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AN ACT

RELATING TO PUBLIC EDUCATION; CREATING THE BILINGUAL
MULTICULTURAL EDUCATION ADVISORY COUNCIL; PROVIDING DUTIES;
DEFINING "BILINGUAL LEARNER" IN THE BILINGUAL MULTICULTURAL
EDUCATION ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Bilingual Multicultural
Education Act is enacted to read:

"BILINGUAL MULTICULTURAL EDUCATION ADVISORY
COUNCIL--CREATED--MEMBERSHIP--DUTIES.--

A. The "bilingual multicultural education advisory
council" is created and shall advise the secretary and
department staff on the effective implementation of the
Bilingual Multicultural Education Act and the support of all
bilingual multicultural education students, including
bilingual learners and English language learners, to have
equitable access to instruction and learning as required by
state and federal education and civil rights laws. The
secretary and department staff shall provide biannual reports
to the council regarding progress on yearly advisements.

B. The bilingual multicultural education advisory
council consists of fifteen members who have technical
knowledge of and expertise in bilingual multicultural
education and teaching English to English language learners

1 as follows:

2 (1) five members appointed or designated by
3 the Indian nations, tribes and pueblos to include one member
4 each from the Navajo Nation, the Mescalero Apache Tribe, the
5 Jicarilla Apache Nation, the southern pueblos and the
6 northern pueblos;

7 (2) eight members who represent pre-
8 kindergarten through twelfth grade teachers, principals,
9 superintendents, other education administrators and higher
10 education faculty who are from different geographical areas
11 of the state and at least one of whom has a special education
12 background; and

13 (3) two parents whose students are enrolled
14 in bilingual multicultural education programs.

15 C. The department shall appoint the council
16 members noted in Paragraphs (2) and (3) of Subsection B of
17 this section from a list generated and approved by both the
18 department and the existing ad hoc bilingual multicultural
19 education advisory council co-chairs that is representative
20 of various stakeholder groups.

21 D. The bilingual multicultural education advisory
22 council shall elect two members to serve as co-chairs of the
23 council. The co-chairs shall assist with the selection of
24 new members for the council.

25 E. New members of the council shall begin to serve HB 52/a
Page 2

1 their appointments on July 1, 2021 for a term of three years.
2 Members who are currently serving their appointments prior to
3 the effective date of this 2021 act shall continue to serve
4 through the remainder of their appointed term. All council
5 members may serve two consecutive terms, and co-chairs may
6 serve one additional year to assist with transition.

7 F. The council shall:

8 (1) study issues of bilingual multicultural
9 education for all students, including the needs of bilingual
10 learners and English language learners; and

11 (2) provide advice to the department in the
12 areas of curriculum, instruction, assessment, teacher
13 preparation, teacher evaluation, professional development,
14 licensure and student and family services to:

15 (a) strengthen the quality and
16 effectiveness of bilingual multicultural education programs;

17 (b) promote rigorous culturally and
18 linguistically responsive instruction in bilingual
19 multicultural education programs;

20 (c) support effective classroom
21 teaching for participating bilingual multicultural education
22 program students, including bilingual learners and English
23 language learners who may or may not be part of standalone
24 federal language acquisition programs;

25 (d) recruit, develop and train

1 effective bilingual multicultural education teachers and
2 teachers of bilingual learners and English language learners;

3 (e) identify professional development
4 best suited and appropriate for the languages being taught to
5 support teachers, educational assistants and other licensed
6 employees to work effectively with bilingual multicultural
7 education program students, including bilingual learners and
8 English language learners;

9 (f) promote professional development
10 opportunities to build the capacity of public education
11 administrators to effectively lead bilingual multicultural
12 education programs and become knowledgeable regarding second
13 language acquisition research, theory and pedagogy, including
14 culturally and linguistically responsive teaching practices,
15 biliteracy and assessments in English and the home or
16 heritage language;

17 (g) develop solutions for streamlining
18 and strengthening program management, implementation and
19 monitoring of bilingual multicultural education programs at
20 the state, district and school site levels;

21 (h) develop family and community
22 partnerships representative of the languages and cultures of
23 all students in the bilingual multicultural education
24 program, to assist and advise in the development,
25 implementation and evaluation of the program; and

1 (i) support bilingual learners and
2 English language learners to achieve programmatic goals,
3 including academic achievement in two languages and bilingual
4 biliteracy growth as demonstrated and measured by language
5 and literacy assessments in English and the home or heritage
6 language, and with regard to tribal languages, language-
7 appropriate programmatic goals with progress determined in
8 accordance with tribal priorities and sovereignty.

9 G. Members of the council may receive per diem and
10 mileage as provided for nonsalaried public officers in the
11 Per Diem and Mileage Act."

12 SECTION 2. Section 22-23-2 NMSA 1978 (being Laws 1973,
13 Chapter 285, Section 2, as amended) is amended to read:

14 "22-23-2. DEFINITIONS.--As used in the Bilingual
15 Multicultural Education Act:

16 A. "bilingual learner" means a student whose
17 bilingualism is emerging through the development of English
18 and a language other than English;

19 B. "bilingual multicultural education program"
20 means a program using two languages, including English and
21 the home or heritage language, as a medium of instruction in
22 the teaching and learning process;

23 C. "culturally and linguistically different" means
24 students who are of a different cultural background than
25 mainstream United States culture and whose home or heritage

