

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 82

52nd Legislature, 1st Session, 2015

Tracking Number: .198775.1

Short Title: School Academic & Enrichment Programs

Sponsor(s): Representative Christine Trujillo

Analyst: David Craig

Date: February 12, 2015

Bill Summary:

HB 82 makes an appropriation to the Public Education Department (PED) for expenditure in FY 16 and FY 17 for after-school and summer programs that provide expanded academic and enrichment learning opportunities for public school students.

Among its provisions, the bill requires PED to establish criteria to prioritize awards to programs that:

- are aligned with Educational Plans for Student Success (EPSS) and Common Core State Standards (CCSS);
- provide academic enrichment;
- engage students with science-, technology-, engineering-, and mathematics-related (STEM) activities;
- help students meet state standards in core academic subjects;
- increase opportunities for physical activity and improve student nutrition; and
- collaborate with and leverage existing community partnerships and resources that have demonstrated effectiveness.

HB 82 also requires a portion of each award, as determined by PED, be used to support professional development:

- for after-school and summer program staff and to support an evaluation process focused on student outcomes and family satisfaction; and
- to increase the capacity of staff to deliver high-quality programming related to STEM that effectively engages children and youth in these subjects.

Fiscal Impact:

\$2,000,000 is appropriated from the General Fund to PED for expenditure in FY 16 and FY 17. Any unexpended or unencumbered balance remaining at the end of FY 17 shall revert to the General Fund.

FY 16 Appropriation Recommendations

According to the Legislative Finance Committee's (LFC's) fiscal impact report (FIR):

- both the LFC and Executive recommendation include \$1.1 million to continue these programs in FY 16;
- all of the Executive recommendation is from the General Fund; and
- the LFC recommendation includes:
 - \$750,000 in reprioritized fund balance; and
 - \$350,000 from the General Fund.

Fiscal Issues:

FY 15 Appropriations

For FY 15, \$1,497,000 was appropriated for before- and after-school programs and summer enrichment programs, including:

- \$1,097,000 million from the General Fund to the Public Education Department (PED) to support After-school and Summer Enrichment Programs statewide;
- \$100,000 from the General Fund to PED for after-school programs¹; and
- \$300,000 from the appropriation to the *Indian Education Act*².

For FY 15, to be eligible for funding, the PED-issued RFA required after-school and summer enrichment programs to provide quality after-school programs focusing on academic support, nutrition, and physical activity as follows:

- academic enrichment opportunities, such as:
 - reading and math skill reinforcement;
 - learning through movement/exploration;
 - performing arts;
 - artistry; and
 - civic responsibility;
- regular, ongoing activities that specifically address obesity prevention and includes both quality nutrition education and physical activity; and
- a broad array of programming that fosters positive youth development, including but not limited to:
 - science, technology, engineering and math (STEM);
 - English Language Arts (ELA); and
 - robotics.

As part of the award, grantees must provide programming for a minimum of two hours a day, two days a week and programming must be provided during non-school hours at no costs to students or parents.

¹ Appropriation language directing the appropriation to after-school programs at Central Consolidated Schools was vetoed; as a result, PED could determine the distribution of this appropriation for after-school programs statewide.

² For FY 15, the \$2.5 million appropriation to the *Indian Education Act* included \$300,000 to provide a rural literacy initiative to support after-school and summer literacy block programs for students in grades K-8 in schools with a high proportion of Native American students contingent on receipt of \$300,000 in matching funds from other than state sources no later than September 30, 2014.

As shown in **Attachment 1, FY 15 - Afterschool & Summer Enrichment Program Awards**, to date, PED has distributed \$697,000 as follows:

- \$675,000 to nine grantees, which provide after-school program services to 2,832 students; and
- \$22,000 in a contract to Kesselman-Jones, Inc. for services associated with the annual “Fall Into Place” 2014 After School Conference (held October 24-25, 2014).

According to the PED bill analysis, a second Request for Applications was released on November 14, 2014 to provide for nine additional award sites to receive up to \$50,000 for after-school programs in the spring semester of 2015. The department’s bill analysis, however, does not indicate how the remaining \$350,000 from the appropriation is to be awarded.

State-level Appropriations

Since FY 03, approximately \$22.8 million has been appropriated for before and after-school programs and summer enrichment. From FY 12 to FY 14, the only dedicated, state-level funding for before- and after-school programs and summer enrichment were appropriations from the Indian Education Fund.

State-level Appropriations for Before- and After-School Programs/Summer Enrichment (in thousands)

	FY 03*	FY 04*	FY 05*	FY 06	FY 07	FY 08	FY09	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15	Total
Indian Education Fund					\$1,000.0	\$500.0	\$500.0	\$500.0	\$400.0	\$300.0	\$300.0	\$300.0	\$300.0	\$4,100.0
Other Appropriations	\$2,482.5	\$3,082.5	\$2,982.5	\$85.5	\$0.0	\$4,644.0	\$3,300.0	\$935.0	\$144.3	\$0.0	\$0.0	\$0.0	\$1,100.0	\$18,756.3
Totals	\$2,482.5	\$3,082.5	\$2,982.5	\$85.5	\$1,000.0	\$5,144.0	\$3,800.0	\$1,435.0	\$544.3	\$300.0	\$300.0	\$300.0	\$1,400.0	\$22,856.3

*Indicates years when temporary assistance for needy families (TANF) funds were used.

Source: General Appropriations Acts and Other Enacted Legislation

Substantive Issues:

According to the PED bill analysis:

- a national research report, *America After 3PM*,³ indicates:
 - 10.2 million children (18 percent) participate in an after-school program;
 - the unmet demand for after-school programs has steadily risen over the last 10 years;
 - in 2014, approximately 19.4 million children (41 percent) not currently enrolled in an after-school program would be enrolled in a program if one were available to them according to their parents; and
 - in communities across the United states, 11.3 million children are without supervision between the hours of 3:00 and 6:00 p.m.;
- according to the Department of Justice (DOJ)⁴, violent crimes by juveniles occur most frequently in the hours immediately following the close of school on school day; and
- after-school programs may reduce juvenile crime by keeping kids safe and occupied between 3:00 and 6:00 p.m.

³ <http://afterschoolalliance.org/AA3PM/>

⁴ <http://www.ojjdp.gov/ojstatbb/qa03301.asp>

According to the LFC analysis, programs funded through this appropriation could improve student outcomes, decrease juvenile delinquency activity and decrease childhood obesity.

Background:

Federal 21st Century Community Learning Centers (21st CCLC) Programs

The primary source of federal funding that is dedicated for before- and after-school and summer enrichment programs are grants provided under Title IV, Part B of the federal *Elementary and Secondary Education Act (ESEA)*, commonly known as 21st Century Community Learning Centers (21st CCLC) grants. According to the US Department of Education (USDE), currently awards are made to state education agencies (SEA), which in turn manage statewide competitions and award grants to eligible entities⁵. According to the USDE, each eligible organization that receives a 21st CCLC award may use the funds to carry out a broad array of before- and after-school and summer enrichment programs, including activities within the following list:

- remedial education activities and academic enrichment learning programs, including providing additional assistance to students to allow the students to improve their academic achievement;
- mathematics and science education activities;
- arts and music education activities;
- entrepreneurial education programs;
- tutoring services (including those provided by senior citizen volunteers) and mentoring programs;
- programs that provide after-school activities for limited English proficient students that emphasize language skills and academic achievement;
- recreational activities;
- telecommunications and technology education programs;
- expanded library service hours;
- programs that promote parental involvement and family literacy;
- programs that provide assistance to students who have been truant, suspended, or expelled, to allow the students to improve their academic achievement; and
- drug and violence prevention programs, counseling programs, and character education programs.

Attachment 2, *New Mexico 21st Century Community Learning Center Funded Partners (FY15)*, provides a complete list of the FY 15 grantees, as well as school districts and schools served by the 21st CCLC grants.

Committee Referrals:

HEC/HAFC

⁵ For this program, eligible entity means a local educational agency, community-based organization, another public or private entity, or a consortium of two or more of such agencies, organizations, or entities. States must give priority to applications that are jointly submitted by a local educational agency and a community-based organization or other public or private entity.

Related Bills:

HB 159 *Science, Tech & Math Coach Program Unit*

*HB 310 *Science Early Education Program*

HJM 1 *Unified Science, Tech & Math Championship*

*SB 161 *Science Early Education Pilot Program*

FY15 - Afterschool & Summer Enrichment Program Awards	
Grantee/Funded Partner	Award Amount
1 Bernalillo Public Schools (Bernalillo Middle School)	\$75,000.00 1
2 Estancia Municipal Schools (Estancia Elementary School)	\$75,000.00 2
3 Jemez Mountain Schools (Gallina Elementary and Coronado Middle/High School)	\$75,000.00 3
4 Native American Community Academy	\$75,000.00 4
5 South Valley Preparatory School	\$75,000.00 5
6 Taos Municipal Schools (Enos Garcia Elementary School)	\$75,000.00 6
7 Gallup-McKinley County Schools (Ramah Elementary School)	\$75,000.00 7
8 Chama Municipal Schools (Chama Middle and Escalante Middle/High School)	\$75,000.00 8
9 La Promesa Early Learning Centers	\$75,000.00 9
10 Subtotal:	\$675,000.00 10
11 Kesselman-Jones Contract Amendment	\$22,000.00 11
12 Total Amount Awarded to Date:	\$697,000.00 12
13 To be Awarded for Spring 2015:	\$450,000 13
14 Total Amount Appropriated,	\$1,497,000.00 14
15 Balance	\$350,000.00 15

New Mexico 21st Century Community Learning Center Funded Partners (FY15)

Funded Partner	Sites Served:
Albuquerque Public Schools	Harrison Middle School
	Van Buren Middle School
	Whittier Elementary School
	Wilson Middle School
AppleTree Educational Center (CBO)	AppleTree Educational Center
	Arrey Elementary (Truth or Consequences)
	Boys and Girls Club of Sierra County
	Truth or Consequences Elementary School
Atrisco Heritage (CBO)	Baatan Elementary School (Deming Public Schools)
	Bell Elementary School (Deming Public Schools)
	Chaparral Elementary School (Deming Public Schools)
	Columbus Elementary School (Deming Public Schools)
	Ruben S. Torres Elementary School (Deming Public Schools)
	Deming Intermediate (Deming Public Schools)
	Moriarty Elementary School (Moriarty-Edgewood Schools)
	Route 66 School School (Moriarty-Edgewood Schools)
Bernalillo Public Schools	Bernalillo Elementary
	Cochiti Elementary
	Placitas Elementary
Central Consolidated Schools	Kirtland Central High School
	Newcomb High School
	Newcomb Middle School
	Shiprock Career Prep High School
	Shiprock High School
	Tsé Bit'a'í Middle School
Dulce Independent School District	Dulce Elementary
	Dulce Middle School
Farmington Public Schools	Apache Elementary
	Bluffview Elementary School
Gadsden Independent School District	Chaparral Elementary School
	Chaparral Elementary School
	Mesquite Elementary School

New Mexico 21st Century Community Learning Center Funded Partners (FY15)

	Riverside Elementary School
Gallup/McKinley County Schools	Chief Manuelito Mid
	Crownpoint Elementary
	David Skeet Elementary
	Jefferson Elementary
	Navajo Elementary
	Rocky View Elementary
	Turpen Elementary (Tobe Turpen)
Laguna Department of Education	Laguna Middle School
Las Cruces Public Schools	Camino Real Middle School
	Mesa Middle School
	Picacho Middle School
	Sierra Middle School
	Vista Middle School
Las Vegas City School	Don Cecilio Elementary (WLVS)
	Memorial Middle School
	Sierra Vista ES
	West Las Vegas MS (WLVS)
New Mexico Faithlinks (CBO)	Albuquerque Sigh Language Academy
	Apache Elementary
	Barcelona Elementary
Rural Education Cooperative #6	Floyd Elementary
	Fort Sumner Elementary
	Fort Sumner Middle School
	Logan High School
	Melrose High School
	San Jon Municipal Schools (80ES, 29MS, 27HS)
	Texico Elementary
	Texico High School
	Tucumcari Elementary
	Tucumcari High School
Rio Grande Educational Collaborative	Armijo ES (APS)
	East San Jose ES (APS)
	Hawthorne ES (APS)
	Kit Carson ES (APS)
	Los Padillas ES (APS)

New Mexico 21st Century Community Learning Center Funded Partners (FY15)

	Pajarito ES (APS)
	Sandia Base ES (APS)
	Tomasita ES (APS)
	Valle Vista ES (APS)
San Juan County Partnership	Blanco Elementary School (Bloomfield)
	Lydia Rippey Elementary School (Aztec)
	McCoy Elementary School (Aztec)
	Park Avenue Elementary (Aztec)
Santa Fe Public Schools	Cesar Chavez Community School (Charter)
	De Vargas Middle School
	Nava Elementary School (Francis X. Nava)
	Ortiz Middle School (Edward Ortiz)
	Ramirez Thomas
Socorro Consolidated School District	Midway Elementary School
	Zimmerly Elementary School
Taos Day School	Taos Cyber Magnet
	Taos Day School (BIE)
Youth Development Inc	Jimmy Carter Middle School (APS)
	John Adams Middle School (APS)
	Kennedy Middle School (APS)
	Lavaland Elementary (APS)
	Lowell Elementary (APS)
	McKinley Middle School (APS)
	Susie Rayos Marmon Elementary (APS)
	Wherry Elementary (APS)