

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 78a

49th Legislature, 2nd Session, 2010

Tracking Number: .180285.1

Short Title: Alternative School Curricular Plans

Sponsor(s): Senator Cynthia Nava and Others

Analyst: Pamela Herman

Date: February 17, 2010

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AS AMENDED

The House Education Committee amendment:

- clarifies that an alternative curricular plan may include “classes,” rather than “a class,” taught by a student teacher with supervision of a cooperating teacher.

The Senate Public Affairs Committee amendments:

1. strike Senate Education Committee amendment 3; and
2. replace it with the following provisions:
 - a student teacher is eligible to participate in an alternative curricular plan only if the student teacher has at least four years of prior experience in a school setting and meets the qualifications established by the school district or charter school and the student teacher’s teacher preparation program; and
 - the school district and the public school educational plan for student success be used to track the alternative curricular plan to show alignment to student achievement goals.

The Senate Education Committee amendments:

1. change the title to delete a reference to “cooperating teachers” and the word “experienced” to define student teachers;
2. insert language stating that an alternative curricular plan may include a class taught by a “student teacher with the supervision of a cooperating teacher”; and
3. delete a provision that the student teacher must meet criteria for prior classroom experience and excellent performance in an educational program established by rule of the Public Education Department (PED), and adds a requirement that, when the Secretary of Public Education waives class load and teaching requirements pursuant to an alternative curricular plan, the Educational Plan for Student Success of the district, public school, or charter school must be used to track the plan to show alignment to student achievement goals.

Original Bill Summary:

SB 78 temporarily amends the *School Personnel Act* for school years 2010-2011 through 2012-2013 to permit a school district to request a waiver of the individual class load and teaching load requirements in statute, if it submits a viable alternative curricular plan that includes a class taught by:

- a cooperating teacher; and
- an experienced student teacher who meets the criteria for prior classroom experience and excellent performance in an educational program established by rule of the Public Education Department (PED).

The Secretary of Public Education may approve such an alternative curricular plan upon a finding that it is in the best interests of the school district and that, annually, it has been presented to and is supported by the affected teaching staff.

Fiscal Impact:

- SB 78 does not contain an appropriation.
- The Legislative Finance Committee Fiscal Impact Report indicates that the bill may alleviate class-size issues by allowing student teachers to take on a class load under the specified circumstances.

Substantive Issues:

The *School Personnel Act* sets out two paths to achieving Level 1, or entry-level, licensure for teacher candidates in New Mexico:

- a standard undergraduate teaching programs leading to a baccalaureate degree, in which the candidate must take prescribed courses in the general education core, pedagogy including a minimum requirement in the teaching of reading, and the content areas in which the candidate seeks endorsement. All programs must include no less than 14 weeks of student teaching, a portion of which shall occur in the student's senior year, with the student teacher directly responsible for the classroom; or
- alternative licensure programs for candidates who already hold a baccalaureate or higher degree and who meet statutorily established minimum course requirements in the subjects to be taught. Alternative licensure requires either:
 - the completion of a minimum of 12 semester hours of instruction in teaching principles in an approved program; or
 - demonstration to the department, in conjunction with the school district or state agency, that the candidate has met PED-approved competencies for Level 1 teachers for the grade level to be taught.

Beginning February 1, 2007, PED rule has permitted candidates for alternative licensure to enter the classroom without any coursework in pedagogy or any field experience. This path to licensure requires that the candidate demonstrate the required competencies via an online portfolio after doing the following:

- completing required coursework in the teaching of reading;
- passing all sections of the current PED required teacher licensure tests; and
- serving as the teacher of record for a full school year prior to being granted a portfolio review.

A US district court in California ruled that a US Department of Education (USDE) regulation defining teachers-in-training who are participating in such an alternative route to certification program as “highly qualified” under the *No Child Left Behind Act of 2001* (NCLB) does not conflict with the NCLB requirement that “highly qualified” teachers have “full state certification as a teacher.”

SB 78 would provide a route for an appropriately qualified student teacher in the final semester of an undergraduate teacher education program—one with demonstrated aptitude for teaching through educational coursework and several years of experience as a teaching assistant or another role working with school-aged children—to assume responsibility for a teaching load under the supervision of a willing cooperating teacher.

PED points out in its bill analysis that the federal criteria for highly qualified teachers in NCLB include at least a baccalaureate degree, full licensure, and subject-specific preparation. If PED were to grant a waiver pursuant to the provisions of SB 78, doing so would reduce the number of classrooms in New Mexico taught by highly qualified teachers, which must be reported annually to the USDE.

Related Bill(s):

*SB 97 *School District Budget Flexibility*