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FISCAL IMPACT REPORT

SPONSOR Cisneros **ORIGINAL DATE** 01/21/14
LAST UPDATED 01/22/14 **HB** _____

SHORT TITLE Allow Sign Language for Graduation **SB** 5

ANALYST Chavez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY14	FY15	FY16	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		TBD				

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 66

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 5 allows American Sign Language (ASL) to meet the requirement of “a language other than English” for purposes of high school graduation.

The bill also reconciles multiple amendments to the same section of laws in 2010 laws and repeals a section of the public school code that requires districts to offer: a) at least one honors course in math and language arts beginning with the 2006-2007 school year; b) a program of courses for dual-credit, beginning with the 2008-2009 school year; and c) at least two years of a language other than English in each high school.

FISCAL IMPLICATIONS

There may be costs to school districts in having qualified instructors in ASL.

SIGNIFICANT ISSUES

Section 1 of the bill specifies American Sign Language (ASL) as an acceptable language for

meeting the requirement other than English. ASL is the predominant sign language of deaf communities in the United States and English-speaking parts of Canada. ASL is considered a distinct language with rules of grammar and usage as different from English as any foreign language. Estimates for ASL users in the United States range from 250,000 to 500,000 persons.

SB 5 explicitly adds ASL as a language option as a “language other than English” to satisfy high school graduation requirements (p. 9, lines 9-10). However, in current statute, “one unit of a career cluster, workplace readiness or a language other than English” (p. 6, lines 10-12) is a high school graduation requirement: no specific languages are listed, so it is unclear why ASL should be added specifically as a language option, unless there is confusion among school districts about the validity of ASL as a language option.

PED points out school districts may have difficulty meeting the demands of providing ASL to their students:

SB 5 does not address the labor force that school districts may need to consider when and if determining to offer ASL as a language other than English to fulfill the high school graduation requirements. One important concern is that school districts wishing to offer ASL as an option will need to consider is how to adequately staff schools with highly-trained and qualified ASL teachers, as is required of other teachers of world languages and/or bilingual education programs (Spanish and Native American languages).

Section 2 of the bill repeals the section of the public school code that requires districts to offer: a) at least one honors course in math and language arts beginning with the 2006-2007 school year; b) a program of courses for dual-credit, beginning with the 2008-2009 school year; and c) at least two years of a language other than English in each high school.

PED expresses concern over this provision of the bill:

Allowing districts to decide whether or not to provide robust course and program options to students could mean inequitable distribution of programming for students across the state based on districts’ rather than students’ needs. It is in the best interest of students that all school districts, directed by current statute, provide and offer multiple pathways toward graduation with meaningful coursework that adequately prepares students for success beyond the classroom is necessary. Additionally, requiring that districts offer these courses assists students in meeting the graduation requirements set forth in NMSA 22-13-1.1.N.3. This minimum standard should remain intact.

Lastly, advocating for a particular language to be explicitly included the bill while also repealing related sections of statute pertaining to high graduation requirements is inconsistent. The mixed message it sends is that many languages, including ASL, are to be considered as languages other than English, but that districts do not have the responsibility to provide students with at least two years in a language other English. This may create a breadth of language options but not the depth of language programming necessary for gaining language proficiency in the target language.

ADMINISTRATIVE IMPLICATIONS

PED notes that the implication for allowing an additional language as an option for fulfilling

graduation requirements may require, in the short-term, for PED's licensure bureau to incorporate new processes in determining an ASL teachers' qualifications and/or endorsements. There are no long-term administrative implications.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 66 also makes changes to Section 22-13-1.1 NMSA 1978.

TECHNICAL ISSUES

PED states that SB 5 adds to Section 1, Part I (2) the following: "and provided that a financial literacy course that meets state mathematics academic content and performance standards shall qualify as one of the four required mathematics units" (see p. 5, lines 24-25 and p. 6, lines 1-2). These lines are not included in the version of Section 22-13-1.1 available online at the New Mexico Compilation Commission website. This discrepancy must be addressed to ensure accurate citation of the statute to be amended as proposed in SB 5." However, this passage is included in Multiple Amendments 2010 of Section 22-13-1.1 NMSA 1978.

ALTERNATIVES

As an alternative to a statutory change, PED recommends enact a Senate Joint Resolution as a way for the state of New Mexico to formally recognize ASL as a language other than English. By doing so, ASL would automatically be considered as an option for satisfying the high school graduation requirements for a "language other than English."

KC/ds