

***Yazzie/Martinez* Ruling: A Watershed Moment for Education in New Mexico**

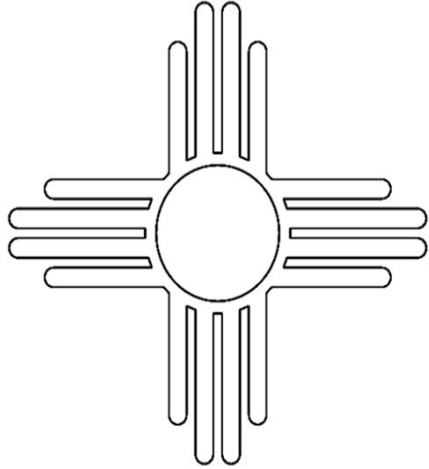


Facilitators:

Dr. Patricia Jiménez-Latham, Transform Education NM
Presentation to the Northern NM College Board of Regents
February 28, 2020

***Most of the content of this presentation was primarily developed by the NM Center on Law and Poverty*

Who is (*disparately*) Impacted?



Racial/Ethnic Minorities 76%

- Hispanic Students 66%
- Native American Students 10.6%
- ELL 14.4%
- Students with Disabilities 14.8%
- Low-Income 71%

“Education provides the basic tools by which individuals might lead economically productive lives to the benefit of us all... education has a fundamental role in maintaining the fabric of our society. We cannot ignore the significant social costs borne by our Nation when selected groups are denied the means to absorb the values and skills upon which our social order rests.” Justice Brennan

Yazzie Plaintiffs filed suit in 2014

“Our schools also lack one of the most important teachings for our youth — cultural and language education. It is imperative that we bring culturally relevant programs and resources into our schools, especially at a time like this. Our children are yearning for their identity and values, and others are searching for acceptance.”



Lead Plaintiff Wilhelmina Yazzie
and her son Xavier

Yazzie v. State

- **Filed in State Court** – 1ST JUDICIAL DISTRICT COURT
- **Plaintiffs**
 - 5 Family Plaintiffs
 - 6 school districts – Rio Rancho, Gallup, Lake Arthur, Moriarty, Santa Fe, and Cuba
- **Defendants**
 - State of New Mexico, the NM Public Education Department, and the Secretary of Education.
- **Legal Claim:** Defendants have violated the State Constitution.
- *Yazzie* was consolidated with *Martinez*.
- 8 week trial began in 2017

Trial began in June of 2017



We Won! August 2018



Top Five Take-Aways from the Court's Decision

- 1. New Mexico children have the right to be college and career ready**
- 2. The State violated students' rights**
- 3. Lack of funds is no excuse**
- 4. We know what works**

and....



5. The State must comply with the New Mexico Constitution

The State has until **April 15, 2019** to take immediate steps to ensure that NM Schools have the resources to provide all students with a sound basic education that prepares them for college and the workforce.



NMCLP Motion Filed October 31, 2019

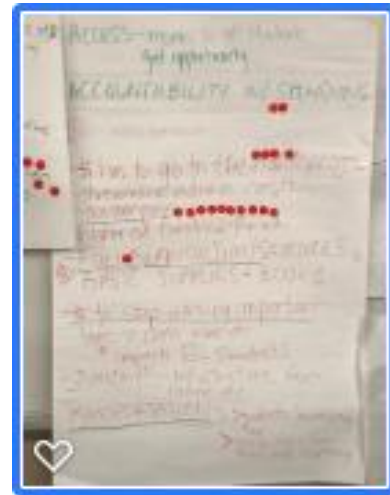
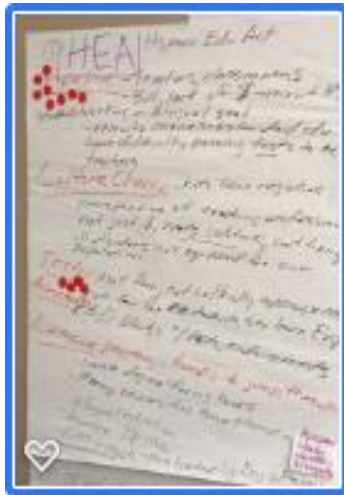
- Yazzie Plaintiffs' 10/31/19 Motion for Court to Order Defendants to Meet Constitutional Mandate to Ensure All New Mexico Public School Students Have the Opportunity to be College and Career Ready
- New 2019-2020 school year started, and nothing has changed for students
- 23 Focus Districts -- New money was spent on teachers' raises – nothing left for programs and services for at risk students
- Comprehensive multi-agency statewide planning, with funding streams required to actually do what it is going to take
- Short term obvious steps necessary while developing this plan

Implementation

Transforming Education in New Mexico



Community Summits May-Sept 2018



150 stakeholders convened at an Education Transformation Summit on September 14th. The summit followed two “pre-summits” in May and June 2018.

Developing a Platform of Remedies

The Yazzie Platform of Remedies was developed by a broad group of experts and stakeholders and aligns with the Court Order.

- Plaintiff School Districts (Cuba, Gallup-McKinley, Lake Arthur, Moriarty-Edgewood, Rio Rancho, Santa Fe)
- Plaintiff Families
- Educators: teachers, school boards, superintendents
- Tribal leaders and education departments
- Community groups representing students and families
- Local education experts and researchers

Coalition Member Organizations:

- NM Center on Law and Poverty
- CHI St Josephs
- Plaintiff Superintendents

- Learning Alliance
- NACA Inspired Schools Network

- Santa Fe Indian School Leadership Institute
- Native American Budget & Policy Institute
- College Horizons



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- NM Association Bilingual Education
- NM School Boards Association
- Coalition for the Majority
- Keres Children's Learning Center
- Dual Language Education NM
- National Education Association
- NGAGE NM
- NM Voices for Children
- Center for the Education and Study of Diverse Populations

The Yazzie/Martinez decision was grounded in a Multicultural Education Framework

Judge Singleton citing the Legislature in her decision:

*“The legislature finds further that the **key to student success in New Mexico is to have a multicultural education system** that:*

- 1. attracts and retains quality and **diverse teachers to teach New Mexico's multicultural student population;***
- 2. holds teachers, students, schools, school districts and the state accountable;*
- 3. **integrates the cultural strengths** of its diverse student population into the curriculum with high expectations for all students;*
- 4. **recognizes that cultural diversity** in the state presents special challenges for policymakers, administrators, teachers and students;*
- 5. provides students with a **rigorous and relevant high school curriculum** that prepares them to succeed in college and the workplace; and*
- 6. elevates the importance of public education in the state by **clarifying the governance structure at different levels.**”*

The Yazzie Remedy Platform



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Opportunities for Higher Ed: 2019 Legislative Session

HB275 Teacher Affordability Act \$10M (into fund)

- **For education majors to complete educational programs of study and become teachers**
 - Up to \$3,000 scholarship per semester.
 - Prioritizes bilingual and Native teachers
 - Formula allocation based on all Education course requirements
 - **Reimbursement** from HED to financial aid office based on allocation table

HB20 Grow Your Own Teachers Act \$510k

- **For educational assistants to complete educational programs of study and become teachers**
 - Up to \$3,000 per semester for tuition and fees.
 - Leave time from schools to complete coursework and student teaching requirements
 - Reimbursement from HED to financial aid office based on allocation table

HB127 College Affordability Act Revisions

- Scholarships of up to \$1,500 per semester
- Funds about 2,000 scholarships per year

Opportunities for Higher Ed: 2020 Legislative Session

HB14: Opportunity Scholarship Act \$17 M (fund)

- **For returning graduates to receive full tuition scholarships**
 - Two-year programs and credit bearing certificate programs
 - Students apply through their financial aid office

Yazzie/Martinez Higher Ed Bills/Concepts that did not move forward.

- **HB 134: Funding to Improve Educational Outcomes**
 - MAKING APPROPRIATIONS TO STATE INSTITUTIONS OF HIGHER EDUCATION AND TRIBAL COLLEGES TO COMPLY WITH THE COURT'S RULINGS IN CONSOLIDATED MARTINEZ AND YAZZIE V. THE STATE OF NEW MEXICO
- **HB 240: College Bilingual Ed Faculty**
 - RELATING TO BILINGUAL EDUCATION; ADDRESSING THE NEED FOR BILINGUAL EDUCATION FACULTY AT STATE INSTITUTIONS OF HIGHER EDUCATION; PROVIDING FINANCING MECHANISMS FOR NEW MEXICO RESIDENTS WHO WANT ACADEMIC CAREERS IN PREPARING CURRENT AND FUTURE TEACHERS IN BILINGUAL EDUCATION
- **HB281: English Learner Ed Program Requirements**
 - RELATING TO PUBLIC EDUCATION; ESTABLISHING OVERARCHING REQUIREMENTS FOR ENGLISH LANGUAGE LEARNER EDUCATIONAL PROGRAMS TO BE CULTURALLY AND LINGUISTICALLY RESPONSIVE AND CONDUCTED WITH CULTURALLY AND LINGUISTICALLY APPROPRIATE STRATEGIES, CURRICULA AND MATERIALS; REQUIRING PROFESSIONAL DEVELOPMENT; REQUIRING CERTAIN ENDORSEMENTS FOR LEVEL ONE LICENSES BEGINNING
IN 2025



NNMC: Questions to Consider

- What are we/Northern NM College currently doing across School of Education Programs to prepare teachers to address the needs of CLD students/ELs?
- What are we/Northern NM College currently doing to rebuild strong Bilingual Teacher/TESOL Preparation Programs?
- What are we/Northern NM College doing as a Hispanic/Native American Serving Institution doing to ensure we are providing an equitable education for the students we serve. This is not a PreK-12 issue, but a birth-20 issue?

Thank You

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