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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/8/22

SPONSOR Trujillo LAST UPDATED \_\_\_\_\_ HM 33

SHORT TITLE Gifted Education Program Recommendations SB \_\_\_\_\_

ANALYST Gaussoin

	FY22	FY23	FY24	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		NFI	NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

No Response Received

Public Education Department (PED)

Albuquerque Public Schools (APS)

### SUMMARY

#### Synopsis of Memorial

House Memorial 33 requests PED to study gifted education programs and services and report to the Legislative Education Study Committee with recommendations.

Specifically, the memorial asks the department to review

- Equity in access and results across socioeconomic groups;
- Extent of use of evidence-based practices; and
- Potential costs of implementing universal screening.

The memorial asks the department to report to the committee by October 1, 2022.

### FISCAL IMPLICATIONS

Memorials do not contain appropriations. The department would incur costs to conduct the study; these likely would be absorbed by the agency.

### SIGNIFICANT ISSUES

A 2019 Purdue University study on gifted education found New Mexico identified 16.2 thousand gifted students in 2016 but could have identified between 6,211 students and 23.8 thousand

additional students at schools that underidentified or did not identify gifted students. The study found approximately 14 percent of students in New Mexico attended schools with no gifted education, higher income (non-Title I) schools identified twice as many gifted students as lower income (Title I) schools, and Native American, Black, and Hispanic students were consistently underrepresented in gifted education programs.

LFC fiscal analysis of House Bill 130 from the 2021 regular legislative session noted the 2019 Purdue University study and concluded an additional 23.8 thousand gifted students would cost \$75.6 million a year. Gifted students, who generate additional funding units under the formula factor for A and B level special education students, currently generate about \$40 million in funding a year.

New Mexico administrative code (6.29.1.9 NMAC) requires public schools to universally screen all enrolled students in the areas of general health and well-being, language proficiency status, and academic levels of proficiency. If universal screening, a referral from a parent, a school staff member, or other information suggests a student needs educational support for learning, the student must be referred to the student assistance team for consideration of interventions, including potential placement into gifted education. If a student is identified for gifted education, an individualized education program (IEP) is developed by an IEP team.

Although state rules for developing an appropriate IEP for students identified as gifted contain many of the same elements required by the federal Individual with Disabilities Education Act, some of the IDEA's substantive requirements are specifically exempted by state special education rule. Because giftedness (only and not in the presence of another disability under the IDEA) is not a disability category recognized under the IDEA, gifted students are not entitled to its protections ensuring certain educational supports.

HM33 notes gifted student identification practices and services vary from school to school and results are not tracked or evaluated.

## **PERFORMANCE IMPLICATIONS**

While the impact of failing to serve gifted students has been the subject of study, many studies examine social-emotional results, not academic. Advocates for gifted education argue unserved gifted students can perform poorly on academic measures but cite no evidence. As a result, it is difficult to determine if identifying a greater number of gifted students and providing them with services would have any impact on public school performance. Nevertheless, research suggests gifted services can improve the well-being of gifted students.

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