

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** HB 70a

**50th Legislature, 1st Session, 2011**

**Tracking Number:** .183647.1

**Short Title:** No Funds for Certain School Education Pgms.

**Sponsor(s):** Representative Jimmie C. Hall

**Analyst:** Pamela Herman

**Date:** March 14, 2011

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**AS AMENDED**

**The House Consumer and Public Affairs amendment delays the impact of HB 70 to FY 13 and subsequent fiscal years.**

**Original Bill Summary:**

HB 70 would enact a new section of statute to:

- require that, to qualify for state funding, a college of education or teacher preparation program at a public postsecondary institution must instruct students in how to teach reading in courses that:
  - are based on current scientifically based reading research and the science of reading;
  - are aligned with Public Education Department (PED)-adopted reading standards; and
  - include strategies and assessment measures to ensure that beginning teachers are proficient in teaching reading;
- prohibit distribution of an appropriation for a public postsecondary institution to a college of education or teacher preparation program that does not provide such instruction; and
- require the Higher Education Department (HED) to certify that a college or program meets the requirements of the section.

**Fiscal Impact:**

HB 70 does not contain an appropriation.

**Revised Fiscal Issues:**

**The fiscal implications of HB 70a identified below, if any, would not be realized until FY 13 and subsequent fiscal years.**

**Fiscal Issues:**

HB 70 would require withholding of legislative appropriations for public postsecondary institutions to the colleges of education or teacher preparation programs at those institutions under certain circumstances.

HED states that, to implement HB 70, the higher education funding formula (which is embodied in agency rule) would have to be reformulated.

**Substantive Issues:**

- If enacted, HB 70 would require HED to share responsibility for approval of teacher preparation programs based on whether their reading courses meet statutory standards. Currently, that approval authority is vested in PED, pursuant to 2001 LESC-endorsed legislation that requires that:
  - a person seeking elementary licensure have completed six hours of reading courses; and a person seeking secondary licensure have completed three hours of reading courses in subject matter content; and
  - PED withhold approval from a college of education or teacher preparation program that fails to offer a course on teaching reading that meets the requirements included in HB 70.
  
- In 2003, the LESC heard a presentation describing how PED was implementing the statutory requirement regarding research-based reading in teacher preparation programs.
  
- In 2009, however, the LESC heard testimony concerning a report by the National Council on Teacher Quality entitled *Preparing Tomorrow's Teachers: Are New Mexico's Education School Graduates Ready to Teach Reading and Mathematics in Elementary Classrooms?* The report claimed, based on a review of the curricula and syllabi of reading courses in teacher preparation programs in the state, that most New Mexico programs were not preparing candidates to teach the science of reading, and that the programs used a wide variety of reading textbooks most of which did not address the science of reading.
  
- In 2010, the LESC endorsed and the Legislature passed HJM 16, *Study Reading Curricula in Teacher Education*. The memorial requested that the New Mexico Deans and Directors of Colleges of Education form a work group to examine the curricula and assigned text materials of all required reading courses in programs that prepare teachers for state licensure, to determine if those courses meet the statutory requirement that they be based on current scientifically based research. The work group, which included three deans and directors of teacher preparation programs and three members of the LESC, presented a report to the full LESC in December 2010 with findings and recommendations:
  - *Work Group Findings:* Based on a review of course materials of the nine public (and two private) elementary education teacher licensure programs in New Mexico conducted by reading experts contracted by the work group, findings included the following:
    - while the reviewers' assessments pointed to a wide variance among the programs in how well their required reading courses for elementary teachers prepared candidates in the science of reading instruction, every program showed room for improvement on one or more of the criteria used in the reviews; and
    - on the whole, New Mexico teacher education programs "missed the target" in addressing the science of reading instruction "to a disappointing degree."

- *Work Group Recommendations:* The report contained five specific recommendations:
1. *Rigorously assess candidate knowledge of how to teach reading based on the scientific research as a condition for elementary licensure, either through the New Mexico Teacher Content Knowledge Assessment in Elementary Education or through a separate exam. (See HB 74, Science of Teaching Reading Requirement.)* The work group noted that “[e]ight years of attempting to regulate reading course content through law and rule has not been successful in ensuring rigorous curriculum of the science of reading across all elementary teacher preparation programs in New Mexico,” and requested that the LESC sponsor legislation in 2011 to make the new assessment requirement explicit in statutory licensure requirements.
  2. *Convene a statewide gathering of programs in early spring 2011 for faculty to review the issues raised in the report, to share texts, supplemental resources, syllabi, instructional activities and assessments, and other resources and approaches, for the purpose of strengthening reading instruction statewide.*
  3. *Develop a list of recommended texts that address the five essential elements of literacy instruction, among which programs would be encouraged but not required to select for coursework beginning in academic year 2011-2012.*
  4. *Convene the Deans and Directors at an LESC meeting during the 2011 legislative interim to present the approaches and solutions developed at the spring gathering.*
  5. *Include review of required reading courses based on alignment with scientific research as part of the program accreditation review process.*

### **Background:**

According to the Education Commission of the States (ECS), learning to read is an essential foundation for success in our society. Research shows that children who are not proficient readers by the end of third grade have difficulties throughout the course of their schooling, perform poorly in other subjects and may never graduate. However, the performance of New Mexico fourth graders in reading is among the lowest in the nation:

- just 20 percent of New Mexico fourth graders tested proficient or better on the 2009 National Assessment of Educational Progress (NAEP), the only assessment that provides comparable data among states;
- this performance was not significantly different from that of fourth graders in 1991; and
- it was lower than the performance of 43 other states, the same as seven, and better only than the District of Columbia.

ECS states that a fairly extensive research base exists on how children learn to read, and suggests that more students are not reading at grade level because of a lack of prevention, diagnosis and intervention related to reading problems; inadequate teacher preparation and professional development; and the absence of reading standards and accountability. ECS notes that many states are responding with policies targeted at student readiness, intervention, teacher quality and accountability, and asserts that the most effective strategy is a comprehensive initiative that

addresses all of these policy areas, closely tracks student progress and uses solid information to make adjustments so that all students read more successfully.

**Related Bills:**

HB 74a *Science of Teaching Reading Requirement*

HJM 21 *Improve Teacher Education Programs*