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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: 02/28/23

Bill No: [HB381/aHEC/aHAFC](#)

Agency Name
and Code

Number: PED - 924

Sponsor: Trujillo

Person Writing Gregory Frostad

Short HISPANIC EDUCATION

Phone: (505) 470-5752 Email: gregory.frostad@ped.nm.gov

Title: FUND

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	None	None	None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis of HAFC Amendment: The House Appropriations and Finance Committee Amendment to House Bill 381 (HB381/aHEC/aHAFC) removes the \$1 million appropriation from the Public Education Reform Fund (PERF) to the Public Education Department (PED) and

adds language that the fund is subject to appropriation to PED.

Synopsis of HEC Amendment: The House Education Amendment to HB381 (HB381/aHEC) added an appropriation of \$1 million from the Public Education Reform Fund (PERF) to PED.

Synopsis of Original Bill: House Bill 381 (HB381) creates the Hispanic Education Fund to support the purposes of the Hispanic Education Act (HEA) and requires PED to administer the fund.

FISCAL IMPLICATIONS

HB381/aHEC/aHAFC does not contain an appropriation.

The bill would allow members of the HEA Council to receive per diem and mileage for travel.

The Executive Budget and PED recommendation for FY24 includes \$741,400 for the HEA.

SIGNIFICANT ISSUES

If enacted, the fund could assist in building educational infrastructure in communities to support Hispanic student learning and academic achievement. In FY21, 62 percent of students in New Mexico schools identified as Hispanic, and Hispanic students were enrolled in every school district and charter school in the state except one. Recurring funding would provide support for education infrastructure that could potentially assist in improving academic outcomes of Hispanic students who need additional academic support.

Outcome data reveal persistent, substantial gaps in academic achievement and overall high school graduation rates between non-Hispanic students and Hispanic students, who, during the 2021-2022 school year, represented 63 percent of the state's student enrollment. For example, Table 1 below shows data indicating some differences in academic performance between Hispanic and non-Hispanic students:

**Table 1: Comparison of 2022 School Performance
in New Mexico for Hispanic and Non-Hispanic Students**

Subject	Black Students	Hispanic Students	Native American Students	Caucasian Students	Asian Students
Language Arts, Proficiency and Above	31.70%	29.30%	17.20%	52.40%	61.20%
Math, Proficiency and Above	18.70%	19.80%	12.40%	41.10%	56.00%
Science, Proficiency and Above	26.80%	27.70%	19.00%	53.70%	60.30%

Source: PED – Proficiencies Web files, State, District, School 2022

Furthermore, Hispanic students lag behind their non-Hispanic student peers in average high school graduation rates. In 2020, the four-year high school graduation rate for Hispanic students was 76.1 percent; compared with the rate of Caucasian students (80.9 percent); and Asian students, 87.1 percent. The four-year average high school graduation rate for Hispanic students in 2020 was the third lowest among racial groups, slightly above Native American students'

four-year graduation rate of 72.3 percent and Black students' four-year graduation rate of 73.8 percent.

Creating recurring funding in the general fund ensures PED has provided continued resources available for the implementation of the purpose of the Act and its administration, which include:

- providing for the study, development, and implementation of education systems that affect the educational success of Hispanic students to close the achievement gap and increase graduation rates;
- encouraging and fostering parental involvement in the education of their children; and
- providing mechanisms for parents, community and business organizations, public schools, school districts, charter schools, and public post-secondary institutions

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

PED would be required to develop procedures and rules for the disbursement of money from the fund. The PED Hispanic Education Bureau currently has funding for three FTE. These employees would be responsible for distributing the funds based on the provisions of the HEA.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.