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## FISCAL IMPACT REPORT

SPONSOR Stapleton ORIGINAL DATE 1/31/17  
 LAST UPDATED 2/18/17 HB 124/aHJC

SHORT TITLE Teacher Competency for Licensure Advancement SB \_\_\_\_\_

ANALYST Courtney/Fernandez

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

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

### SUMMARY

#### Synopsis of HJC Amendment

The House Judiciary Committee amendment revises the first of the means listed below in number 3 for a teacher to advance to a level two license to the following: “The teacher receives one of the two highest teacher evaluation ratings in the teacher’s most recent final evaluation after having taught for three consecutive years with a level one license.”

#### Synopsis of Original Bill

House Bill 124 amends the School Personnel Act to establish the professional development dossier (PDD) as the method for advancement within the three-tier licensure system. The language of HB124 would place in statute specific processes that are in the New Mexico Administrative Code (6.69.4).

The bill would allow teachers to advance to level two and level three licenses by the following means:

1. Through a professional development dossier that includes evidence of meeting competency requirements, annual evaluations, superintendent’s recommendation and a verification strand; or
2. An electronic submission that includes evidence of an instruction competency strand, a student competency strand and a professional learning competency strand; or

3. The teacher receives one of the two highest teacher evaluation ratings after teaching for three years or a satisfactory teacher evaluation rating after teaching for five years for advancement to level two licensure, or receives the highest teacher evaluation rating for at least two of the prior three years for advancement to level three licensure.

The bill defines the competency requirements to be evaluated in the professional development dossier for licensure advancement. Competencies are housed within three strands:

1. An instruction strand that includes evidence of student learning and performance, teacher instructional plans, materials, assessment and implementation of state education standards;
2. A student learning strand that includes evidence of teacher adaptations or modifications for diverse learners, classroom management strategies, observation reports and evidence of communication with students and parents; and
3. A professional learning strand that includes evidence of a teacher's professional development activities and collaboration with the professional community, including parent surveys, research publications, or professional publications

## **FISCAL IMPLICATIONS**

The bill is not likely to have a significant impact on district salary costs or the Public Education Department's (PED) operating budget as the bill codifies the PED's current practice of allowing teachers to advance through the licensure system.

## **SIGNIFICANT ISSUES**

The bill codifies PED's current practice of allowing teachers to advance licensure levels using a professional development dossier along with other requirements including teaching experience (these requirements are currently found in Section 6.69.4.11 NMAC). The bill also expands the way a teacher can advance licensure to include an electronic submission showing competence and advancement with specified annual evaluation ratings. As such, the bill is not anticipated to have exceptional impact on the current process teacher use to advance licensure levels, or change the number of teachers advancing licensure levels.

A 2012 LFC staff evaluation of the three-tiered licensure system and effective teaching in New Mexico recognized quality teaching is the most influential school factor affecting academic success. LFC evaluations of the three-tiered system have confirmed the system is associated with decreases in teacher shortages, reductions in unqualified teachers, and improved teacher pay. Student performance, however, shows little improvement associated with increased taxpayer investments in teacher pay. Student performance within teacher licensure levels and between licensure levels suggests the local and state evaluation systems are not screening teachers for their effectiveness in the classroom. Furthermore, each licensure level has high and low performing teachers with differences in performance between licensure levels often explained by other factors including student demographics.

The full 2012 LFC evaluation can be found at:

<https://www.nmlegis.gov/lcs/lfc/lfcdocs/perfaudit/Public%20Education%20Department%20%E2%80%93%20Promoting%20Effective%20Teaching%20in%20New%20Mexico.pdf>

PED offers this analysis:

“HB124 Requires the successful completion of the PDD for advancement of licensure, emphasizing credentialing as the mode of advancement instead of performance of teachers as measured by student growth in learning. By having teachers complete portfolios, HB124 requires practicing teachers to perform activities that are not directly connected to student learning or classroom performance. HB124 establishes a lockstep pattern of compensation and advancement that does not account for differences in ability, quality, and performance in teachers. Lack of acknowledgement of job performance, high expectations, and lack of supportive working conditions all contribute to high exit rates from the teaching profession. The PDD exacerbates these factors in creating a “gate keeper” for teacher advancement that is not directly tied to job performance. HB124 establishes in law a greater dependence on credentialing, a practice that has very little connection to increased student achievement (Boyd, 2006; Weisberg, Sexton, et al, 2009; Goldhaber, 2010; Glazerman, Loeb, et al, 2010, “The Irreplaceables,” 2012). Prior to 2005, level 1 licenses lapsed at a rate of about 300 per year. Since 2007, level 1 licenses have lapsed from between 750-900 licenses per year. This number far exceeds the total number of unsuccessful PDD submissions annually, indicating the process may be creating a disincentive for new teachers. The following submissions of the PDD from July 1, 2015-June 30, 2016 Level 1 to 2, 420 educators with a first time passing rate of 68%, and level 2 to 3 176 educators, with a first time passing rate of 89% for level III. PDD numbers from July 1, 2014-June 30, 2015 level I to II, 685 educators with a first time passing rate of 86%, and level II to III, 379 educators with a first time passing rate of 82%. From July 1, 2013-June 30, 2014 level I to II, 782 educators advanced with a first time passing rate of 86%, and from a level II to III, 428 educators with an 84% passing rate.”

## **RELATIONSHIP**

The following bills make changes to the School Personnel Act and should be considered together to ensure compatible statutory changes: HB 41 Alternative Level 3-B Administrator License (Roch/Salazar, T); HB 125 Teacher & Principal Evaluation System (Stapleton); HB 134 School Personnel Minimum Salaries (Trujillo, CH/Trujillo, L); HB 163 School Grade Test Scores & Unexcused Absences (Sariñana/Rubio/Garcia, M); HB 258 Junior ROTC Instructor Licensure (Ruiloba); HB 265 Educational Assistant Probation Period (Roybal Caballero); HB 270 Home School Student Activity Participation (Strickler/Garcia Richard); SB 30 Establish & Study Teacher Cost Index (Morales/Roch); and SB 34 Teacher & Principal Evaluation System (Morales).

JRC/al/jle