

Work Product Two: Submitted by Glenabah Martinez, Ph.D.

The focus on my evaluation of the New Mexico Public Education Department's (NMPED) Final Remedial Action Plan is on Native teacher preparation, professional development and training and Native culturally and linguistically responsive education. The entire document was reviewed with special attention to Critical Need Area 1 (Equitable Access to High Quality Instruction) and Critical Need Area 2 (Equitable Access to Well-Prepared, Culturally, and Linguistically Responsive Educators). The methodology of review consisted of reading each goal with notations that addressed the following questions:

1. Are the goals, action steps, accountability measures and evaluation measures clearly defined?
2. Are the goals reasonably designed to achieve the intended outcomes?
3. What are the problem areas?
4. What is missing from the plan?

Responses to the four questions above guided my summary centered on the following question: **Does the Final NMPED Remedial Action Plan adequately address the needs of Hispanic students, Native American students, English Language Learners, students with disabilities, and low-income students?** For the Final Plan, I added a second question: **Does the plan align with the nine components of the Tribal Remedy Action Plan?**

This report begins with a summary of my review of the NMPED's Draft Remedial Action Plan that I submitted on October 12, 2025.

Part one: Summary of Review of NMPED's Draft Remedial Action Plan

In response to the question of the viability of the draft plan achieving the intended outcomes in the draft of the remedial action plan, my analysis yielded the following points:

- The action plan is longitudinally organized (called "sequenced 3-year action plan." By starting with programs that were enacted in 2019, there are no significant changes to curriculum, instruction, and assessment. NMPED is operating within a paradigm that does not effectively address the recommendations singled out in the 2018 ruling and motions filed since that time. In my understanding of the ruling, educational practice must be transformed to meet the needs of the four targeted student populations.
- In reference to Goal 2, there is a significant need for more attention to the role of higher education programs of educator preparation curriculum and programs of study. This must also be inserted in the alternative forms of teacher certification. PRAXIS and other forms of assessment in NMPED licensure and certification need to be reviewed and transformed to be culturally responsive and relevant to the 23 Native Nations of NM and Indigenous students who attend all schools across the state.
- All content and inquiry standards in the New Mexico Content Standards for K-12 need to be reviewed. Performance standards should reflect meaningful attention to CLRI and racial literacy. PRAXIS and other forms of assessment for certification needs to be overhauled to be culturally and linguistically responsive

Based on my assessment of the efficacy of the proposed draft of the remedial action plan submitted by NMPED, I provided the following recommendations to improve the plan:

- Specify names of sources for curriculum, microcredentialing, and assessments with assurance that the vendors utilize empirically based programs to ensure culturally and linguistically responsive education through culturally relevant curricula, instructional programs, and student assessment from preschool through secondary school.
- Specify process for selecting educators to implement plans for the Summer Institute, mentoring, and test item development. The plans should include names of models used for guiding the development of deliverables and professional development to ensure culturally and linguistically responsive education through culturally relevant curricula, instructional programs, and student assessment from preschool through secondary school.
- Provide empirical based plans that address the educational needs of Native American students in all critical need areas (1 – 4). Specify process for vetting and selecting sources for the plans to ensure that educational needs of Native American students and their families are met.
- Specify Native serving educational centers and organizations under “responsible parties” for all programs identified in critical need areas 1 and 2.
- Specify Native serving organizations and educational centers for all elements of teacher preparation in higher education, microcredentialing, licensure application, licensure renewal, and licensure advancement with attention to outlining detailed plans for addressing PRAXIS exam and for addressing process of Individual Education Plans for student with disabilities.
- Provide a rationale for the inclusion of the science of reading and math in goals 1.1c and 1.1f. The rationale should include how it is aligned with the goal one.
- Provide a rationale explaining why NMPED did not reference the Nine Key Components of the Action Plan from the 2024 joint motion filed by the NMCLP.
- Conduct review of currently developed curriculum that is culturally and linguistically responsive education through culturally relevant curricula, instructional programs, and student assessment from preschool through secondary school.
- Work with IHE Native faculty in **educator preparation** in addressing the following:
 - Developing microcredential courses, first time certification, and renewal licensure as described in goal 2.3
 - Locating resources, developing resources, and facilitating professional development in the Summer Review Institutes as described in goal 1.1
 - Revamping of the teacher residency programs, mentoring of teacher residents, and program of studies for teacher residents and their mentor/cooperating teachers
 - Include IHE Native faculty like POLLEN at UNM in preparation and certification of educational administrators.

The next section begins with a commentary of section F in the final plan followed by a chart of details that lead me to the conclusion that there is no substantial change or marked improvement in the presentation of an action plan.

Part two: Review of Final Martinez-Yazzie Action Plan submitted on November 3, 2025

Introduction: In section F of the introduction in the final plan (pp. 11 – 12) is a list of “overarching goals of the action plan.” The goals are described as “the changes that this Action

Plan aims to accomplish for students with disabilities, English learners, Native American students, and economically disadvantaged students” (p. 11). The NMPED has the responsibility of providing a plan that is aligned with the 2018 ruling. Each goal is centered on metrics – reading/math assessments, chronic absenteeism, graduation rates, and sense of belonging – commonly found in state education reports. These goals in the Action Plan are the *same* goals listed on page 3 of NMPED’s Strategic Plan for Success <https://web.ped.nm.gov/wp-content/uploads/2025/03/PED-Strategic-Plan-2025-Digital-Interactive.pdf>. The five goals in the Action Plan are not in direct alignment with the 2018 court ruling. It is obvious that it’s “business as usual” with no meaningful intent to create new goals for the Martinez-Yazzie Action Plan. What is the purpose of community engagement and seeking input from the community when nothing changes? A concise plan should have *direct references* to the 2018 ruling.

Review of Final Martinez-Yazzie Action Plan	
Critical Need 1: Equitable Access to High-Quality Instruction	
Teaching and curricula do not reflect NM students (p. 14)	Bullet 1: PED actions do not include specific organizations, agencies, etc. for providing educators with technical assistance and professional development. Bullet 2: PED does not specify (name) expert partners nor does it explain what constitutes an “expert” for this action.
A review and overhaul of existing curricula... (p. 14)	In the Request for Information (RFI) disseminated by the NMPED in August 2025 (https://web.ped.nm.gov/wp-content/uploads/2025/08/RFI-New-Mexico-Literacy-Center.pdf), the NM Literacy Center is described as “a state-funded initiative to improve literacy outcomes for New Mexicans. Its core mission is to ensure all children, and their families learn to read proficiently through a Structured Literacy and the Science of Reading framework.” In the general scope of project, <i>none</i> of the four goals call for plans that address high-quality curriculum that is “content rich, fully accessible, culturally and linguistically relevant, free from bias, research-based, aligned with NM content standards” (p. 13 of Nov. 3 NM Plan). The proposed minimum requirements for prospective applicants also lacks attention to culturally and linguistic responsive and relevant knowledge, skills, and disposition.
Collaboration with community members... (p. 15)	Bullet 1: PED actions do not specific <i>the process</i> for recruiting Native American, TESOL-endorsed and special education educators. In addition, the PED Summer Institute is mentioned without any details.
Partnerships and programs are needed that leverage...(p. 16)	Bullet 2: What is the <i>plan</i> for “increasing resources” and what constitutes a resource?
The state should do more to create K-12	Bullet 2: What is the <i>plan</i> for “increasing the Seal of Bilingualism-Biliteracy programs for Native languages?”

bilingual...(p. 16)	Bullet 3: What is PED's <i>plan</i> for "providing guidance and technical assistance...in partnership with tribal language boards and education departments?" Where is the empirical research that demonstrates the alignment of the <i>science of reading</i> with this plan?
Reliable broad access...(p. 17)	Bullet 1: The project will not be complete until June 2026. The Student Connect Broadband Access program will provide 3 years of free internet access to certain rural students and staff. What happens after 3 years? Are schools at Alamo, New Mexico part of this program?
Diverse enrichment ... (p. 17)	What happens if legislation is <i>not passed</i> or signed into law?
There is equitable access to career technical education...(p. 18)	Bullets 1 and 2: Who are the partners? What is the <i>plan</i> ? How are tribal colleges such as SIPI, NTU, Dine College in Shiprock, and branch colleges involved in this? Who is being consulted in the Pueblo Nations? War Chief offices have always expressed interest in this but have never been consulted in a meaningful way. See <i>UNM Taos Native American Task Force Report</i> (Martinez, G. & Hewlett, M. 2013).
1.1a PED will provide educators technical assistance...(p. 21)	PED must look beyond state agencies identified under "responsible parties" as there are Native American curriculum projects and programs such as IPCC Indigenous Wisdom project, Kha'Po School, NACA Inspired Network, Navajo Preparatory Language and IB framework, KCLC, and Tiwa Language Program at Taos Pueblo to name a few.
1.1a Pass legislation to require (p. 21)	What is the <i>process</i> for legislative oversight requiring "that districts and charter schools purchase HQIM?" This is a partisan body. Who are the <i>vendors</i> for HQIM? Why are Native Nations not included with the responsible parties?
1.1b PED will recruit...(p. 22)	<p>The process for the Summer Review Institute has not been <i>revised</i> to implement the Yazzie/Martinez ruling.</p> <p>The description provided at their website https://web.ped.nm.gov/bureaus/instructional-materials/hqim-reviews/ does not provide detail on <i>who</i> is providing the 30 hours of training.</p> <p>The requirements for the reviewers of record and review team leader do not require a demonstrated working knowledge of multicultural, multilingual, racial literacy, and knowledge of Native Nations/Peoples of New Mexico (cultural, linguistic, historical, contemporary, etc.).</p> <p>There are no Native educators on the HQIM Cross-Functional Team listed at the website: https://web.ped.nm.gov/wp-content/uploads/2025/01/Cross-Functional-Team-Website-Information.pdf</p> <p>The research on HQIM and Connected Professional Development https://drive.google.com/file/d/1jW0W7WxmRih8NVRi5jiXdzlh30iS-9KA/view is dated and lacks attention to "content-rich, fully accessible, culturally and linguistically relevant, free from bias research-based..." (p. 13). There is an absence of recent</p>

	research relevant to the four targeted student populations in the Yazzie Martinez case.
PED will leverage...(p. 23)	What constitutes an expert? What does “leverage” look like in this situation? Who are the EPPs named under responsible parties? Be specific.
1.1c PED will monitor implementation of HB156... (p. 24)	<p>On the point of structured literacy (science of reading), there is no empirical research to substantiate the efficacy of this approach for the four targeted populations of the case. Referring to this as “structured literacy” does not hide the actual approach, science of reading.</p> <p>Again, what is the relevance of PED’s plan for literacy learning for educators to the Yazzie/Martinez ruling? Show the direct connection to the primary source issued by Judge Singleton.</p> <p>What is the relevance of “common course numbering” to the Yazzie/Martinez case? In my opinion, it appears that one legislator, Mimi Stewart and her followers, are inserting their political/partisan agenda into this case for convenience to further codify a literacy approach/paradigm that is highly problematic.</p>
1.1c Noncompliance with HB 156...(p. 24)	The threat embedded in this section of the plan is offensive and completely irrelevant to the full implementation of the Yazzie/Martinez ruling. The rhetoric of “withholding of funds” is a threat that is utilized for political interests of Mimi Stewart et al through this case. How dare they use the plaintiffs of the Yazzie/Martinez case in this offensive, despicable manner. Shame on them!
1.1e State agencies will lead the planning, design, and construction of... (p.27)	<p>In the Request for Information (RFI) disseminated by the NMPED in August 2025 (https://web.ped.nm.gov/wp-content/uploads/2025/08/RFI-New-Mexico-Literacy-Center.pdf), the NM Literacy Center is described as “a state-funded initiative to improve literacy outcomes for New Mexicans. Its core mission is to ensure all children, and their families learn to read proficiently through a Structured Literacy and the Science of Reading framework.”</p> <p>In the general scope of project, none of the four goals call for plans that address high-quality curriculum that is “content rich, fully accessible, culturally and linguistically relevant, free from bias, research-based, aligned with NM content standards” (p. 13 of Nov. 3 NM Plan).</p> <p>The proposed minimum requirements for prospective applicants lacks attention to culturally and linguistic responsive and relevant knowledge, skills, and disposition.</p>
1.1f Pass legislation requirement elementary schools to implement numeracy...(p. 29)	<p>Building on STEM Ready and NUMeROs is not transformational. How is this directly related to the Yazzie/Martinez ruling?</p> <p>NMPED needs to provide empirical evidence to substantiate how their models for numeracy instruction is culturally and linguistically responsive and relevant to New Mexico especially the four targeted student populations.</p>

<p>NM STEM Center Creation (p. 31)</p>	<p>Where are the details on this center? How is it aligned with the Yazzie/Martinez ruling?</p>
<p>Pass legislation further limiting the use of physical restraint...(p. 53)</p>	<p>The responsible parties should include organizations like First Nations who have worked with Indigenous youth who were incarcerated at CYFD’s YDDC and Camino Nuevo in Albuquerque. The behavior intervention plans created by a team of Indigenous counselors, traditional healers, advocates, and Native teachers were innovative.</p>
<p>Unless otherwise noted...(p. 66)</p>	<p>Seven outcomes are listed with a target date of December 31, 2028. The first two bullets focus on structured literacy interventions and science of reading. Where is the rationale for including this in the action plan? How is this responding to the ruling?</p> <p>Bullets 3, 4, and 5 are insignificant compared to the call for an overhaul of curriculum, pedagogy, and assessment was delineated in the Yazzie/Martinez case.</p> <p>Bullet 6 refers only to Native American language and culture teachers. What about Native American teachers who teach core curriculum – social studies, language arts, science, math?</p> <p>Bullet 7 should have always been provided with IEP services. What is significant about this? How is this aligned with the ruling?</p> <p>Overall, none of the bullets are meaningful responses to the ruling. All of the targeted outcomes are routine and easily achieved. Finally, the nine components presented by the Yazzie/Martinez plaintiffs are glaringly absent from this list. Again, shame on NMPED for thinking that we would overlook this part of their mediocre plan.</p>
<p>To deepen expertise, teachers need...(p. 68)</p>	<p>Bullet one: More detail is needed about the Educator Preparation Programs. Are they talking about public universities, private universities, district-based programs, etc.?</p> <p>Bullet two: More detail on the process of microcredentialing is needed here. Where is the research that substantiates the claim that micro-credentials does <i>more</i> than help teachers move up the career ladder, receive higher pay, or renew their licenses? Research has shown that there is not enough empirical evidence to support the effectiveness of micro-credentials for professional development of educators https://nepc.colorado.edu/publication-announcement/2021/04/microcredentials. Furthermore, what is the process for designing any form of professional development?</p> <p>Microcredentialing has mixed reactions. According to a 2025 LESC Bill Analysis: “Some educators feel the micro-credentials are burdensome particularly in addition to the substantial hours elementary teachers are required to invest to complete the PED-mandated Language Essentials for Teachers of Reading and Spelling (LETRS) training. Many teachers are also</p>

	<p>working to complete a master’s degree. Other educators suggest the required micro-credentials are too prescriptive, ignoring variation in teacher expertise and need, and for some amount to repetition of their teacher preparation program” https://www.nmlegis.gov/Sessions/25%20Regular/LESCAnalysis/HM032.PDF</p> <p>Microcredentialing is not the way to address systemic issues of racism and mis education of Native Americans, English learners, students with disabilities, and students who are economically disadvantaged in New Mexico. It should be addressed in their educator preparation courses at the undergraduate and certification levels.</p> <p>Where is the metric of accountability for license renewal? Does 85% mean that you have mastered a specific learning outcome through the microcredential? What are the formative and summative assessments to determine a quantified grade?</p>
<p>Increase the proportion of Native American ...(p. 69)</p>	<p>Where is the detail on the Education Fellows program? Where is the detail on teacher residency programs in the state? What does current data tell us about each form of educator preparation?</p>
<p>Stronger partnerships (p. 70)</p>	<p>What is the plan for “developing and implement[ing] recruitment strategies” and how will this take place? Where is the consultation with IHE Native serving centers like the Institute for American Indian Education at UNM, with Navajo Technical University, with Southwest Indian Polytechnic Institute, Central New Mexico College, etc.?</p> <p>More details are needed on the plan for transforming the current Educator Fellows program. At their website there is no indication how this program is meaningfully responsive to the Yazzie/Martinez ruling. The description of what “educator fellows are” is broadly stated with no reference to the multicultural, multiracial, multilingual student populations of New Mexico and to the needs of the four targeted students populations https://drive.google.com/file/d/1uK23d9I9r2GOsNS0HAL1JT9h3jgA7M4n/view).</p> <p>In the flyer, a list of what the PED will provide is listed. Who are the coaches? How will they “coach” their mentees/fellows on pedagogy, curriculum, and assessment of New Mexico students and the four targeted student populations of the case?</p> <p>What is the curriculum or program of studies for the “boot-camp style training” described in the list?</p>
<p>More oversight is needed to ensure school districts...(p. 73)</p>	<p>What is the plan to provide educators with technical assistance and professional development for HQIM implementation?</p>

Unless otherwise noted... (p. 93)	<ul style="list-style-type: none"> • Bullet one: This is unclear. Why is there a distinction made by PED between teachers who teach students with disabilities, English learners, Native American students and economically disadvantaged students and teachers who teach the overall student population? • Bullet two: What does “fewer” mean? Why can’t this be quantified? • Bullet three: What does “increase” mean here? Why can’t this be quantified? Who is a Native American in this goal? • Bullet four: What is the plan for setting up meaningful mentorships? • Bullet five: Microcredentialing is a low expectation. See notes on micro-credentialing. • Bullet six: Where is the plan for implementing the educator preparation programs described?
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Summary: First, I **do not see any substantial change** from the draft to the final report. Additional information provided by the LANL Foundation from the community meetings was included in the Final Report, but the action plans initially created by WestEd remained largely the same in substance. Second, there is a lack of information on the Summer Institute, the Educator Fellows Program, microcredentialing, and other forms of programs *even though* a visit to the NMPED website yields details for insight on how they operate. Third, there is little attention to the qualitative nature of the proposed changes. Quantitative figures presented in the final report are also inconsistent, insignificant, and/or absent as indicated on page 93.

Does the NMPED’s Martinez-Yazzie Action Plan adequately address the needs of Hispanic students, Native American students, English Language Learners, students with disabilities, and low-income students? No. The plan does not provide details for proposed programs. Nor does the plan address effective ways to transform programs that existed prior to 2018 or at their baseline date of 2019. There are serious problems with NMPED’s failure in naming vendors, IHE centers and institutes, and curriculum for the Educator Fellows program and microcredential courses. There is also a lack of attention to how the NMPED will work with IHE’s across the state in educator preparation. How will this be enforced? How willing are EPP faculty to make meaningful changes in their syllabi and pedagogical approaches?

Does the plan align with the nine components of the Tribal Remedy Action Plan? The NMPED plan is ineffective in addressing the following components in my review of critical areas 1 and 2.

Component	Evaluation
Cultivating multicultural and multilingual education	No. There is plan to guide school districts to establish a framework to deliver CLR as there are no plans for leading school districts in creating inclusive, anti-racist learning environments which is sorely needed in border towns where contentious race relations exist. Border town studies conducted by Dine scholar Jennifer Denetdale, the Navajo Human Rights Commission under Denetdale’s leadership, and cases

	such as <i>McKenzie Johnson v. Board of Education</i> are evidence of racial micro- and macro-aggressions that target Native Americans.
Ensuring inclusive education for students with disabilities:	I read but did not review this part of the plan.
Transforming curriculum and instructional approaches	Not effectively. Mention was made about curricular changes, but there were no plans for reviewing preK-12 standards and no details on how to transform the core curriculum to one that is culturally and linguistically responsive and relevant to the diversity of New Mexico's students, families, Native Nations and communities.
Building a diverse and qualified educator workforce:	No plans beyond the existing Educator Fellows program. Residency programs are mentioned, but no details on how this would meet this goal are provided. No plans on how to work with post-secondary educator preparation programs or acknowledgement of existing programs that address this component.
Enhancing technology access for all students:	The current plan described at the NMPED website is not adequate. The Student Connect Broadband will not be complete until June 2026. It will provide 3 years of free internet access to certain rural students and staff. What happens after 3 years? Are schools at Alamo, New Mexico part of this program?
Establishing comprehensive student and family support services:	I read critical need area three but did not review this part of the plan.
Implementing an equitable funding system:	I read critical need area four but did not review this part of the plan.
Developing robust accountability mechanisms:	I read critical need area four but did not review this part of the plan.
Strengthening the capacity of the Public Education Department:	There is an absence of a plan to review for achieving this component. However, I can say with confidence substantiated with evidence provided in this report that there is potential to build the capacity of the NMPED but this would take serious and meaningful changes to the final report and change of disposition taken by state leadership.

Summary and Reflection: Finally, there is a serious absence of respect for the integrity of Indigenous People and our centuries-old cultural and linguistic traditions. In addition there is no acknowledgement of the cultural integrity and knowledge of the 23 Native Nations and their governing bodies and of Indigenous researchers, practitioners, directors of Native serving organizations, and tribal education directors. While we are named and described in the introduction, we are marginalized in some sections and invisible in other parts of their plan. More alarming, the youth of the targeted populations – Native American students, students

with disabilities, English learners, and students from economically disadvantaged families – are invisible. It is appalling that a state agency – NMPED – can submit a plan that focuses more on their flimsy, misguided infrastructure and show absolutely no heart, compassion, or love for our youth. And, NMPED can stop the Land Acknowledgements. It's performative at best.