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

<b>Bill Number</b>	<u>HB221</u>	<b>Sponsor</b>	<u>Salazar</u>
<b>Tracking Number</b>	<u>.216740.1</u>	<b>Committee Referrals</b>	<u>HEC/H AFC</u>
<b>Short Title</b>	<u>Cultural &amp; Linguistic Education Support</u>		
<b>Analyst</b>	<u>Alexander</u>	<b>Original Date</b>	<u>2/3/2020</u>
		<b>Last Updated</b>	<u>2/12/2020</u>

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**BILL SUMMARY**

Synopsis of Bill

House Bill 221 (HB221) would appropriate \$2.6 million to the Public Education Department (PED) for regional educational cooperatives (RECs) to provide or contract for professional development and technical assistance in alignment with Section 22-2B-7 NMSA 1978, which requires that professional development and technical assistance provided through RECs be culturally and linguistically responsive.

**FISCAL IMPACT**

HB221 would appropriate \$2.6 million to PED for expenditure in FY21. Any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund.

In FY20, PED received \$1 million to distribute to RECs statewide. While the House Appropriations and Finance Committee Substitute for House Bills 2 and 3 (HB2/ HAFCS) includes \$1.1 million for RECs, the executive recommendation for FY21 proposed an increase of \$5.7 million. In the rationale of the \$5.7 million, PED highlighted the potential of RECs to act as local leaders in the implementation of state programs, and provide districts with the administrative, technical, and financial support needed to synchronize with PED initiatives.

**SUBSTANTIVE ISSUES**

Since 1997, RECs have provided training, professional development, teacher mentoring, technical assistance, coordination of ancillary services, data collection and analysis support, and accountability measures to school districts within an identified region. REC member school districts collaborate to share costs, leverage limited resources, and obtain funding and support through grants and inter-governmental agreements. Currently 10 RECs operate in 68 school districts across the state.

HB221 proposes funds to ensure that services provided by RECs are culturally and linguistically responsive. RECs collaborate with a diverse range of school staff and administrators; support

should be tailored to the demographics of a given community or district to maximize impact. For example, providing technical support solely in English may not always be sufficient; alternatively, providing relevant professional development that incorporates local culture, language, and expertise may significantly benefit teachers and students.

The appropriation proposed by HB221 aligns with increasing support and funding for culturally and linguistically relevant services; for example, the LESC and the Legislative Finance Committee (LFC) budget recommendations for FY21 respectively proposed increases of \$2.5 million and \$9 million for culturally and linguistically diverse instructional material and curriculum development. The 2019 General Appropriation Act included \$30 million in the state equalization guarantee distribution for instructional materials; HB2/HAFCS maintains that funding level and includes an additional \$9 million in nonrecurring funds for culturally and linguistically appropriate instructional materials and curricula in FY21.

Increased support for culturally and linguistically relevant services may help New Mexico comply with the consolidated *Martinez* and *Yazzie* lawsuit, which identified that at-risk students – English language learners, students with disabilities, Native American students, and low-income students – are negatively impacted by gaps in instructional and social services; for example, academic outcomes for English language learners suffer due to a lack of available, high-quality, multilingual education. The culturally and linguistically responsive professional development proposed by HB221 may better support teachers in addressing the needs of at-risk students.

## **ADMINISTRATIVE IMPLICATIONS**

PED would be required to provide or contract for culturally and linguistically responsive technical assistance and professional development. Any trainings, materials, or curricula required to meet the intent of HB221 would likely need to be selected or developed in collaboration with school districts, in order to meet the cultural and linguistic needs of that region.

It is unclear what is meant by “culturally and linguistically responsive technical assistance;” if the bill seeks to provide trainings for teachers in multiple languages, ensure software accessibility for English learners, or provide similar services, PED may need to develop materials accordingly.

## **OTHER SIGNIFICANT ISSUES**

HB221 would help RECs align their services with current statute. Section 22-2B-7 NMSA 1978 dictates that professional development and technical assistance provided through cooperatives must focus on the educational needs of culturally and linguistically diverse students, meet research-based standards for bilingual and multicultural education, and adhere to best language teaching practices, including theories of first and second language acquisition.

## **RELATED BILLS**

Relates to HB51, Ethnic Studies to Meet PED Contents, and SB93, Ethnic Studies Curricula, which propose including ethnic studies as a minimal instructional area and convening an ethnic studies council.

Relates to HB52, Multicultural Programming at UNM, which makes an appropriation to ethnic studies departments within UNM.

Relates to SB 90, Policies to Decrease Institutional Racism, would advance intersectional ethnic studies education for teachers, staff, students, and families.

**SOURCES OF INFORMATION**

- LESC Files
- Public Education Department (PED)

**CA/tb/mc/my/sgs**