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FISCAL IMPACT REPORT

SPONSOR Miera **ORIGINAL DATE** 02/15/14
LAST UPDATED _____ **HB** 330

SHORT TITLE Diploma Seal of Bilingualism **SB** _____

ANALYST Armstrong

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY14	FY15		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

Indian Affairs Department (IAD)

SUMMARY

Synopsis of Bill

House Bill 330 creates the state seal for bilingualism-biliteracy to signify that a high school graduate receiving a diploma of excellence is proficient for college, a career, or to meet a local community language need in a language other than English. This shall also be reflected on a student's transcript. The bill requires PED to establish rules and criteria for students to earn a seal for bilingualism-biliteracy, including: the number of credits earned from classes in a non-English language; passage of state assessments; certification of tribal language proficiency in consultation with individual tribes; a demonstrated proficiency by scoring three or higher on an advanced placement exam, scoring four or higher on an international baccalaureate exam, scoring proficient on a national assessment of language proficiency, or alternative processes that demonstrate proficiency.

FISCAL IMPLICATIONS

No fiscal impact.

SIGNIFICANT ISSUES

During the 2013 legislative session, House Bill 541 passed the Legislature but was pocket vetoed. HB 541 was amending the Bilingual Multicultural Education Act to establish the state seal of bilingual proficiency and to also establish a Bilingual Education Advisory Council.

Currently, PED's graduation and course requirement for a student graduating in the spring of 2014 is to have a total of 24 units and 1 unit being career cluster, workplace readiness, or a language other than English. There are no other provisions within PED's graduation and course requirements for a student to show proficiency in that other language to demonstrate understanding, speaking, reading, and writing of that language. In 2013 PED noted that the work of instituting a bi-literacy seal is important and should move forward and that the final decisions should include the recommended adoption of rules establishing criteria for students' to earn the seal as stated within the bill.

Still, PED expresses some concern with the exhaustive and finite nature of the prescribed list of viable options for earning the seal of bilingualism-biliteracy outlined in Section 1, Part B. Of particular concern is the clause "to include" (p. 2, line 5). The clause "to include" narrows the criteria by predetermining the pathways that must be addressed by PED rather than resulting from consultation with the taskforce of language experts required in Section 1, Part C. Addressing this concern may be as simple as changing the language from "to include" to "may include".

ADMINISTRATIVE IMPLICATIONS

PED will need to provide districts guidance in appropriately applying the established criteria so that all eligible students are properly awarded the state seal of bilingualism-biliteracy. HB 330 does not address whether or not and/or how PED should monitor to ensure proper compliance with this statute.

OTHER SUBSTANTIVE ISSUES

According to PED:

"New Mexico highly values its rich cultural and language traditions and history. New Mexicans widely support the funding of state bilingual multicultural education programs. Given that New Mexico is perceived as leader in bilingual multicultural education across the country and that achieving high academic standards improves students' college and career readiness, it behooves the state to adopt HB 330 to legitimate relevant twenty-first century skills such as proficiency in a language other than English. Enacting this bill also provides students with multiple options for demonstrating academic excellence and provides additional accountability our state's bilingual multicultural education programs. Conversely, by not enacting this bill, the state sends the confused message to its citizenry that proficiency in languages other than English is not valued and should not be recognized, even as taking courses and gaining language proficiency in a language other than English is a high school graduation and college requirement and furthermore, that the state funds bilingual multicultural education programs whose goals are to ensure that students become bilingual and biliterate as well meet all academic benchmarks and content area standards."