



The Legislature
of the
State of New Mexico

51st Legislature, 1st Session

LAWS 2013

CHAPTER _____

HOUSE BILL 541

POCKET VETOED

Introduced by

REPRESENTATIVE RICK MIERA



REPRESENTATIVE TOMÁS E. SALAZAR
REPRESENTATIVE MIGUEL P. GARCÍA
REPRESENTATIVE ROBERTO "BOBBY" J. GONZALES
REPRESENTATIVE JAMES ROGER MADALENA
REPRESENTATIVE GEORGENE LOUIS
REPRESENTATIVE DEBBIE A. RODELLA
REPRESENTATIVE STEPHANIE GARCIA RICHARD
REPRESENTATIVE CHRISTINE TRUJILLO
REPRESENTATIVE SANDRA D. JEFF
REPRESENTATIVE MARY HELEN GARCIA
REPRESENTATIVE EDWARD C. SANDOVAL
REPRESENTATIVE ERNEST H. CHAVEZ

1 AN ACT

2 RELATING TO PUBLIC EDUCATION; ESTABLISHING A SEAL TO DENOTE
3 PROFICIENCY IN TWO OR MORE LANGUAGES; CREATING THE BILINGUAL
4 EDUCATION ADVISORY COUNCIL.

5
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. A new section of the Bilingual Multicultural
8 Education Act is enacted to read:

9 "SEAL OF BILINGUAL PROFICIENCY.--

10 A. The department shall, with the advice and
11 consent of the bilingual education advisory council, establish
12 a statewide seal of bilingual proficiency. The seal shall
13 serve as a capstone on a high school diploma or general
14 equivalency degree of a student who meets the bilingual and
15 biliteracy standards set by the bilingual education advisory
16 council. A school district, charter school or other school
17 may provide a graduating student with the opportunity to
18 demonstrate proficiency in understanding, speaking, reading
19 and writing two or more languages to earn the seal.

20 B. The bilingual education advisory council and
21 the department shall consult and collaborate with an Indian
22 nation, tribe or pueblo to develop an appropriate recognition
23 to honor and designate proficiency in the native language of
24 that Indian nation, tribe or pueblo."

25 SECTION 2. A new section of the Bilingual Multicultural HB 541
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1 Education Act is enacted to read:

2 "BILINGUAL EDUCATION ADVISORY COUNCIL--CREATED--
3 DUTIES.--

4 A. The "bilingual education advisory council" is
5 created and shall advise the department on the implementation
6 of the provisions of the Bilingual Multicultural Education Act
7 and on all matters related to the education of linguistically
8 and culturally diverse students. The council shall consist of
9 twelve members proficient in one or more languages other than
10 English with at least:

11 (1) two representatives from Indian nations,
12 tribes or pueblos;

13 (2) one representative who is a parent; and

14 (3) nine representatives who are from
15 different geographical areas of New Mexico and different
16 education areas, such as institutions of higher education,
17 local education agencies, charter schools and tribal schools,
18 one of whom is an expert in English as a second language
19 instruction.

20 B. The initial members of the council shall be
21 appointed by a committee consisting of the director of the
22 bilingual multicultural education bureau of the department,
23 two members appointed by the director who are also members of
24 the Indian education advisory council and two members
25 appointed by the director who are also members of the Hispanic

1 education advisory council; thereafter the secretary shall
2 appoint the members of the council.

3 C. The initial members shall draw lots to
4 determine which four members shall serve one-year terms, two-
5 year terms and three-year terms; thereafter, each member of
6 the council shall serve a three-year term. Terms shall be
7 staggered so that the term of no more than four members
8 expires in one year.

9 D. A majority of the members of the council
10 constitutes a quorum. The council shall elect a chair from
11 its membership.

12 E. Members of the council are entitled to receive
13 per diem and mileage as provided for nonsalaried public
14 officers in the Per Diem and Mileage Act for five meetings per
15 year.

16 F. The council shall:

17 (1) meet quarterly;

18 (2) hold an annual meeting with members of
19 the Hispanic education advisory council and the Indian
20 education advisory council to exchange information,
21 collaborate on joint initiatives and discuss and plan for
22 future needs of linguistically and culturally diverse
23 students;

24 (3) develop the criteria and process for
25 awarding the seal of bilingual proficiency;

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(4) advise the department on:

(a) the development, implementation and evaluation of bilingual multicultural education programs; and

(b) policy issues related to the education of linguistically and culturally diverse students;

(5) recommend, assist and advise in the development of new education initiatives by the department;

(6) provide a list of names from which the secretary shall appoint new members of the council; and

(7) report before the legislative education study committee on the needs and status of linguistically and culturally diverse students."

OFFICE OF THE CLERK

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LEGISLATIVE DIVISION
1211-2 11 8:51

S/ W. KEN MARTINEZ
W. KEN MARTINEZ, SPEAKER
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HOUSE OF REPRESENTATIVES

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JOHN A. SANCHEZ, PRESIDENT
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LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this _____ day of _____, 2013

SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO

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