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## FISCAL IMPACT REPORT

**ORIGINAL DATE**  
**SPONSOR** Maestas **LAST UPDATED** \_\_\_\_\_ **HM** 21

**SHORT TITLE** Study College at School for the Deaf **SB** \_\_\_\_\_

**ANALYST** Dulany

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico School for the Deaf (NMSD)  
 Commission for the Deaf and Hard of Hearing (CDHH)  
 Higher Education Department (HED)  
 Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

House Memorial 21 requests the Legislative Education Study Committee (LESC) to convene a task force consisting of qualified staff from PED, HED, and experts in community engagement and educational reform to study the example of Gallaudet University for evaluating the feasibility of establishing NMSD as a bilingual four-year postsecondary educational institution.

### FISCAL IMPLICATIONS

Fiscal impact for the task force is minimal.

The task force would need to examine the costs associated with establishing a four-year public postsecondary educational institution, including space, faculty recruitment, and accreditation-related expenses.

In FY16, NMSD received about \$16.9 million in general fund or other state fund revenue, including:

- \$12.6 million in permanent fund revenue;
- \$4.0 million in general fund support for instruction and general purposes; and
- \$250 thousand in general fund support for statewide outreach services.

PED and NMSD note Gallaudet University in Washington D.C. operates at approximately \$173 million annually, with 68 percent of the budget provided by the federal government and the remaining balance supported with tuition revenue.

As noted by LESC, a determination would need to be made whether a public postsecondary educational institution such as the one proposed in HM 21 would operate under the current performance-based higher education funding formula. Currently, NMSD's instruction and general appropriation is not calculated through the performance-based funding formula.

### **SIGNIFICANT ISSUES**

HM 21 appears to contemplate the establishment of a four-year postsecondary educational institution in addition to continuing operations of NMSD's pre-K through 12<sup>th</sup> grade program; however, the agency analysis from NMSD assumes a conversion to, rather than addition of, a four-year campus, which NMSD states would displace 134 pre-K through 12<sup>th</sup> grade students in the school's instructional program.

NMSD notes the school's Santa Fe campus "is a functionally inappropriate space to house a college without major renovations," citing facilities and furnishings designed for small children rather than adults. NMSD also indicates a site master plan with a space reduction of 40 thousand square feet has been approved by the Public School Facilities Authority, and "there is not adequate space or appropriate facilities to house a [four-year] college." Because the four-year postsecondary educational institution would likely be created in addition to the pre-K through 12<sup>th</sup> grade program, a separate campus would likely need to be established.

According to CDHH:

"The bill [is] incorrect that there are no post-secondary educational institutions that can offer educational programs in both American Sign Language and English. Gallaudet University is one such institute granted, but as a result of the Americans with Disabilities Act (ADA) [of 1990] and Rehabilitation Act of 1973 it is no longer the only educational institution available to offer education programs in both American Sign Language and English. There are several such educational institutes located across United States such as; National Technical Institute for the Deaf in Rochester New York, the Southwest Collegiate Institute for the Deaf in Texas, and California State University in Northridge California (has a National Center on Deafness). As a result the bill is incorrect in its statement that there is only one institution to provide such educational programs. All of the aforementioned universities are considered the leaders in the current reforms for deaf and special education. On a side note, the education institutions in New Mexico are obligated to offer reasonable accommodations which include access to educational programs in American Sign Language."

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According to NMSD, Ph.D.-level faculty who are fluent in American Sign Language and English are limited. This would result in out-of-state recruitment of faculty. In addition, NMSD suggests 80 percent of teachers and 80 percent of students would need to be deaf in order to maintain a bilingual setting.

NMSD asserts, being a constitutionally established school, any changes to NMSD's function and role would require changes to the Constitution of the State of New Mexico. However, Article XII, Section 11 of the Constitution does not specify a grade or age range for NMSD.

TD/jle