

LESC bill analyses are available on the New Mexico Legislature website (www.nmlegis.gov). Bill analyses are prepared by LESC staff for standing education committees of the New Mexico Legislature. LESC does not assume any responsibility for the accuracy of these reports if they are used for other purposes.

LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 2nd Session, 2020

Bill Number	<u>HB150</u>	Sponsor	<u>Martínez, J.</u>
Tracking Number	<u>.216509.1</u>	Committee Referrals	<u>HEC/HAFC</u>
Short Title	<u>Bernalillo Extended Learning & Enrichment</u>		
Analyst	<u>Alexander</u>	Original Date	<u>2/3/2020</u>
		Last Updated	<u>2/6/2020</u>

BILL SUMMARY

Synopsis of Bill

House Bill 150 (HB150) would appropriate \$200 thousand to the Department of Finance and Administration (DFA) to allocate to Bernalillo County to contract with an organization to provide extended learning and mentoring out-of-school enrichment programs.

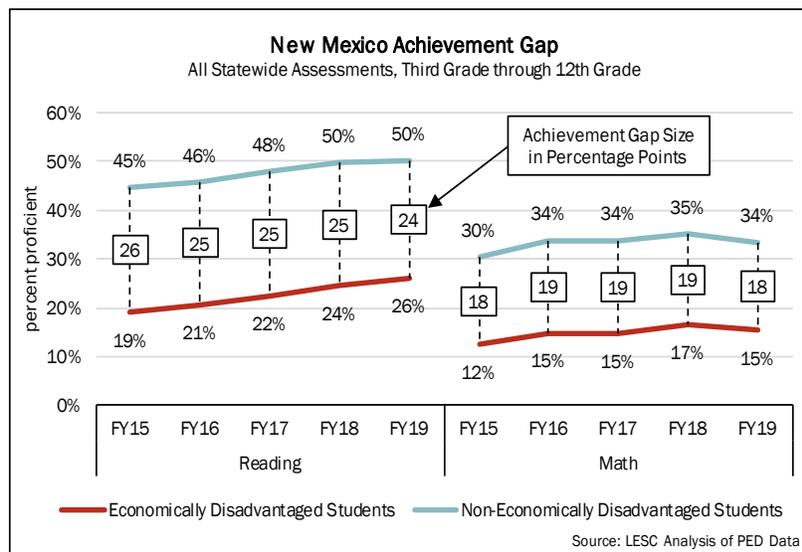
FISCAL IMPACT

HB150 would appropriate \$200 thousand from the general fund to DFA to allocate to Bernalillo County for expenditure in FY21. Any unexpended or unencumbered balance remaining at the end of FY21 would revert to the general fund.

SUBSTANTIVE ISSUES

Additional Instructional Time. HB150 would provide additional learning and mentoring time for students, which research suggests can be beneficial for student outcomes. According to a Legislative Finance Committee (LFC) report in 2018, many New Mexico students enter school underprepared and do not perform at grade level. While students on average achieve a year's worth of academic growth in each grade, there are large achievement gaps, particularly faced by the 70 percent of students counted as at-risk in the funding formula. An LFC program evaluation of student "time-on-task" explains that additional instructional time, summer camps, and afterschool programs can improve academic outcomes, help offset summer learning loss, and reduce learning gaps for low-income students.

To provide additional instructional time, in 2019 the Legislature adopted reforms to the public school funding formula. In addition to increasing the formula factor for at-risk students from 0.13 to 0.25 resulting in an additional \$129.2 million in funding, the Legislature created new factors for the K-5 Plus program that added 25 instructional days to the beginning of the school year, and the extended learning time program that added instructional days, after-school programs, and professional development time for teachers.



The LFC “time-on-task” report emphasizes additional instructional time has the greatest impact on student outcomes when accompanied by high-quality instruction and effective teachers who engage in professional development, collaboration, and planning.

Alignment with Current Statutory Requirements. Extended learning time program standards outlined in 22-8-23 NMSA 1978 are designed to ensure quality instructional time by requiring professional development and the utilization of evidence-based methods aimed at closing the achievement gap. Because the bill’s appropriation would be allocated to Bernalillo County to fund an organization of the county’s choice, the mentoring and extended learning services proposed by HB150 would not be held to any requirements outlined in current statute. The services proposed by HB150 may therefore be inconsistent with statute-compliant curriculum and may not adhere to evidence-based best practices for additional instructional time.

In part because of efforts to maintain quality control and hold programs accountable to evidence-based standards, the Legislature has typically allocated funds for mentoring and extended learning to the Public Education Department (PED) to distribute as grants, as opposed to allocating funds directly to an individual county, school district, or community partner.

Formula Funding for Extended Learning Time. In the consolidated *Martinez* and *Yazzie* lawsuit, the 1st Judicial District Court recognized that extended learning time programs narrow the achievement gap between at-risk students and their more affluent peers. However, Albuquerque Public Schools (APS), the school district overseeing a large majority of the students in Bernalillo County, has not used all available funding for statutory K-5 Plus and extended learning time programs. According to LESC data from 2019, only 5.6 percent of APS students participate in K-3 Plus and K-5 Plus programs, while only 10.7 percent participate in extended learning time programs. In 2019, the Legislature appropriated \$120 million to K-5 Plus programs and \$62.5 million for extended learning time programs; the House Appropriations and Finance Committee Substitute for House Bills 2 and 3 held funding flat at \$120 million for K-5 Plus programs and increased funding by \$9 million for extended learning time programs in FY21.

ADMINISTRATIVE IMPLICATIONS

DFA would be responsible for allocating the funds proposed by HB150 to Bernalillo County. Bernalillo County would be responsible for selecting and contracting with an organization to

provide extended learning and mentoring programs. Because the money will not be allocated through PED, there will be no required administrative, evaluative, or accountability measures to ensure that programs are meeting statutory requirements or employing evidence-based strategies to improve academic outcomes.

Providing extended learning time and mentoring services through an external organization may reduce the administrative burden on school districts and charter schools staff to provide and develop additional instructional materials and curricula. However, ensuring that these materials align with the school district's or charter school's standards and materials may prove challenging.

RELATED BILLS

Relates to HB134, Funding to Improve Educational Outcomes, which would appropriate \$800 thousand to support culturally and linguistically relevant education and extended learning programs at Diné College.

Relates to HB177, Regional Partnership School Demo Project, which would appropriate \$3.3 million to implement a five-year regional partnership school demonstration project, involving a partnership between Pojoaque Valley public school district, New Mexico Highlands University, and Los Alamos National Laboratory.

Relates to HB227, Elementary School Mentoring and Tutoring, which would appropriate \$500 thousand to contract with a program to provide mentoring and tutoring services to elementary schools statewide.

Relates to SB47, After School Mentoring in Elementary Schools, which would appropriate \$500 thousand to PED to contract with a program to provide mentoring and tutoring services before and after school at elementary schools statewide.

SOURCES OF INFORMATION

- LESC Files
- Legislative Finance Committee (LFC)
- Public Education Committee (PED)

CA/tb/mc/sgs