

LFC Requester:	Helms
-----------------------	--------------

**AGENCY BILL ANALYSIS
2023 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date Prepared: 02/11/23
Bill No: SB340

Sponsor: Lopez
Short Title: DEFINE PUBLIC ED ETHNIC STUDIES

Agency Name and Code Number: PED - 924
Person Writing: Gregory Frostad
Phone: (505) 470-5752 **Email:** gregory.frostad@ped.nm.gov

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	101.0	1.0	None	102.0	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 340 (SB340) would require ethnic studies, approved by the Public Education Department (PED), to be taught in grades Kindergarten through eight. SB340 would require a half credit of ethnic studies for high school graduation and would reduce the number of elective credits required for high school graduation by one half credit. The bill 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.”

The bill contains a temporary provision to create the ethnic studies council, convened by the Legislative Education Study Committee (LESC), PED, and institutions of higher education, to study and identify the next steps in developing ethnic studies curricula in public schools. The ethnic studies council would be required to report its findings and recommendations to LESC by July 1, 2024.

FISCAL IMPLICATIONS

The bill does not contain an appropriation.

The bill would require the 3 public members of the 18-member ethnic studies council to be reimbursed per diem and mileage, as provided in the Per Diem and Mileage Act, and would prohibit such members from receiving other compensation, perquisite, or allowance. However, the council could meet without expense if members met virtually. Assuming the council would meet in person three times a year, and based on an average 200 miles of driving round trip from central and distal locations in the state, it would cost approximately \$1,000 to cover per diem and mileage expenses.

Instructional materials designed specifically to support ethnic studies electives or units in existing social studies classes are not currently part of PED's Instructional Material Adopted Multiple List. Any such materials would be considered supplementary material, not typically reviewed by the department. The average cost of social studies core instructional materials is \$141 per student, which would fall upon districts to expend.

PED estimates that it would cost \$100,000 to contract with a vendor and pay educators to develop anchor and performance standards for ethnic studies. The bulk of writing and revising standards typically is completed under contract by a vendor who facilitates NM educators through the process. Educator participants must be paid to participate outside of their contract day.

SIGNIFICANT ISSUES

New Mexico social studies standards – [6.29.11 NMAC, Social Studies](#) – mandated for students in grades Kindergarten through 12, include six strands: (1) civics; (2) economics and personal financial literacy; (3) geography; (4) history; (5) ethnic, cultural, and identity studies; and (6) inquiry. The ethnic, cultural, and identity studies strand comprises three anchor standards: (1) diversity and identity; (2) identity in history; and (3) community equity building. The provisions of the bill may be duplicative. All grade levels k-8 and high school content including Civic, Economics, Geography, NM History, and World History include content in the anchor standard for ethnic, cultural, and identity studies.

SB340 would have the ethnic studies council develop curricula. Curricula are typically the purview of a school district or charter school. The PED has already convened a cross state committee of teachers who wrote the New Mexico Instructional Scope (NMIS) for social studies based on the NM Social Studies Standards, which includes curriculum supports for the ethnic, cultural, and identity studies strand that exist in the social studies standards. The NMIS is a tool that supports LEAs with curriculum development, sequencing, and alignment to every standard in the NM Social Studies Standards. Further development of curriculum is a local level process that allows for local level decision making. Development of another curriculum tool, in addition

to the NMIS for Social Studies, may be redundant.

The bill would require students entering ninth grade in the 2024-2025 school year to have:

- four units in social studies – which would be required to include United States history and geography, including New Mexico history;
- government and economics, which would be required to contain civics;
- world history and geography; and
- one-half unit in ethnic studies.

The bill would reduce the elective units from seven and one-half to seven. If HB126 passes student electives will be reduced to 4 elective units. If HB340 also passes, then it would reduce electives from 4 to 3.5

Beginning in the 2025-2026 school year, the bill would require students in kindergarten through third grade to have age-appropriate instruction on ethnic studies relating to New Mexico history and, four students in fourth through eighth grade, instruction in ethnic studies.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

PED would be required to:

- appoint the members of the ethnic studies council;
- participate on the council, which would be required to report findings and recommendations; and
- provide staff support for the ethnic studies council in the performance of its duties.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Conflicts

with:

[HB111, Holocaust and Genocide Studies Act](#), which would require instruction about the Holocaust, genocide, and human rights.

[HB126, School Graduation Requirements](#), which would amend graduation requirements.

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

The sponsor of the bill may wish to consider having the ethnic studies council develop standards for ethnic studies rather than curricula.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

N/A

AMENDMENTS

N/A