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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**53rd Legislature, 2nd Session, 2018**

<b>Bill Number</b>	<u>SB97</u>	<b>Sponsor</b>	<u>Burt</u>
<b>Tracking Number</b>	<u>.208937.2</u>	<b>Committee Referrals</b>	<u>SCC/SEC/SPAC</u>
<b>Short Title</b>	<u>Military Spouse Teacher Licensure</u>		
<b>Analyst</b>	<u>Macdonald</u>	<b>Original Date</b>	<u>1/25/18</u>
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**FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE AND  
THE LEGISLATIVE EDUCATION STUDY COMMITTEE**

**BILL SUMMARY**

Synopsis of Bill

Senate Bill 97 (SB97) creates a new section of the School Personnel Act to require the Public Education Department (PED) to provide for expedited teacher licensure for military service members, spouses of military service members, and veterans with a valid and current or an expired teaching license from another jurisdiction.

**FISCAL IMPACT**

The bill does not contain an appropriation. There may be an increase in revenue received by PED due to an increase in licensure applications. Revenue generated through new applications can only be used to pay for the review of application materials.

**SUBSTANTIVE ISSUES**

Under the bill, PED is required to issue the license to a qualified applicant who submits satisfactory evidence that demonstrates the required competencies and meets other requirements and qualifications for the license for which the teacher applies, including clearance of the required background check. Additionally, the local superintendent may require a mentorship period for the teacher if necessary. A teacher who holds an out-of-state teaching license may apply for a lower level license if the teacher does not meet the requirements for the higher level. A teaching license issued under this bill to an applicant with an expired teaching license is only valid for one year.

During the 2017 interim, PED staff stated that if an applicant seeking teacher license reciprocity is connected to a military base and the department has become aware of the connection, the teacher's application is expedited through the process. PED staff noted the department is willing to revise the reciprocity applications to include a place where the applicant can let the department

know they are connected to a military base. It is unclear if the department has taken further steps to revise the reciprocity application to this effect.

**License Portability for Military Families.** According to *Supporting our Military Families: Best Practices for Streamlining Occupational Licensing Across State Lines*, a report from the U.S. Departments of Treasury and Defense, complicated state occupational licensing requirements contribute to the difficulties that spouses of military personnel face in the workforce because each state sets its own licensing requirements, which often vary across state lines. In 2013, New Mexico enacted HB180, Military & Spouses Professional Licensure, which provided for expedited handling and issuance of professional and occupational licenses. However, this law did not include licenses for teachers, which are issued to qualified applicants who meet certain requirements through the School Personnel Act.

Consequently, the lack of license portability – the ability to transfer an existing license to a new state with minimal requirements – can impose significant administrative and financial burdens on licensed professionals when they move across state lines. Because nearly 35 percent of military spouses work in licensed or certified professions and are 10 times as likely to move across state lines than their civilian counterparts, military spouses are more frequently affected by the lengthy background checks, exams, fees, and other burdens associated with the lack of licensing portability.

Among the top 10 occupations for military spouses, teaching is the most common occupation. Approximately 5.2 percent of all military spouses teach in prekindergarten through 12th grade, and an additional 1.2 percent are postsecondary teachers.

Since military families tend to be especially mobile, 28 states provide special teacher licensure reciprocity or supports for military spouses. For example, Alabama expedites the review of applications from military personnel and their spouses. In addition, Alabama offers a one-year emergency certificate for an individual to be employed while completing any certification requirements. In Oregon, the state education agency will expedite teacher licensing (process an application in two work days) for a military spouse if a school district requests the expedited service and can provide evidence that the candidate meets all of the requirements for licensure. Most recently, two states created additional flexibility to teachers who are military spouses. Indiana passed a bill requiring that teacher licensure applications by military spouses be expedited, and West Virginia passed a bill providing for a temporary, one-year, renewable license for military spouses.

## **ADMINISTRATIVE IMPLICATIONS**

PED will be required to create a process for reviewing and evaluating an expedited license process for those teachers who apply for such a license under this bill. According to PED's bill analysis, systems are already in place at the department to operationalize this bill.

## **OTHER SIGNIFICANT ISSUES**

Licensing and certification requirements affect both financial and personal well-being of military personnel. Many military personnel, especially lower-enlisted personnel, rely on a spouse's salary to help pay the bills. Additionally, a recent survey showed that more than two-thirds of all service members stated their decision to re-enlist was largely or moderately affected by their spouse's career prospects.

As licensed school employees, any teacher benefitting from the provisions of this bill and eventually teaching in a public school in New Mexico would be subject to the teacher evaluation requirements in the School Personnel Act and the educator effectiveness system mandated through PED rule.

**Current Law.** PED allows a teaching license through reciprocity if all of the following elements are met by an applicant, including: (1) a bachelor’s degree or higher, which is earned from a regionally accredited college or university; (2) possessing and providing a copy of at least one current valid teaching license issued by a state education agency, U.S. Department of Defense school, or foreign country that is comparable to the license they are seeking; (3) having completed a traditional or alternative teacher preparation program; (4) providing copies of test scores for exams required to receive the teaching license; and (5) providing evidence of having satisfactorily taught under their out-of-state or out-of-country teaching license.

According to PED’s Licensure Bureau, the current average processing time for teacher licenses is five to seven business days.

### **RELATED BILLS**

SB116, Create Level 4 Teaching License, which creates a level 4 teaching license with specified duties and minimum salary requirements.

HB177, Level 3 Teacher License & Salary, which provides an alternative pathway to obtain a level 3-A teaching license and creates a level 4 teaching license with minimum salary requirements.

### **SOURCES OF INFORMATION**

- LESC Files
- Legislative Finance Committee
- Public Education Department
- Regional Education Cooperatives

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