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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
55th Legislature, 2nd Session, 2022

Bill Number	<u>HB185</u>	Sponsor	<u>Lente</u>
Tracking Number	<u>.222123.1</u>	Committee Referrals	<u>HEC/HAFC</u>
Short Title	<u>Develop Comprehensive Education Plan</u>		
Analyst	<u>Estupiñan</u>	Original Date	<u>2/4/2022</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

House Bill 185 (HB185) requires the Public Education Department (PED) to develop a comprehensive education plan for addressing the court's findings in the *Martinez-Yazzie* education sufficiency lawsuit by June 1, 2023. This education plan should include

- Short and long-term goals and action steps;
- Timeframes for implementation;
- An overview of potential methods to increase teacher diversity and bilingual teachers;
- Potential metrics of accountability;
- Culturally and linguistically relevant initiatives that align with requirements in the Hispanic Education Act, the Indian Education Act, and the Bilingual Multicultural Education Act;
- Projected funding levels for adequately meeting the needs of Native American students, English learners, students with disabilities, and low-income students.

The bill would also require that PED collaborate with the Higher Education Department (HED) in composing a strategic plan for building and sustaining a highly qualified, effective, and diverse teacher workforce. This roadmap should focus on

- Integrating a bilingual or teaching English to speakers of other languages, endorsement and training in special education, and culturally and linguistically responsive instruction into all teacher preparation programs;
- Increasing the number of teachers who obtain endorsements in bilingual education, teaching English to speakers of other languages, and special education;
- Growing the number of Native American and Hispanic teachers in rural school districts and school districts that predominately serve students of color.

The collaborative teacher workforce strategic plan between PED and HED would be required to be enacted by FY24.

FISCAL IMPACT

The bill appropriates \$800 thousand from the general fund to PED for expenditure in FY23. Any unexpended or unencumbered balance remaining at the end of FY23 shall revert to the general fund.

SUBSTANTIVE ISSUES

The court's findings in the *Martinez-Yazzie* lawsuit cited four student groups who have historically been deprived of access to a sufficient education, including Native American students, low-income students, English learners, and those with disabilities. Since the initial ruling in 2018, at least \$8 million has been expended by the state of New Mexico on ongoing litigation. The state remains subject to judicial oversight in the case, even as the Legislature has invested significant resources in public education.

Despite those significant investments, students with at-risk factors continue to experience unique academic challenges, including inequities in access to broadband internet, high-quality facilities, and culturally and linguistically relevant bilingual and multicultural education programs.

The key to addressing the findings in the *Martinez-Yazzie* lawsuit is a comprehensive plan for addressing the unique academic needs of students with at-risk factors. Laying out a short- and long-term roadmap for enhancing the quality and relevancy of public education in historically underserved communities promotes shared responsibility and collaboration in meeting those common goals.

ADMINISTRATIVE IMPLICATIONS

HB185 would require significant staff time and agency resources at PED.

OTHER SIGNIFICANT ISSUES

PED is currently in the process of completing a comprehensive plan for addressing the unique academic needs of Native American students. While a draft of the plan was originally intended to undergo a period of tribal consultation in October 2021, the document was not released to tribes nor was it released to the public by PED's deadline of December 31, 2021.

As of the writing of this analysis, PED has not indicated when it intends to release the plan.

RELATED BILLS

HB60 – Native American Language Certificate Salaries
HB87 – Indian Education Fund Distributions
HB90 – Appropriations for Yazzie Lawsuit
HM12 – Yazzie Lawsuit Plan and Reporting

SOURCES OF INFORMATION

- LESC Files

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