

State Bilingual Multicultural Education Program

Funding Application SY 25-26

| | | |
|--|---|---|
| District | <input type="text" value="FARMINGTON"/> | |
| District Code | <input type="text" value="65"/> | |
| District Type | <input type="text" value="State District"/> | |
| School Year | <input type="text" value="2025-2026"/> | |
| Created at 2/12/2025 8:35 PM by <input type="checkbox"/> Sriram Varanasi Last modified at 2/12/2025 8:35 PM by <input type="checkbox"/> Sriram Varanasi | | <input type="button" value="Save"/> <input type="button" value="Cancel"/> |

Resources - Report Files

- [BME Act and Rule Assurances](#)
- [BMEP Requirements](#)
- [BMEP Instructions for SY 2025-2026](#)
- [District/Charter School Assurances](#)

1. District Information/ Charter School BMEP Information

Example:

| School Name | Grade Levels with BMEP | BMEP Languages | BMEP Models | Comments |
|---------------------|---|----------------|---------------|--|
| Elementary School A | K, 1 st , 2 nd , 3 rd , 4 th , and 5 th | Navajo | Heritage | A new Navajo language program will be added. |
| Elementary School A | K, 1 st , 2 nd , and 3 rd | Spanish | Dual Language | |
| Elementary School A | 4 th and 5 th | Spanish | Heritage | |

| Edit | School Name | Grade Levels with BMEP | BMEP Languages | BMEP Models | Comments |
|------|--------------------------|------------------------|----------------|---------------|----------|
| | Animas Elementary | K,1st,2nd,3rd,4th,5th | Navajo | Heritage | |
| | Apache Elementary | K,1st,2nd,3rd,4th,5th | Navajo | Dual Language | |
| | Bluffview Elementary | K,1st,2nd,3rd,4th,5th | Spanish | Heritage | |
| | Bluffview Elementary | K,1st,2nd,3rd,4th,5th | Navajo | Heritage | |
| | Esperanza Elementary | K,1st,2nd,3rd,4th,5th | Spanish | Heritage | |
| | Esperanza Elementary | K,1st,2nd,3rd,4th,5th | Navajo | Heritage | |
| | McCormick Elementary | K,1st,2nd,3rd,4th,5th | Spanish | Dual Language | |
| | McCormick Elementary | K,1st,2nd,3rd,4th,5th | Navajo | Heritage | |
| | Heights Middle School | 6th,7th,8th | Spanish | Heritage | |
| | Heights Middle School | 6th,7th,8th | Navajo | Heritage | |
| | Hermosa Middle School | 6th,7th,8th | Spanish | Heritage | |
| | Hermosa Middle School | 6th,7th,8th | Navajo | Heritage | |
| | Mesa View Middle School | 6th,7th,8th | Spanish | Heritage | |
| | Mesa View Middle School | 6th,7th,8th | Navajo | Heritage | |
| | Tibbetts Middle School | 6th,7th,8th | Spanish | Heritage | |
| | Tibbetts Middle School | 6th,7th,8th | Navajo | Heritage | |
| | Farmington High School | 9th,10th,11th,12th | Spanish | Heritage | |
| | Farmington High School | 9th,10th,11th,12th | Navajo | Heritage | |
| | Piedra Vista High School | 9th,10th,11th,12th | Spanish | Heritage | |
| | Piedra Vista High School | 9th,10th,11th,12th | Navajo | Heritage | |

Add BMEP Information

2. Upload District/Charter School Assurances and Tribal Consultation (If applicable)

| | | |
|------|--|---------------------|
| Edit | | Name |
| | | Tribal Consultation |

Upload Document

3. 23-24 Annual Progress Report Submission

| | |
|------|--|
| Edit | Did your district/ charter school complete and submit the BMEP Annual Progress Report for 2023-2024? |
| | Yes |

Update 23-24 APR Submission

4. BMEP Status

Edit Status

There are no items to show in this view of the "BMEP_Submit" list.

Update BMEP Status

Edit Status

There are no items to show in this view of the "BMEP_Status" list.

BMEP Endorsement Requirements: Elementary School Grades K–5

TEACHING LICENSE REQUIREMENTS

As Required by the NMPED Licensure Bureau for specific grade levels taught. [Licensure Website](#)

| Program Hours | Endorsement Requirements | Instructional Time | Student Language Classification | |
|--|---|---|--|---|
| Language arts in the home/heritage (target) Language | | | | |
| 1st Hour | -Course Code 1274 <ul style="list-style-type: none"> • Jicarilla Language Arts • Keres Language Arts • Lakota Language Arts • Navajo Language Arts • Tiwa Language Arts • Tewa Language Arts • Towa Language Arts • Zuni Language Arts | -Native American language and culture certificate (NALC) <i>Teaching license not required for Native American languages only</i> | One hour (60 minutes) of home/heritage (target) language arts instruction | <ul style="list-style-type: none"> • ELs • Reclassified Fluent English Proficient (RFEP) students. • Initial Fluent English Proficient (IFEP) students |
| | -Course Code 1275 <ul style="list-style-type: none"> • Spanish language arts (SLA) | | | |
| ELD / English as a second Language (ESL) | | | | |
| 2nd Hour | -Course code 1062 <ul style="list-style-type: none"> • ELD/ESL | -TESOL OR -Bilingual endorsement <i>may be used in place of a TESOL endorsement at the elementary level only</i> | One hour (60 minutes) or equivalent of English language instruction | <ul style="list-style-type: none"> • ELs only |
| Content area in the home/heritage (target) Language | | | | |
| 3rd Hour* | <ul style="list-style-type: none"> • Science • Math • Social studies • Fine arts -<i>content area endorsement is required**</i> • Computer Science | -NALC certificate <i>Teaching license is required for content areas taught in Native American languages.</i> OR -Bilingual endorsement | One hour (60 minutes) or equivalent of content area instruction in the home/heritage (target) language | <ul style="list-style-type: none"> • ELs • RFEPs • IFEPs |
| <p>*3rd hour. Required for all students (EL/RFEP/IFEP) in a DLI model, but optional for all students (EL/RFEP/IFEP) in maintenance, heritage, and transitional BMEP models.</p> <p style="color: red;">Refer to BMEP models and the instructional time chart that follows in a section below of the TAM for additional information on requirements for the 3rd hour of instruction specific to each BMEP model.</p> <p>**Content area endorsements as required by the NMPED licensure bureau for specific content areas taught. Endorsement waivers are issued by the NMPED licensure bureau. Please note: Specialty Area K-12 500 licensed teachers, in an elementary setting, can only teach the content areas for which they hold endorsements.</p> | | | | |

BMEP Endorsement Requirements: Middle School Grades 6–8

TEACHING LICENSE REQUIREMENTS

As Required by the NMPED Licensure Bureau for specific grade levels taught. [Licensure Website](#)

| Program Hours | Endorsement Requirements | Instructional Time | Student Language Classification | |
|---|---|--|--|---|
| Language arts in the home/heritage (target) language | | | | |
| 1st Hour | -Course code 1260 <ul style="list-style-type: none"> • Jicarilla language arts • Keres language arts • Lakota language arts • Navajo language arts • Tiwa language arts • Tewa language arts • Towa language arts • Zuni language arts | -NALC certificate <i>Teaching license not required for Native American languages only</i> | One hour (60 minutes) of home/heritage (target) language arts instruction | <ul style="list-style-type: none"> • ELs • RFEPs • IFEPs |
| | -Course code 1276 <ul style="list-style-type: none"> • SLA | | | |
| ELD/ESL | | | | |
| 2nd Hour | -Course code 1062 <ul style="list-style-type: none"> • ELD/ESL | -TESOL endorsement | One hour (60 minutes) or equivalent of English language instruction | <ul style="list-style-type: none"> • ELs only |
| | -Course code 1063 <ul style="list-style-type: none"> • English Language Arts (ELA) /ELD | -TESOL endorsement AND -Language arts endorsement | | |
| Content area in the home/heritage (target) Language | | | | |
| 3rd Hour* | <ul style="list-style-type: none"> • Science • Math • Social studies • Fine arts • Computer Science | -NALC certificate <i>Teaching license is required for content areas taught in Native American languages</i> AND -Content area** | One hour (60 minutes) or equivalent of content area instruction in home/heritage (target) language | <ul style="list-style-type: none"> • ELs • RFEPs • IFEPs |
| | <i>Various course codes may be allowable but must be designated in NOVA as BEP.</i> | -Bilingual endorsement AND -Content area** | | |
| **Please see notes above for 3rd Hour and Content Areas. | | | | |

BMEP Endorsement Requirements: High School Grades 9–12

TEACHING LICENSE REQUIREMENTS

As Required by the NMPED Licensure Bureau for specific grade levels taught. [Licensure Website](#)

| Program Hours | Endorsement Requirements | Instructional Time | Student Language Classification | |
|--|---|--|--|--|
| Language arts in the home/heritage (target) language | | | | |
| 1st Hour | -Course codes 1271, 1272, 1273 and 1268 <ul style="list-style-type: none"> • Jicarilla language arts • Keres language arts • Lakota language arts • Navajo language arts • Tiwa language arts • Tewa language arts • Towa language arts • Zuni language arts | -NALC certificate <i>Teaching license not required for Native American languages only</i> | One hour (60 minutes) of home/heritage (target) language arts instruction | <ul style="list-style-type: none"> • ELs • RFEPs. • IFEPs |
| | -Course codes 1277, 1278, 1279, 1280, 1202 and 1203 <ul style="list-style-type: none"> • SLA | | | |
| ELD/ESL | | | | |
| 2nd Hour | -Course code 1062 <ul style="list-style-type: none"> • ELD/ESL | -TESOL endorsement | One hour (60 minutes) or equivalent of English language instruction | <ul style="list-style-type: none"> • ELs only |
| | -Course code 1064, 1065, 1066, and 1067 <ul style="list-style-type: none"> • ELA-ELD | -TESOL endorsement AND -Language arts endorsement | | |
| Content area in the home/heritage (target) language | | | | |
| 3rd Hour* | <ul style="list-style-type: none"> • Science • Math • Social studies • Fine arts • Computer Science | -NALC certificate <i>Teaching license is required for content areas taught in Native American languages</i> AND -Content area** | One hour (60 minutes) or equivalent of content area instruction in home/heritage (target) language | <ul style="list-style-type: none"> • ELs • RFEPs • IFEPs |
| | <i>Various course codes may be allowable but must be designated in NOVA as BEP.</i> | -Bilingual endorsement AND -Content area** | | |
| ** Please see notes above for 3rd Hour and Content Areas. | | | | |

2024-2025 State Bilingual Multicultural Education Program

General Assurances

The applicant hereby assures to the New Mexico Public Education Department that all district, charter and school personnel (superintendent, directors, finance officers, principals, teachers, and support staff) are knowledgeable of the requirements listed below to comply with the New Mexico Bilingual Multicultural Education Act of 2004 (New Mexico Statutes Annotated, Article 23), its accompanying regulation and the Elementary and Secondary Act, as amended and the 1964 Office of Civil Rights Act.

ARTICLE 23

Bilingual Multicultural Education

22-23-1. Short title.

22-23-1.1. Legislative findings.

22-23-2. Definitions.

22-23-3. Repealed.

22-23-4. Department; powers; duties.

22-23-5. Bilingual multicultural education program plan; evaluation.

22-23-6. Bilingual multicultural education programs; eligibility for state financial support.

22-23-7. Bilingual multicultural education advisory council; created; membership; duties.

22-23-1. Short title. Chapter 22, Article 23 NMSA 1978 may be cited as the "Bilingual Multicultural Education Act".

22-23-1.1. Legislative findings. The legislature finds that:

- A. While state and federal combined funding for New Mexico's bilingual multicultural education programs was forty-one million dollars (\$41,000,000) in 2003, the funds do not directly support bilingual multicultural education program instruction.
- B. The state's bilingual multicultural education program goals are for all students, including English language learners, to:
 - 1) become bilingual and biliterate in English and a second language, including Spanish, a Native American language, where a written form exists and there is tribal approval, or another language; and
 - 2) meet state academic content standards and benchmarks in all subject areas.
- C. Districts do not fully understand how to properly assess, place, and monitor students in bilingual multicultural education programs so that the students may become academically successful.
- D. Because inaccurate reporting on student participation in bilingual multicultural education programs has a direct impact on state and federal funding, accountability measures are necessary to track bilingual multicultural education program funds.
- E. The federal No Child Left Behind Act of 2001 does not preclude using state funds for bilingual multicultural education programs.
- F. Article 12, Section 8 of the constitution of New Mexico recognizes the value of bilingualism as an educational tool.
- G. Professional development is needed for district employees, including teachers, teacher assistants, principals, bilingual directors or coordinators, associate superintendents, superintendents, and financial officers in the areas of:
 - 1) Research-based bilingual multicultural education programs and implications for instruction.
 - 2) Best practices of English as a second language, English language development and bilingual multicultural education programs; and
 - 3) Classroom assessments that support academic and language development.
- H. Parents in conjunction with teachers and other district employees shall be empowered to decide what type of bilingual multicultural education program works best for their children and their community. Districts shall also provide parents with appropriate training in English or in the home or heritage language to help their children succeed in school.
- I. Because research has shown that it takes five to seven years to acquire academic proficiency in a second language, priority should be given to programs that adequately support a child's linguistic development. The state shall, therefore, fund bilingual multicultural education programs for students in grades kindergarten through three before funding bilingual multicultural education programs at higher grade levels.

- J. A standardized curriculum, including instructional materials with scope and sequence, is necessary to ensure that the bilingual multicultural education program is consistent and building on the language skills the students have previously learned. The instructional materials for Native American bilingual multicultural education programs shall be written, when permitted by the Indian nation, tribe, or pueblo, and if written materials are not available, an oral standardized curriculum shall be implemented.
- K. Equitable and culturally relevant learning environments, educational opportunities and culturally relevant instructional materials for all students participating in the program. For Native American students enrolled in public schools, equitable and culturally relevant learning environments, educational opportunities, and culturally relevant instructional materials are required to satisfy a goal of the Indian Education Act [Chapter 22, Article 23A NMSA 1978]; and
- L. The Bilingual Multicultural Education Act will ensure equal education opportunities for students in New Mexico. Cognitive and affective development of the students is encouraged by:
 - 1) Using the cultural and linguistic backgrounds of the students in a bilingual multicultural education program.
 - 2) Providing students with opportunities to expand their conceptual and linguistic abilities and potentials in a successful and positive manner; and
 - 3) Teaching students to appreciate the value and beauty of different languages and cultures.

22-23-2. Definitions. As used in the Bilingual Multicultural Education Act:

"Bilingual learner" means a student whose bilingualism is emerging through the development of English and a language other than English.

"Bilingual multicultural education program" means a program using two languages, including English and the home or heritage language, as a medium of instruction in the teaching and learning process.

"Culturally and linguistically different" means students who are of a different cultural background than mainstream United States culture and whose home or heritage language, inherited from the student's family, tribe, or country of origin, is a language other than English.

"District" means a public school or any combination of public schools in a district.

"English language learner" means a student whose first or heritage language is not English and who is unable to read, write, speak, or understand English at a level comparable to grade level English proficient peers and native English speakers.

"Heritage language" means a language other than English that is inherited from a family, tribe, community, or country of origin.

"Home language" means a language other than English that is the primary or heritage language spoken at home or in the community; and

"Standardized curriculum" means a district curriculum that is aligned with the state academic content standards, benchmarks, and performance standards.

22-23-3. Repealed.

22-23-4. Department; powers; duties.

- A. The department shall issue rules for the development and implementation of bilingual multicultural education programs.
- B. The department shall administer and enforce the provisions of the Bilingual Multicultural Education Act.
- C. The department shall assist school boards in developing and evaluating bilingual multicultural education programs.
- D. In the development, implementation and administration of the bilingual multicultural education programs, the department shall give preference to New Mexico residents who have received specialized training in bilingual education when hiring personnel.

22-23-5. Bilingual multicultural education program plan; evaluation.

- A. A school board or, for charter schools, a governing body of a charter school may prepare and submit to the department a bilingual multicultural education program plan in accordance with rules issued by the department.
- B. At regular intervals, the school board or governing body of a charter school and a parent advisory committee from the district or charter school shall review the goals and priorities of the plan and make appropriate recommendations to the department.

- C. Bilingual multicultural education programs shall be delivered as part of the regular academic program. Involvement of students in a bilingual multicultural education program shall not have the effect of segregating students by ethnic group, color, or national origin.
- D. Each district or charter school shall maintain academic achievement and language proficiency data and update the data annually to evaluate bilingual multicultural education program effectiveness and use of funds. The department shall annually compile and report this data to the appropriate interim legislative committee.
- E. Districts and charter schools shall provide professional development to employees, including teachers, teacher assistants, principals, bilingual directors or coordinators, associate superintendents, superintendents, and financial officers in the areas of:
 - 1) research-based bilingual multicultural education programs and implications for instruction.
 - 2) best practices of English as a second language, English language development and bilingual multicultural education programs; and
 - 3) classroom assessments that support academic and language development.
- F. Bilingual multicultural education programs shall be part of the district's or charter school's professional development plan. Bilingual educators, including teachers, teacher assistants, instructional support personnel, principals, and program administrators, shall participate in professional development and training.

22-23-6. Bilingual multicultural education programs; eligibility for state financial support.

- A. To be eligible for state financial support, each bilingual multicultural education program shall:
 - 1) Provide for the educational needs of linguistically and culturally different students, including Native American children and other students who may wish to participate, in grades kindergarten through twelve, with priority to be given to programs in grades kindergarten through three, in a district.
 - 2) Fund programs for culturally and linguistically different students in the state in grades kindergarten through three for which there is an identifiable need to improve the language capabilities of both English and the home language of these students before funding programs at higher grade levels.
 - 3) Use two languages as mediums of instruction for any part or all of the curriculum of the grade levels within the program.
 - 4) Use teachers who have specialized in elementary or secondary education and who have received specialized training in bilingual education conducted through the use of two languages. These teachers or other trained personnel shall administer language proficiency assessments in both English and in the home language until proficiency in each language is achieved.
 - 5) Emphasize the history and cultures associated with the students' home or heritage language.
 - 6) Establish a parent advisory committee, representative of the language and culture of the students, to assist and advise in the development, implementation, and evaluation of the bilingual multicultural education program; and
 - 7) Provide procedures to ensure that parental notification is given annually prior to bilingual multicultural education program placement.
- B. Each bilingual multicultural education program shall meet each requirement of Subsection A of this section and be approved by the department to be eligible for state financial support.

22-23-7. 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 as follows:
 - 1) five members appointed or designated by the Indian nations, tribes, and pueblos to include one member each from the Navajo Nation, the Mescalero Apache Tribe, the Jicarilla Apache Nation, the southern pueblos, and the northern pueblos.
 - 2) eight members who represent pre-kindergarten through twelfth grade teachers, principals, superintendents, other education administrators and higher education faculty who are from different geographical areas of the state and at least one of whom has a special education background; and
 - 3) two parents whose students are enrolled in bilingual multicultural education programs.

- C. The department shall appoint the council members noted in Paragraphs (2) and (3) of Subsection B of this section from a list generated and approved by both the department and the existing ad hoc bilingual multicultural education advisory council co-chairs that is representative of various stakeholder groups.
- D. The bilingual multicultural education advisory council shall elect two members to serve as co-chairs of the council. The co-chairs shall assist with the selection of new members for the council.
- E. New members of the council shall begin to serve their appointments on July 1, 2021, for a term of three years. Members who are currently serving their appointments prior to the effective date of this 2021 act shall continue to serve through the remainder of their appointed term. All council members may serve two consecutive terms, and co-chairs may serve one additional year to assist with transition.
- F. The council shall:
- 1) study issues of bilingual multicultural education for all students, including the needs of bilingual learners and English language learners; and
 - 2) provide advice to the department in the areas of curriculum, instruction, assessment, teacher preparation, teacher evaluation, professional development, licensure and student and family services to:
 - (a) strengthen the quality and effectiveness of bilingual multicultural education programs.
 - (b) promote rigorous culturally and linguistically responsive instruction in bilingual multicultural education programs.
 - (c) support effective classroom teaching for participating bilingual multicultural education program students, including bilingual learners and English language learners who may or may not be part of standalone federal language acquisition programs.
 - (d) recruit, develop and train effective bilingual multicultural education teachers and teachers of bilingual learners and English language learners.
 - (e) identify professional development best suited and appropriate for the languages being taught to support teachers, educational assistants, and other licensed employees to work effectively with bilingual multicultural education program students, including bilingual learners and English language learners.
 - (f) promote professional development opportunities to build the capacity of public education administrators to effectively lead bilingual multicultural education programs and become knowledgeable regarding second language acquisition research, theory, and pedagogy, including culturally and linguistically responsive teaching practices, biliteracy and assessments in English and the home or heritage language.
 - (g) develop solutions for streamlining and strengthening program management, implementation, and monitoring of bilingual multicultural education programs at the state, district, and school site levels.
 - (h) develop family and community partnerships representative of the languages and cultures of all students in the bilingual multicultural education program, to assist and advise in the development, implementation, and evaluation of the program; and
 - (i) support bilingual learners and English language learners to achieve programmatic goals, including academic achievement in two languages and bilingual biliteracy growth as demonstrated and measured by language and literacy assessments in English and the home or heritage language, and with regard to tribal languages, language-appropriate programmatic goals with progress determined in accordance with tribal priorities and sovereignty.
- G. Members of the council may receive per diem and mileage as provided for non-salaried public officers in the Per Diem and Mileage Act [10-8-1 to 10-8-8 NMSA 1978].

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 32 EDUCATIONAL STANDARDS - BILINGUAL MULTICULTURAL EDUCATION PART 2:
GUIDELINES FOR IMPLEMENTING BILINGUAL MULTICULTURAL EDUCATION PROGRAMS

6.32.2.1 Issuing Agency

6.32.2.2 Scope

6.32.2.3 Statutory Authority

6.32.2.4 Duration

6.32.2.5 Effective Date

6.32.2.6 Objective

6.32.2.7 Definitions

6.32.2.8 Department Duties

6.32.2.9 Program Goals

6.32.2.10 Program Eligibility

6.32.2.11 Program Approval

6.32.2.12 Program Element - Instruction

6.32.2.13 Program Element – Professional Development

6.32.2.14 Program Element - Assessment

6.32.2.15 Program Evaluation

6.32.2.16 Program Renewal

6.32.2.1 Issuing Agency: Public Education Department, hereinafter the department. [6.32.2.1 NMAC - Rp, 6.32.2.1 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.2 Scope: This regulation applies to public schools receiving bilingual state funding, K-12. [6.32.2.2 NMAC - Rp, 6.32.2.2 NMAC, 7/1/2018]

6.32.2.3 STATUTORY AUTHORITY: This regulation is adopted pursuant to Sections 9-24-8, 22-2-1, 22-2-2, and 22-23-1 through 22-23-6 NMSA 1978. [6.32.2.3 NMAC - Rp, 6.32.2.3 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.4 DURATION: Permanent. [6.32.2.4 NMAC - Rp, 6.32.2.4 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.5 EFFECTIVE DATE: July 1, 2018, unless a later date is cited at the end of a section. [6.32.2.5 NMAC - Rp, 6.32.2.5 NMAC, 7/1/2018]

6.32.2.6 OBJECTIVE: This regulation provides requirements for developing and implementing bilingual multicultural education and language revitalization programs and supports the state of New Mexico's long-standing policy in furthering bilingual multicultural education. [6.32.2.6 NMAC - Rp, 6.32.2.6 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.7 DEFINITIONS:

"Bilingual multicultural education program" means a program using two languages, including English and the home or heritage language, as a medium of instruction in the teaching and learning process.

"Culturally and linguistically different" means students who are of a different cultural background than mainstream United States culture and whose home or heritage language, inherited from the student's family, tribe, or country of origin, is a language other than English.

"district" means a public school or any combination of public schools in a district.

"English language learner" means a student whose first or heritage language is not English and who is unable to read, write, speak, or understand English at a level comparable to grade-level English proficient peers and native English speakers.

"Heritage language" means a language other than English that is inherited from a family, tribe, community, or country of origin.

"Home language" means a language other than English that is the primary or heritage language spoken at home or in the community.

"School board" means a local school board; and

"Standardized curriculum" means a district curriculum that is aligned with the state academic content standards, benchmarks, and performance standards. [6.32.2.7 NMAC - Rp, 6.32.2.7 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.8 DEPARTMENT DUTIES: The department shall be responsible for carrying out the powers and duties as provided in the Bilingual Multicultural Education Act, Sections 22-23-1 through 22-23-6 NMSA 1978. [6.32.2.8 NMAC - Rp, 6.32.2.8 NMAC, 7/1/2018]

6.32.2.9 PROGRAM GOALS: The state's bilingual multicultural education program goals are to:

- A. become bilingual and biliterate in English and a second language, including Spanish, a Native American language (with appropriate approval from tribal councils or from other appropriate tribal entities with authority to make educational decisions on behalf of Native American children), or another language. For Native American languages that are oral only, the literacy component shall be measured only in the skill areas or domains of listening, speaking, and comprehension; and
- B. meet state academic content standards and benchmarks in all subject areas. [6.32.2.9 NMAC - Rp, 6.32.2.9 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.10 PROGRAM ELIGIBILITY: To be eligible for financial support, each program shall:

- A. provide for the educational needs of linguistically and culturally different students, including Native American children and other students who may wish to participate, in grades kindergarten through 12, with priority to be given to programs in grades kindergarten through three, in any public school or any combination of public schools in a district.
- B. fund programs for culturally and linguistically different students in the state in grades kindergarten through three, for which there is an identifiable need to improve the language capabilities of both English and the home language of these students, before funding programs at higher grade levels.
- C. use two languages as mediums of instruction for any part or all the curriculum of the grade levels within the program.
- D. establish a parent advisory committee, representative of the languages and cultures of the students in the program, to assist and advise in the development, implementation, and evaluation of the program.
- E. provide procedures to ensure that parental notification is given annually prior to program placement; and
- F. provide personnel endorsed in bilingual education, modern classical and native languages, TESOL, or certified in Native American language and culture. The secretary of education may authorize other personnel to implement programs if qualified personnel are not available by the submission of an approved program design that addresses recruitment, professional development, and staffing patterns. [6.32.2.10 NMAC - Rp, 6.32.2.10 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.11 PROGRAM APPROVAL:

- A. A public school district shall submit an initial application to the department by the date of the preceding school year as specified by the department for each school requesting program approval. A proposed bilingual multicultural education program shall be eligible pursuant to Section 22-23-1 NMSA 1978 and 6.32.2 NMAC.
- B. The initial application shall include:
 - 1) projected number of students to be served.
 - 2) assurances that [all] district and school personnel are knowledgeable of the requirements to comply with Section 22-23-1 NMSA 1978 and 6.32.2 NMAC; signatures of school board president, superintendent, bilingual multicultural education director, school principal, and a parent advisory committee representative who shall not be employed by the district or school.
 - 3) a program plan.
 - 4) a resource allocation plan that supports program implementation.
 - 5) evidence of prior tribal consultation in program planning in accordance with the Indian Education Act, Sections 22-23A-1 through 22-23A-8 NMSA 1978; public schools providing a Native American language revitalization program, or other approved Native American bilingual multicultural education model, shall obtain approval from tribal councils or from other appropriate tribal entities with authority to make educational decisions on behalf of Native American children; and
 - 6) districts providing a Native American language revitalization program, or other approved Native American bilingual multicultural education model, shall provide notification of approval and the application approved by the department to tribal councils or other appropriate tribal entities with authority to make education decisions on behalf of Native American children.
- C. The department shall review initial applications for approval. Districts with approved applications shall submit by the 40th day of the target school year the following:
 - 1) instructional plan; and
 - 2) actual number of students to be served. [6.32.2.11 NMAC - Rp, 6.32.2.11 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.12 PROGRAM ELEMENT - INSTRUCTION:

- A. Public schools providing an approved bilingual multicultural education program shall include:
- 1) instruction to attain language proficiency and literacy skills in two languages, one of which is English.
 - 2) instruction to attain academic achievement in two languages, one of which is English.
 - 3) sheltered content instruction.
 - 4) standardized curriculum, including instructional materials with scope and sequence, that is aligned with the state academic content standards, benchmarks, and performance standards.
 - 5) instruction in the history and cultures of New Mexico; and
 - 6) culturally and linguistically responsive instruction designed to develop cross-cultural skills.
- B. Public schools providing a Native American language revitalization program, or other approved Native American bilingual multicultural education model, shall obtain approval from tribal councils or from other appropriate tribal entities with authority to make educational decisions on behalf of Native American children. An approved program shall include:
- 1) instruction to attain language proficiency and literacy skills in English and a Native American language (where tribal language is written); for Native American languages that are oral only, the literacy component shall be measured only in the skill areas or domains of listening, speaking and comprehension.
 - 2) instruction to attain academic achievement in English and a Native American language.
 - 3) sheltered content instruction.
 - 4) standardized curriculum, including instructional materials with scope and sequence, that is aligned with the state academic content standards, benchmarks, and performance standards, unless otherwise agreed to in writing by the department in accordance with the Indian Education Act.
 - 5) instruction in the history and cultures of New Mexico Native American tribes; and
 - 6) culturally and linguistically responsive instruction designed to develop cross-cultural skills.
- C. The following content areas shall be included, as appropriate:
- 1) language arts in the home or heritage language - for funding purposes, time allotted for instruction in the home language shall be equivalent to the time provided for English language arts and shall be consecutive in nature (that is, not fragmented throughout the day).
 - 2) English language development - English language instruction to develop the English language proficiency of English language learners based on the student's English language proficiency level; instruction shall be distinct from content area instruction; and
 - 3) language acquisition in the home or heritage language – instruction to develop language proficiency based on the student's home or heritage language proficiency level; and
 - 4) depending on the time allotted for program:
 - (a) content area instruction in the home or heritage language of the program that utilizes the student's language, history, and culture; or
 - (b) fine arts instruction in the home or heritage language of the program that utilizes the student's language, history, culture, and the arts traditions of the student's community.
- D. All programs shall implement one or more of the following bilingual multicultural education models in the public school:
- 1) **Dual language immersion:** designed to develop proficiency in two languages.
 - 2) **Enrichment:** designed to further develop the home language, as defined in Subsection G of Section 22-23-2 NMSA 1978, of fully English proficient students.
 - 3) **Heritage language:** designed to support and revitalize a student's heritage language and culture through oral and written communication; for Native American languages that are oral only, the literacy component shall be measured only in the skill areas or domains of listening, speaking and comprehension.
 - 4) **Maintenance:** designed to develop and maintain proficiency and literacy in the home language while developing a student's literacy and oral skills in English; and
 - 5) **Transitional:** designed to develop skills in the home language and culture while developing continued skills and proficiency in English. [6.32.2.12 NMAC - Rp, 6.32.2.12 NMAC, 7/1/2018; A, 7/18/2023]

6.32.2.13 PROGRAM ELEMENT - PROFESSIONAL DEVELOPMENT: Districts shall provide professional development for employees.

- A. Public school districts shall provide professional development to teachers, Native American language and culture teachers, teacher assistants, instructional support personnel, principals, bilingual directors or coordinators, associate

superintendents, superintendents, other instructional personnel, and financial officers in the areas of:

- 1) research-based bilingual multicultural education, language revitalization programs and implications for instruction.
 - 2) best practices of English as a second language (ESL); English language development (ELD), bilingual multicultural education and language revitalization programs.
 - 3) classroom assessments that support academic and language development.
 - 4) principles of first and second language acquisition, including language revitalization, differentiated language instruction, and sheltered content instruction; and
 - 5) effective practices of program implementation and program evaluation.
- B. Bilingual multicultural education or language revitalization programs shall be part of the district's professional development plan as required in Subsection E of Section 22-23-5 NMSA 1978. [6.32.2.13 NMAC - Rp, 6.32.2.13 NMAC, 7/1/2018]

6.32.2.14 PROGRAM ELEMENT - ASSESSMENT:

- A. Trained personnel shall administer state-approved language proficiency assessments in English and the home or heritage language annually until proficiency in each language is achieved; public schools providing a Native American language revitalization program, or other approved Native American bilingual multicultural education model, shall obtain approval for language proficiency assessments from tribal councils or from other appropriate tribal entities with authority to make educational decisions on behalf of Native American children; for Native American languages that are oral only, the literacy component shall be measured only in the skill areas or domains of listening, speaking, and comprehension.
- B. Public school districts shall comply with federal assessment requirements.
- C. Students enrolled in this program shall participate in the New Mexico standards-based assessment (NMSBA) program.
- D. In those grades that students do not participate in the New Mexico standards-based assessment program, the public school district shall develop and implement an assessment and evaluation program. [6.32.2.14 NMAC - Rp, 6.32.2.14 NMAC, 7/1/2018]

6.32.2.15 PROGRAM EVALUATION:

- A. Bilingual multicultural education programs shall be evaluated by the department annually for effectiveness and for the appropriate use of funds generated by the bilingual cost differential in the funding formula. For the purposes of such evaluation, each district shall maintain academic achievement and language proficiency data for each school year of each program, which shall be updated annually. This data shall be provided to the department in an annual progress report submitted to the department by September 30 of the following school year. The annual report shall include the following, by school and by model(s):
- 1) verification that the program has identified and served students most in need (with priority given to K-3) based on language proficiency (English and home or heritage language) and academic achievement.
 - 2) a current analysis of language and academic assessment results demonstrating that participating students have made measurably significant growth toward meeting the state targets for language and academic proficiency.
 - 3) specific and measurable goals for the following school year, based on Paragraph (2) of Subsection A of 6.32.2.15 NMAC.
 - 4) verification that teachers, Native American language and culture teachers, teacher assistants, instructional support personnel, principals, bilingual directors or coordinators, associate superintendents, superintendents, other instructional personnel, and financial officers have participated in the district's professional development plan for the program.
 - 5) an expenditure report from the general ledger on the use of funds generated by the bilingual cost differential in the funding formula for the program; and
 - 6) districts providing a Native American language revitalization program, or other approved Native American bilingual multicultural education model, shall provide the annual progress report submitted to the department to tribal councils or other appropriate tribal entities with authority to make education decisions on behalf of Native American children.
- B. The department shall compile and analyze the data submitted by public school districts and shall report annually to the appropriate interim legislative committee. [6.32.2.15 NMAC - Rp, 6.32.2.15 NMAC, 7/1/2018]

6.32.2.16 PROGRAM RENEWAL: Based on program monitoring and review of the annual report, the department will determine whether the bilingual multicultural education program is compliant pursuant to Section 22-23-1 NMSA 1978 and 6.32.2 NMAC.

- A. If the department determines that a program is compliant, the public school district may continue the program as authorized in the approved application; districts providing a Native American language revitalization program, or other approved Native American bilingual multicultural education model, shall notify tribal councils or other appropriate tribal entities with authority to make educational decisions on behalf of Native American children of compliance and program continuation.
- B. If the department determines that a program is not compliant, the department shall notify the district of such non-compliance, including specific areas of non-compliance.
 - 1) Upon receipt of a notice of non-compliance from the department, the district shall develop a program improvement plan, with technical assistance from the department, to address the non-compliance. This plan shall include provisions to adjust the curriculum, program components or method of instruction, as necessary. The plan shall be submitted to the department within 30 days, or, with prior written approval of the department, additional time not to exceed 90 days, from receipt by the district of the notice of non-compliance. The district shall implement this plan during the school year in which the district received the notice of non-compliance.
 - 2) A district in the process of implementing a program improvement plan shall submit its annual report to the department and will be evaluated by the department for compliance based on the standards articulated in 6.32.2.15 NMAC, and not solely on the basis of whether they have fully implemented and complied with the program improvement plan.
 - 3) If upon review, after receipt of the annual report submitted by a district with a program improvement plan, the department determines that the district remains non-compliant; the department shall notify the district. If the district remains non-compliant after the first year of implementation of the program improvement plan, the district will be required to re-evaluate the program improvement plan and make necessary adjustments. The district shall report the results of this evaluation and any revisions to the original program improvement plan to the department within 30 days, or, with prior written approval of the department, additional time not to exceed 90 days of receipt of the notice of non-compliance.
 - 4) If a program is determined to be non-compliant after receiving three consecutive notices of non-compliance, the department shall notify the district and shall discontinue the program at the end of the third school year unless the district can verify compliance to the satisfaction of the department.
 - 5) A district may not apply for approval for a bilingual multicultural education program for the school year immediately following a discontinuation by the department.
 - 6) Districts providing a Native American language revitalization program, or other approved Native American bilingual multicultural education model, shall notify tribal councils or other appropriate tribal entities with authority to make educational decisions on behalf of Native American children of non-compliance and provide evidence of tribal consultation in the development of a program improvement plan in accordance with the Indian Education Act, Sections 22-23A-1 through 22-23A-8 NMSA 1978 and the Bilingual Multicultural Education Act, Section 22-23-1 NMSA 1978.
 - 7) All districts, regardless of any discontinuation by the department, shall submit the annual report to the department for any year in which the district has provided assurances to the department. [6.32.2.16 NMAC - Rp, 6.32.2.16 NMAC, 7/1/2018; A, 7/18/2023]

HISTORY OF 6.32.2 NMAC:

PRE-NMAC HISTORY: The material in this regulation is derived from that previously filed with the State Records Center and Archives under: State Board of Education Regulation 73-21, Guidelines for Submitting Bilingual Multicultural Education Proposals, filed June 18, 1973 and State Board of Education Regulation No. 75- 19, Guidelines for Implementing Bilingual Multicultural Programs, filed January 22, 1976.

HISTORY OF REPEALED MATERIAL: 6.32.2 NMAC, Guidelines for Implementing Bilingual Multicultural Programs, repealed effective 7/1/2003; 6.32.2 NMAC, Guidelines for Implementing Bilingual Multicultural Education Programs, repealed effective 11/30/2005; 6.32.2 NMAC, Guidelines for Implementing Bilingual Multicultural Education Programs, filed 11/30/2005 was repealed and replaced by Guidelines for Implementing Bilingual Multicultural Education Programs effective 7/1/2018.