

YAZZIE/MARTINEZ COURT RULING ON NEW MEXICO'S EDUCATION SYSTEM



The court detailed the major areas of deficiency within the education system requiring immediate attention, including:

Culturally and Linguistically Responsive Education

The court's decision emphasized the state's duty to provide a culturally and linguistically responsive education to students, and held that the state has failed to comply with the New Mexico Indian Education Act, the Hispanic Education Act, and the Bilingual Multilingual Education Act—laws that set forth the requirements for providing students with a multicultural and multilingual education.

Teachers and School Staff

The court recognized that public schools lack experienced and well-trained teachers and have insufficient funding to pay for adequate numbers of teachers, to recruit and retain effective teachers (especially in rural areas, special education, science and bilingual education), and to provide support for teacher training and professional development that is culturally and linguistically responsive to students.

Curriculum and Instructional Programs

The court held the state failed to provide at-risk students with the programs and materials that it acknowledges prepare them for college and career. This includes culturally relevant curricula and instructional materials and culturally competent programming, extended learning opportunities, high-quality and full-day pre-k, smaller class sizes, and comprehensive reading programs.

Student Supports

The court underscored the lack of access to technology and internet in some districts, particularly rural districts. The court found that interventions such as after-school, summer school, and tutoring programs have been shown to be effective, yet districts do not have enough funding to provide such services to all at-risk students. Although transportation is a necessary element of off-hour programs, extended learning programs and pre-k, funding for transportation is insufficient.

Health and Social Services

The court found that the state failed to provide sufficient resources for counselors, nurses, social workers, and other health professionals and non-instructional staff that all students, especially at-risk students, need to succeed. The court found that districts do not have funding to hire these professionals and have eliminated these positions and/or reduced their time due to budget cuts.

SUMMARY:

In 2014, families and school districts sued the State of New Mexico and the Public Education Department for failing to provide a sufficient and uniform system of education to all New Mexican children as guaranteed by the state constitution.

In July 2018, the court ruled in favor of the plaintiffs, holding that the State of New Mexico is violating the constitutional rights of students to a sufficient education—one that prepares them for college and career. The court ordered the state to take immediate steps to increase funding, programs, and services to support “at-risk” children facing the deepest inequities from public school deficiencies, including Native American students, English language learners, students with disabilities, and students from low-income families.

Funding and Accountability

The court concluded that a lack of funds is not an excuse for denying New Mexico's students a sufficient education. The state must come up with the necessary funding to meet New Mexico students' rights, with the court listing examples of various revenue raising options that could be adopted. The court also found that the PED has failed to meet its oversight functions to ensure that all students are receiving the programs and services they need, and that funds are provided in a way that efficiently and effectively meets the needs of at-risk students.

Technology Motion

On April 30, 2021, the court ruled in favor of the Yazzie plaintiffs' motion that asked the state to address the lack of access to technology and internet exacerbated by the pandemic for at-risk students, particularly students living in tribal and rural areas. The court ordered the state to immediately provide digital devices and high-speed internet service to at-risk students who lack access at home, and to provide school districts with sufficient funding to meet students' technology needs.