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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**54th Legislature, 2nd Session, 2020**

<b>Bill Number</b>	<u>HB112</u>	<b>Sponsor</b>	<u>Trujillo, C./Tallman</u>
<b>Tracking Number</b>	<u>.216463.1</u>	<b>Committee Referrals</b>	<u>HEC/H AFC</u>
<b>Short Title</b>	<u>After-School and Summer Enrichment Programs</u>		
<b>Analyst</b>	<u>Waite</u>	<b>Original Date</b>	<u>1/28/2020</u>
		<b>Last Updated</b>	<u>2/7/2020</u>

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**BILL SUMMARY**

Synopsis of Bill

House Bill 112 (HB112) would make an appropriation from the general fund to the Public Education Department (PED) for after-school and summer enrichment programs.

**FISCAL IMPACT**

HB112 appropriates \$2 million from the general fund to PED in FY21. Any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund.

For FY21, the Legislative Finance Committee (LFC) recommended an \$8.9 million increase and LESC recommended a \$26 million increase for extended learning time programs (ELTP) in the public school funding formula. ELTP was popular among school districts because it offered a significant amount of local control over the funds. The House Appropriations and Finance Committee Substitute for House Bills 2 and 3 (HB2/HAFCS) appropriates \$8.9 million for ELTP, and an additional \$5 million in nonrecurring funds for summer extended learning time programs for Native American students and small schools.

**SUBSTANTIVE ISSUES**

A longitudinal LFC program evaluation, *Longitudinal Student Performance Analysis - Impact of School, Teacher and Program Interventions*, found New Mexico schools, on average, provide a year's worth of educational growth for every school year. However, students who start out behind generally stay behind, and a number of studies find this achievement gap is exacerbated by opportunity gaps – differences in academic and learning experiences outside of the classroom. Research has shown up to a 6,000-hour learning gap can develop between poor students and their more affluent peers by sixth grade. After-school and summer enrichment programs could help to reduce the out-of-school time opportunity gap for some students.

The district court's ruling in the *Martinez* and *Yazzie* consolidated lawsuit recognized the value of high-quality extended school programs, such as K-3 Plus and Extended Learning Time Programs

(ELTPs), for closing the achievement gap. These programs are part of what the recent National Conference of State Legislatures report, *No Time To Lose*, has recommended as a coordinated effort based on a statewide vision for approaching education, particularly when it comes to meeting the needs of at-risk students.

While in FY19 the Legislature made a below-the-line appropriation of \$325 thousand to PED for after-school and summer enrichment programs, this appropriation was abandoned in FY20, in favor of expanding K-5 Plus and ELTPs. Education reforms enacted in 2019 significantly increased the funding and eligibility requirements for both programs. The state also increased the at-risk index, increasing funds available for local discretionary spending, which may be used for after-school programs.

PED analysis points out that HB112 does not specify if the recipients of these funds must be school districts and charter schools; it is unclear if Community-Based Organizations could apply directly for these funds and provide services on a school campus or at an alternative off-campus location. This could be part of a menu of funding sources to support required after-school activities for school districts participating in the ELTP.

### **ADMINISTRATIVE IMPLICATIONS**

PED states the department would need to fill an additional FTE, determine an existing appropriate position within the department where a percentage of the employee's time and effort would support this initiative, or identify a contractor for programmatic review and oversight. PED would have to develop a process for requesting and reviewing proposals, administering the funds, and monitoring programs to ensure quality.

### **ALTERNATIVES**

The Legislature may wish to consider increasing funding for K-5 Plus and ELTP, which have statutory eligibility requirements ensuring alignment with rigorous standards.

### **SOURCES OF INFORMATION**

- LESC Files
- Public Education Department (PED)

**JLW/tb/mc/sgs**