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

Bill Number	<u>HB134</u>	Sponsor	<u>Lente/Johnson/Allison/Roybal Caballero</u>
Tracking Number	<u>.216309.2</u>	Committee Referrals	<u>HEC/H AFC</u>
Short Title	<u>Funding to Improve Educational Outcomes</u>		
Analyst	<u>Waite</u>	Original Date	<u>2/5/2020</u>
		Last Updated	<u>2/7/2020</u>

BILL SUMMARY

Synopsis of Bill

House Bill 134 (H134) would make appropriations to specified state institutions of higher education and tribal colleges to comply with the consolidated *Martinez* and *Yazzie* case in an effort to improve educational outcomes for students and families. See **Attachment, Summary of Appropriations in HB134**.

FISCAL IMPACT

HB134 appropriates a total of \$19.8 million from the general fund to specific state institutions of higher education and tribal colleges for expenditure in FY21. HB134 appropriates \$9.1 million to the University of New Mexico (UNM) board of regents, \$2 million to the New Mexico Highlands University (NMHU) board of regents, \$654 thousand to the New Mexico State University (NMSU) board of regents, and \$8 million to the Higher Education Department (HED) for Navajo Technical College (NTU), A:Shiwi College and Career Readiness Center at the Pueblo of Zuni, Diné College and Southwestern Indian Polytechnic Institute (SIPI). Any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund.

Not all appropriations in HB134 were included in the House Appropriations and Finance Committee Substitute for House Bills 2 and 3 (HB2/HAFCS). HB2/HAFCS includes \$200.5 thousand to UNM for the Southwest Indian Law Clinic, \$95.4 thousand for UNM Health Sciences for Native American suicide prevention, \$277.9 thousand to NMSU for Indian resources development, and \$175 thousand to NMHU for the Native American Social Work Institute.

SUBSTANTIVE ISSUES

HB134 attempts to address the shortfalls in education for Native Americans and at-risk youth identified by the court in the consolidated *Martinez* and *Yazzie* lawsuit, which encourages parents, tribal departments of education, community-based organizations, the Public Education Department, universities and tribal colleges, and state and local policymakers to work together to find ways to improve educational opportunities for American Indian students. The specific

appropriations listed seek to build capacity at institutions of higher education for major interventions, including the following: creating a pipeline for Native American and bilingual teacher preparation; developing culturally and linguistically appropriate instructional materials; expanding college and career readiness (CTE) programs and pathways that respond to specific community needs; and providing social, health, and legal services for higher education students and families.

Research and Public Service Project (RPSP) Process. HED has a formal review process – the RPSP process – for earmarked budget requests. HB134 contains only two projects that have been vetted through this process: (1) HED recommended an appropriation of \$200 thousand to the UNM School of Law for the Southwest Indian Law Clinic; and (2) HED also recommended an appropriation of \$95 thousand to the UNM School of Medicine for suicide prevention among Native Americans. The State of New Mexico already funds many of the programs earmarked for additional funding in HB134. It appears that several of these programs may be embedded in the operating budgets of these respective institutions.

Appropriations to Tribal Colleges. The State of New Mexico has not previously appropriated money to tribal colleges. This year, HED recommends appropriating \$225 thousand to NTU for expansion of its nursing program through the formal RPSP process.

ADMINISTRATIVE IMPLICATIONS

HED will administer funds involving receipt, disbursement, and tracking to NTU, Diné College and SIPI. Funds allocated to the board of regents at UNM, NMHU and NMSU would be administered by the respective boards. HED notes the lack of performance measures will reduce accountability.

NMSU analysis states that HB134 will allow the American Indian program in the College of Education to move forward, but it does not sufficiently address the full cost of managing and sustaining the program, jeopardizing long-term sustainability.

UNM analysis notes the College of Education (COE) will need to work with each of the four degree programs to ensure that appropriate recruitment, application and admission criteria, selection processes, and support services are being implemented to maximize student outcomes for successful degree completion. As well, data regarding successful placement of graduating students in New Mexico schools, districts, and institutes of higher education (IHEs) may need to be reported to HED and/or PED by the COE to document successful outcomes that address the *Martinez* and *Yazzie* court findings.

UNM Center for Native American Health and Community Behavioral Health Division would be required to create a process for administering, implementing and evaluating the funds appropriated under HB134.

RELATED BILLS

Relates to HB137, Native American Projects, which makes an appropriation to the Indian Affairs Department (IAD) for library, Internet access, and educational resource center projects for Indian nations, tribes and pueblos.

Relates to HB138, Funding for *Yazzie* Lawsuit Responses, which makes an appropriation from the general fund to the IAD for New Mexico tribes, nations and pueblos to respond to the consolidated *Martinez* and *Yazzie* lawsuit.

Relates to HB139, Zuni Education Improvements, which makes an appropriation to the IAD for the Pueblo of Zuni for education-related programs.

Relates to HB140, Mescalero Apache Education Improvements, which makes an appropriation to the IAD for the Mescalero Apache Tribe for education-related programs.

SOURCES OF INFORMATION

- LESC Files
- New Mexico State University (NMSU)
- University of New Mexico (UNM)
- University of New Mexico Health Sciences Center (UNM HSC)
- Higher Education Department (HED)

JLW/tb/mc/sgs

Summary of Appropriations in HB134

(in thousands)

ATTACHMENT

Institution	Project	Amount
University of New Mexico	To extend Hispanic studies curriculum to high schools without an ethnic studies pipeline	\$316.0
	To support efforts to increase participation of African Americans in STEM and for the transition to higher education	\$316.0
	To the College of Education (COE) to establish the American Indian Education Institute and improve American Indian teacher recruitment and retention	\$550.0
	To the COE for the American Indian language policy research and teacher training center	\$500.0
	To the COE for the American Indian curriculum and material development center	\$550.0
	To the COE to support the Native American Leadership doctoral cohort	\$450.0
	To the COE for the Native American educational leadership education specialist and administrative licensure programs to increase the number of Native American school administrators	\$1,300.0
	To the COE to support the bilingual education degree program in English and Navajo and English and Spanish	\$545.0
	To the COE to support the dual license in special education and elementary education program at the Gallup branch	\$170.0
	To American Indian student services for student recruitment and retention, summer bridge programs and academic, cultural and financial advisement	\$946.2
	To the Native American studies program in the College of Arts and Sciences to support Indigenous leadership, Indigenous studies development, a master's degree program and high school curriculum development	\$928.7
	To the Native American studies program in the College of Arts and sciences for 10 projects of excellence to extend Native American studies curriculum to 10 high schools that do not have Indigenous studies curriculum	\$316.0
	To the School of Medicine for the center for Native American health, including student recruitment and retention, academic advisement, community health assessments, school and community health alignment and technical assistance	\$696.0
	To the School of Medicine for the Community Behavioral Health Division for Native American suicide prevention, clinical and community-based prevention, intervention and research and technical assistance to public schools and tribal communities	\$450.0
	To the School of Law for the southwest Indian law clinic to provide legal and technical support to pueblos, tribes, policy protocols, and tribal and university agreements and memoranda of understanding	\$393.0
To the School of Architecture and Planning for Indigenous planning and design, including community planning, education planning, infrastructure design and technical support to tribes	\$725.0	
Total University of New Mexico		\$9,151.9
New Mexico Highlands University	To the Ben Lujan Leadership and Public Policy Institute for bachelor's and master's degree programs, administrative licensure, teacher recruitment and retention and parental institutes	\$625.0
	To the Center for the Education and Study of Diverse Populations for teacher training, staff development, curriculum development, culturally responsive teaching, English language learner development standards, bilingual support, instructional leadership and youth leadership	\$775.0
	To the School of Social Work for the Native American social work studies institute	\$250.0
	To the American Indian student support services for student support, academic and financial advisement, student retention, and internships	\$250.0
	To expand programs designed to support parents of American Indian students to become knowledgeable with laws and policies that govern programs affecting their children's development and education	\$100.0
Total New Mexico Highlands University		\$2,000.0

Summary of Appropriations in HB134

ATTACHMENT

(in thousands)

Institution	Project	Amount	
23 New Mexico State University	To the College of Education for the American Indian program	\$337.0	23
	To fund career exploration camps; the college 101 program, which links students and parents to information about preparing for college with the help of native pathways; and dual credit programs focusing on agriculture, engineering, natural resources and business	\$58.0	24
	To support outreach, recruitment, retention and expansion of borderlands and ethnic studies students, including university curriculum and graduate programs and ethnic studies curriculum in high schools that do not have culturally relevant curriculum	\$259.0	25
Total New Mexico State University		\$654.0	26
27 Navajo Technical University, Pueblo of Zuni A:shivi College and Career Readiness Center	To develop expanded literature that can be used in public school classrooms and other venues, including homes, in pueblos and Navajo chapters in New Mexico	\$800.0	27
	To expand educational outreach in public schools in New Mexico with a high percentage of Navajo students to encourage those students to enroll in science, technology, engineering and mathematics courses by providing presentations and workshops to students, teachers and families	\$727.4	28
	To support early childhood practicum programs	\$1,795.8	29
	For courses covering substance abuse and suicide prevention in the nursing program	\$422.0	30
	To support the New Mexico dual credit program	\$210.0	31
Total Navajo Technical University		\$3,955.2	32
33 Diné College	For recruitment, retention, and advance training for teacher licensure and endorsement in bilingual multicultural education	\$1,500.0	33
	To create a publishing center to create, print and disseminate Navajo language curriculum and instructional and other materials	\$500.0	34
	To create a dual language teacher education center	\$500.0	35
	To support culturally and linguistically relevant education and extended learning programs	\$800.0	36
Total Diné College		\$3,300.0	37
38 Southwestern Indian Polytechnic Institute	For the teacher preparation pipeline	\$245.9	38
	For outreach, recruitment, retention, and certification of behavioral health and social work students and their transition to degree programs	\$200.0	39
	To support recruitment and support services for public school students in the transition from high school to post-secondary education	\$200.0	40
	For dual credit and transfer support services and for scholarships for New Mexico residents	\$100.0	41
Total Southwestern Indian Polytechnic Institute		\$745.9	42
HB134 GRAND TOTAL		\$19,807.0	43

Source: LESC Files