

Dr. Natalie Martinez
P. O. Box 1082
Pagate, NM 87040
505-552-7107
nataliecmz@gmail.com

February 5, 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,

I, Dr. Natalie Martinez, am writing this statement to offer my comments regarding the need for revision of the 2025 NM PED Action Plan in the consolidated case of Martinez v. State of New Mexico: No. D-101-CV-2014-00793 and Yazzie v. State of New Mexico: No. D-101-CV-2014-02224.

Background

I am a long-time K-12 educator in the state of New Mexico and currently serving as an Assistant Professor at New Mexico State University. I am familiar with the facts and the legal outcome in this case, because I provided trial testimony in 2017 on 1) the curricular and instructional material needs of Native American students in New Mexico public schools; and 2) the ongoing failures by the State to ensure that they have access to a culturally relevant curriculum, textbooks, and instructional materials.

Statement of Facts

I have reviewed the November 3, 2025, NMPED Action Plan (Plan). Based on my review, the Plan is severely deficient in meeting the stipulations set forth by the Court. The Plan does not address the needs of Native American 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. There are still significant gaps in the Plan

regarding missing or sparse components to address continued permanent funding and investments to address the deficiencies in adequate education for Native American learners in New Mexico. Additionally, the Plan does not indicate a clear remedy in terms of specific next steps and continued long-term steps toward addressing the issues, nor setting appropriate goals aligned with meaningful metrics.

In my testimony and in current practice, I have found that the State of NM has failed to adopt and approve locally generated, culturally specific and responsive books and instructional materials for public school distribution. Such practices have the potential to impact Native American student wellbeing, school engagement and successful matriculation into higher education and the workforce. Address of these issues is not evident in the Plan.

Equally concerning is the lack of details regarding specific and appropriate Tribal collaboration among New Mexico's departments and agencies in coordination with NMPED. A key piece of guiding legislation, the New Mexico Indian Education Act (NMIEA), is left without addressing issues of continued permanent funding to support the NMIEA and its full implementation in this Plan, as well.

Impact

In conclusion, the 2025 NMPED Action Plan fails to address most of the core issues identified by the Court's Findings of Fact and Conclusions of Law, therefore does not meet the stipulations set by the Court. The result will continue to impact the educational outcomes of New Mexico's most vulnerable learners.

I respectfully ask the court to consider this information when making its decision.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Sincerely,



Dr. Natalie Martinez