

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)  
*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 2/17/2025 *Check all that apply:*  
**Bill Number:** SB396 Original  Correction   
 Amendment  Substitute

**Sponsor:** Linda M. Lopez,  
Antionette Sedillo  
Lopez, Leo Jaramillo,  
Harold Pope, Shannon  
D. Pinto **Agency Name  
and Code  
Number:** ECECD 611  
**Person Writing  
Analysis:** Sandy Trujillo-Medina  
**Short Title:** Hispanic Student  
Education & Reporting **Phone:** (505)231-  
3219 **Email:** Sandy.trujillomedina@e  
cecd.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected

<b>Total</b>	NFI	NFI	NFI			
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(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

SB 396 is an act to ensure the maintenance of the Spanish Language and to create a systemic framework for improving educational outcomes for Hispanic students. SB396 would require the following: a Hispanic education liaison to advise on the five-year plan implementation for post secondary schools; requires the inclusion of initiatives to increase attendance and student achievement as measured by a statewide test, and; creates a systematic framework to improve student outcomes.

Section 1 is amends language to clarify that NMSA 1978 Chapter 22, Article 23B is the “Hispanic Education Act.”

Section 2 amends the purpose of the Act, to include the term “community-based” in reference to organizations involved in improving educational opportunities for Hispanic students and adds the higher education department in in the list of participants in efforts to improve educational opportunities for Hispanic students. New language is inserted at Paragraph D to include ensuring “the maintenance of the Spanish language.”

Section 3 is amended to require the Hispanic Education Liaison to advise the Department and the commission on the development and implementation of the five-year strategic plan for post-secondary education in addition to existing duties.

Section 4B is amended to require that Hispanic student achievement be included in the status report as measured by a statewide test approved by the department with outcomes desegregated by ethnicity and must include school district initiatives to decrease the number of school dropouts and increase attendance. Section 5 is a new section regarding systemic framework. School districts are to develop a systematic framework to improve educational outcomes for Hispanic students, including development through collaboration with school employees, students, families, social service providers, community and civil organizations with assistance from the Hispanic education liaison. Assistance can also be requested from post secondary educational institutions in efforts to close the achievement gap. The framework is to include materials, instruction and services that are culturally relevant. Programs can include high quality professional development, family based Early childhood programs, bilingual and bicultural programs that encourage and assist students in accessing higher education, Activities support academics, Spanish language programs, and activities that incorporate culturally responsive teaching and learning strategies as well as education on prevention of violence, suicide, substance abuse are included within the definition of “culturally related activity.” Services that can be provided including early intervention, guidance and counseling, integrated educational services and family literacy services, including adult basic education programs.

## **FISCAL IMPLICATIONS**

Family-based early childhood programs that provide screening and referral and provide services to children with developmental delays or disabilities are included in the definition of “academic and other programs.” ECECD provides early intervention services for children through its Family Infant Toddler program. Funding would be required to support implementation of new programs to support language maintenance, professional development for educators on language maintenance curricula and to purchase materials to support language maintenance and associated programs.

## **SIGNIFICANT ISSUES**

SB396 presents issues for ECECD in how data is collected. The bill states that data is to be collected from an identified statewide test for preschool through grade 12. NM PreK (preschool) is administered by ECECD and ECECD is not included or defined in any capacity within this bill. The ECECD would need to be included in decisions made regarding the development of the systematic framework and the selection of a statewide test that would be developmentally and age appropriate for preschool age children and lack of access to the liaison to help support the development of programs to support language maintenance, parent involvement and other program goals as defined in the bill.

## **PERFORMANCE IMPLICATIONS**

Without being consulted in the selection, the selection of a statewide test that would be developmentally and age appropriate for preschool age children, and lack of access to the liaison to help support the development of programs to support language maintenance, parent involvement and other program goals as defined in the bill, ECECD would face significant barriers to implementing requirements in NM PreK classrooms.

## **ADMINISTRATIVE IMPLICATIONS**

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**None.**

### **TECHNICAL ISSUES**

**None.**

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

### **AMENDMENTS**