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FISCAL IMPACT REPORT

SPONSOR Johnson/Allison **ORIGINAL DATE** 2/11/2020
LAST UPDATED _____ **HB** 363
SHORT TITLE Navajo Education Liaison **SB** _____
ANALYST Gaussoin

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$150.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates Appropriation in the General Appropriation Act
 Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Indian Affairs Department (IAD)

No Response Received

Public Education Department (PED)

Regional Education Cooperatives (REC)

SUMMARY

Synopsis of Bill

House Bill 363 appropriates \$150 thousand from the general fund to Four Corners Regional Education Cooperative to create a position or multiple positions for a Navajo education liaison.

There is no effective date of this bill. It is assumed the effective date is 90 days following adjournment of the Legislature.

HB363 creates a new section of the Regional Education Cooperative Act requiring the Four Corners REC to appoint, in consultation with the Navajo Nation Department of Diné, one or more Navajo education liaisons knowledgeable about the educational, cultural, linguistic and psychosocial needs of Navajo students to work closely with school districts, PED, IAD, tribal colleges, and the tribal government to ensure students are receiving a relevant and comprehensive education. In addition, the liaisons would serve as an ombudsman for Navajo

students and their families, empowered to investigate and informally resolve complaints and would prepare an annual report for the REC's members, the Indian Education Division of PED, tribal government agency, the governor of New Mexico, the Legislature and the public.

FISCAL IMPLICATIONS

The appropriation of \$150 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund.

The House Appropriations and Finance Committee substitute for House Bills 2 and 3 contains \$6 million for the Indian education fund, \$5 million for a summer extended learning pilot for small Indian-impacted school districts and charter schools, \$9 million for multicultural curricula and materials, and \$5.5 million for indigenous, multilingual, multicultural and special education.

SIGNIFICANT ISSUES

A focus of the court ruling in the *Martinez* and *Yazzie* education sufficiency lawsuit was the needs of Native American students. The court found New Mexico has failed to comply with state and federal laws, including the Indian Education Act, the Bilingual Multicultural Education Act, and the Hispanic Education Act by failing to provide culturally and linguistically relevant materials.

RELATIONSHIP

SB336 relates to HB134, Expand SF Indian School Internship Program; HB136, American Indian Student College Readiness program; HB138, Funding for Yazzie Lawsuit Responses; HB139, Zuni Pueblo Education Improvements; and HB140 Mescalero Apache Education Improvements; all of which propose remedies to issues raised in the *Martinez* and *Yazzie* consolidated lawsuit. In terms of appropriations, HB134 funds the Indian school leadership institute; HB136 funds an American Indian college readiness program; HB137 funds libraries, Internet access, and education projects for Native American nations, tribes, and pueblos; HB139 funds education projects in the Pueblo of Zuni; and HB140, funds education projects at the Mescalero Apache tribe.

SB336 relates to \$25.5 million in appropriations in the General Appropriating Act.

OTHER SUBSTANTIVE ISSUES

New Mexico has an existing Indian Education Advisory Committee and an Indian Education Division, as well as numerous bureaucracies targeting multicultural and bilingual education. Nevertheless, LFC and LESC analysis indicates the state's efforts in these areas have been ineffective. SB363 provides the Navajo education liaisons with some authority to investigate complaints.

HFG/sb