

LFC Requester: Jorgensen



**PUBLIC EDUCATION DEPARTMENT  
BILL ANALYSIS  
2025 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

Check all that apply:

Original  Amendment   
Correction  Substitute

Date Prepared: 02/25 /25  
Bill No: SJM3

**Agency Name and Code:** PED - 924

**Sponsor:** Nava/Charley/Lente

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**Short Title:** HIGHER ED BILINGUAL ED FACULTIES & DEGREE

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**SECTION II: FISCAL IMPACT**

(Parenthesis ( ) Indicate Expenditure Decreases)

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	NFA

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	N/A	NFA

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	None	None	None	N/A	Nonrecurring	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: The General Appropriation Act of 2025 includes a proposed appropriation from the public education reform fund to the Public Education Department of \$500 for the purposes of the Bilingual Multicultural Education Act.

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Synopsis: Senate Joint Memorial 3 (SJM3) would request the Higher Education Department to collaborate with the University of New Mexico, Western New Mexico University, New Mexico Highlands University, and New Mexico State University to develop a joint bachelor's degree in elementary bilingual multicultural education and to review the need for scholarships for individuals holding degrees in bilingual education. Additionally, SJM3 requests the Public Education Department (PED) fully address, fund, and support the linguistic rights of New Mexico's bilingual multicultural students, as provided in Article 12, Section 8 of the New Mexico Constitution, the Bilingual Multicultural Education Act, the federal Native American Languages Act, and several court rulings, including that of the *Martinez* and *Yazzie* consolidated lawsuit.

### **FISCAL IMPLICATIONS**

The memorial does not contain an appropriation.

### **SIGNIFICANT ISSUES**

New Mexico was the first state to have a bilingual multicultural education law, passing the [Bilingual Multicultural Education Act of 1973](#). The law was expanded in 2004 and stands as an exceptional national model for state legislation. A [December 2024](#) report from PED indicates there are currently 62 districts participating in Bilingual Multicultural Education Programs (BMEPs). There are 503 BMEPs implemented within 410 schools. Some schools offer more than one of the five possible BMEP models to best meet the needs of their students.

In their [May 2024 program evaluation update](#), the Language and Culture Division (LCD) of the PED reported that millions of dollars from the SEG (\$42.7 million in SY 22-23) were designated to support bilingual education every year in New Mexico. LCD highlights that while millions in state funding support bilingual education in New Mexico, obstacles prevent these funds from directly benefiting Bilingual Multicultural Education Programs (BMEPs) as intended. To address this, LCD proposed establishing a permanent \$5 million annual allocation, ensuring funds are used exclusively for BMEP students through preapproval processes. LCD also aims to collaborate with districts and charter schools to align spending with the Bilingual Multicultural Education Act and support initiatives like bilingual teacher education, scholarships, and curriculum development. Increased control over funding decisions would allow LCD to drive meaningful improvements in BMEP implementation.

The memorial acknowledges the crucial need for well-prepared bilingual and multilingual educators to serve the state's diverse cultural and linguistic student population. The [2024 New Mexico Educator Vacancy Report](#) showed that there were at least 32 vacancies that had “bilingual” in the job title. A joint degree offered in elementary bilingual multicultural education could help increase the number of qualified educators equipped to teach in both English and students’ native languages, particularly in Spanish and Indigenous languages.

## **PERFORMANCE IMPLICATIONS**

[Research has shown](#) significant benefits for students enrolled in bilingual programs including cognitive advantages over their peers.

## **ADMINISTRATIVE IMPLICATIONS**

The PED has approval authority over all educator preparation programs. The agency would need to collaborate with HED to comply with provisions of SJM3.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relates to:

- House Bill 223 Bilingual Education Cost Differential;
- House Bill 467, Multicultural Student Safety and Support
- House Bill 488, Use of Language for Bilingual Education
- House Memorial 43, Hispanic and Bilingual Education Programs
- Senate Memorial 9, Continue and Improve 520 Language

## **TECHNICAL ISSUES**

SJM3 would request the PED to “fund...linguistic rights of New Mexico’s bilingual multicultural students.” SJM3 includes no appropriation, and the PED has no authority to fund programs, except as provided through the state legislature for state funds, and the congress for federal funds. Additionally, it is unclear what is meant by fund linguistic rights.

## **OTHER SUBSTANTIVE ISSUES**

In the 2023-2024 school year, 19 percent of public school students in New Mexico were classified as English learners.

## **ALTERNATIVES**

None.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

None.

## **AMENDMENTS**

The sponsor may consider amending the joint memorial to request the legislature, rather than the PED, fund the linguistic rights of New Mexico’s bilingual multicultural students. The sponsor may also consider defining what it means to fund those rights.