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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
55th Legislature, 1st Session, 2021

Bill Number	<u>SB151</u>	Sponsor	<u>Gallegos</u>
Tracking Number	<u>.218949.1</u>	Committee Referrals	<u>SEC/SFC</u>
Short Title	<u>Educational Loan Repayment</u>		
Analyst	<u>Canada</u>	Original Date	<u>2/4/21</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

Senate Bill 151 (SB151) creates the Instructional Support Provider Support Loan Repayment Act, a loan repayment program for instructional providers.

FISCAL IMPACT

The bill does not include an appropriation.

SB151 creates the instructional support provider loan repayment fund in the state treasury and money in the fund is subject to legislative appropriation.

The Higher Education Department (HED), which administers a similar program for teachers and health professionals, notes they anticipate high demand for the program, which may require substantial investments in future years. It is hard to determine how many individuals may apply for the program. Based on positions budgeted by school districts and charter schools for FY21, currently 9,798 school employees have instructional support provider positions named in SB151. Sixty-nine percent of these are educational assistant positions and only educational assistants on a level 3 license, which allows EA's to work in programs that receive federal support for children from low-income families, require coursework at a higher education institution. The remaining 3,030 instructional support provider positions sometimes require much more specialized postsecondary coursework. For example, a school psychologist license requires either a master's degree or a doctorate degree. These are budget positions; not all of these positions may be currently filled.

SUBSTANTIVE ISSUES

Repayment Program Requirements. The bill creates the Instructional Support Provider Loan Repayment Act similar to the Teacher Loan Repayment currently administered by HED. SB151 requires each contract to be for a two- or four-year period that can be extended for three additional two-year contracts, capping the time period instructional support providers can be supported

through repayment to eight years. Annual payments are only paid by the department after demonstrating satisfactory completion of employment for a full-school year and shall not exceed \$6,000 per year. HED noted in their analysis that the department currently administers the New Mexico Health Professional Loan Repayment Program that provides repayment for practicing healthcare professionals who make a two-year commitment to practice full-time in a designated shortage area in New Mexico, and this strategy has been effective in providing retention and support for primary care providers in rural areas in New Mexico. Unlike the Teacher Loan Repayment program, SB151 does not target this financial support to high-need areas, but does allow HED and Public Education Department (PED) to prioritize applicants working in designated high-need instructional support provider positions in the state, determined by PED. Additionally, SB151 does not require HED or PED to track participants after they fulfill their contract or commitment, making it difficult to determine whether teachers who participated in these programs stayed in the profession longer than obligated.

According to SB151, payments toward program participant's loans must cover costs associated with an instructional provider's education, including covering repayment of principal and interest towards a federal student loan. It is unclear what would qualify under this provision, including if the funds provided to cover past degrees or coursework need to closely tie to the school employee's current profession. HED and the PED would have to specify this element in rule.

The bill specifies priority for the program will be given to applicants working in designated high-need instructional support provider positions in the state if they meet certain requirements. SB151 defines instructional support providers as those employed to support the instructional program of a school district or charter school if they are included in the list below:

- Educational assistants,
- School counselors,
- Educational diagnosticians,
- Social workers,
- School nurses,
- Speech-language pathologists,
- Psychologists,
- Physical therapists,
- Occupational therapists,
- Recreational therapists,
- Marriage and family therapist, and
- Interpreter for the deaf.

PED currently licenses three other instructional support providers not included in the definition in SB151: (1) rehabilitation counselor, (2) alcohol, drug, and substance abuse counselor, and (3) occupational therapist. It is unclear if individuals in these positions would be eligible for loan repayment.

Recruitment and Retention of Instructional Support Providers. State-supported loan repayment programs have been successful recruitment and retention tools in other states for professions that are facing shortages. SB151 states the purpose of the program is to increase the number of instructional support providers in public schools. Although New Mexico State University's annual educator vacancy reports shares information on some instructional support provider vacancies statewide, not all positions named in the bill are covered in the report. At the beginning of the 2020-2021 school year, 41 counselor vacancies, 20 emotional and behavioral support provider

vacancies, 16 speech language pathologist vacancies, 16 educational diagnostician vacancies, and 7 school psychologist vacancies were reported.

ADMINISTRATIVE IMPLICATIONS

The bill requires HED to make an annual report to the governor and the Legislature including the following metrics: (1) number of loan repayment awards granted, (2) names and addresses of instructional support providers, (3) locations of positions filled by instructional support providers, (4) names of program participants who do not serve in a designated high-need instructional support provider positions, (5) loan amounts for each participant and how much the program paid off on the loan, and (6) number of instructional support providers whose contractors were voided due to not completing a full year of employment. Similar, HED-administered scholarship programs for professionals in the public school system, like Grow Your Own Teacher scholarships, the Teacher Preparation Affordability scholarship, the Teacher Loan-for-Service program, and the Teacher Loan Repayment program, do not require reporting requirements from HED, making it difficult to gather outcome data from the programs.

HED is required to work with the Attorney General on creating the contract for the loan repayment program and allows HED to sue a program recipient for any balance due to the state from an instructional support provider.

HED and PED would be required to work together to choose loan repayment recipients.

ALTERNATIVES

The Teacher Loan Repayment Act in Section 21-22H-1 could be amended to expand the loan repayment program to instructional support providers.

RELATED BILLS

Related to SB159, Teacher Loan Repayment, which expands the Teacher Loan Repayment Act to all teachers instead of prioritizing awards based on specific teacher characteristics or job assignments.

Related to HB116, Additions to 3-Tiered Teacher Licenses, which adds instructional support providers to the teacher and school administrator three-tiered licensure system.

SOURCES OF INFORMATION

- LESC Files
- HED

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