

## **Martinez v New Mexico Timeline**

**August 2012:** Latino Education Task Force announces MALDEF's plan to investigate the cause of the achievement gaps for students of color. MALDEF announces that if necessary, it will sue the State of New Mexico, alleging education officials are violating low-income and English-language learner students' right to an equitable and sufficient education as guaranteed under the state's constitution.

**March 19, 2014:** New Mexico Center for Law and Poverty files a lawsuit in the 11th Judicial District Court, Gallup-McKinley County. The suit, filed on behalf of families, seeks to increase funding for public education, especially for at-risk students, including Native Americans and Latinos. The case is known as *Yazzie v. New Mexico*.

**April 1, 2014:** MALDEF files a lawsuit in the 1st Judicial District Court, Santa Fe County on behalf of 51 parents and children from around the state, including Española, Santa Fe, Albuquerque, Zuni, Magdalena, Las Cruces and Gadsden. The suit alleges that state education officials are violating low-income and English-language learner students' fundamental right to a uniform and sufficient education as required under New Mexico's Constitution. The case, known as *Martinez v. New Mexico*, is the first of its kind in the state.

**June 10, 2014:** MALDEF amends its lawsuit to include special education claims on behalf of clients.

**June 18, 2014:** New Mexico files motion seeking to dismiss MALDEF's lawsuit.

**October 7, 2014:** New Mexico Center for Law and Poverty moves to dismiss *Yazzie v. New Mexico* and refiles a new lawsuit in the 1st Judicial District Court, Santa Fe County.

**October 23, 2014:** Court denies state's motion to dismiss *Martinez v. New Mexico*, ruling for the first time in the state's history that education is a fundamental right under New Mexico's constitution.

**November 25, 2014:** State education officials ask the court to consolidate *Martinez v. New Mexico* and *Yazzie v. New Mexico*.

**January 26, 2015:** Court consolidates *Yazzie* and *Martinez* lawsuits against the state.

**May 22, 2017:** Court hears pretrial motions, including request for summary judgment.

**June 12, 2017:** Trial begins in the landmark lawsuit challenging New Mexico's failure to adequately provide low-income students and English-language learners an appropriate education as required by the state's constitution.

**January 9, 2018:** Attorneys from MALDEF and the Center file closing briefs for their consolidated lawsuit (*Martinez v. State of New Mexico* and *Yazzie v. State of New Mexico*) against the State of New Mexico for its failure to provide all public school students a sufficient education as mandated by the New Mexico Constitution.

**July 20, 2018:** In a landmark decision, Court rules that the State of New Mexico violated students' fundamental rights by failing to provide a sufficient public education, as required under the state constitution.

## FACT SHEET

In 2013-14 New Mexico enrolled 336,980 students in 89 districts and 855 schools. Latinos comprised approximately 60% of all enrolled students, Caucasians 25%, Native Americans 10%, African Americans 2% and Asian/Pacific Islanders 1%.

In 2013-14, 68% of all enrolled students qualify as economically disadvantaged, and ELL students accounted for about 16%, or 1 out of every 6 students in the state's public schools.

In New Mexico, 11% of children 4 and under live in extreme poverty, and live 50% below the federal poverty line. Yet only a fraction of children attend Pre-K, and New Mexico ranks 44th nationally in pre-school enrollment for 3 and 4-year-olds, according to a report by the New Mexico Voices for Children.

English-learner students: Three quarters of 8th grade English-learner students achieved proficiency in reach in 2012-13, and 85% failed to reach proficiency in math, compared to 40% to 60% failure of all 8th grade students for that same school year.

<http://beforeitsnews.com/alternative/2012/08/maldef-announces-investigation-into-new-mexico-minority-students-lagging-performance-2452522.html>

<http://www.edweek.org/ew/articles/2014/04/23/29funding.h33.html>

<http://blogs.edweek.org/edweek/learning-the-language/2014/04/civil-rights-group-files-suit.html?ga=2.174367522.1468952892.1496618234-852433256.1496618233>

<http://www.ewa.org/blog-latino-ed-beat/maldef-investigates-latino-achievement-gap-new->

[mexico](#)

[http://lawprofessors.typepad.com/education\\_law/2014/04/maldef-sues-new-mexico-claiming-denial-of-right-to-education-by-molly-hunter-education-law-center.html](http://lawprofessors.typepad.com/education_law/2014/04/maldef-sues-new-mexico-claiming-denial-of-right-to-education-by-molly-hunter-education-law-center.html)