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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**54th Legislature, 1st Session, 2019**

<b>Bill Number</b>	<u>SB611/aSEC</u>	<b>Sponsor</b>	<u>Lopez</u>
<b>Tracking Number</b>	<u>.213805.1</u>	<b>Committee Referrals</b>	<u>SEC/SFC</u>
<b>Short Title</b>	<u>Special Needs Ed Professional Development</u>		
<b>Analyst</b>	<u>Sena</u>	<b>Original Date</b>	<u>2/19/19</u>
		<b>Last Updated</b>	<u>2/28/19</u>

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**BILL SUMMARY**

Synopsis of SEC Amendment

The Senate Education Committee Amendment to Senate Bill 611 (SB611/aSEC) removes certain personnel titles from the original bill. Those include administrators, school resource officers, education assistants, and substitute teachers. The change reflects language in the bill that already requires the Public Education Department (PED) to provide “all teachers and school staff” with professional development. There is no need to specify certain personnel who are considered school staff.

The amendment also strikes “effectively” from page 1, line 22.

Synopsis of Bill

Senate Bill 611 (SB611) would appropriate \$500 thousand to PED to provide professional development in the area of special education to all teachers and school staff, including administrators, school resource officers, educational assistants, and substitute teachers.

**FISCAL IMPACT**

The bill would appropriate \$500 thousand from the general fund to PED for expenditure in FY20. Any unexpended or unencumbered balance remaining at the end of FY20 shall revert to the general fund.

There are approximately 22,000 teachers in New Mexico, not including other school staff. It is unclear whether \$500 thousand would be enough to provide training for all personnel.

House Bill 2 includes \$2.5 million for teacher professional development and mentorship. While those funds are not specifically earmarked for training in the area of special education, they could conceivably be used for those purposes.

**SUBSTANTIVE ISSUES**

Judge Sarah Singleton, in her Findings of Fact and Conclusions of Law in the *Martinez and Yazzie* consolidated lawsuit, cited testimony that there is not sufficient funding “allocated for professional development opportunities necessary to have special education students join more in the general education setting” and that, “Most professional development for special education in New Mexico is done electronically.”

Research shows a majority of pre-service and novice special education teachers are not adequately prepared. A study published by The University of Akron indicates culturally responsive teaching has been proven to be effective in preparing special education teachers. The report notes this may be due to minority students being disproportionately identified to receive special education services when compared to Caucasian students. The next highest leverage concept noted by the report was behavior management. Specifically, special education teachers should understand how to address aversive student behavior, particularly since the number of students who display these behaviors in the classroom setting is consistently increasing. Finally, the report notes that due to differences in coursework requirements, beginning special education teachers have less content area knowledge than general education teachers. These components could be addressed by the new framework to ensure better-prepared special education teachers serve New Mexico students.

School districts are generally responsible for deciding upon appropriate professional development for teachers, including deciding whether to use operational or federal funds to pay for training. There is currently no specific professional development requirement for teachers.

Under the Individuals with Disabilities Education Act (IDEA) Part D, the federal government offers competitive grants to states to provide professional development in the area of special education for special education teachers, regular education teachers, principals, administrators, related services personnel, paraprofessionals, and early intervention personnel serving infants, toddlers, preschoolers, or children with disabilities.

It is unclear how much federal funding, if any, New Mexico received specifically aimed at professional development in the area of special education, nor is it clear how much New Mexico spent of state funds toward professional development in the area of special education.

## **ADMINISTRATIVE IMPLICATIONS**

PED would be required to administer appropriated funds and potentially create or facilitate professional development opportunities for school districts and teachers.

## **OTHER SIGNIFICANT ISSUES**

Because unspent funds revert at the end of FY20, it is unclear whether there is sufficient time to train all personnel.

## **RELATED BILLS**

SB612, creates a special education division at the PED.

## **SOURCES OF INFORMATION**

- LESC Files

**JDS/mc/mhg**