

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 592

50th Legislature, 1st Session, 2011

Tracking Number: .185556.1

Short Title: School Personnel License Exam

Sponsor(s): Representative James E. Smith and Others

Analyst: Pamela Herman

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Bill Summary:

HB 592 amends the *School Personnel Act* to provide an additional means by which a candidate may qualify for an alternative Level 1 teacher license.

HB 592 requires the Public Education Department (PED) to issue an alternative Level 1 license to a person who is at least 18 years of age, and who has:

- completed a baccalaureate degree at an accredited institution of higher education, including
- a minimum of 30 credit hours in the subject area for which the license is sought, or
- a passing score on a state-approved subject-area examination in the subject area and grade level of instruction for which the person is applying for a license.

Fiscal Impact:

HB 592 does not contain an appropriation.

Technical Issues:

The text of HB 592 appears to be ambiguous as to whether the new language on page 2, lines 1-4 beginning with *or* – “or a passing score on a state-approved subject-area examination in the subject area of instruction for which the person is applying for a license” – is intended to provide an alternative to the 30 credit hour requirement, or to the baccalaureate degree itself.

- The ambiguity is heightened by language on page 2, lines 22-25, which states: “A degree or examination referred to in Subsection A of this section shall correspond to the subject area of instruction and the particular grade level that will enable the applicant to teach in a competent manner”
- The analyses of HB 592 by PED and by the Office of Education Accountability (OEA) in the Department of Finance and Administration both interpret the bill to allow a candidate *either* (1) to complete a bachelor’s degree and 30 credit hours of subject area instruction *or* (2) to obtain a passing score on a state-approved examination.

If HB 592 establishes a subject-area testing alternative to holding a bachelor’s degree, New Mexico would face the potential of increasing the number of teachers of core academic

subjects in the state's classrooms who do not meet the "highly qualified teacher" requirements of the federal *No Child Left Behind Act of 2001* (NCLB).

According to *Non-Regulatory Guidance on Highly Qualified Teachers* issued by the US Department of Education, "a teacher in an alternative route to certification may be considered highly qualified if the teacher holds at least a bachelor's degree, [and] has already demonstrated subject-matter competency in the core academic subject(s) the teacher will be teaching . . ." Clearly, under NCLB exempting an alternative licensure candidate from holding a bachelor's degree is not possible if the candidate will teach the core academic subjects. The core academic subjects are:

- English, reading, language arts;
- civics, government, economics, history, geography;
- mathematics;
- science;
- modern and classical languages; and
- fine arts.

Amendments to a companion bill, SB 361a, *Level One Teacher Licensure Alternatives*, resolve this ambiguity by clarifying that the baccalaureate degree is required, and completely eliminating the option to qualify for licensure by completing 30 credit hours in the subject area for which the candidate is seeking a license. As it currently stands, SB 361a makes passage of the subject-area examination the sole option for alternative licensure candidates with bachelor's degrees to demonstrate subject-area mastery.

Substantive Issues:

- HB 592 offers a teacher candidate the opportunity to qualify for an alternative Level 1 license by passing a subject matter test in the subject area for which the candidate seeks licensure, rather than by completing at least 30 undergraduate or graduate level credit hours in that subject area.
- A candidate must still meet other licensure requirements, including passing the New Mexico Teacher Assessments and either completing a minimum of 12 semester hours of instruction in teaching principles in an approved program or demonstrating that the candidate has met PED-approved grade-level competencies for Level 1 licensure.
- The option to pass a test rather than earn postsecondary subject area credits is allowed under NCLB. However, while state statute is silent on this matter with regard to the standard path to initial licensure, state rule is not:
 - PED rule provides that candidates for standard licensure must have 24-36 credit hours in the subject area of licensure *in addition to* passing the content area examination of the New Mexico Teacher Assessments.
 - In this regard, should HB 592 be enacted, it would create a further inconsistency between the qualifications of alternative versus standard Level 1 licensees.
- The HB 592 bill analysis by the Higher Education Department (HED) presents two views of the option afforded by the proposal.

- The director of the state’s largest alternative licensure program at Central New Mexico Community College (CNM) notes that CNM has many individuals who have a deep understanding of content that comes from life experience rather than from their degree. One example is native speakers of a language other than English who want to teach their native language. The content exams required for secondary licensure are sufficiently rigorous to ensure that such individuals have the knowledge of the content they will be teaching.
- On the other hand, the Dean of the College of Education at the University of New Mexico (UNM) notes that, although UNM does not have many alternative licensure candidates, the faculty does not feel that a subject-area examination could substitute for the 30 credit hours of course work because many of these courses are methods courses designed for hands-on or practical teaching experience. UNM expresses concern that HB 592 would lead to dramatically unprepared persons in the classroom who may be able to pass a one-dimensional test but who may be unable to translate information into instruction.

Background:

Educational research consistently shows that teacher quality is the single most important school-related factor in determining student academic success. Facing the need to fill vacancies created by a generation of retiring experienced classroom teachers and to accommodate the desire of mid-career professionals in other fields to enter the teaching profession, almost every state in the nation now offers up alternatives to the standard routes to teacher licensure through education degree-programs at colleges of education.

New Mexico’s alternative licensure option was enacted in 2003. According to PED, the number of candidates following alternative paths to licensure continues to increase.

- in school year 2006-2007: 125;
- in school year 2007-2008: 247; and
- in school year 2008-2009: 370.

The National Center for Education Information (NCEI), a non-partisan educational research and survey organization, reports that alternative licensure has resulted in more men and minority teacher candidates earning licensure, and that these new teachers tend to be more mature, life-experienced, educated individuals. NCEI polling shows that being able to teach and earn a teacher’s salary and benefits while earning a licensed was the most important reason selecting an alternative route to licensure, and nearly half of those polled said they would not have become a teacher if an alternate route were not available.

Research is extremely limited on the value for students of their teacher’s having passing an assessment, rather than earning course credit, in the subject area being taught. However, one study from North Carolina in 2005 found that new mathematics teachers who had passed an assessment in that subject had a slight but measurable positive effect on the academic performance of their math students, compared with those who did not pass such a test.

Related Bills:

SB 202 *Student Teacher Alternative Curriculum*

SB 361a *Level One Teacher Licensure Alternatives* (similar)