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FISCAL IMPACT REPORT

	ORIGINAL DATE	01/26/10	HB	
SPONSOR <u>Sanchez, B.</u>	LAST UPDATED	<u>02/18/10</u>		
			SB	<u>132/aSEC/aSFC/aSFI#1/aSFI#2/aHEC/aHFI#1</u>
SHORT TITLE <u>Hispanic Education Act</u>				
	ANALYST	<u>Hoffmann</u>		

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	\$0.1	Recurring	General fund

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY10	FY11	FY12	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		See narrative				

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HB19, relates to HB150/aHEC

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Public Education Department (PED)

Higher Education Department (HED)

SUMMARY

Synopsis of HFI#1 Amendment

The House Floor Amendment number one to Senate Bill 132 strikes House Education Committee amendment item number 6 with the effect of replacing sections two through six of the bill. The sections replaced are identical to those in the HEC amendment. The effective date of the bill, previously July 1, 2010 is eliminated, making the effective date ninety days after the date the bill is signed.

The House Floor Amendment 31 does not specify the renumbering of the section giving the effective date of the bill.

Synopsis of HEC Amendment

The House Education Committee amendment to Senate Bill 132 restores the bill to its original text by striking all prior amendments and then makes the following changes.

- The “HISPANIC EDUCATION OFFICE” is replaced with the “HISPANIC EDUCATION LIAISON” in the title of the bill.
- The duty for the liaison “to support and consult with the Hispanic Education Advisory Council” is added.
- The Hispanic Education Advisory Council proposed by the Senate Education Committee amendment is added back to the bill with the number of members limited to twenty-three; members shall not receive per diem and mileage or other compensation for their services.

Synopsis of Senate Floor Amendment #2

Senate Floor amendment #2 to Senate Bill 132 makes the following changes.

It repeals the first change made by Senate Floor amendment #1.

Section 3 Subsection B (under “PURPOSE”) will now read “encourage and foster parental and other family involvement in the education of children.”

Section 4 Subsection B (2) (the duties of the Hispanic Education Office) is changed to read “advise the department and the public education commission on the development and implementation of the five-year strategic plan for public elementary and secondary education in the state as the plan relates to Hispanic student education;”

Section 4 Subsection B (5) (the duties of the Hispanic Education Office) is changed to read “support districts and charter schools to recruit parents and other family members on site-based and district committees that represent the ethnic diversity of the community.”

Synopsis of Senate Floor Amendment #1

Senate Floor amendment #1 to Senate Bill 132 changes Section 3 Subsection B “PURPOSE” to specify “family” instead of “parental” as the object of encouragement for involvement in the education of their children.

The amendment also changes Section 3 Subsection C to specify “family” instead of “parents” to work with organizations to improve educational opportunities for Hispanic students for the purpose of meeting the goals of the Act.

Synopsis of SFC Amendment

The Senate Finance Committee amendment to Senate Bill 132/aSEC has the following effects.

The definition of the Hispanic Education Advisory Council is replaced, and includes language stating that members of the Hispanic Education Advisory Council shall not receive per diem and mileage or other compensation for their services.

The Hispanic Education Office is now defined as a liaison of the PED.

The PED is given the responsibility to collaborate with the HED for an annual preschool-through-post-secondary statewide Hispanic education status report.

This amendment makes Senate Bill 132/aSEC/aSFC a duplicate of House Bill 150/aSEC.

Synopsis of SEC Amendment

The Senate Education Committee amends Senate Bill 132 to

1. replace one of the duties of the Hispanic Education Office “support districts and charter schools to recruit parents on site-based and district committees that represent the ethnic diversity of the community” with the duty “support and consult with the Hispanic education advisory council; and” , and
2. add the creation of the Hispanic Education Advisory Council with the same function as the council created in House Bill 150, making the two bills identical.

Synopsis of Original Bill

Senate Bill 132 enacts a new section of the Public School Code that creates the Hispanic Education Office (HEO) within the Public Education Department and prescribes the duties and responsibilities of the office. The bill further outlines the requirements for an annual preschool through postsecondary statewide Hispanic education status report.

The purpose of House Bill 150 is to close the achievement gap for Hispanic students, to increase graduation rates, and to increase post-secondary enrollment, retention and completion.

The Hispanic Education Office would have the duty of submitting an annual status report to the legislature and the governor no later than November 15th. The report would be compiled from data otherwise required by the PED and would contain information by school district, charter school and statewide on the following measures.

1. Hispanic student achievement at all grades
2. Attendance for all grades
3. The graduation rates for Hispanic students
4. The number of Hispanic students in schools that make adequate yearly progress and in schools at each level of school improvement or restructuring
5. The number and type of bilingual and multicultural programs in each school district and charter school

The annual status report would also include information on post-secondary education which would be compiled from information otherwise required to be submitted to the HED.

1. Hispanic student enrollment
2. Hispanic student retention
3. Hispanic student completion rates

FISCAL IMPLICATIONS

Section 4 of the proposed act describes a number of activities that would ordinarily drive the need to request additional budget for the department, including additional operating costs and FTEs. The PED claims that the creation of a Hispanic Education Office in the Public Education Department can be accomplished with existing FTE and resources.

The HED states that their compliance with the reporting requirements in this bill would not have any fiscal impact.

The DFA reports that the Hispanic Education Act is part of a six component education reform

initiative, Graduate New Mexico, funded through \$8.9 million in federal stimulus money provided through the Executive. PED suggests that in their analysis of SB 132A that the support of the Office of Hispanic Education and the Hispanic Education Advisory Council can be accomplished by existing funds and resources.

CONFLICT, DUPLICATION

House Bill 19 is similar to Senate Bill 132, but includes the creation of a new Hispanic Education division within the PED.

House Bill 150 is a duplicate of Senate Bill 132.

CH/svb:mt:mew