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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 1st Session, 2019

Bill Number	<u>HB516</u>	Sponsor	<u>Lente/Trujillo, C./Trujillo, L./Gonzales/ Lundstrom</u>
Tracking Number	<u>.213402.1</u>	Committee Referrals	<u>HEC/HAFC</u>
Short Title	<u>American Indian Educational Outcomes</u>		
Analyst	<u>Ochoa</u>	Original Date	<u>2/15/19</u>
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BILL SUMMARY

Synopsis of Bill

House Bill 516 (HB516) would make appropriations to specified state institutions of higher education for the purposes of improving outcomes for Native American students enrolled in public schools and institutions of higher education. Additionally, the appropriations would impact Native American families and community members.

FISCAL IMPACT

The bill appropriates \$8.1 million from the general fund to the board of regents of the University of New Mexico (UNM), \$1.9 million to the board of regents of New Mexico Highlands University (NMHU), and \$337 thousand to the board of regents of New Mexico State University (NMSU) for expenditure in FY20. Any unexpended or unencumbered balance remaining at the end of FY20 shall revert to the general fund. Higher Education Department (HED) analysis notes appropriations to education institutions do not normally revert as indicated in Article XII, Section 11 of the New Mexico Constitution. Additionally, HED states UNM, NMHU, and NMSU did not submit funding requests to HED. The department has a formal review process for earmarked budget requests. HB516 may be circumventing this process.

SUBSTANTIVE ISSUES

UNM College of Education. HB516 would appropriate \$550 thousand to the UNM College of Education to improve Native American student recruitment and retention; \$500 thousand for the Native American language policy, research, and training center; \$550 thousand for Native American curriculum development; \$450 thousand for the Native American leadership doctoral cohort; \$1.3 million to increase the number of Native American school administrators; \$545 thousand to support bilingual programs; and \$170 thousand for the dual license in special education program at the UNM Gallup branch.

UNM Native American Student Services. HB516 would appropriate \$946,230 for Native American student recruitment and retention and \$928,706 for the Native American studies program. According to UNM's Spring 2018 enrollment report, 5 percent of enrolled students are Native American, totaling 1,210 students. According to testimony provided to the Indian Affairs Committee (IAC) during the 2018 Interim, multiple UNM programs are attempting to better serve Native American populations. The overarching theme of each program is to create a pipeline from prekindergarten through 12th grade, into college or career training. The pipeline would route students back to their respective community with the training they receive. Initiatives include Native language program in teacher certification, Native American curriculum development, and Native American teacher preparation. The HB516 appropriation may help strengthen the programs that have already shown success as well as increase access for Native American students.

Native American Student Achievement. Seventy-five percent of students in New Mexico classrooms are students of color, however only 36 percent of teachers in New Mexico are teachers of color. HB516 could lead to an increase in Native American teachers who may be better equipped to serve Native American students. Research shows Native American students have lower achievement scores in reading and math when compared with their Caucasian peers. They drop out and are expelled at statistically higher rates, are chronically absent from school at higher rates, and have lower rates of obtaining a college degree.

According to the Public Education Department's (PED) 2017-2018 Tribal Education Status Report (TESR), 29 percent of Native American students were proficient in reading, 12 percent in math, and 21 percent in science. The proficiency rates of Native American students in the 2017-2018 school year increased by 3 percentage points from the 2016-2017 school year in reading, and by 1 percentage point in math, but decreased by 1 percentage point in science. According to PED, only 61 percent of Native American students are graduating from high school within four years of entering ninth grade. When given an extra year, an additional 8 percent graduate.

UNM School of Medicine. According to UNM's Spring 2018 enrollment report, Native American students make up 3 percent of the total enrollment at the UNM School of Medicine, this equals 11 total students. HB516 would appropriate \$552 thousand to the Center for Native American Health (CNAH). According to testimony provided to IAC, CNAH focuses on public health education, research, and service while engaging indigenous populations in New Mexico. CNAH has increased its engagement with kindergarten through postsecondary students in New Mexico from FY16 to FY18 through community events, Native American guest lectures, service events, college-readiness workshops, campus tours, and the Summer Policy Academy.

In its testimony, CNAH requested a \$150 thousand increase to their general fund appropriation of \$252 thousand to add an instructional designer and an outreach and recruitment coordinator to their staff as well as to provide for education support services and to assist in the dissemination of culturally engaging health literature. Additionally, analysis from the UNM Health Sciences Center (UNM-HSC) notes Native American populations have low rates of health insurance and high rates of poor health outcomes. Although programs like CNAH exist, their reach and resources remain limited in meeting the needs of Native American populations in New Mexico.

Native American Behavioral Health. HB516 would appropriate \$450 thousand to the community behavioral health division at UNM. According to the National Center for Injury Prevention and Control, in 2014 suicide was the second leading cause of death for Native American and Alaska Natives ages 10 to 34, additionally suicide was the leading cause of death for Native American and Alaska Native girls ages 10 to 14 for the same year. The overall suicide rate for Native American and Alaska Natives is comparable to Caucasians, however adolescent Native American

and Alaska Native females are four times as likely to commit suicide when compared to Caucasian females in the same age group. The Honoring Native Life (HNL) Program in the UNM Community Behavioral Health Division seeks to address behavioral health issues that disproportionately impact the Native American community through youth summits, providing suicide-prevention training, providing mental health training, hosting tribal opioid summits, and adapting behavioral health curricula for Native American audiences. According to HNL, increased funding would help expand existing programming as well as provide mental health training at the community or tribal level; hold tribal summits focused on crisis response, substance abuse, addiction, and treatment options; build capacity for youth services; and grow staff (currently 1.5-2 FTE are solely dedicated to HNL).

Other UNM Schools. HB516 would appropriate \$393 thousand to the UNM School of Law for use in the Southwest Indian Law Clinic (SILC). SILC serves Native individuals and tribal communities in New Mexico and neighboring states. Both SILC and the Law and Indigenous Peoples Program offer specialized legal training and educational programming for Native and non-Native law students. According to UNM's Spring 2018 enrollment report, Native American students make up 5 percent of the total enrollment at the UNM School of Law, this equals 17 total students. Additionally, information provided by the UNM School of Law Admissions Office indicates 10 percent of the school's total enrollment is comprised of Native American students, leaving a total of 34 students within the UNM School of Law.

The bill would also appropriate \$725 thousand to the UNM School of Architecture and Planning for indigenous planning and design to support tribes.

NMSU College of Education. HB516 would appropriate \$337 thousand to the NMSU College of Education for Native American programs. Students who are Native American or Alaskan Native make up 2 percent of NMSU's total enrollment. This is equivalent to 304 students for the 2018-2019 academic year.

NMHU Programs. HB516 would appropriate \$625 thousand for degrees, administrative licensure, teacher recruitment and retention, and parental institutes in the Ben Lujan leadership institute. Additionally, the bill would appropriate \$775 thousand to the Center for Studies of Diverse Populations, \$250 thousand to the School of Social Work for the Native American Social Workers Institute, and \$250 thousand for Native American student support services. There are 262 Native American students enrolled at NMHU, this makes up 8 percent of the school's total enrollment, according to a 2018 enrollment report.

New Mexico Institutions of Higher Education. Analysis from the New Mexico Independent Community Colleges (NMICC) indicates the bill does not affect two-year institutions, however, according to the U.S. Department of Education, San Juan College and Central New Mexico Community College are typically ranked the highest in the United States for Native American graduation rates.

ADMINISTRATIVE IMPLICATIONS

Analysis from UNM-HSC states CNAH is administrated by the Health Sciences Center and not solely the UNM School of Medicine. The analysis suggests making the appropriation to the Health Sciences Center so the funds can be distributed and administered appropriately.

TECHNICAL ISSUES

The terms “American Indian” and “Native American” seem to be used interchangeably throughout the bill. The sponsor may wish to amend the language and use one consistent term.

ALTERNATIVES

Multiple agency analyses suggest making the funds non-reverting so programs can continue building capacity.

RELATED BILLS

SB 311, UNM College of Ed Yazzie Lawsuit Needs

SOURCES OF INFORMATION

- LESC Files
- Higher Education Department (HED)
- New Mexico Independent Community Colleges (NMICC)
- UNM Health Sciences Center (UNM-HSC)

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