

# Yazzie/Martínez v. State of New Mexico Decision



## **What has happened?**

Families and school districts, represented by the New Mexico Center on Law and Poverty and the Mexican American Legal Defense and Educational Fund, sued the New Mexico Public Education Department (PED) and the state legislature for failing to provide a sufficient and uniform system of education to all New Mexican students as guaranteed by the education clause of the New Mexico State Constitution.

The consolidated lawsuit, *Martínez/Yazzie v. State of New Mexico* challenged the state's failure to provide students--especially low-income, students of color (61% Latino, 11% Native American, 2% African American and 1% Asian American), English language learners, and students with disabilities--the programs and services necessary for them to learn and thrive and challenged the state's failure to sufficiently fund these programs and services.

## **The Legal Outcome:**

On July 20, 2018, Judge Sarah Singleton ruled that all New Mexico students have a right to be college and career ready and that the state is failing to meet this obligation. As evidence, the judge pointed to New Mexico's low graduation rate (70%--the lowest in the nation), low proficiency rates in reading and math (70% of New Mexico students cannot read or do math at grade level), and high rates of college remediation (almost 50% who do attend college need remedial courses).

## **Judge Singleton's Ruling:**

The state has failed to comply with state and federal laws regarding the education of students of color and ELL students, including the New Mexico Hispanic & Indian Education Act, and Bilingual Multicultural Education Act, which has resulted in an inadequate education system for New Mexican students.

In violation of the state constitution, the state has failed to provide students with the programs and services that it acknowledges prepare them for college and career:

- Quality Pre-K & K-3 Plus
- Culturally and Linguistically Relevant Education
- Small Class Sizes
- Dual Language
- Extended Learning
- Social Services
- Sufficient funding for Teacher Recruitment, Retention, and Training



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' right to a sufficient education.

The PED has failed to meet its oversight functions to ensure that all students are receiving the programs and services they need.

The state has until April 15, 2019 to take immediate steps to ensure that New Mexico schools have the resources necessary, including sufficient funding, to provide all students with a uniform and sufficient education that prepares them for college and careers.

### **The Impact!**

This consolidated lawsuit has the leverage to transform the education of our children and future generations by acknowledging the cultural and linguistic abilities that many of our students come with!

#### **Call to Action:**

What can I do as a student or family member?

- Your involvement in this process is **VERY** important!
- Share this historical legal outcome with your peers, family and friends.
- Encourage your contacts to participate in community events and activities that help these lawsuits move forward.
- Participate in voicing your opinion of what needs to happen to improve, strengthen and transform our educational system for New Mexicans!
- Share the link: <https://goo.gl/4nVgKh>

**For more information on this important issue, please contact:**