

Synopsis of Original Bill

House Bill 52 establishes the Bilingual Multicultural Education Advisory Council, provides its duties, and defines “bilingual learner” in the Bilingual Multicultural Education Act. HB52 elevates the state’s current *ad hoc* bilingual advisory committee to statutory level, similar to the status accorded to the advisory councils for Indian education and Hispanic education.

The duties of the bilingual multicultural education advisory council as specified by HB52 are to advise the Public Education Department (PED) and the governor on matters related to implementing the Bilingual Multicultural Education Act in the areas of curriculum, instruction, assessment, teacher preparation and evaluation, professional development, teacher licensure, and student and family services.

There is no effective date of this bill. It is assumed that the effective date is 90 days following adjournment of the Legislature.

FISCAL IMPLICATIONS

The bill does not contain an appropriation, and carries no major fiscal implication beyond per diem and mileage reimbursement for non-salaried public officers pursuant to the Per Diem and Mileage Act.

In 2020, PED responded to HB87 noting that any costs associated with the bilingual multicultural advisory council would be the responsibility of PED.

SIGNIFICANT ISSUES

HB52 could potentially duplicate the efforts of existing advisory councils. The statutorily created Hispanic and Indian education advisory councils are tasked with advising the public education secretary on matters related to improving public school education for Hispanic students and meeting the need of tribal students, respectively. The state bilingual advisory council is a council established by PED, not governed by state statute or agency rule, to advise the public education secretary on bilingual education. Since no requirements are in place for the already established state bilingual advisory council, efforts to advise the department on bilingual education may be duplicative or confusing.

TECHNICAL ISSUES

The Legislative Education Study Committee (LESC) notes in their analysis that Subsections B and C of Section 1 of HB52 contain a potential technical issue due to contradictory language regarding how council members are appointed. It is unclear whether the Native American representatives on the advisory council would be appointed by tribes or by PED from a list generated by PED and co-chairs. Subsection B states three members are to be Native Americans appointed or designated by Native nations, tribes, or pueblos that they represent. However, Subsection C states council members would be appointed by PED from a list representative of the various stakeholder groups that is created and approved by PED and the co-chairs of the advisory council.