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**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2023 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 02/23/23

Bill No: [HB506](#)

**Agency Name
and Code**

Sponsor: Caballero

Number: PED - 924

Short ETHNIC STUDIES

Person Writing Gregory Frostad

Title: STANDARDS

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
None	None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	Undetermined	Undetermined	Undetermined	Undetermined	N/A	Undetermined

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 506 (HB506) establishes the Ethnic Studies Council to study and identify next steps in developing ethnic studies curricula in public schools, expiring July 1, 2025. It amends [Section 22-13-1 NMSA 1978](#) to require grade-appropriate instruction on ethnic studies

in Kindergarten through Grade 8 beginning in SY26, and for students entering ninth grade in SY25, to require one half-unit Ethnic Studies course for graduation. The bill eliminates a corresponding half-unit in electives, to accommodate the Ethnic Studies course required for graduation.

The bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective June 16, 2023. The provisions of the bill are applicable to the 2025-2026 and subsequent school years.

FISCAL IMPLICATIONS

The bill does not contain an appropriation.

The bill creates the Ethnic Studies Council to plan next steps in developing ethnic studies curricula, comprised of appointed members representing agency staff, the legislature, teachers' unions, and "other organizations or persons whose work or interest can provide valuable insights." Reimbursement for per diem and mileage shall be provided public members of the council, but the bill does not specify which of the entities collaboratively convening the council is responsible for the expense, i.e., the institutions of higher education, the Public Education Department, or the Legislative Education Study Committee.

Currently, the PED is advised by:

- the Bilingual Multicultural Education Advisory Council on the effective implementation of the Bilingual Multicultural Education Act;
- the Indian Education Advisory Council, on the implementation and provisions of the Indian Education Act;
- the Hispanic Education Advisory Council, on improving public school education for Hispanic students, increasing parent involvement and community engagement in the education of Hispanic students, and increasing the number of Hispanic graduates who succeed in postsecondary academic, professional, or vocational education; and
- the Black Education Advisory Council, on the education of Black students.

SIGNIFICANT ISSUES

HB506 defines ethnic studies as "the interdisciplinary study of multiple perspectives through the examination of social, ethnic, cultural, gender and historical experiences to build critical thinking skills." This definition aligns well with the use of the term in existing standards. Ethnic studies content is integral to the recently revised New Mexico Social Studies Standards in Rule [6.29.11 NMAC](#). It includes ethnic, cultural, and identity studies as the fifth of six strands of anchor and performance standards for Kindergarten through Grade 8. In high school these standards appear in the required New Mexico History, United States History, and World History courses as well as an elective Ethnic, Cultural, and Identity Studies course.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

Because ethnic studies content standards are integral to existing social studies standards, the

provisions of HB506 require no additional rulemaking. The ethnic studies strand appears also throughout New Mexico Instructional Scope (NMIS) for [social studies](#), which PED developed in 2022 with involvement of K-12 teacher/educator committees from across the state. NMIS for social studies was created to support educators in deeply understanding the new anchor standards and in unpacking the performance standards for each grade level including in the use of ethnic, cultural, and identity concepts.

HB506 requires PED provide staff support for the Ethnic Studies Council in studying and identifying next steps toward curricular provisions of the bill. This can be accomplished with existing staff.

PED Instructional Material Bureau (IMB) works to ensure [high quality instructional material](#) is used in New Mexico public schools. Although vendors were encouraged to apply to have materials reviewed, the current [multiple adopted list](#), revised to include newly vetted materials during the 2022 adoption cycle, does not include curriculum specifically designed for a high school elective course in Ethnic, Cultural, and Identity Studies. Provisions of HB506 require existing staff of IMB to collaborate with the council to identify high quality instructional materials for this course prior to SY25.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Conflicts with House Bill 126 ([HB126](#)) School Graduation Requirements, requiring four units in social studies for graduation that do not specifically identify Ethnic Studies as part of the requirements. It is important to note, though, that the NM Social Studies standards would be a strong support in providing an elective course or core course in Ethnic Studies, if HB126 passes and if LEAs choose to select Ethnic Studies as one of two requirements that would be chosen at the LEA level under the provisions of that legislation.

Relates to House Bill 111 ([HB111](#)) Genocide and Holocaust Studies Act, requiring Genocide and Holocaust Studies electives be offered in Grades 7-12.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.