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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 1st Session, 2017

Bill Number	<u>HB258</u>	Sponsor	<u>Ruiloba</u>
Tracking Number	<u>.205952.2</u>	Committee Referrals	<u>HEC</u>
Short Title	<u>Junior ROTC Instructor Licensure</u>		
Analyst	<u>Macdonald</u>	Original Date	<u>2/10/17</u>
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BILL SUMMARY

Synopsis of Bill

House Bill 258 (HB258) would create a new section of the School Personnel Act providing for alternative licensure for Junior Reserve Officer Training Corps (JROTC) instructors. This bill would create three new levels of licensure specifically for JROTC instructors.

FISCAL IMPACT

The bill does not contain an appropriation.

According to the Public Education Department (PED) analysis, it is unclear if the licensure levels provided for in HB258 would have the same minimum salaries as level 1, 2, and 3-A teachers.

Additionally, PED noted that these additional licensure duties would result in an increase in workload for current employees that is not currently budgeted.

SUBSTANTIVE ISSUES

HB258 gives PED the authority to issue the following licenses to a JROTC instructor: (1) an alternative level 1 license if the instructor has instructed for at least one year; meets the instructor's branch of service's minimum criteria for certification as a JROTC instructor; has a minimum of 24 hours in a secondary teacher preparation course approved by PED; and has passed the New Mexico Teacher Assessment (NMTA) examination; (2) an alternative level 2 license if the instructor holds a level 1 license with successful annual evaluations as defined by the instructor's branch of service; and has at least three full school years of teaching experience at the high school level with a level 1 license; and (3) an alternative level 3-A license if the instructor holds an alternative level 2 license and the next higher level degree than the minimum required for the instructor's branch of service's certification; and has at least three full school years as a level 2 licensee.

It is unclear if any licensees benefitting from the provisions of HB258 and eventually teaching in a public school or state agency in New Mexico would be subject to the teacher evaluation requirements in the School Personnel Act and the teacher evaluation system mandated through PED rule. However, the provisions for these alternative level licenses do raise questions about which evaluations. For example, PED may issue an alternative level 2 license to someone who holds “a level one license with successful annual evaluations as defined by the instructor’s branch of service.” This provision raised several issues:

- most likely, the evaluation standards referenced here differ from those in the School Personnel Act and the current teacher evaluation system;
- the standards may even vary from one branch of service to another;
- in practice, these varying standards may conflict with one another; and
- the bill does not specify how many successful annual evaluations are required.

Professionals may be highly skilled in the subjects they teach, but they may not have the professional pedagogical preparation required to teach students. It is unclear if the professionals would obtain the pedagogical preparation in only 24 hours in a secondary teacher preparation course approved by PED.

There is not a system in place within HB258 that describes advancement from one alternative level to the next.

HB258 does not stipulate any requirements for instructors to remain in JROTC classrooms and it is unclear if they would be eligible to teach other subject areas.

ADMINISTRATIVE IMPLICATIONS

PED would be required to administer and implement three new licensure levels with varied criteria based on the branch of service. Additionally, PED would be required to approve a secondary teacher preparation course with a minimum of 24 hours of instruction.

TECHNICAL ISSUES

On page 2, line 12, insert “n alternative” after “holds a”; this change will ensure consistency throughout the bill as the licensure levels within HB258 are alternative licenses.

On page 2, line 16, insert “n alternative” after “with a”; this change will ensure consistency throughout the bill as the licensure levels within HB258 are alternative licenses.

While HB258 amends statute to allow these alternative licenses, it does not address the corresponding need for PED to amend its rules; therefore, the sponsor may wish to consider including a clause authorizing or requiring PED to promulgate rules to implement the provisions of HB258.

OTHER SIGNIFICANT ISSUES

Minimum Criteria for Certification as a JROTC Instructor. To become a JROTC instructor in the armed services, the following minimum criteria for education requirements must be met: (1) Marine Corps: Senior Marine Instructor, bachelor’s degree; and Marine Instructor, high school diploma (required to complete an associate’s degree within five years of being hired);

(2) Army: Officer Instructor, bachelor's degree; and Enlisted (Noncommissioned Officer) Instructor, high school diploma (required to complete an associate's degree within five years of being hired); (3) Air Force: Officer Instructor, bachelor's degree (approximately 95 percent have a master's degree or higher); Enlisted Instructor, bachelor's degree prior to retirement (60 percent have a bachelor's degree or higher); and (4) Navy and Coast Guard: Senior Naval Science Instructor, bachelor's degree; and Naval Science Instructor, high school diploma (required to complete an associate's degree within five years of being hired).

Current Law. Under Section 22-10A-8, applicants seeking an **alternative level 1 license**, who are at least 18 years old, are required to meet the following criteria:

- a baccalaureate degree at an accredited institution of higher education, including a passing score on a state-approved subject-area examination in the subject area of instruction for which the person is applying for a license;
- a master's degree at an accredited institution of higher education, including completion of a minimum of 12 graduate credit hours in the subject area of instruction for which the person is applying for a license; or
- a doctoral or law degree at an accredited institution of higher education; and
- passing score on the NMTA examination, including for elementary licensure, a rigorous assessment of the candidate's knowledge of the science of teaching reading; and
- a minimum of 12 semester hours of instruction in teaching principles in a program approved by the department, within two years of beginning teaching; or
- demonstration to PED, in conjunction with the school district or state agency, that the person has met the PED-approved competencies for level 1 teachers that correspond to the grade level that will be taught.

Under Section 22-10A-11.1, applicants seeking an **alternative level 2 or level 3 license** are required to meet the following criteria at the end of an internship of at least one full school year:

- PED may issue an **alternative level 2 license** to a person who is at least 18 years of age; has a post-baccalaureate degree; and has at least five years' experience teaching at the postsecondary level if the person demonstrates that he or she has met PED-approved competencies that correspond to the grade level and subject area; and
- PED may issue an **alternative level 3-A license** to a person who is at least 18 years of age; has a post-baccalaureate degree; and has at least six years' experience teaching or administering at the postsecondary level if the person demonstrates that he or she has met PED-approved competencies that correspond to the grade level and subject area.

RELATED BILLS

Relates to HB41, Alternative Level 3-B Administrator License

Relates to HB124, Teacher Competency for Licensure Advancement

SOURCES OF INFORMATION

- LESC Files
- PED

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