

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR HEC DATE TYPED 03/17/05 HB CS/115/aHEC/aSEC

SHORT TITLE Native American Bilingual School Programs SB _____

ANALYST Hanika-Ortiz

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			\$0.1	Recurring	General Fund

SOURCES OF INFORMATION

LFC Files

Responses Received From
Public Education Department (PED)

SUMMARY

Synopsis of SEC Amendment

Senate Education Committee amendment to House Education Committee Substitute for House Bill 115 amends the legislation by removing the appropriation as follows:

- *On page 4, lines 4 and 5:* strike the language “or other physical activity”.
- *On page 4, line 9:* strike the word “and” and in lieu thereof insert the following new paragraph:

“(7) one-half unit in New Mexico history for students entering the ninth grade beginning in the 2005-2006 school year; and”.

- *On page 4, line 10:* strike the language “(7)” and insert in lieu thereof “(8)” and strike “eight” and insert in lieu thereof “seven and one-half”.

Senate Education Committee amendment to House Education Committee Substitute for House Bill 115 adds no appropriation to the legislation.

Synopsis of Substitute Bill

HB115/HECS/aHEC amends the Public School Code to require Native American language programs to be offered as electives at the high school level in school districts that employ school personnel with a Native American language license endorsement or a Native American Language and Culture Certificate; to require that the content and performance standards for the Native American language elective be developed pursuant to the Indian Education Act; and to require PED to establish a license endorsement in native American languages by July 1, 2006.

Significant Issues

Students will receive credit for Native American language elective courses. A teaching license endorsement in Native American Language by the PED will be created by July 1, 2006. One or more Native American language electives will be available toward the high school graduation requirements in school districts that employ licensed school employees with endorsements for Native American language or persons who hold Native American language and culture certificates.

PERFORMANCE IMPLICATIONS

When the Native American Language Act (NALA) in 1990 was passed, only three states, Hawaii, Minnesota, and Wisconsin, had express provisions in their laws regarding Native language in curricula or the certification of teachers of Native languages. Within ten years after NALA 1990's passage, sixteen states have addressed Native language curricula and teacher certification in their laws. Of these sixteen states, twelve involve tribes either directly or indirectly, in the process of certifying, licensing, or endorsing the teachers of Native languages in the state public schools.

FISCAL IMPLICATIONS

Additional program costs for preparation in teaching indigenous languages, developing instructional curricula and strategies that support diverse cultural needs and lifestyles, learning materials, and bilingual narratives and tapes will be needed. There may also be additional costs to support students in learning unwritten languages.

ADMINISTRATIVE IMPLICATIONS

HB 115/HECS/aHEC requires that local school district boards that employ licensed school employees with endorsements for Native American language or persons who hold Native American language and culture certificates, offer language programs other than English as elective course offerings in the high school curriculum.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

According to PED, the bill relates to the Indian Education Act of 2003. The PED currently has a Modern, Classical and Native American licensure endorsement.

ALTERNATIVES

The PED will fully implement the Native Language and Culture certification process that is currently established within the educational system.

TECHNICAL ISSUES

It is unclear how this law may affect a tribe or pueblo that decides they want their language taught at home and not in the schools.

SUBSTANTIAL ISSUES

Some Native American languages are unwritten and most of the fluent speakers are elderly, and they are not being replaced with new speakers as they pass on. Exposing children to endangered language discussions and preservation issues may be beneficial as it may help prepare them for college courses in anthropology, linguistics and other related fields.

As many as half of the estimated 6,000 languages spoken on earth are spoken only by adults who no longer teach them to the next generation. An additional 50 percent may soon be threatened because the number of children learning them is declining measurably. Children can learn a lot from discussing these issues as to what causes language decline and extinction, can the process be reversed, and why should we concern ourselves with this problem.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

The current system of providing bilingual education will remain in place.

RS/yr:lg