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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Lente</u>	<b>LAST UPDATED</b> <u>3/8/2023</u>
	<b>ORIGINAL DATE</b> <u>2/15/2023</u>
<b>SHORT TITLE</b> <u>American Indian Ed Tech Assistance Centers</u>	<b>BILL NUMBER</b> <u>House Bill 280/aHAFC</u>
	<b>ANALYST</b> <u>Jorgensen</u>

### APPROPRIATION\* (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
	\$0		

Parentheses ( ) indicate expenditure decreases.  
\*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

#### Responses Received From

Early Childhood Education and Care Department (ECECD)  
Higher Education Department (HED)  
Indian Affairs Department (IAD)  
Public Education Department (PED)

## SUMMARY

### Synopsis of HAFC Amendment to House Bill 280

The House Appropriations and Finance Committee amendment to House Bill 280 removes the \$2.25 million appropriation supporting the American Indian educational technical assistance centers.

### Synopsis of Original Bill

House Bill 280 directs the Higher Education Department (HED) to establish two American Indian education technical assistance centers in geographically distinct regions of the state to serve all Native American students and federally recognized Indian nations, tribes, and pueblos in New Mexico. HB280 requires HED to seek tribal input and feedback from the Public Education Department (PED) and Early Childhood Education and Care Department (ECECD) in developing a request for proposals (RFP) to operate the centers. HB280 requires HED to prioritize applications from tribal colleges and universities in New Mexico, as well as Native American programs at New Mexico public higher education institutions and tribally controlled institutions and entities with demonstrated experience and knowledge of working with Native American students.

The primary focus of the technical assistance centers will be education and success of Native American students. The centers will, among other duties, support development of culturally relevant curriculum and instructional materials, career pathways for Native American educators, and education policy developments and capacity building. The RFP would require the centers to set goals, objectives, and benchmarks and to report annually on progress and status of projects undertaken.

HB280 appropriates \$2.25 million from the general fund to HED to establish the centers. This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

## **FISCAL IMPLICATIONS**

HB280 does not contain an appropriation to support the creation of the proposed American Indian educational technical assistance centers and there is no appropriation in the General Appropriation Act as passed by the House for this purpose.

## **SIGNIFICANT ISSUES**

HED reports:

The RFP form shall be determined through tribal input and feedback from the New Mexico Public Education Department (NMPED) and Early Childhood Education and Care Department (ECECD). Any proposals shall explain how a center will be operated and the services specified including the types of technical assistance provided and partnerships proposed to be developed with the following entities:

- State Agencies
- School Districts
- Charter Schools
- Early Childhood Centers
- Homes and Programs
- Bureau of Indian Education Schools
- Public and Tribal Higher Education Institutions
- Tribally Operated Departments
- Tribal Governments
- Federally Recognized Indian Nations, Tribes and Pueblos

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

PED notes that SB280 relates to the following bills:

- HB140, Tribal Education Trust Fund, which proposes to appropriate \$50 million from the public education reform fund to create a tribal education trust fund that will make annual distributions to PED for allocation to each New Mexico tribe.
- HB147, Indian Education Fund Distributions, which would allocate 50 percent of funding from the Indian education fund based on weighted formula, with 90 percent of the allocation going to each tribe equally and the remaining 10 percent divided among the tribes proportionally by Native American students served by each tribe.
- HB148, Early Childhood Dept. Tribal Agreements, which proposes to require ECECD, at the request of a tribal community, to enter into intergovernmental agreements to plan,

conduct, and disperse funding and administer ECECD programs using the tribal community's culturally and linguistically relevant standards, assessments, and evaluations.

- HB149, Public Ed Dept. Native American Funding, which would require PED to request an appropriation as part of its annual operating budget submission equal to 40 percent of the 1.25 percent land grant permanent fund distribution to public schools, multiplied by the proportion of Native American students to the total public school student population.
- HB198, Career Tech Funds for Indian Ed Schools, which would allow federal Bureau of Indian Education secondary schools to apply for and receive grant funding from the career technical education pilot project.

CJ/al/hg/rl/ne