

Legislative Education Study Committee Minutes  
Santa Fe, NM  
January 15, 2024

Monday, January 15

The following voting and advisory members were present:

Voting: Chair G. Andrés Romero, Vice Chair William P. Soules, Representatives Joy Garratt, Susan K. Herrera, Raymundo Lara, Tanya Mirabal Moya, and Senators Craig W. Brandt, Harold Pope Jr., and Mimi Stewart.

Advisory: Representatives John Block, Yanira Gurrola, Tara L. Lujan, Willie Madrid, Patricia Roybal Caballero, Elizabeth "Liz" Thomson and Senators David M. Gallegos, Linda Lopez, and Antonio Maestas.

**Call to Order, Introductions, and Approval of December Minutes and January Agenda.** Representative G. Andrés Romero, Chair, Legislative Education Study Committee (LESC), called the meeting to order. Chair Romero facilitated introductions of the members of LESC, as well as LESC staff. In a motion by Representative Mirabal Moya, and a second by Representative Garratt, the agenda for the January LESC meeting was approved. The meeting minutes for the December LESC hearing were also approved with a motion by Senator Stewart and a second by Senator Soules, Vice Chair.

**Director's Report.** Gwen Perea Warniment, Ph.D., Director, LESC, presented the director's report, including the LESC annual report, review of the 2023 interim and status on work projects, LESC policies and procedures, and personnel updates. Dr. Perea Warniment presented the LESC annual report and highlighted the work of staff over the 2023 interim, as well as research and evaluation priorities for the 2024 interim. Senator Stewart thanked Dr. Perea Warniment for presenting the thorough and informative annual report and moved to approve the report. The committee voted in favor of approving the report.

Dr. Perea Warniment presented the Legislative Council Service (LCS) policy for parental leave and noted that although it may supersede LESC policy and procedures, she would like to adopt the policy in the LESC handbook. The policy offers 60 working days (which can be taken in hours) of paid parental leave upon the birth, adoption, or initiation of foster care of a child. Employees are eligible for paid leave after completing 12 months of employment. Parental leave may be taken at any time within the first year of an eligible event. Senator Stewart expressed support for the policy and thanked the Governor for an executive order providing paid leave for state employees, which LCS then enacted. The committee voted in favor of adopting the policy.

Dr. Perea Warniment reported the committee hired a new analyst, Conor Hicks, who will begin working for the LESC in March.

**Committee Endorsed Legislation.** Gwen Perea Warniment, Ph.D., Director, LESC, presented additional proposals for LESC sponsored legislation, including bills covering school board and charter governing council requirements, graduation requirements, a Tribal Education Trust Fund, and a universal basic income pilot.

The first proposed bill on school board and charter governing council requirements would add the number of training hours attended by members to the school support and accountability system, limit a local school board's termination of a superintendent after a school board election, amend the Campaign Reporting Act as it applies to local school board candidates, and require local school board and governing body meetings to be webcast and archived. Senator Soules voiced concern that the bill includes training requirements but not an enforcement mechanism. The committee voted in favor of endorsing legislation to amend school board and governing council training requirements.

The second proposed bill to amend high school graduation requirements would amend state law to require 24 units for graduation that include four units in English, four units in math, four units of social science, and three units of science, along with one unit of physical education, one half unit of health, five and a half elective units, and two units to be set by local school boards or charter school governing councils. The bill would also require personal financial literacy be taught explicitly as part of a required economics and personal financial literacy course and would require each local education agency to develop a graduate profile to guide and support local decision making.

Dr. Perea Warniment noted nothing in the bill would affect school districts or charter schools' authority to require additional coursework. Representative Mirabal Moya noted concerns about last year's bill reducing physical education requirements and appreciation that this bill would not do that. Representative Garratt asked if students needing extra support could count two years of algebra I instruction as two years of math instruction toward graduation requirements. Dr. Perea Warniment replied that would likely be possible, but school staff should consult the STARS guide, a manual of approved courses published by the Public Education Department, to confirm. Senator Lopez requested ethnic studies be listed as a course option in statute. Senator Soules asked how school guidance counselors can support students through these changes to graduation requirements. Dr. Perea Warniment replied that funding training for counselors will be requisite, as well as updating the STARS manual, which codes and provides descriptions of courses for students. Chair Romero expressed appreciation to staff, the Public Education Department, and the Governor's office for their work on this over the

interim. Representative Gurrola expressed support for the flexibility of the bill and asked if a student can count a financial education course as both a math credit and an elective. Dr. Perea Warniment replied that as of now, students may not count one class as satisfying two graduation requirements. The committee voted in favor of endorsing the legislation amending high school graduation requirements.

The third proposed bill on the creation of a Tribal Education Trust Fund would include an initial investment with provisions detailing how investment returns on the fund would provide consistent and stable revenue for tribal education departments. Senator Soules asked why the Apache are not included as representatives in the bill. Representative Lente, who joined the presentation on the bill idea, apologized for the oversight and said it would be corrected. Representative Garratt asked if there will be a review of the funding disbursement formula. Representative Lente replied the task force would make recommendations for equitable distribution. The committee voted in favor of endorsing the legislation creating a Tribal Education Trust Fund.

The fourth proposed bill of a Universal Basic Income Pilot Program would evaluate the impact on a low-income pregnant person of \$1,500 per month from pregnancy through the first year of life of an infant and would appropriate \$80 million from the general fund for this purpose. The two-year pilot program would be administered by the Department of Health (DOH) and would consist of a control group and a test group of participants who must comply with program provisions, such as participating in the home visiting program and prenatal care, to maintain eligibility. DOH would report findings to the LESC by December 1, 2026.

Representative Block recommended removing participants who fail to meet program requirements from the study, rather than moving them to the control group. Senator Soules, who joined the presentation of this bill idea, noted individuals who fail to meet program requirements would continue to be followed to determine the effect of different lengths of program participation. Representative Block asked whether there are restrictions on use of the income, such as illicit activities. Senator Soules replied that most universal basic income studies have found very few illicit uses of the income, and most of the income has been used on rent and transportation. Senator Soules noted concerns that restricting the funds would reduce their usefulness.

Representative Mirabal Moya asked if income eligibility levels would be similar to those required to receive food stamps or other government services. Senator Soules replied that was his understanding. Representative Garratt asked if the Department of Health is aware of the bill and if they have included funding for it in their budget. Senator Soules expressed the bill has been met with support from a variety of places and stated funds exist for the pilot without jeopardizing other

expenditures in the budget. Representative Garratt supports its exploration but would not vote to endorse it as she has too many unanswered questions about the idea. Senator Pope asked why focusing on this moment in an unborn child's life is important. Senator Soules responded that research indicates the first year of a child's life is a critical time for laying the foundation for their future education, including language development. Furthermore, a high-risk birth is very expensive, and home visiting reduces emergency room requirements. Senator Pope expressed support for the pilot program. Representative Lara asked if a participant could work during the program. Senator Soules confirmed they could and noted the program would give new parents a chance to temporarily step out of the workforce without great financial repercussions. Representative Lara expressed interest, but voiced concerns, about making it an education bill endorsed by the education committee. Senator Soules replied that everything from a child's conception to graduation is education and affects education. The committee voted in favor of endorsing the legislation in a three to five vote.

**LESC Budget Recommendation.** Gwen Perea Warniment, Ph.D., Director, LESG, presented the FY25 LESG budget recommendations and compared recommendations to those of the Legislative Finance Committee (LFC) and the Executive. Representative Herrera noted the LFC budget recommendation does not include funds for instituting a \$30 thousand minimum school salary and encouraged the LESG to consider ways to build support. Representative Garratt asked the director to speak about school meal funding. Dr. Perea Warniment replied that PED's prior cost projections were below actual program costs due to: (1) increased uptake of school meals; (2) increased local education agency participation in school meal programs; (3) federal law changes; and (4) families not being required to submit applications for free school meals, which resulted in the state covering meal costs that federal funds once had. For those reasons, Dr. Perea Warniment stated that PED's estimated costs of the program may be correct. Chair Romero asked who would be responsible for evaluating programs funded through the LFC's proposed Government Accountability and Improvement Trust Fund. Dr. Perea Warniment noted she had not yet seen the legislation, but her initial understanding is that the vetting of programs funded through the trust fund would be conducted by LFC. Likewise, evaluations would be conducted by the LFC or a third party. Dr. Perea Warniment noted the exclusion of LESG from these processes related to education programs is a concern.