners.
- Instructional strategies and interventions that integrate special education methodologies with bilingual pedagogies (e.g., translanguaging).
- Legal, ethical, and collaborative practices for serving bilingual students with disabilities.

By creating a formal, state-endorsed credential—similar to successful models in states like Texas—New Mexico will create a clear career pathway, incentivize specialization, and systematically build a workforce capable of ensuring equitable outcomes for all students.

Implementation Plan & Budget

Phase & Focus	Key Activities & Outputs	Budget
Year 1 (2026): Curriculum Development & Stakeholder Engagement <i>Design a rigorous, practice-oriented program.</i>	<ul style="list-style-type: none"> • Convene a taskforce of bilingual and special education faculty from state IHEs, practicing experts, and community stakeholders. • Develop and formally approve the certificate curriculum, course sequences, and practicum requirements. 	\$400,000
Year 2 (2027): Pilot Program Launch & First Cohort <i>Launch the certificate with a targeted cohort of educators.</i>	<ul style="list-style-type: none"> • Recruit and enroll the first cohort of 25 bilingual educators into the certificate program. • Provide tuition support, materials, and specialized instructional resources. • Collect formative data on program delivery and participant success. 	\$600,000
Year 3 (2028): Program Expansion & Evaluation <i>Scale the program and institutionalize its impact.</i>	<ul style="list-style-type: none"> • Recruit a second cohort of 25 bilingual educators. • Conduct a comprehensive evaluation of graduate effectiveness and program outcomes. • Finalize processes for ongoing program delivery and integration into IHE offerings. 	\$800,000

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Total Program Budget (3 Years)	Funding Allocation: Curriculum development, stakeholder convenings, faculty stipends, instructional resources, and direct tuition support for 50 educators.	\$1,800,000
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NMPED Goal 2.2: All schools serving students with disabilities, English Learners, Native American students and economically disadvantaged students have enough teachers certified in bilingual education and special education, and all teachers are trained to support English Learners and students with disabilities.

Bilingual Faculty in EPPs (pages 88-89)

New Mexico Bilingual and Heritage Language Faculty Development Initiative

To address this gap and build a sustainable solution a "Grow-Your-Own" pipeline designed to cultivate the next generation of EPP faculty from within the state’s own talent pool.

Initiative Overview: This program will provide comprehensive support for qualified New Mexico educators and scholars to pursue doctoral degrees in Bilingual Education, Heritage Language Instruction, and related fields, with a binding commitment to serve within the state's higher education system upon graduation.

Key Program Components:

- **Award Structure:** A full-ride scholarship covering all tuition, university fees, and an annual living stipend to remove financial barriers for candidates.
- **Service Obligation:** In exchange for funding, recipients (Fellows) will commit to a minimum of five years of service as faculty members within a New Mexico EPP or Institution of Higher Education (IHE).
- **Strategic Impact:** This initiative directly targets the faculty shortage by preparing "homegrown" experts who are not only academically qualified but also deeply invested in the cultural, linguistic, and educational ecosystems of New Mexico, thereby ensuring long-term retention and impact.

This initiative transforms a recognized systemic weakness into a strategic strength. By making a targeted investment in our own bi-multilingual human capital, New Mexico can build a self-sustaining pipeline of highly qualified, culturally and linguistically responsive faculty. This will, in turn, exponentially increase the state’s capacity to prepare the bilingual educators our K-12 students need and deserve, ensuring the long-term success of our biliteracy and educational equity goals.

Implementation Plan & Budget

Phase & Focus	Key Activities & Outputs	Budget
Year 1 (2026): Program Launch & First Cohort <i>Establish framework and recruit inaugural fellows.</i>	<ul style="list-style-type: none"> • Finalize partnerships with NMSU, UNM, NMHU, WNMU and other IHEs. • Select and onboard first cohort of 5 Doctoral Fellows. 	\$750,000

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	<ul style="list-style-type: none"> • Develop mentorship and support structures. 	
<p>Year 2 (2027): Expansion & Ongoing Support <i>Scale the pipeline and support all active fellows.</i></p>	<ul style="list-style-type: none"> • Recruit a second cohort of 5 new Fellows. • Provide continued funding and support for 10 total Fellows (Cohorts 1 & 2). 	\$1,500,000
<p>Year 3 (2028): Sustained Growth & Placement <i>Achieve critical mass and begin faculty placement.</i></p>	<ul style="list-style-type: none"> • Recruit a third cohort of 5 new Fellows. • Support 15 total Fellows across all three cohorts. • Initiate placement of Cohort 1 graduates into EPP/IHE faculty positions. 	\$2,250,000
Total Program Budget (3 Years)	Funding Allocation: Direct support for Fellows (tuition, fees, stipends), program administration, and mentorship coordination.	\$4,500,000

NMPED Objective 2.2.e: Develop a Competitive Salary Structure for EPP teaching staff, to attract, support, and retain high qualified faculty (page 89-90)

Competitive & Equitable Compensation Framework for EPP Bilingual and Heritage Language Faculty

This proposal addresses a critical weakness in New Mexico's educator pipeline: the non-competitive compensation for Bilingual and Heritage Language Educator Preparation Program (EPP) faculty. While the state correctly identifies this as a barrier, the current solution lacks the specificity to address severe shortages in high-demand areas, particularly bilingual and heritage language education. We recommend augmenting the general salary structure with targeted, equity-focused enhancements. This involves conducting a specialized market analysis, formalizing a permanent salary supplement for bilingual expertise, and aligning compensation with the full scope of faculty labor. An investment of **\$2.25 million over three years** will ensure New Mexico can not only recruit but also retain the expert faculty required to prepare the next generation of educators.

Strategic Recommendations for an Equitable Compensation Framework

To transform a generalized objective into a precise and effective tool for talent management, the following enhancements are recommended:

1. **Conduct a Targeted Market Analysis:** Commission a study to specifically analyze national and regional salary data for faculty in Bilingual Education, TESOL, and Heritage Language Instruction. This data will establish market-driven benchmarks to inform competitive base salaries and necessary supplements.
2. **Formalize a "Bilingual Expertise" Supplement:** Institutionalize a permanent, state-funded salary supplement for EPP faculty who hold credentials and actively perform duties in bilingual/heritage language instruction, program development, and student advisement.

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3. **Align Compensation with the Full Scope of Work:** Develop clear, transparent criteria within the compensation structure to quantify and reward the extensive service, mentorship, and community engagement that bilingual faculty provide, ensuring their total compensation reflects their total contribution.

Implementation Plan & Budget

The following budget outlines the costs for the market analysis and the implementation of the bilingual expertise supplement for a target cohort of faculty across New Mexico's public EPPs.

Phase & Focus	Key Activities & Outputs	Budget
Year 1 (2026): Analysis & Framework Design <i>Establish a data-driven foundation for the new structure.</i>	<ul style="list-style-type: none"> • Commission and complete a targeted market analysis for bilingual faculty compensation. • Convene a stakeholder taskforce to design the criteria and implementation plan for the bilingual supplement. 	\$250,000
Year 2 (2027): Pilot Implementation <i>Launch the supplement for an initial cohort.</i>	<ul style="list-style-type: none"> • Implement the "Bilingual Expertise" supplement for a pilot group of 15 high-priority faculty across state EPPs. • Begin collecting data on recruitment and retention impact. 	\$750,000
Year 3 (2028): Full Scale-Up <i>Expand the program to a sustainable level.</i>	<ul style="list-style-type: none"> • Expand the supplement to a total of 30 faculty. • Conduct a formal evaluation to assess the program's effectiveness and make recommendations for permanence. 	\$1,250,000
Total Program Budget (3 Years)	Funding Allocation: Market analysis & program design, and direct salary supplements for faculty.	\$2,250,000