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## FISCAL IMPACT REPORT

SPONSOR Lopez ORIGINAL DATE 3/9/19  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_  
SHORT TITLE Multicultural Education Task Force SM 111  
ANALYST Gaussoin

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

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		Indeterminate				

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates HM72

Relates to HB111, HB159, HB250, HB394, SB420, SB613, SB614, SB632

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

Legislative Education Study Committee (LESC) Files

### SUMMARY

#### Synopsis of Bill

Senate Memorial 111 requests the Public Education Department (PED) convene a multicultural education task force to develop a definition of multicultural education and report findings and recommendations for multicultural education in New Mexico to appropriate interim legislative committees by November 1, 2019.

### FISCAL IMPLICATIONS

The memorial does not make an appropriation but requests PED to convene a task force with members who have technical knowledge of and expertise in multicultural education. Additionally, the memorial requests LFC and LESC to assist the task force. Costs for this task force will depend on the membership of the task force, staffing needs, and how often the task force convenes. As such, the operating budget impacts are indeterminate.

The H AFC Substitute for House Bills 2 and 3 includes \$7 million for the state equalization guarantee distribution for bilingual and multicultural education program expansion, \$6 million for the Indian education fund, and \$2.5 million to PED to support bilingual and multicultural

education in New Mexico.

## **SIGNIFICANT ISSUES**

On July 20, 2018, the 1st Judicial District Court issued an initial decision and order on the consolidated *Yazzie v. New Mexico* and *Martinez v. New Mexico* education sufficiency lawsuits, which found New Mexico's public education system failed to provide a sufficient education for at-risk, English language learner, Native American, and special education students. On December 20, 2018, the court issued its final findings and conclusions of law in the consolidated lawsuits. In both the initial decision and final findings, the court cited evidence highlighting areas where funding levels, financing methods, and department oversight were deficient. However, the court stopped short of prescribing specific remedies and deferred decisions on how to achieve education sufficiency to the legislative and executive branch instead.

The court ruling in the *Yazzie* and *Martinez* case found PED did not provide sufficient technical support to schools and failed to comply with provisions of the Bilingual Multicultural Education Act, Hispanic Education Act, and Indian Education Act. Testimony from the trial suggested that PED did not adequately monitor or take enforcement actions on schools or programs relating to bilingual, multicultural, Indian, and Hispanic education.

## **ADMINISTRATIVE IMPLICATIONS**

The memorial requests LFC and LESC to provide assistance and PED include the following members on the multicultural education task force:

- Two members of Indian nations, tribes, or pueblos;
- Five members who are teachers, school administrators, school board members, or higher education faculty from different ethnicities, religions, and geographic areas of the state (with at least one representing special education);
- Five parents of multicultural students, encompassing diverse racial, ethnic, nationality, language, religious, class, gender, sexual orientation, and exceptionality groups, who are enrolled in multicultural education programs;
- Three multicultural education students;
- One appointed member of the Senate; and
- One appointed member of the House of Representatives.

## **RELATIONSHIP**

This memorial duplicates HM72. The memorial relates to House Bills 111, 159, 250, and 394 and Senate Bills 420, 613, 614, and 632, which impact multicultural education in New Mexico. The memorial also relates to the bilingual and multicultural education appropriations in the General Appropriation Act.

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