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FISCAL IMPACT REPORT

ORIGINAL DATE 02/10/21

SPONSOR Roybal Caballero LAST UPDATED _____ HB 227

SHORT TITLE Ethnic Studies Definition SB _____

ANALYST Becerra

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	See Fiscal Implications					

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB210, Ethnic Studies Education

SOURCES OF INFORMATION

LFC Files

Responses Received From

Office of African American Affairs (OAAA)
 Early Childhood Education and Care Department (ECECD)
 Public Education Department (PED)
 Indian Affairs Department (IAD)

SUMMARY

Synopsis of Bill

House Bill 227 (HB227) defines “ethnic studies”, requires that students in kindergarten through twelfth grade receive appropriate instruction on ethnic studies and amends the high school graduation requirements to require four units in social science, with one-half unit in ethnic studies, and reduces the elective requirements to seven units. These changes are applicable to students entering the ninth grade in the 2023-2024 school year. HB227 also creates the Ethnic Studies Council that will study and identify the next steps in developing ethnic studies curricula in public schools.

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

FISCAL IMPLICATIONS

HB227 does not include an appropriation.

Provisions of HB227 require that the secretary of public education provide staff support for the Ethnic Studies Council in the performance of its duties. Although PED did not submit an analysis, it can be deduced that the department will potentially require additional staff to support the ethnic studies council.

Additionally, public members of the ethnic studies council are entitled to reimbursement for per diem and mileage as provided in the Per Diem and Mileage Act. Public members shall receive no other compensation, perquisite or allowance. Since HB227 does not specify a minimum or maximum number of council members, the fiscal impact of per diem and mileage reimbursement is undeterminable.

Although ethnic studies will be a social science course and current social science instructors can likely be used to teach the course, public high schools may incur a cost if they determine the need to hire ethnic studies instructors.

SIGNIFICANT ISSUES

Ethnic Studies

Definition HB227 defines ethnic studies as the interdisciplinary study of multiple perspectives through the examination of social, ethnic, cultural, gender and historical experiences to build critical thinking skills.

New Mexico Efforts. Although current Public Education Department (PED) requirements do not include ethnic studies courses, several notable efforts have been made to include curricula that represent the diverse populations within the state. As also noted in the analysis of the Office of African American Affairs, in 2016, the Regional Education Cooperatives (RECs) and the Indian Education Division of PED administered an Indigenous New Mexico Curriculum Initiative with the goal of incorporating the provided lesson plans into the public school system. The Indian Pueblo Cultural Center (IPCC) created the Indigenous Wisdom Curriculum Project that includes downloadable curricula that can be used by K-12 educators to strengthen the identity of Native American students. These efforts have not been implemented statewide.

Currently, the Early Childhood Education and Care Department (ECECD) is working on its Sowing Seeds Project – a digital 8-lesson capacity building workshop for tribal communities to create early childhood learning curricula infused with the values, culture, and language from within their own knowledge systems. The project is expected to launch in April 2021.

Notable Provisions. HB227 requires that schools provide students in kindergarten through third grade with grade-appropriate instruction on ethnic studies, as it relates to New Mexico history, while students in fourth through eighth grades must receive instruction in ethnic studies that meets academic content and performance standards. Students in ninth through twelfth grade will be required to take one-half credit in ethnic studies as part of their social science unit requirements.

Ethnic Studies Council

Duties. The Legislative Education Study Committee, Public Education Department and institutions of higher education shall convene the council to study and identify the next steps in developing ethnic studies curricula in public schools.

Membership. The public education secretary will appoint the members of the council that may include the following individuals or representatives from the following entities:

- University and public school ethnic studies programs;
- Professional or community organizations that promote Native American, African American, Chicana, Chicano, and Latino education and the education of distinct underrepresented cultural and ethnic groups;
- Colleges of education and institutions of teacher preparation;
- Office on African American Affairs;
- Indian Affairs Department;
- All Pueblo Council of Governors;
- Public schools;
- PED's Hispanic education liaison;
- Director of PED's Indian Education Division (or the director's designee);
- Director of PED's Language and Culture Bureau (or the director's designee);
- PED's deputy secretary for identity, equity, and transformation;
- PED's director of the Special Education Bureau;
- A legislator appointed by the Speaker of the New Mexico House of Representatives;
- A legislator appointed by the house minority leader of the New Mexico House of Representatives;
- A legislator appointed by the president pro tem of the New Mexico Senate;
- A legislator appointed by the minority leader of the New Mexico Senate;
- Teachers' unions; and
- Other organizations or persons whose work or interests can provide valuable insights into the benefits and costs of ethnic studies.

Members will elect the council chair, who will determine when the council will convene. The council is to report its findings and recommendations to the Legislative Education Study committee by July 1, 2022 and will exist only until July 1, 2023.

PERFORMANCE IMPLICATIONS

HB227 requires the ethnic studies council to report its findings, but does not specify in what format the report should be delivered nor what the report should contain.

ADMINISTRATIVE IMPLICATIONS

Provisions of HB227 specify that the ethnic studies council will be convened by the Legislative Education Study Committee, the Public Education Department and institutions of higher education.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB227 duplicates Senate Bill 210, “Ethnic Studies Education.”

TECHNICAL ISSUES

HB227 does not provide a specified minimum or maximum number of ethnic studies council members.

MB/al