

LFC Requester:	Becerra
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**AGENCY BILL ANALYSIS
2021 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:
Original **Amendment**
Correction **Substitute**

Date 2/24/2021
Bill No: HB227

Sponsor: Rep. Patricia Roybal Caballero
Short ETHNIC STUDIES
Title: DEFINITION

Agency Name and Code PED - 924
Number: _____
Person Writing: John Sena
Phone: 505-570-7816 **Email** John.Sena@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY21	FY22		
N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY21	FY22	FY23		
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	Unknown	Unknown	Unknown	Nonrecurring	PED's operating budget

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB83, Change Graduation Requirements; HB163, School Financial Management Classes; SB170, Financial Literacy School Credit; and SB210, Ethnic Studies Education.

Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 227 (HB227) would amend the Public School Code’s minimum instructional areas to include “ethnic studies,” defined in the bill as “the interdisciplinary study of multiple perspectives through the examination of social, ethnic, cultural, gender and historical experiences to build critical thinking skills.”

The bill includes a temporary provision that would require the Legislative Education Study Committee (LESC), the Public Education Department (PED), and institutions of higher education to convene an “ethnic studies council” to study and identify the next steps in developing ethnic studies curricula in public schools. The council would be required to report its findings and recommendations to LESL by July 1, 2022 and would expire July 1, 2023.

FISCAL IMPLICATIONS

HB227 does not contain an appropriation.

HB227 would require public members of the council to be reimbursed for per diem and mileage as provided in the Per Diem and Mileage Act and would prohibit them from any other compensation, perquisite, or allowance.

SIGNIFICANT ISSUES

HB227 would require students in kindergarten through third grade to have grade-appropriate instruction on ethnic studies relating to New Mexico history. Students in fourth through eighth grade would be required to meet academic content and performance standards in ethnic studies.

The bill would also amend graduation requirements for students entering ninth grade in the 2023-2024 school year. Specifically, HB227 proposes to increase the required social science units from three and one-half units to four units, which would require the one-half unit increase to be ethnic studies, and would decrease the required elective units from seven and one-half units to seven units.

HB227 includes a temporary provision for the creation of an “ethnic studies council.” The bill

would require the Legislative Education Study Committee (LESC), the Public Education Department (PED), and institutions of higher education to convene an “ethnic studies council” to study and identify the next steps in developing ethnic studies curricula in public schools. The council would be required to report its findings and recommendations to LESC by July 1, 2022 and would expire July 1, 2023.

The bill would require the Secretary of PED to appoint the members of the ethnic studies council. While the bill does not require a minimum number of ethnic studies council members, page 17 and 18 of the bill provide a list of representatives that may be appointed to the council. The bill would require the council to meet at the call of the chair, whom the bill would require be elected by the council. HB227 would require public members of the council to be reimbursed for per diem and mileage as provided in the Per Diem and Mileage Act and would prohibit them from any other compensation, perquisite, or allowance. A simple majority of the council members would constitute a quorum. A council member would be required to abstain from voting – or a member’s vote would be disqualified – on any matter in which the member has a pecuniary interest. Appointed members would be required to serve until the expiration date of the ethnic studies council, July 1, 2023. It is unclear when the ethnic studies council would be required to begin to convene.

The ethnic studies council would be required to report its findings and recommendations to LESC by July 1, 2022.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

The secretary of PED would be required to appoint the members of the ethnic studies council and to provide staff support for the ethnic studies council in the performance of its duties. PED’s Language and Culture Division, Indian Education Division, Literacy and Humanities Bureau, and Instructional Materials Bureau would need to collaborate closely to coordinate how to move forward with allocating funding, providing support to districts and charters, coordinating council meetings, and ensuring the final report is completed.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB227 relates to HB83, Change Graduation Requirements; HB163, School Financial Management Classes; SB170, Financial Literacy School Credit; and SB210, Ethnic Studies Education.

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

N/A

AMENDMENTS

N/A