



**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	NFI	NFI	NFI	NFI	Nonrecurring	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB29, No School Discrimination for Hair; HB52, Bilingual Multicultural Ed Advisory Council; HB84, Native Language Education Program Unit; HB85, Yazzie Lawsuit Response Funding; HB86, Native American Library, Internet & Education; HB135, School Opportunity & Equity Index; HB227, Ethnic Studies Definition; HB231, Native American Polling Place Protection; SB80, No School Discrimination for Hair; SB210, Ethnic Studies Education; and SB225, Use of Some Revenue for School Funding.

Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: House Bill 87 (HB87) would make appropriations in FY22 to state institutions of higher education and tribal colleges to comply with the court’s rulings in the Martinez and Yazzie consolidated lawsuit by improving educational outcomes for certain public school and higher education students and families.

HB87 spending proposals are primarily focused on Native American education, although the bill includes spending on Hispanic and African American studies and student supports. Under the bill, the University of New Mexico (UNM) would get slightly less than half the total appropriation; \$12,210,230. New Mexico Highlands University (NMHU) would receive \$3,075,000; Northern New Mexico College (NNMC) would get \$950,000; New Mexico State University (NMSU) would receive \$950,000; and the Higher Education Department (HED) would receive \$9,023,800 for tribal colleges, including Navajo Technical University (NTU), Dine College, and the Southwestern Indian Polytechnic Institute (SIPI).

**FISCAL IMPLICATIONS**

Under the bill, the total appropriation of \$26,209,030 is a nonrecurring expense to the general fund. Under Section 1 of HB87, the proposed amounts for UNM would be appropriated from the general fund for expenditure in FY22 and FY23. For UNM, any unexpended or unencumbered balance remaining at the end of FY23 shall revert to the general fund.

Under Section 1 of HB87, the proposed amounts for NMHU, NMSU, NNMC, and the HED for tribal colleges would be appropriated from the general fund for expenditure in FY22. For NMHU, NMSU, NNMC, and the HED for tribal colleges, any unexpended or unencumbered balance remaining at the end of FY22 shall revert to the general fund.

HB87 appropriates the following detailed amounts to each specific institution of higher education, including tribal colleges (see chart below):

<b>Institution of Higher Education/ Tribal College</b>	<b>Purpose</b>	<b>Proposed Amount</b>
University of New Mexico (UNM)	For Chicana and Chicano studies department to extend Hispanic studies curriculum to high schools that are currently without an ethnic studies curriculum and to build a higher education pipeline for Hispanic students	\$316,000
	For the Africana studies program to support efforts to increase participation of African American high school students in science, technology, engineering and mathematics and to assist African American students' transition to higher education	\$316,000
UNM College of Education	For American Indian education for the recruitment, training and retention of American Indian students seeking to become education professionals	\$550,000
	For American Indian education to establish a curriculum and materials development center in collaboration with the Native American studies program and the American Indian language policy research and teacher training center to develop culturally and linguistically relevant curricula and instructional materials to support students, teachers, schools, the pueblos and the Apache tribes and provide professional development for teachers and administrators in culturally responsive instruction	\$500,000
	For the American Indian language policy research and teacher training center	\$500,000
	To support the Native American leadership doctoral cohort	\$450,000
	For the Native American educational leadership education specialist and administrative licensure programs to increase the number of Native American school administrators	\$1,300,000
	To support the bilingual education degree programs in English and Navajo and English and Spanish	\$545,000
	To support the dual license in special education and elementary education program at the Gallup branch	\$170,000
	To the institute for American Indian education to establish a technical assistance center to support tribes and tribal education departments in the development of education policy, development of protocols and agreements for collaborating with schools and school districts, development of tribal community-based education programs and professional development for teachers and administrators and to support schools and school districts serving American Indian students with training for teachers in culturally and linguistically relevant pedagogy, training in trauma-informed practices and professional development for educators and administrator	\$550,000
UNM American Indian Student Services	For student recruitment and retention, summer bridge programs, academic, cultural and financial advisement, internships and general student support	\$946,230
UNM Native American Studies Program in the College of Arts and Sciences	For student support services, including undergraduate scholarships, doctoral fellowships and assistantships	\$705,000
	For a graduate program coordinator for graduate advising, planning, recruiting and outreach	\$100,000
	for research on American Indian education, for supporting existing faculty positions and for adding additional faculty	\$1,220,000

	For technology system upgrade	\$155,000
	For training elementary, primary and secondary school teachers at sites across the state in curriculum development and implementation	\$380,000
	To include early childhood education as part of the department's curriculum, partnerships and graduate program	\$250,000
UNM School of Medicine	For the center for Native American health, including student recruitment and retention in health careers, academic advisement, undergraduate and graduate support student services, tribal community health assessments, tribal-health disparities-focused research, behavioral-health-focused research, school and community health alignment and technical assistance to tribe	\$830,000
	To the community behavioral health division for Native American suicide prevention and intervention, clinical and community-based prevention and intervention and research and technical assistance to public schools and tribal communities	\$600,000
UNM School of Law	For the southwest Indian law clinic to provide legal and technical support to pueblos, tribes, courts, policy and protocols, tribal and university agreements and memoranda of understanding and general Indian law legal clinical practice	\$393,000
UNM School of Architecture and Planning	For indigenous planning and design, including community planning, education planning, infrastructure design and technical support to tribes	\$950,000
UNM College of Arts and Sciences Center for Social Policy	For the Native American budget and policy institute to support tribes on budget and policy analysis and to collaborate with the institute for American Indian education in providing technical support to tribes for participating in the governance of schools and developing protocols between tribes and schools and for health and economic analysis in support of American Indian student	\$484,000
<b>UNM total: \$12,210,230</b>		
NM Highlands University (NMHU) Ben Lujan Leadership and Public Policy Institute	For bachelor's and master's degree programs, administrative licensure, administrative leadership development, an education leadership program for administrators, teacher recruitment and retention and parental institutes	\$850,000
NMHU Center for Education and Study of Diverse Populations	For teacher training, staff development, curriculum development, culturally responsive teaching, English language learner development standards, bilingual support, instructional leadership and youth leadership	\$775,000
NMHU School of Social Work	For the Native American social work studies institute	\$350,000
NMHU American Indian Student Support Services	For student recruitment, retention, bridge programs, academic, financial and cultural advisement and student internships	\$250,000
NMHU	For statewide college, workforce and civic readiness programs for American Indian students, in partnership with college horizons and with the internship program of the leadership institute at the Santa Fe Indian school, to work with students, parents, tribal communities, schools and higher education institutions	\$850,000
<b>NMHU total: \$3,075,000</b>		
New Mexico State University (NMSU)	For the college of education's American Indian program for recruitment, retention, bridge programs, academic, financial and cultural advisement and internship	\$350,000
	To fund career exploration camps; the college 101 program, which links students and parents to information about preparing for college with the help of college pathways; and	\$100,000

	dual credit programs focusing on education, agriculture, engineering, natural resources and business	
	To support outreach, recruitment, retention and expansion of borderlands and ethnic studies students, including university curricula and graduate programs and ethnic studies curricula in high schools that do not have culturally relevant curricula	\$250,000
	To the college of education for Native American recruitment and retention in undergraduate teacher preparation; licensure in early childhood, elementary, special education and secondary education; non-licensure programs in early childhood; graduate programs in administration and leadership preparation for master educators, administrators and directors of instruction; and curriculum development in partnership with the school for teacher preparation, administration and leadership	\$250,000
<b>NMSU total: \$950,000</b>		
Northern New Mexico College (NNMC)	For the American Indian affairs program for recruitment, retention, student support services, academic, financial and personal advisement and internships	\$350,000
	To the Pueblo Indian studies program for culturally and linguistically relevant programming for teacher preparation, workforce development, studies in language and history, career development and internship	\$350,000
	For teacher preparation program development, outreach, recruitment, retention, practicum, certification and licensure	\$250,000
<b>NNMC total: \$950,000</b>		
<b>Higher Education Department (HED) for Tribal Colleges</b>		
Navajo Technical University (NTU), in collaboration with the A:shwi College and Career Readiness Center at the Pueblo of Zuni	To establish a curriculum and materials development center in collaboration with Dine college to develop culturally and linguistically relevant curricula and instructional materials to support students, teachers, schools, the Navajo Nation in New Mexico and the Pueblo of Zuni and provide professional development for teachers and administrators in culturally responsive instruction	\$800,000
	To expand educational outreach in public schools in New Mexico with a high percentage of Navajo students to encourage those students to enroll in science, technology, engineering and mathematics courses through community outreach, bridge programs, summer programs and workshops for students, teachers and families	\$750,000
	To expand programs at the early childhood Navajo teacher training and practicum center, including recruitment, retention, training, certification and placement of early education teacher	\$1,795,800
	For courses, training and staff development covering substance abuse, suicide prevention and behavioral health intervention in the nursing program	\$422,000
	To support the New Mexico dual credit program at the university	\$210,000
	To establish a technical assistance center in collaboration with Dine college to support the Navajo Nation department of Dine education in the development of education policy, development of protocols and agreements for collaborating with schools and school districts, development of	\$500,000

	Navajo education programs and professional development for teachers and administrators and to support schools and school districts serving American Indian students with training for teachers in culturally and linguistically relevant pedagogy, training in trauma-informed practices and with professional development for educators and administrator	
Dine College	For recruitment, retention and advance training for teacher licensure and endorsement in bilingual multicultural education	\$1,500,000
	To establish a curriculum and materials development center in collaboration with Navajo technical university to develop, publish and disseminate culturally and linguistically relevant curricula and instructional materials to support students, teachers, schools and the Navajo Nation in New Mexico, and provide professional development for teachers and administrators in culturally responsive instruction	\$500,000
	To create a dual language teacher education center	\$500,000
	To support culturally and linguistically relevant education and extended learning program	\$800,000
	To establish a technical assistance center in collaboration with Navajo technical university to support the Navajo department of education in the development of education policy, development of protocols and agreements for collaborating with schools and school districts, development of Navajo education programs and professional development for teachers and administrators; and to support schools and school districts serving American Indian students with training for teachers in culturally and linguistically relevant pedagogy, training in trauma-informed practices and with professional development for educators and administrators	\$500,000
Southwestern Indian Polytechnic Institute (SIPI)	For the teacher preparation pipeline, recruitment, retention and academic support	\$246,000
	For outreach recruitment, retention and certification of behavioral health and social work students and support in their transition to degree program	\$200,000
	To support bridge programs, college readiness programs and support services for public school students in the transition from high school to post-secondary education	\$200,000
	For dual credit and transfer support services for New Mexico residents	\$100,000
<b>HED total for tribal colleges: \$9,023,800</b>		

It is important to note that some of the proposed appropriations above may be duplicate requests from the institutions of higher education, including the requests for dual credit, the southwest Indian law clinic at UNM, American Indian student services at NMSU and UNM, among other things.

The executive's FY22 budget recommendation includes \$30 million (\$15 million over two years) for the tribal remedy framework, which would be used to support education efforts in the state's tribal communities. The appropriation would support implementation of the tribal remedy framework, support tribal sovereignty, and provide resources for locally determined needs.

## **SIGNIFICANT ISSUES**

HB87 would offer opportunities for student support services for Native American postsecondary students in the state, which could ultimately lead to empowering tribal citizens and enhancing the quality of life in Native American communities by producing quality academic and student support services, meaningful cultural programming, and distinctive constituent relationships.

Additionally, the bill could lead to increased Native American student retention at the postsecondary level; recruitment and retention of Native American educators; and increased holistic supports for Native American students in suicide prevention and behavioral health services.

According to research from UNM's Health Sciences Center:

- Suicide rates in American Indian and Alaska Native (AI/AN) communities are higher than that of the overall U.S. population – 16.93/100,000 compared with an overall U.S. rate of 12.08/100,000.
- Suicide as the second leading cause of death for AI/AN youth between the ages of 5 and 24, and the adjusted suicide rate for AI/AN individuals between 15 and 24 years old was 39.7 per 100,000 compared with the U.S. all-race rate of 9.9 per 100,000.
- When health and behavioral health care services are accessed by AI/AN, the services often are provided by non-Native health professionals, sometimes in a non-culturally appropriate way.
- AI/AN populations have disproportionately higher rates of mental health problems than the rest of the U.S. population. High rates of substance use disorders, posttraumatic stress disorder, suicide, and attachment disorders in many AI/AN communities have been directly linked to the intergenerational historical trauma, including forced removal off their land and government-operated boarding schools that separated AI/AN children from their parents, tribal communities, and culture.

## **PERFORMANCE IMPLICATIONS**

The HED might need to implement performance measures with the tribal colleges, which are not part of state higher education performance monitoring and, unlike the state's public colleges, do not report performance to the legislature.

## **ADMINISTRATIVE IMPLICATIONS**

HB87 does not contain any administrative implications for the Public Education Department.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB87 relates to HB29, No School Discrimination for Hair; HB52, Bilingual Multicultural Ed Advisory Council; HB84, Native Language Education Program Unit; HB85, Yazzie Lawsuit Response Funding; HB86, Native American Library, Internet & Education; HB135, School Opportunity & Equity Index; HB227, Ethnic Studies Definition; HB231, Native American Polling Place Protection; SB80, No School Discrimination for Hair; SB210, Ethnic Studies Education; and SB225, Use of Some Revenue for School Funding.

## **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