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HOUSE BILL 281

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Tomás E. Salazar

AN ACT

RELATING TO PUBLIC EDUCATION; ESTABLISHING OVERARCHING REQUIREMENTS FOR ENGLISH LANGUAGE LEARNER EDUCATIONAL PROGRAMS TO BE CULTURALLY AND LINGUISTICALLY RESPONSIVE AND CONDUCTED WITH CULTURALLY AND LINGUISTICALLY APPROPRIATE STRATEGIES, CURRICULA AND MATERIALS; REQUIRING PROFESSIONAL DEVELOPMENT; REQUIRING CERTAIN ENDORSEMENTS FOR LEVEL ONE LICENSES BEGINNING IN 2025; REQUIRING THE PUBLIC EDUCATION DEPARTMENT TO CONVENE A WORKING GROUP; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] ENGLISH LANGUAGE LEARNER PROGRAM ELEMENTS--PROFESSIONAL DEVELOPMENT IN CULTURE AND LANGUAGE.--

A. School districts and charter schools shall

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1 ensure that English language learner educational programs,
2 including bilingual, English as a second language and other
3 English language development programs, meet the following
4 criteria:

5 (1) the programs that school districts and
6 charter schools choose shall be recognized as sound by experts
7 in the field or considered a legitimate experimental strategy;

8 (2) the programs and practices used by the
9 school districts and charter schools are reasonably calculated
10 to implement effectively the educational theory adopted by the
11 school districts or public schools; and

12 (3) the program succeeds in producing results
13 indicating that student learning of academic content as well as
14 English language development is progressing in a timely manner.

15 B. Beginning in the 2020-2021 school year,
16 teachers, school principals and assistant school principals
17 shall complete ten hours of professional development in
18 culturally and linguistically responsive instruction every
19 year; provided that the ten hours shall not be considered
20 additional professional development, but as part of the regular
21 professional development plan for teachers and school
22 principals.

23 C. The department shall require reports from school
24 districts and charter schools on compliance with Subsection B
25 of this section and shall monitor compliance."

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1 SECTION 2. A new section of the School Personnel Act is
2 enacted to read:

3 "[NEW MATERIAL] TEACHERS REQUIRED TO HAVE BILINGUAL OR
4 TEACHING ENGLISH TO SPEAKERS OF OTHER LANGUAGES ENDORSEMENT--
5 TIME FRAMES FOR SATISFYING REQUIREMENT.--Beginning in 2025,
6 applicants for a level one license must be qualified to have a
7 license endorsement in bilingual education or teaching English
8 to speakers of other languages."

9 SECTION 3. TEMPORARY PROVISION--TEACHING ENGLISH TO
10 SPEAKERS OF OTHER LANGUAGES WORKING GROUP.--

11 A. The secretary of public education shall convene
12 a working group to:

13 (1) develop criteria for evaluating bilingual
14 multicultural and teaching English to speakers of other
15 languages professional development courses for content and
16 quality before the public education department approves them;
17 and

18 (2) review and update the teaching English to
19 speakers of other languages endorsement rules, including course
20 requirements, competencies and the required test.

21 B. The secretary of public education shall name
22 members to the working group, to include:

23 (1) one member from each New Mexico public
24 university's college of education faculty who teach teaching
25 English to speakers of other languages courses for teacher

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1 licensure endorsement or bilingual faculty;

2 (2) endorsed teachers in elementary and
3 secondary schools;

4 (3) members of the state bilingual advisory
5 council, Indian education advisory council and Hispanic
6 education advisory council;

7 (4) other experts in language acquisition,
8 culture and language and teaching English to speakers of other
9 languages; and

10 (5) the director of the language and culture
11 division of the public education department, who shall serve as
12 chair.

13 SECTION 4. APPROPRIATION.--

14 A. Four million dollars (\$4,000,000) is
15 appropriated from the general fund to the public education
16 department for expenditure in fiscal years 2020 and 2021 as
17 follows:

18 (1) four hundred thousand dollars (\$400,000)
19 for:

20 (a) two full-time-equivalent
21 coordinators for required language and culture professional
22 development; and

23 (b) purchasing programs and services for
24 professional development courses in language and culture; and

25 (2) three million six hundred thousand dollars

1 (\$3,600,000) to conduct required language and culture
2 professional development programs statewide.

3 B. Any unexpended or unencumbered balance remaining
4 at the end of fiscal year 2021 shall revert to the general
5 fund.

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