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FISCAL IMPACT REPORT

ORIGINAL DATE 2/6/2020

SPONSOR Salazar LAST UPDATED _____ HB 240

SHORT TITLE College Bilingual Ed Faculty SB _____

ANALYST Gaussoin

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$2,000.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to House Bill 280 and 87, House Memorial 12, and Senate Bill 89.

SOURCES OF INFORMATION

LFC Files

Responses Received From
Higher Education Department (HED)

No Response Received
Public Education Department (PED)
University of New Mexico (UNM)
Eastern New Mexico University (ENMU)
Highlands University (NMHU)
New Mexico State University (NMSU)

SUMMARY

Synopsis of Bill

House Bill 240 creates a new Bilingual Scholars Act and a Bilingual Education Doctoral Loan Repayment Act and associated nonreverting funds. It appropriates \$1.5 million to the bilingual scholars fund to pay the educational expenses of at least 10 bilingual language doctoral students and \$500 thousand to the loan repayment fund from the general fund to provide grants to repay student loans for certain bilingual education professors at state colleges or universities.

There is no effective date of this bill. It is assumed the effective date is 90 days following adjournment of the Legislature.

The one-year scholarships would be “sufficient to pay for tuition, required fees and instructional materials” and could be renewed annually for five years. HB240 creates specific rules for income eligibility for the scholarship program, requires a 3.0 gpa, and specifies preference would be given to students with bachelor’s or master’s degrees in bilingual education or who graduated with a state seal of bilingualism-biliteracy.

HB240 requires the contract between the student and HED state the scholarship is being provided to the state can increase the number of faculty qualified to teach bilingual education to college of education students. If a scholarship recipient does not have tenure-track faculty position with a New Mexico public college or seeking a faculty or public school instructor job or the scholarship is terminated for another reason, HED is required to convert the scholarship to a loan.

The loan repayment grants would be available to full-time, tenure-track faculty in state colleges who has taught bilingual education for at least two years. The program would make loan payments up to \$25 thousand a year for no more than five years in exchange for the recipient teaching in a full-time, tenure-track faculty position at least a year.

FISCAL IMPLICATIONS

The appropriation of \$2 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance shall not revert to the general fund but will remain in the bilingual scholars fund or bilingual education doctoral loan repayment fund. Although HB240 does not specify future appropriations, establishing a new grant and scholarship program could create an expectation the program will continue in future fiscal years, and this cost is therefore scored as recurring.

This bill creates new funds and provides for continuing appropriations. LFC has concerns with including continuing appropriation language in the statutory provisions for newly created funds, because earmarking reduces the ability of the Legislature to establish spending priorities.

SIGNIFICANT ISSUES

HED reports the Pew Research Center in 2015 determined 16 percent of the state’s total student body enrolled in elementary and secondary school were English learners, but New Mexico did not have enough teachers adequately prepared to teach them.

English learners are a focus of the decision in the *Martinez* and *Yazzie* consolidated lawsuit that found New Mexico provides an inadequate public school education to at-risk students in violation of the state constitution.

PERFORMANCE IMPLICATIONS

Teachers adequately prepared for English learners and bilingual education could improve English learner performance on standardized tests

ADMINISTRATIVE IMPLICATIONS

HED’s Financial Aid Division will administer the funds. HED did not indicate a cost associated

with these new duties.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB280 creates the Bilingual Teacher Preparation Act to expand and improve teacher preparation programs for college of education students or licensed teachers who want to pursue a bilingual multicultural education or teaching English to speakers of other languages (TESOL) endorsement.

SB89 allows HED to provide scholarships to licensed teachers pursuing a bilingual multicultural or TESOL endorsement.

HB87 creates a state bilingual multicultural advisory council tasked with advising the public education secretary, public education department staff, the governor, and the Legislature on implementation of the Bilingual Multicultural Act.

House Memorial 12 creates a working group to share best practices for implementing bilingual and multicultural programs

OTHER SUBSTANTIVE ISSUES

National studies show bilingual and multicultural education helps all students in the classroom, and instruction in a student's home language teaches the value of their culture, strengthens students' abilities to manage their thoughts, actions, and emotions, expands career and higher education opportunities, and improves their academic outcomes. Dual-language programs can hold students to high academic standards in both the target language and the student's home language, improving bilingualism and biliteracy.

However, while the state Bilingual Multicultural Education Act requires research-based bilingual and multicultural education programs, including professional development for teachers and instruction and assessment for students, LESC concludes key components are not fully implemented by school districts and monitored by PED, and students across the state encounter inconsistent bilingual and multicultural learning experiences. LESC reports fewer students participated in bilingual and multicultural education in FY20, and LFC notes in *Legislating for Results: Policy and Performance Analysis* that less than half of all English learners in New Mexico participate in bilingual programs, reporting on bilingual and multicultural program quality is limited and inconsistent, and the state lacks a process for coordinating program human and capital resources effectively.

ALTERNATIVES

HED administers other loan repayment programs for faculty at New Mexico postsecondary institutions and suggest, as an alternative to the creation and appropriation of new scholarship and loan repayment programs, the Legislature modify the purpose and the funding available in existing programs.

HFG/sb/rl