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## FISCAL IMPACT REPORT

SPONSOR Nava DATE TYPED 2/22/05 HB \_\_\_\_\_

SHORT TITLE Bilingual Multicultural Education Units SB 561

ANALYST Chabot

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$21,157.0			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to SB 125  
 Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Finance and Administration (DFA)  
 Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

Senate Bill 561 appropriates \$21,157,000 million from the general fund to the state equalization guarantee for public schools and amends the Public School Finance Act to change the cost differential for units earned for the bilingual multicultural education program from 0.5 to 0.8 effective July 1, 2005.

#### Significant Issues

PED assess the following:

- New Mexico has been a leader in the nation in providing funds to serve the needs of students with a home language other than English. Since 1973, the Bilingual Multicultural Education Act has provided financial support for programs that allow students at New Mexico public schools to become proficient in two languages, English and a second language (one of which is Spanish), and to succeed academically.

- For the 2004-05 academic school year, there are 60 districts with 460 schools implementing Bilingual Education Programs with 57,965 students participating.
- The new Bilingual Education Law requires PED to annually compile data regarding program effectiveness and use of funds and report this information to the appropriate interim Legislative committee.
- In 2004-05, districts received \$35.6 million to implement Bilingual Education programs through units earned at the 0.5 cost differential factor. However, districts report spending \$80.6 million on these programs by using other program funds. This appropriation would more closely align revenues with costs.

DFA points out the last change to cost differential for bilingual multicultural programs was in 1994 and English Language Learner programs are needed to improve student outcomes.

The LFC conducted an audit of bilingual education programs in 2003 and recommended the Bilingual Multicultural Education Act be amended to clarify program purpose and priorities.

### **PERFORMANCE IMPLICATIONS**

This bill is directly related to public school support program measures in reading and language arts proficiencies.

### **FISCAL IMPLICATIONS**

The appropriation of \$21,157,000 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year shall not revert.

The LFC FY06 appropriation recommendation is balanced between revenues and expenditures and any increase in recurring funding must be offset by reductions in other areas of the recommendation. The Legislature must consider all priorities and funding requirements to find revenue to support this legislation.

The Legislative Education Study Committee, LFC and the Executive all include funding in the FY06 Appropriation Recommendations for a public school funding formula study to do a comprehensive assessment, including bilingual education, of cost differential factors within the formula.

### **OTHER SUBSTANTIVE ISSUES**

If the cost differential for the bilingual multicultural education program is increased without an additional appropriation, it will result in a decline in the unit value used to calculate school district distributions from the state equalization guarantee.

### **ALTERNATIVES**

If Senate Bill 125 or similar legislation is enacted to study the public school funding formula, this bill should be tabled until after the study is completed and a determination made on changing the formula.

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

The cost differential for bilingual multicultural education will remain at 0.5.

**POSSIBLE QUESTIONS**

1. Can this bill be deferred until a funding formula study is completed?
2. Will the Bilingual Multicultural Education Act be amended to clarify program purpose and priorities?

Attachment

PED School Budget and Finance Analysis Unit Comparison

**GAC/rs**

2004-2005 FINAL FUNDED STATE BILINGUAL BASED ON CURRENT .50 COST FACTOR		2004-2005 FINAL FUNDED STATE BILINGUAL BASED ON PROPOSED .80 COST FACTOR		DIFFERENCE OF PROPOSED TO CURRENT
DISTRICT	UNIT VALUE \$3,068.70	DISTRICT	UNIT VALUE \$3,068.70	
ALAMOGORDO	\$66,498.73	ALAMOGORDO	\$106,397.97	\$39,899.24
LACY SIMMIS MIDDLE	\$0.00	LACY SIMMIS MIDDLE	\$0.00	\$0.00
<b>ALAMOGORDO W/CHARTER</b>	<b>\$66,498.73</b>	<b>ALAMOGORDO W/CHARTER</b>	<b>\$106,397.97</b>	<b>\$39,899.24</b>
ALBUQUERQUE	\$8,313,706.70	ALBUQUERQUE	\$13,301,930.71	\$4,988,224.02
ACADEMIA DE LENGUA Y CULTURA	\$37,852.41	ACADEMIA DE LENGUA Y CULTURA	\$60,563.86	\$22,711.45
AMY BIEHL	\$0.00	AMY BIEHL	\$0.00	\$0.00
CESAR CHAVEZ COMM. SCHOOL	\$0.00	CESAR CHAVEZ COMM. SCHOOL	\$0.00	\$0.00
CHARTER VOC. HIGH <sup>6</sup>	\$0.00	CHARTER VOC. HIGH <sup>6</sup>	\$0.00	\$0.00
CHARTER VO-TECH CENTER	\$0.00	CHARTER VO-TECH CENTER	\$0.00	\$0.00
CREATIVE ED. PREP INSTITUTE #1	\$0.00	CREATIVE ED. PREP INSTITUTE #1	\$0.00	\$0.00
CREATIVE ED. PREP INSTITUTE #2	\$0.00	CREATIVE ED. PREP INSTITUTE #2	\$0.00	\$0.00
EAST MOUNTAIN	\$0.00	EAST MOUNTAIN	\$0.00	\$0.00
HORIZON ACADEMY NORTHWEST	\$0.00	HORIZON ACADEMY NORTHWEST	\$0.00	\$0.00
HORIZON ACADEMY SOUTH	\$0.00	HORIZON ACADEMY SOUTH	\$0.00	\$0.00
HORIZON ACADEMY WEST	\$0.00	HORIZON ACADEMY WEST	\$0.00	\$0.00
LA ACADEMIA DE ESPERANZA	\$0.00	LA ACADEMIA DE ESPERANZA	\$0.00	\$0.00
LOS PUENTES	\$11,937.24	LOS PUENTES	\$19,099.59	\$7,162.35
MONTESSORI OF THE RIO GRANDE	\$0.00	MONTESSORI OF THE RIO GRANDE	\$0.00	\$0.00
NUESTROS VALORES	\$53,027.14	NUESTROS VALORES	\$84,843.42	\$31,816.28
PASEO DEL MONTE	\$0.00	PASEO DEL MONTE	\$0.00	\$0.00
PAPA	\$0.00	PAPA	\$0.00	\$0.00
ROBERT F. KENNEDY	\$48,761.64	ROBERT F. KENNEDY	\$78,018.63	\$29,256.99
SIA TECH	\$0.00	SIA TECH	\$0.00	\$0.00
SOUTH VALLEY	\$0.00	SOUTH VALLEY	\$0.00	\$0.00
SOUTHWEST SECONDARY	\$0.00	SOUTHWEST SECONDARY	\$0.00	\$0.00
THE LRNG COMM CTR	\$0.00	THE LRNG COMM CTR	\$0.00	\$0.00
TWENTY FIRST CENT.	\$0.00	TWENTY FIRST CENT.	\$0.00	\$0.00
<b>ALBUQUERQUE W/CHARTERS</b>	<b>\$8,465,285.13</b>	<b>ALBUQUERQUE W/CHARTERS</b>	<b>\$13,544,456.21</b>	<b>\$5,079,171.08</b>
ANIMAS	\$0.00	ANIMAS	\$0.00	\$0.00
ARTESIA	\$255,484.62	ARTESIA	\$408,775.39	\$153,290.77
AZTEC	\$0.00	AZTEC	\$0.00	\$0.00
BELEN	\$102,463.89	BELEN	\$163,942.23	\$61,478.34
BERNALILLO	\$1,154,184.10	BERNALILLO	\$1,846,694.56	\$692,510.46

BLOOMFIELD	\$153,680.50	BLOOMFIELD	\$245,888.79	\$92,208.30
CAPITAN	\$0.00	CAPITAN	\$0.00	\$0.00
CARLSBAD	\$249,331.88	CARLSBAD	\$398,931.00	\$149,599.13
JEFFERSON MONT. ACAD.	\$0.00	JEFFERSON MONT. ACAD.	\$0.00	\$0.00
<b>CARLSBAD W/CHARTERS</b>	<b>\$249,331.88</b>	<b>CARLSBAD W/CHARTERS</b>	<b>\$398,931.00</b>	<b>\$149,599.13</b>
CARRIZOZO	\$0.00	CARRIZOZO	\$0.00	\$0.00
CENTRAL CONS.	\$1,235,750.15	CENTRAL CONS.	\$1,977,200.23	\$741,450.09
CHAMA VALLEY	\$58,995.76	CHAMA VALLEY	\$94,393.21	\$35,397.45
CIMARRON	\$0.00	CIMARRON	\$0.00	\$0.00
MORENO VALLEY HIGH	\$0.00	MORENO VALLEY HIGH	\$0.00	\$0.00
<b>CIMARRON W/CHARTERS</b>	<b>\$0.00</b>	<b>CIMARRON W/CHARTERS</b>	<b>\$0.00</b>	<b>\$0.00</b>
CLAYTON	\$0.00	CLAYTON	\$0.00	\$0.00
AMISTAD	\$0.00	AMISTAD	\$0.00	\$0.00
<b>CLAYTON W/CHARTER</b>	<b>\$0.00</b>	<b>CLAYTON W/CHARTER</b>	<b>\$0.00</b>	<b>\$0.00</b>
CLOUDCROFT	\$0.00	CLOUDCROFT	\$0.00	\$0.00
CLOVIS	\$220,777.62	CLOVIS	\$353,244.19	\$132,466.57
COBRE CONS.	\$566,773.55	COBRE CONS.	\$906,837.67	\$340,064.13
CORONA	\$19,532.28	CORONA	\$31,251.64	\$11,719.37
CUBA	\$261,345.84	CUBA	\$418,153.34	\$156,807.50
DEMING	\$1,252,198.38	DEMING	\$2,003,517.41	\$751,319.03
DES MOINES	\$0.00	DES MOINES	\$0.00	\$0.00
DEXTER	\$162,994.00	DEXTER	\$260,790.40	\$97,796.40
DORA	\$0.00	DORA	\$0.00	\$0.00
DULCE	\$28,646.31	DULCE	\$45,834.10	\$17,187.79
ELIDA	\$0.00	ELIDA	\$0.00	\$0.00
ESPAÑOLA	\$2,006,684.30	ESPAÑOLA	\$3,210,694.89	\$1,204,010.58
ESPANOLA MILITARY ACAD	\$0.00	ESPANOLA MILITARY ACAD	\$0.00	\$0.00
<b>ESPANOLA W/CHARTER</b>	<b>\$2,006,684.30</b>	<b>ESPANOLA W/CHARTER</b>	<b>\$3,210,694.89</b>	<b>\$1,204,010.58</b>
ESTANCIA	\$0.00	ESTANCIA	\$0.00	\$0.00
EUNICE	\$11,078.01	EUNICE	\$17,724.81	\$6,646.80
FARMINGTON	\$1,033,123.89	FARMINGTON	\$1,652,998.22	\$619,874.33
FLOYD	\$30,180.66	FLOYD	\$48,289.06	\$18,108.40
FT. SUMNER	\$0.00	FT. SUMNER	\$0.00	\$0.00

GADSDEN	\$3,720,108.29	GADSDEN	\$5,952,173.27	\$2,232,064.98
GALLUP <sup>2</sup>	\$586,198.42	GALLUP <sup>2</sup>	\$937,917.47	\$351,719.05
MIDDLE COLLEGE HIGH	\$0.00	MIDDLE COLLEGE HIGH	\$0.00	\$0.00
<b>GALLUP W/CHARTER</b>	<b>\$586,198.42</b>	<b>GALLUP W/CHARTER</b>	<b>\$937,917.47</b>	<b>\$351,719.05</b>
GRADY	\$0.00	GRADY	\$0.00	\$0.00
GRANTS	\$347,269.44	GRANTS	\$555,631.10	\$208,361.66
HAGERMAN	\$41,765.01	HAGERMAN	\$66,824.01	\$25,059.00
HATCH	\$600,283.75	HATCH	\$960,454.00	\$360,170.25
HOBBS	\$109,368.47	HOBBS	\$174,989.55	\$65,621.08
HONDO	\$0.00	HONDO	\$0.00	\$0.00
HOUSE	\$0.00	HOUSE	\$0.00	\$0.00
JAL	\$0.00	JAL	\$0.00	\$0.00
JEMEZ MOUNTAIN	\$269,539.26	JEMEZ MOUNTAIN	\$431,262.82	\$161,723.56
JEMEZ VALLEY <sup>3</sup>	\$0.00	JEMEZ VALLEY <sup>3</sup>	\$0.00	\$0.00
SAN DIEGO RIVERSIDE CHARTER	\$45,524.16	SAN DIEGO RIVERSIDE CHARTER	\$72,838.66	\$27,314.50
WALATOWA CHARTER HIGH	\$0.00	WALATOWA CHARTER HIGH	\$0.00	\$0.00
<b>JEMEZ VALLEY W/CHARTER</b>	<b>\$45,524.16</b>	<b>JEMEZ VALLEY W/CHARTER</b>	<b>\$72,838.66</b>	<b>\$27,314.50</b>
LAKE ARTHUR	\$10,065.34	LAKE ARTHUR	\$16,104.54	\$6,039.20
LAS CRUCES	\$2,252,088.24	LAS CRUCES	\$3,603,341.19	\$1,351,252.95
ALMA D'ARTE CHARTER	\$0.00	ALMA D'ARTE CHARTER	\$0.00	\$0.00
LA ACADEMIA DE IDIOMAS Y CULTUR	\$88,225.13	LA ACADEMIA DE IDIOMAS Y CULTUR	\$141,160.20	\$52,935.08
<b>LAS CRUCES W/CHARTER</b>	<b>\$2,340,313.37</b>	<b>LAS CRUCES W/CHARTER</b>	<b>\$3,744,501.39</b>	<b>\$1,404,188.02</b>
LAS VEGAS CITY	\$848,157.99	LAS VEGAS CITY	\$1,357,052.79	\$508,894.80
BRIDGE ACADEMY CHARTER	\$0.00	BRIDGE ACADEMY CHARTER	\$0.00	\$0.00
<b>LAS VEGAS CITY W/CHARTER</b>	<b>\$848,157.99</b>	<b>LAS VEGAS CITY W/CHARTER</b>	<b>\$1,357,052.79</b>	<b>\$508,894.80</b>
LOGAN	\$0.00	LOGAN	\$0.00	\$0.00
LORDSBURG	\$0.00	LORDSBURG	\$0.00	\$0.00
LOS ALAMOS	\$0.00	LOS ALAMOS	\$0.00	\$0.00
LOS LUNAS	\$634,208.23	LOS LUNAS	\$1,014,733.17	\$380,524.94
LOVING <sup>3</sup>	\$155,644.46	LOVING <sup>3</sup>	\$249,031.14	\$93,386.68
LOVINGTON	\$236,044.40	LOVINGTON	\$377,671.05	\$141,626.64
MAGDALENA <sup>3</sup>	\$49,360.04	MAGDALENA <sup>3</sup>	\$78,976.06	\$29,616.02

MAXWELL	\$0.00	MAXWELL	\$0.00	\$0.00
MELROSE	\$0.00	MELROSE	\$0.00	\$0.00
MESA VISTA	\$325,543.04	MESA VISTA	\$520,868.86	\$195,325.82
MORA	\$287,537.19	MORA	\$460,059.50	\$172,522.31
MORIARTY	\$198,882.45	MORIARTY	\$318,211.92	\$119,329.47
MOSQUERO	\$0.00	MOSQUERO	\$0.00	\$0.00
MOUNTAINAIR	\$0.00	MOUNTAINAIR	\$0.00	\$0.00
PECOS	\$530,977.16	PECOS	\$849,563.46	\$318,586.30
PEÑASCO	\$309,018.09	PEÑASCO	\$494,428.94	\$185,410.85
POJOAQUE	\$517,168.01	POJOAQUE	\$827,468.82	\$310,300.81
PORTALES <sup>3</sup>	\$83,376.58	PORTALES <sup>3</sup>	\$133,402.53	\$50,025.95
QUEMADO	\$0.00	QUEMADO	\$0.00	\$0.00
QUESTA	\$305,335.65	QUESTA	\$488,537.04	\$183,201.39
RED RIVER VALLEY	\$0.00	RED RIVER VALLEY	\$0.00	\$0.00
ROOTS & WINGS	\$0.00	ROOTS & WINGS	\$0.00	\$0.00
<b>QUESTA W/CHARTERS</b>	<b>\$305,335.65</b>	<b>QUESTA W/CHARTERS</b>	<b>\$488,537.04</b>	<b>\$183,201.39</b>
RATON	\$100,085.65	RATON	\$160,137.04	\$60,051.39
RESERVE	\$0.00	RESERVE	\$0.00	\$0.00
RIO RANCHO <sup>3</sup>	\$154,202.18	RIO RANCHO <sup>3</sup>	\$246,723.48	\$92,521.31
ROSWELL	\$274,986.21	ROSWELL	\$439,977.93	\$164,991.72
SIDNEY GUTIERREZ	\$0.00	SIDNEY GUTIERREZ	\$0.00	\$0.00
<b>ROSWELL W/CHARTER</b>	<b>\$274,986.21</b>	<b>ROSWELL W/CHARTER</b>	<b>\$439,977.93</b>	<b>\$164,991.72</b>
ROY	\$0.00	ROY	\$0.00	\$0.00
RUIDOSO	\$196,826.42	RUIDOSO	\$314,922.27	\$118,095.85
SAN JON	\$0.00	SAN JON	\$0.00	\$0.00
SANTA FE	\$1,452,185.56	SANTA FE	\$2,323,496.89	\$871,311.33
ACAD FOR TECH & CLASSICS	\$0.00	ACAD FOR TECH & CLASSICS	\$0.00	\$0.00
MONTE DEL SOL	\$19,102.66	MONTE DEL SOL	\$30,564.25	\$11,461.59
TURQUOISE TRAIL	\$64,718.88	TURQUOISE TRAIL	\$103,550.21	\$38,831.33
<b>SANTA FE W/CHARTERS</b>	<b>\$1,536,007.10</b>	<b>SANTA FE W/CHARTERS</b>	<b>\$2,457,611.36</b>	<b>\$921,604.26</b>
SANTA ROSA	\$432,011.59	SANTA ROSA	\$691,218.54	\$259,206.95
SILVER CITY CONS.	\$28,216.70	SILVER CITY CONS.	\$45,146.71	\$16,930.02

SOCORRO	\$130,327.69	SOCORRO	\$208,524.30	\$78,196.61
COTTONWOOD CHARTER	\$0.00	COTTONWOOD CHARTER	\$0.00	\$0.00
<b>SOCORRO W/CHARTERS</b>	<b>\$130,327.69</b>	<b>SOCORRO W/CHARTERS</b>	<b>\$208,524.30</b>	<b>\$78,196.61</b>
SPRINGER	\$0.00	SPRINGER	\$0.00	\$0.00
TAOS	\$208,502.82	TAOS	\$333,604.51	\$125,101.69
ANANSI CHARTER	\$12,704.42	ANANSI CHARTER	\$20,327.07	\$7,622.65
TAOS CHARTER	\$27,541.58	TAOS CHARTER	\$44,066.53	\$16,524.95
<b>TAOS W/CHARTER</b>	<b>\$248,748.82</b>	<b>TAOS W/CHARTER</b>	<b>\$397,998.12</b>	<b>\$149,249.29</b>
TATUM	\$0.00	TATUM	\$0.00	\$0.00
TEXICO	\$8,438.93	TEXICO	\$13,502.28	\$5,063.36
TRUTH OR CONSEQ.	\$199,649.62	TRUTH OR CONSEQ.	\$319,439.40	\$119,789.77
TUCUMCARI	\$17,737.09	TUCUMCARI	\$28,379.34	\$10,642.25
TULAROSA	\$0.00	TULAROSA	\$0.00	\$0.00
VAUGHN	\$29,919.83	VAUGHN	\$47,871.72	\$17,951.90
WAGON MOUND	\$84,220.47	WAGON MOUND	\$134,752.75	\$50,532.28
WEST LAS VEGAS	\$1,217,598.79	WEST LAS VEGAS	\$1,948,158.06	\$730,559.27
RIO GALLIANS CHARTER SCHOOL	\$0.00	RIO GALLIANS CHARTER SCHOOL	\$0.00	\$0.00
<b>WEST LAS VEGAS W/CHARTER</b>	<b>\$1,217,598.79</b>	<b>WEST LAS VEGAS W/CHARTER</b>	<b>\$1,948,158.06</b>	<b>\$730,559.27</b>
ZUNI	\$714,577.48	ZUNI	\$1,143,323.97	\$428,746.49
STATEWIDE	\$35,260,252.92	STATEWIDE	\$56,416,404.68	\$21,156,151.75