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## FISCAL IMPACT REPORT

**SPONSOR** Roch/Salazar, T      **ORIGINAL DATE** 1/25/17  
**LAST UPDATED** 1/27/17      **HB** 41

**SHORT TITLE** Alternative Level 3-B Teacher License Track      **SB** \_\_\_\_\_

**ANALYST** Liu

### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY17	FY18	FY19		
	\$0.0 - \$25.0	\$0.0 - \$25.0	Recurring	Educator Licensure Fund

(Parenthesis ( ) Indicate Revenue Decreases)

Relates to HB124, HB125, HB134, HB190, and SB34

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Education Department (PED)

Public School Insurance Authority (PSIA)

#### No Responses Received From

Educational Retirement Board (ERB)

### SUMMARY

#### Synopsis of Bill

House Bill 41 enacts a new section of the School Personnel Act to establish an alternative level three-B school administrator license for an applicant who is licensed by PED as a school counselor, school social worker, school nurse, speech-language pathologist, psychologist, physical therapist, physical therapy assistant, occupational therapist, occupational therapy assistant, recreational therapist, marriage and family therapist, interpreter for the deaf or diagnostician. To qualify, an applicant must have a post-baccalaureate degree, satisfactorily completed a PED-approved course in administration and a PED-approved administration apprenticeship program, and demonstrate instructional leader competence through a highly-objective, uniform statewide standard of evaluation. The bill also establishes the minimum annual salary for an alternative level three-B licensed school principal or assistant school principal as \$50 thousand multiplied by the applicable responsibility factor.

## **FISCAL IMPLICATIONS**

Costs associated with movement through the licensure system are funded through operating budgets of individual school districts and charter schools rather than a unique appropriation. This is generally based on the assumption that given the current licensure system and length of time required to advance through the system, costs of more expensive educators are balanced out by retirements and entry of new teachers into the system. Any costs a school district would experience from the changes proposed in this bill would be the result of making the choice to hire an individual who holds an alternative level three-B license to serve as a school administrator.

Most of the fiscal implications of this bill exist for PED operations. PED would likely see an increase in revenue due to more individuals applying for administrator licenses. New applications for licenses are \$125. PED has not provided any estimate of individuals that would be eligible to apply. The \$25 thousand estimate assumes up to 200 individuals would apply pursuant to the provisions of this bill. Any revenues received are limited to use by PED to fund the educator background check program, to enforce educator ethics requirements; and to process applications for licensure or for renewal of licensure, including review of professional development dossiers.

In a 2015 analysis provided by ERB for similar legislation, additional contributions associated with a salary increase are expected to have a slight immediate positive impact on the educational retirement fund. PSIA notes there are no fiscal implications for its operations.

## **SIGNIFICANT ISSUES**

One of the bill's major provisions creates an alternative track for certain applicants to obtain a level 3-B administrator's license, but it does not require any minimum level of teaching experience in their position as a licensed instructional support provider, which differs from the requirements for some other alternative licenses in the School Personnel Act. The bill requires the applicant to demonstrate instructional leader competence required by PED and verified by the local superintendent through the highly objective uniform statewide standard of evaluation.

The bill would require an applicant for an alternative level 3-B license to have a postbaccalaureate degree; however, some instructional support providers listed in the section are not required to have a post-baccalaureate degree. The requirement of having a post-baccalaureate degree may pose an additional burden on those instructional support providers who want to obtain the alternative 3-B license but do not currently have a post-baccalaureate degree. According to PED, post-baccalaureate degrees have not been shown to improve the ability of school administrators to drive student performance at their schools. PED notes, unlike teachers, instructional support providers do not have a uniform, objective evaluation system. As a result, differing expectations and levels of competence may be shown by advancing instructional support providers.

## **ADMINISTRATIVE IMPLICATIONS**

According to PED, the Licensure Bureau would need to create a process for reviewing and evaluating the new licenses.

## RELATIONSHIP

This bill relates to HB124, which addresses teacher licensure advancement; HB125 and SB34, which both address teacher and principal evaluation; HB134, which addresses school personnel minimum salaries; and HB190, which addresses school employee background checks.

## TECHNICAL ISSUES

PED notes the bill creates an alternative level 3-B license without a route to convert the alternative license into a traditional level 3-B license. It is assumed the alternative level 3-B license could be renewed after each five year term. PED states this is a matter of terminology, and while inconsistent with alternative level 1 licenses, may not have any practical consequences to those receiving the licenses.

The bill allows for those employed as a school counselor, school social worker, school nurse, speech language pathologist, psychologist, physical therapist, physical therapy assistant, occupational therapist, occupational therapy assistant, recreational therapist, marriage and family therapist, interpreters for the deaf and diagnostician, without making reference to meeting the licensure requirements of the aforementioned instructional support providers. PED recommends references to Section 22-10A-17 NMSA 1978 to ensure those employed in these positions are appropriately licensed.

## OTHER SUBSTANTIVE ISSUES

Research has shown that, among school-related influences on student learning, principal leadership is second in importance only to classroom teaching. Nearly 60 percent of a school's influence on student achievement is attributable to principal and teacher effectiveness: principals account for as much as a quarter and teachers over a third of a school's total impact on achievement.

The 2007 Legislature passed Senate Joint Memorial (SJM) 15, School Administrator Licensure Pathways, which requested that PED: study whether an alternative pathway to licensure for school administrators should be created; develop a model for alternative level 3-B licensure; and report findings and recommendations to the Legislative Education Study Committee (LESC). A task force was formed pursuant to SJM 15 and reported that:

- few states provide alternative pathways for administrative certification and those that do are limited in scope and application;
- New Mexico requires more years of teacher experience as a prerequisite to administrative licensure than any other state;
- it is the working conditions, not licensure requirements, that tend to keep potential candidates from pursuing administrative licenses in New Mexico;
- the current requirements in New Mexico for a level 3-B license represent the “gold standard” for administrative licensure; and
- in cases in which school districts are unable to find candidates who meet this gold standard, an alternative pathway should be available to the district and prospective candidate.

Based on its findings, the task force recommended that PED promulgate rules to establish a provisional school administrator license.

In 2010, PED promulgated rules for the provisional licensure of school principals and assistant principals. A school district, charter school, private school, or state agency that has a shortage of qualified school principal or assistant principal candidates may request PED to issue a provisional level 3-B license in educational administration to a candidate believed to be a potentially effective school leader. For a candidate to receive a provisional license, the person is required to:

- hold a level 2 teaching license and have met all of the requirements for a level 3-A teaching license; or
- hold a level 2 teaching license and for at least four years have held a level 3 school counselor license while working as a teacher or a school counselor; and
- hold a bachelor's degree and a post-baccalaureate degree; or
- hold current certification by the National Board for Professional Teaching Standards; and
- is enrolled in a PED-approved induction and mentoring program.

The provisional license is a four-year, non-renewable license that is valid only in the school district, charter school, private school, or state agency that submitted the request on behalf of the candidate.

PED notes the bill would provide administrative positions for the above mentioned licensees who could then perform the duties of coaching, developing and evaluating people who hold these licenses. This could provide improved growth opportunities for those individuals in these fields.

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