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Yazzie/Martinez plaintiffs want more say in New Mexico's efforts to fix K-12 education

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Wilhelmina Yazzie, a plaintiff in the Yazzie/Martinez lawsuit, speaks during a community feedback session in November at the Santa Ana Star Casino. Plaintiffs in the lawsuit have asked a judge to allow them to revise the state's plan to address findings in the lawsuit, arguing it fails on several points.

Esteban Candelaria/New Mexican file photo

Plaintiffs in a landmark lawsuit that showed New Mexico failed to serve many of its most disadvantaged students have asked a judge to let them take matters into their own hands.

They say the state's current plan to reform the education system fails to set a clear path forward, and they want to revise it themselves, according to documents filed last week. They're requesting nearly \$200,000 to do the job.

"Getting this plan right matters because it determines whether students can rely on the supports they need actually being there in their classrooms," attorney Melissa Candelaria wrote in a news release. "We have to work collaboratively to strengthen this plan so that it meets the constitutional standard and clearly reflects community knowledge in how it's structured, funded, and carried out."

Multiple parents sued the New Mexico Public Education Department in 2018, alleging the state had failed to give their children the education they needed. The consolidated Yazzie/Martinez lawsuit resulted in a judge finding the state had failed to provide a sufficient education system for many of its students, identifying four groups in particular: Native American students, those with disabilities, children from needy families and English learners.

The state was ordered to develop an action plan last year and produced it on time. However, plaintiffs in the lawsuit expressed concerns from the beginning, arguing it has several deficiencies, including a lack of cost estimates for initiatives, no accountability measures and a lackluster number of clear timelines.

To remedy their concerns, the plaintiffs have asked First Judicial District Court Judge Matthew Wilson to find that the plan is inadequate, to allow them to strengthen the plan by bringing in their own experts, and to work out their disagreements with the Public Education Department.

They estimated their revisions to the plan would cost roughly \$192,000. That would pay for fees related to consulting experts and holding meetings with stakeholders, according to the plaintiffs' court filing.

The Public Education Department argued in a court filing last month that it had satisfied its obligation to create the plan and relied on the expertise of many members of the community, including tribal leaders.

The department also argued it consulted with the plaintiffs during several stages throughout its process of developing its strategy.

“Plaintiffs’ basis for asking the Court to disregard the plan in its entirety is that Plaintiffs have objections to the plan and, in some instances, desire specific changes to be made to the plan,” the state wrote in its filing. “However, in many of those instances, Plaintiffs only offer general criticisms of the plan that provide little help to either PED or the Court in assessing Plaintiffs’ allegations of insufficiency.”

Esteban Candelaria is a corps member with Report for America, a national service program that places journalists into local newsrooms. He covers child welfare and the state Children, Youth and Families Department. Learn more about Report for America at reportforamerica.org.

Takeaways

Plaintiffs in the Yazzie/Martinez education lawsuit have asked a judge to allow them to revise the state’s action plan in the lawsuit themselves, arguing it fails on several points.

They also asked for roughly \$200,000 to strengthen the plan, funds that would pay for experts to weigh in and to coordinate meetings with the community.

The Public Education Department has argued it satisfied its obligation to create a plan, and that it consulted with community experts and the plaintiffs in its development.

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