

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 292

50th Legislature, 2nd Session, 2012

Tracking Number: .189234.1

Short Title: Digital Education & Online Learning

Sponsor(s): Representative Roberto “Bobby” J. Gonzales and Others

Analyst: James Ball

Date: February 7, 2012

Bill Summary:

HB 292 makes an appropriation to support innovative digital education and online learning programs.

Fiscal Impact:

\$2.5 million is appropriated from the General Fund for expenditure in FY 13 as follows:

- \$1.25 million to the Public Education Department (PED) for preK through high school programs; and
- \$1.25 million to the Higher Education Department (HED) for higher education programs.

Unexpended and unencumbered funds revert to the General Fund.

Fiscal Issues:

House Bill 3a, *Education Appropriation Act*, includes \$850,000 to PED to support the New Mexico Cyber Academy.¹

Substantive Issues:

According to PED’s analysis of an identical bill (SB 273), the Innovative Digital Education and Learning (IDEAL-NM) program was a statewide eLearning initiative operated jointly by PED and HED for several years. IDEAL-NM supported preK-12 schools, higher education institutions and state agencies. In FY 12, however, IDEAL-NM operated solely as a PED program supporting preK-12 and state agencies.

It appears that funding in HB 292 could be used to re-establish the online learning partnership between the two agencies, at least for preK-12 and higher education institutions.

¹ Current law states that the “statewide cyber academy” program is a collaborative program among PED, the Higher Education Department, telecommunications networks, and representatives of other state agencies engaged in providing distance education. The program provides distance learning courses for grades 6-12 and professional development for teachers, instructional support providers, and school administrators.

Background:

Since 2007, the Legislature has appropriated a total of approximately \$11.6 million for IDEAL-NM, to fund the implementation and operation of the program, including:

- \$7.9 million to HED; and
- approximately \$3.7 million to PED.

In addition to the General Fund dollars above, for FY 12 a portion of the costs of IDEAL-NM and the New Mexico Cyber Academy will be paid using federal *American Recovery and Reinvestment Act of 2009* (ARRA) funds. In a June 13, 2011 report, the staff of the Legislative Finance Committee reported that the Governor allocated the following from the federal discretionary ARRA Government Service Fund provided to New Mexico by the US Department of Education:

- \$50,000 to PED to provide funding to support the “Cyber Academy/Virtual School Program”; and
- \$500,000 to HED for data hosting and software maintenance for New Mexico K-12 and higher education online learning system.

Related Bills:

- SB 239 *Science and Technology Distance Education*
- SB 262 *Higher Ed Digital & Online Learning*
- SB 273 *Digital Education & Online Learning* (Identical)
- SB 314 *Digital Education & Online Learning*