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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
56th Legislature, 1st Session, 2023

Bill Number	<u>SB340</u>	Sponsor	<u>Lopez/Roybal Caballero</u>
Tracking Number	<u>.224049.2</u>	Committee Referrals	<u>SEC/SHPAC</u>
Short Title	<u>Define Public Ed Ethnic Studies</u>		
Analyst	<u>Hathaway</u>	Original Date	<u>2/12/23</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

Senate Bill 340 (SB340) amends existing law to require students in kindergarten through third grade to have grade-appropriate instruction on ethnic studies relating to New Mexico history, adds ethnic studies to minimum instructional requirements in fourth through eighth grades, and requires high school students to take one-half unit of ethnic studies as part of graduation requirements. The bill also defines ethnic studies, creates a time-limited ethnic studies council, and reduces required elective units in high school to accommodate the one-half unit requirement.

FISCAL IMPACT

SB340 does not contain an appropriation. There may be fiscal impacts to school districts and charter schools to provide ethnic studies instruction, particularly related to instructional materials, hiring qualified teaching staff if needed, and expanding course offerings to accommodate the proposed requirements.

SUBSTANTIVE ISSUES

Ethnic Studies Instructional Requirements. SB340 would require ethnic studies instruction from kindergarten through high school. The bill defines ethnic studies to mean “the interdisciplinary study of multiple perspectives through the examination of social, ethnic, cultural, gender and historical experiences to build critical thinking skills.” The bill adds this definition both in Section 22-13-1 NMSA 1978, which contains minimum instructional areas for students in kindergarten through eighth grade, and in Section 22-13-1.1 NMSA 1978, which contains high school graduation requirements. Requirements would go into effect in the 2025-2026 school year for students in kindergarten through eighth grade and in the 2024-2025 school year for high school students.

Ethnic Studies Council. SB340 would create a temporary Ethnic Studies Council, which would be charged with studying and identifying the next steps in developing ethnic studies curricula in public schools. The council would be convened by the Legislative Education Study Committee

(LESC), the Public Education Department (PED), and institutions of higher education. The secretary of PED would be responsible for appointing members of the council. Required members would include:

- University and public school ethnic studies programs, including Africana, Native American, and Chicana and Chicano studies;
- 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;
- The Office on African American affairs;
- The Indian Affairs Department;
- The All Pueblo Council of Governors;
- Public schools;
- PED’s Hispanic education liaison;
- The director of the Indian Education Division at PED or the director’s designee;
- The director of the Language and Culture Division at PED or the director’s designee;
- The deputy secretary for Identity, Equity, and Transformation at PED;
- The director of Special Education for PED;
- A legislator appointed by the Speaker of the New Mexico House of Representatives;
- A legislator appointed by the minority floor leader of the New Mexico House of Representatives;
- A legislator appointed by the President Pro Tempore of the New Mexico Senate;
- A legislator appointed by the minority floor 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.

SB340 does not indicate exactly how many members of the council there would be, but it appears it would include a minimum of 18 members. Members of the council would be reimbursed for per diem and mileage as provided in the Per Diem and Mileage Act, but would not receive any other compensation, perquisite, or allowance.

PED would be required to provide support staff for the council in the performance of its duties. The council would be required to select a chair and to report its findings to the LESC by July 1, 2024. The council would expire on July 1, 2025.

Social Studies Standards Updates. In 2022, PED published [revised social studies standards](#). These new standards include six strands: 1) Civics; 2) Economics and personal financial literacy; 3) Geography; 4) History; 5) Ethnic, cultural, and identity studies; and 6) Inquiry. These newly updated standards will be implemented in schools beginning in the 2023-2024 school year and can be viewed online in this [PED document](#) or in [6.29.11 NMAC](#).

As part of the new ethnic, cultural, and identity studies strand of the social studies standards, there are three anchor standards: 1) Diversity and identity; 2) Identity in history; and 3) Community equity building. These anchor standards, according to PED, highlight key disciplinary concepts and ideas within social studies and to create cohesiveness within the standards to connect learning progressions from kindergarten to high school. Each of the six strands above has related anchor standards—there are 27 anchor standards that map to each of the six primary strands.

Prior to the development of the new social studies standards last year, these standards were last updated in 2009 and covered four primary strands: 1) History; 2) Geography; 3) Civics and government; and 4) Economics. This latest update adds two new strands focused on ethnic, cultural, and identity studies, as well as inquiry. The standards related to each of these newly added strands are embedded in social studies standards across kindergarten and through 12th grade.

About Academic Content and Performance Standards. Academic content and performance standards—more commonly referred to as standards—are goals that outline what students should know and be able to do at various grade levels. Standards provide a foundation for learning, although they do not dictate how to teach specific content, or what specific materials may be used, both of which are functions of curriculum.

Standards are distinct from curriculum. Curriculum is what teachers teach on a day-to-day basis in the classroom. This includes instructional materials and classroom practices to achieve the learning goals and expectations set forth by standards. Under current law and policy, curriculum is a local decision. Federal policies encourage states to adopt high standards and state law requires PED to develop standards for all public schools, but curriculum decisions are made by local educators and school leaders.

ADMINISTRATIVE IMPLICATIONS

The secretary of PED would be required to appoint members to the Ethnic Studies Council and PED would be required to provide staff support for the council.

RELATED BILLS

Relates to House Bill 111, Holocaust and Genocide Studies Act, which would require instruction about the Holocaust, genocide, and human rights, and add Holocaust and genocide studies as an optional elective for fourth through eighth grade and as a required elective for high school students.

Conflicts with House Bill 126, School Graduation Requirements, which comprehensively updates graduation requirements.

Conflicts with House Bill 279, Personal Finance Class for Graduation, which adds a requirement for a one-half unit of a personal finance course for graduation and reduces elective units to seven.

Relates to House Bill 335, School Computer Science Classes, which requires computer science to be offered as an embedded element of courses in elementary and middle schools and as a standalone course in high schools.

Conflicts with Senate Bill 341, Personal Finance as School Elective, which adds personal finance as an elective in fourth through eighth grades and requires a personal finance course to be taken in high school as either a mathematics course or an elective.

SOURCES OF INFORMATION

- LESC Files

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