



The Legislature
of the
State of New Mexico

49th Legislature, 2nd Session

LAWS 2010

CHAPTER 114

HOUSE BILL 150, as amended

Introduced by

REPRESENTATIVE RICK MIERA AND REPRESENTATIVE MARY HELEN GARCIA



REPRESENTATIVE RICHARD D. VIGIL
REPRESENTATIVE ELIAS BARELA
REPRESENTATIVE MIGUEL P. GARCÍA
REPRESENTATIVE SHERYL WILLIAMS STAPLETON
REPRESENTATIVE ANTONIO LUJAN
REPRESENTATIVE THOMAS A. GARCÍA
REPRESENTATIVE EDWARD C. SANDOVAL
REPRESENTATIVE ANDREW J. BARRERAS
REPRESENTATIVE ELEANOR CHÁVEZ
REPRESENTATIVE ANTONIO "MOE" MAESTAS
REPRESENTATIVE JONI MARIE GUTIERREZ
REPRESENTATIVE ROBERTO "BOBBY" J. GONZALES

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Chapter 114

AN ACT

RELATING TO EDUCATION; ENACTING THE HISPANIC EDUCATION ACT;
CREATING THE HISPANIC EDUCATION LIAISON OF THE PUBLIC
EDUCATION DEPARTMENT; PROVIDING POWERS AND DUTIES; CREATING AN
ADVISORY COUNCIL.

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

Section 1. A new section of the Public School Code is
enacted to read:

"SHORT TITLE.--This act may be cited as the "Hispanic
Education Act"."

Section 2. A new section of the Public School Code is
enacted to read:

"PURPOSE.--The purpose of the Hispanic Education Act is
to:

A. provide for the study, development and
implementation of educational systems that affect the
educational success of Hispanic students to close the
achievement gap and increase graduation rates;

B. encourage and foster parental involvement in
the education of their children; and

C. provide mechanisms for parents, community and
business organizations, public schools, school districts,
charter schools, public post-secondary educational
institutions, the department and state and local policymakers

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1 to work together to improve educational opportunities for
2 Hispanic students for the purpose of closing the achievement
3 gap, increasing graduation rates and increasing post-secondary
4 enrollment, retention and completion."

5 Section 3. A new section of the Public School Code is
6 enacted to read:

7 "DEFINITION.--As used in the Hispanic Education Act,
8 "liaison" means the Hispanic education liaison."

9 Section 4. A new section of the Public School Code is
10 enacted to read:

11 "HISPANIC EDUCATION LIAISON--CREATED--DUTIES.--

12 A. The "Hispanic education liaison" is created in
13 the department.

14 B. The liaison shall:

15 (1) focus on issues related to Hispanic
16 education and advise the secretary on the development and
17 implementation of policy regarding the education of Hispanic
18 students;

19 (2) advise the department and the commission
20 on the development and implementation of the five-year
21 strategic plan for public elementary and secondary education
22 in the state as the plan relates to Hispanic student
23 education;

24 (3) assist and be assisted by other staff in
25 the department to improve elementary, secondary and post-

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1 secondary educational outcomes for Hispanic students;

2 (4) serve as a resource to enable school
3 districts and charter schools to provide equitable and
4 culturally relevant learning environments, educational
5 opportunities and culturally relevant instructional materials
6 for Hispanic students enrolled in public schools;

7 (5) support and consult with the Hispanic
8 education advisory council; and

9 (6) support school districts and charter
10 schools to recruit parents on site-based and school district
11 committees that represent the ethnic diversity of the
12 community."

13 Section 5. A new section of the Public School Code is
14 enacted to read:

15 "HISPANIC EDUCATION ADVISORY COUNCIL.--

16 A. The "Hispanic education advisory council" is
17 created as an advisory council to the secretary. The council
18 shall advise the secretary on matters related to improving
19 public school education for Hispanic students, increasing
20 parent involvement and community engagement in the education
21 of Hispanic students and increasing the number of Hispanic
22 high school graduates who succeed in post-secondary academic,
23 professional or vocational education.

24 B. The secretary shall appoint no more than
25 twenty-three members to the council who are knowledgeable

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1 about and interested in the education of Hispanic students,
2 including representatives of public schools; post-secondary
3 education and teacher preparation programs; parents; Hispanic
4 cultural, community and business organizations; other
5 community and business organizations; and other interested
6 persons. The secretary shall give due regard to geographic
7 representation. Members shall serve at the pleasure of the
8 secretary.

9 C. The council shall elect a chairperson and such
10 other officers as it deems necessary.

11 D. The council shall meet as necessary, but at
12 least twice each year.

13 E. The council shall advise the secretary on
14 matters related to Hispanic education in New Mexico.

15 F. Members of the council shall not receive per
16 diem and mileage or other compensation for their services."

17 Section 6. A new section of the Public School Code is
18 enacted to read:

19 "STATEWIDE STATUS REPORT.--

20 A. The department, in collaboration with the
21 higher education department, shall submit an annual preschool
22 through post-secondary statewide Hispanic education status
23 report no later than November 15 to the governor and the
24 legislature through the legislative education study committee.
25 A copy shall be provided to the legislative library in the

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1 legislative council service.

2 B. The status report shall include the following
3 information, by school district, by charter school and
4 statewide, which may be compiled from data otherwise required
5 to be submitted to the department:

6 (1) Hispanic student achievement at all
7 grades;

8 (2) attendance for all grades;

9 (3) the graduation rates for Hispanic
10 students;

11 (4) the number of Hispanic students in
12 schools that make adequate yearly progress and in schools at
13 each level of school improvement or restructuring; and

14 (5) the number and type of bilingual and
15 multicultural programs in each school district and charter
16 school.

17 C. The status report shall include the following
18 information, by post-secondary educational institution, which
19 may be compiled from data otherwise required to be submitted
20 to the higher education department:

21 (1) Hispanic student enrollment;

22 (2) Hispanic student retention; and

23 (3) Hispanic student completion rates."

24 Section 7. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2010. _____

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Diane D. Denish

DIANE D. DENISH, PRESIDENT
SENATE

Lenore M. Naranjo

LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 10th day of March, 2010

Bill Richardson

BILL RICHARDSON, GOVERNOR
STATE OF NEW MEXICO

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DAVID B. DEWITT, PRESIDENT
SENATE

LEONARD K. MARANO, CHIEF CLERK
SENATE

Approved by me this 10th day of March, 2010.

BILL RICHARDSON, GOVERNOR

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