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## FISCAL IMPACT REPORT

**SPONSOR** Hall **ORIGINAL DATE** 02/02/11  
**LAST UPDATED** 03/13/11 **HB** 70/aHCPAC

**SHORT TITLE** No Funds for Certain School Education Pgms. **SB** \_\_\_\_\_

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**ANALYST** Aguilar/Haug

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		\$80.0		\$80.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to HB 74

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Higher Education Department (HED)

Public Education Department (PED)

### SUMMARY

#### Synopsis of HCPAC Amendment

The House Consumer and Public Affairs amendment to House Bill 70 would provide approximately a year for affected institutions to come into compliance with the bill's requirements by not denying general fund distributions to affected institutions until Fiscal Year 2013 and subsequent fiscal years.

#### Synopsis of Original Bill

House Bill 70 prohibits distributions from the general fund to institutions of higher education with colleges of education or teacher preparation programs that do not instruct students in how to teach reading that is based on scientifically based reading research and the science of reading and which courses are aligned with state reading standards and assessment measures.

### FISCAL IMPLICATIONS

The bill does not contain specific funding requests but in order to determine if reading courses and reading programs meet the criteria set forth in the legislation, the higher education

department will need to conduct full assessments and course evaluations. This effort will have an associated cost for at least one year and it is unclear if the department can absorb this cost within existing appropriations. Ongoing evaluations should be built into the agency's base operations.

## **SIGNIFICANT ISSUES**

Currently, funding for institutions is calculated by multiplying the total number of student credit hours times a dollar figure based on course tier (I, II, or III) and course level (lower, upper, and graduate). Calculations are done using data that is two years in arrears and it is unclear whether funding should be withheld using this data or data from the current school year.

It is unclear whether the provisions contained in this bill apply to only funding generated by reading programs and courses or to all I&G funding generated by the university, college or program.

The 2010 HJM 16 study reviewed reading curricula in teacher education programs in nine public institutions of higher learning. This study revealed that some teacher education programs in New Mexico were not teaching reading courses based on scientifically-based reading research. This study also revealed that there were also some teacher education programs that had pieces of scientifically-based reading research, but not a substantial amount to qualify the program as a program based on scientifically-based reading research.

HED notes that scientifically-based research in teacher education stems from the Federal 2001 No Child Left Behind (NCLB) law that requires states and districts to implement programs and practices with a proven track record of improving student academic achievement. To say that an instructional program or practice is grounded in scientifically based research means there is reliable evidence that the program or practice works. For example, to obtain reliable evidence about a reading strategy or instructional practice, an experimental study may be done that involves using an experimental/control group design to see if the method is effective in teaching children to read.

Core elements of scientifically-based reading programs include explicit and systematic instruction in the following:

- Phonemic awareness
- Phonics
- Fluency
- Vocabulary
- Comprehension

These five reading skills have been critical to early reading success based on scientifically-based reading research on the instruction of reading. Teachers must use effective methods and instructional strategies to teach the five reading skills to students. Assessment is on-going and assessment data is used to inform instruction, and meet the needs of students especially for intervention purposes.

## PERFORMANCE IMPLICATIONS

Provisions contained in this bill could improve teacher preparation programs, resulting in better qualified teachers of reading. This then could increase the percentage of fourth and eighth grade students who achieve proficiency or above on the Standards Based Assessment in Reading.

## TECHNICAL ISSUES

The Legislature may wish to consider a one year delay in implementation to allow either HED or a contractor time to evaluate the various programs.

The deans of the Colleges of Education of the University of New Mexico and New Mexico State University expressed concern over language in HB70 that fixes the definition of scientifically based research in 2011 terminology. NMHED and the Deans propose a modification to the language of HB70 to read, “a public postsecondary educational institution must instruct students in how to teach reading in courses that are based on current scientifically proven, research based methods of teaching reading.”

HJA:GH/mew:svb