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

Bill Number	<u>HB120/aHAFC</u>	Sponsor	<u>Salazar/Trujillo, C./Garratt/Lente</u>
Tracking Number	<u>.211665.2</u>	Committee Referrals	<u>HEC/HAFC;SEC/SFC</u>
Short Title	<u>Bilingual Teacher Preparation Act</u>		
Analyst	<u>Ochoa</u>	Original Date	<u>1/23/19</u>
		Last Updated	<u>3/4/19</u>

BILL SUMMARY

Synopsis of HAFC Amendment

The House Appropriations and Finance Committee Amendment to HB120 (HB120/aHAFC) strikes the appropriation.

Synopsis of Original Bill

House Bill 120 (HB120) would create the *Bilingual Teacher Preparation Act*. The bill would provide grants for the establishment, operation, expansion, and improvement of training programs in Teaching English to Speakers of Other Languages (TESOL) and bilingual multicultural education in teacher preparation in New Mexico's public postsecondary institutions. The bill would provide loans and repayment of loans for service to teacher preparation students seeking license endorsements or degrees in TESOL or bilingual multicultural education. Priority would be given to students who received the New Mexico seal of bilingualism-biliteracy on their high school diploma; students employed in a school and who serve predominantly American Indian students or classrooms implementing bilingual multicultural education programs; native language speakers seeking licensure or endorsement in TESOL or bilingual multicultural education; and students who have demonstrated proficiency in a New Mexico indigenous language or Spanish and are seeking licensure or endorsement in TESOL or bilingual multicultural education.

FISCAL IMPACT

HB120/aHAFC would create the Bilingual Teacher Preparation Fund in the State Treasury, to be administered by the Higher Education Department (HED) for the purpose of making loan for service grants pursuant to the Act. The bill does not contain an appropriation. According to the House Appropriations and Finance Committee Substitute for HB2 (HB2/HAFC), there is no appropriation to the teacher loan repayment fund administered by HED. This may be due to the high default rate of the teacher loan for service program. The department reports that for teacher loan for service grants made between FY09 and FY19, there was an average default rate of 67 percent. However, there is a transfer of \$25 million to the teacher loan repayment fund.

SUBSTANTIVE ISSUES

Definitions. HB 120/aHAFC defines a number of terms. "Bilingual multicultural education program" is defined as a program using two languages, including English and the home or heritage language of a student, as a medium of instruction in the teaching and learning process. "Department" refers to HED. "Speakers of other languages" are defined as students whose first language is not English and who are unable to read, write, speak, or understand English at a level comparable to grade level English proficient peers. "Teacher preparation program" is defined as a bachelor's, master's or doctoral degree program that leads to license endorsements in TESOL or bilingual multicultural education at a New Mexico public postsecondary educational institution.

Program Attributes. The bill would require HED to promulgate rules to implement the provisions of the *Bilingual Teacher Preparation Act*. The department would be required to provide loans to teacher preparation students seeking a license endorsement or a degree in TESOL or bilingual multicultural education. HED would be required to give preference to teacher preparation programs that contain coursework in Spanish, tribal languages, TESOL, methods in teaching in any language other than English, culturally relevant curriculum that meets the needs of New Mexico's Hispanic and American Indian students, educational leadership for teachers who already hold an endorsement or license in TESOL or bilingual multicultural education, and instructional methods that meet rigorous content standards proven effective to address the linguistic needs of English learners.

Loan Repayment. The *Bilingual Teacher Preparation Act* would require HED to make loans to New Mexico residents pursuing a license or endorsement in TESOL or bilingual multicultural education. Loans would cover the cost of tuition, fees, and instructional materials. Students would enter into a contract with HED and follow the same procedure as the Teacher Loan for Service Act. For example, loan recipients would be required to repay the amount of the loan, plus interest, or agree to work for one full school year for every two consecutive semesters of college (not including summer sessions). According to the *2018 New Mexico Educator Vacancy Report*, the amount of teacher preparation program completers has decreased year over year. For the 2009-2010 academic year, there were 1,318 total completers and in the 2014-2015 academic year there were 1,130 completers, representing a 14 percent decrease. Providing this loan repayment option may incentivize students to pursue a teaching license with an endorsement in TESOL or bilingual multicultural education as well as provide financial assistance for students already enrolled in a program to facilitate coursework completion.

Reporting. HED and the Public Education Department (PED) would be required to publish a biennial report on the number of teachers and other school-based professionals currently employed in the state of New Mexico who are endorsed in TESOL, bilingual multicultural education, or any language other than English. The report would also include vacancies in these specific categories to inform colleges of education and regional education cooperatives on how many teachers they should seek to prepare in TESOL or bilingual multicultural education.

HED and PED would also be required to survey postsecondary institutions that offer courses, certificates, or degrees in education to inform the department on the number of students enrolled in educator preparation courses and completion rates of TESOL and bilingual multicultural education courses. Postsecondary institutions would be required to annually submit to HED a plan for the institution to meet the cultural and linguistic needs of New Mexico by increasing their faculty with expertise in TESOL, Hispanic education, American Indian education, New Mexico tribal languages, and bilingual multicultural education, as well as strategies to recruit and retain

teachers endorsed in TESOL and bilingual multicultural education. The University of New Mexico analysis indicates New Mexico public postsecondary institutions do not have sufficient faculty with expertise in TESOL or bilingual multicultural education.

ADMINISTRATIVE IMPLICATIONS

Any public postsecondary institution providing coursework in Native American language will need to ensure coursework and the modality of administering the coursework — whether a language is written or solely oral — has approval from sovereign tribes in order to certify proficiency in the language as well as show respect for New Mexico’s cultural diversity.

PED analysis notes implementing the provisions of HB120/aHAFC would require coordination and collaboration between PED, HED, and New Mexico public postsecondary institutions.

TECHNICAL ISSUES

Section 4, Subsection B of HB120/aHAFC would require HED to provide loans to teacher preparation students seeking license endorsements or degrees in TESOL or bilingual multicultural education. “Teacher preparation program” is defined as a bachelor’s, master’s, or doctoral degree program at a New Mexico public postsecondary institution. Many teachers who pursue an endorsement in TESOL or bilingual multicultural education do so after having completed a bachelor’s, master’s, or doctoral degree. Endorsement credits do not always lead to a degree, they may only lead to the license endorsement. The sponsors may wish to clarify the language to ensure degreed, licensed individuals will qualify for loan repayment if they add a TESOL or bilingual multicultural education endorsement to their license.

Additionally, analysis from the New Mexico Independent Community Colleges (NMICC) notes alternative teacher licensure programs are not listed as qualified candidates for loan repayment. Several community colleges in New Mexico offer alternative licensure programs that lead to endorsement in TESOL or bilingual multicultural education as well as licensure but not necessarily a degree. NMICC suggests amending HB120/aHAFC to include students pursuing alternative licensure to qualify for the loan for service component of the *Bilingual Teacher Preparation Act*.

OTHER SIGNIFICANT ISSUES

According to PED, 49,452 students participated in a bilingual multicultural education program in FY18, this represents 15 percent of New Mexico’s student population. The table below shows the enrollment in bilingual multicultural education programs by ethnicity. While Hispanic and Latino students make up 62 percent of the total student population, they make up 77 percent of the enrollment in all bilingual multicultural education programs across the state. Native American students make up 10 percent of the total student population and make up 15 percent of the students participating in a bilingual multicultural education program.

Student Participation in Bilingual and Multicultural Programs (BMEPs) by Ethnicity

FY	Total Number of Students	Hispanic Students in BMEP	Hispanic Students Not in BMEP	Native American Students in BMEP	Native American Students Not in BMEP	Other Students in BMEP	Other Students Not in BMEP
15	338,665	40,656	166,337	8,453	27,014	3,936	96,205
16	338,608	40,033	167,419	8,302	26,394	4,030	92,430
17	337,056	39,301	167,495	7,295	27,136	3,251	92,578
18	336,955	38,147	169,339	7,394	26,536	3,786	91,753

Source: PED

A large percentage of Hispanic and Native American students do not have access to bilingual multicultural education programs. In the BMEP annual report, PED notes the number of schools implementing bilingual multicultural education programs increased from 461 in FY17 to 484 in FY18 because of increased monitoring and improved technical assistance to schools that clarify program eligibility requirements needed to receive funding. Additionally, this increase denotes a heightened demand for bilingual multicultural education programs. Schools that are unable to offer bilingual multicultural education programs lack teachers certified to teach bilingual multicultural education or TESOL or are unable to inform parents of the benefits of bilingual multicultural education programs in order to initiate a program or increase enrollment of existing programs. During the 2017-2018 school year, 81 percent of bilingual multicultural education programs were Spanish/English language programs and 19 percent were Native American/English language programs.

Teaching English to Speakers of Other Languages. The TESOL endorsement is meant to provide teachers with tools they can use in their daily instruction to make the English language more accessible to all students. Because the coursework requirements for obtaining a TESOL endorsement are vague, all New Mexico TESOL-endorsed teachers might not be able to meet the dynamic needs of English learner (EL) students. Hanover Research conducted an assessment of EL programs in the state and found teachers with a TESOL endorsement did not feel well-prepared to serve the diverse pool of EL students, with only 25 percent of respondents indicating they felt prepared enough to serve Native American ELs.

ALTERNATIVES

HED analysis suggests amending the Teacher Loan Repayment Act, Sections 21-22H-1 through 21-22H-9 NMSA 1978 to prioritize TESOL and bilingual multicultural education educators.

RELATED BILLS

HB275, College of Education Affordability

SOURCES OF INFORMATION

- LESC Files
- Public Education Department (PED)
- Higher Education Department (HED)
- University of New Mexico (UNM)
- New Mexico Independent Community Colleges (NMICC)