

LFC Requester:	Sunny Liu
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**AGENCY BILL ANALYSIS
2019 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply: **Date** 1/18/19
Original **Amendment** **Bill No:** HB145
Correction **Substitute**

Sponsor: Rep. Christine Trujillo **Agency Code:** 924
Short Title: AFTER-SCHOOL & SUMMER ENRICHMENT PROGRAMS **Person Writing:** Daniel Manzano
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		
NFI	2,000.0	Nonrecurring	General

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		
NFI	NFI	NFI	Nonrecurring	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	Nonrecurring	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None as of 1/18/2019

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 145 (HB145) appropriates \$2,000.000 from the general fund to the Public Education Department (PED) for after school and summer enrichment programs.

Any unexpended funds at the end of fiscal year 2020 will revert to the general fund.

FISCAL IMPLICATIONS

The PED would need to develop or revise and issue a Request for Application (RFA) or develop a Request for Proposal (RFP) with eligibility criteria, evaluate the submissions, issue award letters, and monitor awards. The PED would need to provide compliance and oversight of approved programs, including the fiscal monitoring of Budget Adjustment Requests and Requests for Reimbursements, as well as program monitoring in the field. Administering the \$2,000,000.00 program will require programmatic and fiscal oversight. The PED would either need to utilize a percentage of the appropriation for an additional one Full Time Equivalency (FTE) or determine an existing appropriate position within the agency where a percentage of the employee's time and effort would support this initiative and/or identify a contractor for programmatic review and oversight through site visits to the programs successfully funded.

SIGNIFICANT ISSUES

Quality after school and summer enrichment programs include opportunities for academic enrichment/reinforcement supporting what is taught during the school day. They also provide an opportunity for nutrition when an after school and/or summer enrichment program applies for and receives after school snacks from the PED's U.S. Department of Agriculture (USDA) Afterschool Snacks Program and provide opportunities for physical activity. These program components may support the linkage between health and academic success.

According to the national research report, *America After 3PM*, 10.2 million children (18 %) participate in an afterschool program. The report further emphasizes that "in communities across the United States, 11.3 million children are without supervision between the hours of 3 and 6 p.m." (<http://afterschoolalliance.org/AA3PM/>).

Research by the U.S. Department of Justice indicates that violent crimes by juveniles occur most frequently in the hours immediately following the close of school on school days

(<http://www.ojjdp.gov/ojstatbb/offenders/qa03301.asp>).

According to the Legislative Finance Committee (LFC) Report *Program Evaluation: Instructional Time and Extended Learning Opportunities in Public Schools (September 28, 2018)* “These programs can have positive academic benefits for students, but funding fluctuates from year to year and is inadequate to meet demand. For example, the percent of grant applications that received state funding for afterschool and summer programs decreased from 56 percent in FY16 to 19 percent in FY18 due to an increase in applications and a decrease in state appropriations for afterschool programs.”

(https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Instructional%20Time%20and%20Extended%20Learning%20Opportunities%20in%20Public%20Schools.pdf)

In New Mexico, after-school funds are provided through the federal 21st Century Community Learning Centers (CCLC) grant from the U.S. Department of Education (The Every Student Succeeds Act, Title IV Part B). Funding provides awards for approximately 90 centers across the state.

Additionally, in the 2018-2019 school year, the PED received \$325,000.00 for the provision of after school and summer enrichment programs. The funds support ten after school and summer enrichment programs across the state.

Prior legislative allocations for after school and summer enrichment programs administered through a competitive RFA process have usually been capped at \$50,000.00 per program based on the RFA guidance. The appropriation in HB145, taking into account funds for programmatic and fiscal oversight, could potentially fund between 38-40 sites in FY20 depending on the number of applications and the amount requested in applications that are approved through the competitive RFA process or through a competitive RFP process.

As HB145 does not specify if the recipients of these funds must be school districts and charter schools, it is unclear as to whether a Community-Based Organization (CBO) could apply directly for these funds and provide services on a school campus or at an alternative off-campus location.

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

The PED would need to issue a RFA or an RFP with eligibility criteria, evaluate the submissions, issue award letters, and monitor awards. The PED would need to provide compliance and oversight of approved programs, including the fiscal monitoring of Budget Adjustment Requests and Requests for Reimbursements, as well as program monitoring in the field. This could not be done with existing resources and would require a percentage of funding to support a full-time or partially funded staff member within the PED. The short term impact would necessitate an internal person for fiscal monitoring with either the internal staff member also responsible for program oversight and technical assistance or the hiring of an external contractor for the programmatic oversight necessary to ensure quality out-of-school time programming by successful recipients of this appropriation.. Approximately 5% of the appropriation from HB145 would support these efforts.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None as of 01/18/2019

TECHNICAL ISSUES

HB145 does not specify if these funds would be specific to districts and charter schools or whether CBO's could apply for and receive funds for services that could be provided at the school or within an external location. The legislator may wish to clarify this intent.

OTHER SUBSTANTIVE ISSUES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

After school and summer enrichment programs will continue to be offered to federally funded 21st Century Community Learning Centers and offered locally through non-PED funding streams.