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FISCAL IMPACT REPORT

SPONSOR Senate Floor LAST UPDATED 3/16/23
ORIGINAL DATE 2/28/23
SHORT TITLE Teacher Vocational Ed Licensure Track BILL NUMBER CS/Senate Bill 417/SFIS
ANALYST Helms

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY24	FY25	2 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal	Recurring	Public Education Department Operating Budget

Sources of Information

LFC Files

Responses Regarding the Original Bill Received From
Public Education Department (PED)
Higher Education Department (HED)
Central New Mexico Community College (CNM)

SUMMARY

Synopsis of Senate Floor Substitute for Senate Bill 417

The Senate Floor Substitute for Senate Bill 417 (CS/SB417/SFIS) amends the licensure portions of the School Personnel Act to integrate a license called a “vocational license” to the three-tier licensure system and provides exceptions where all levels of vocational licensure teachers are excluded from minimum salaries required for the three-tier licensure system. Additionally, the bill adds language in which all types of teachers holding a level one license are not required to meet any changed license requirements until the time of license renewal.

The effective date of this bill is July 1, 2023.

FISCAL IMPLICATIONS

CS/SB417/SFIS does not contain an appropriation.

Unlike other teaching licenses on the three-tier system, CS/SB417/SFIS does not move career technical educators or vocational educators to a three-tier system with salary requirements.

As described in “Significant Issues,” CS/SB417/SFIS does not strike other language in the School Personnel Act, Section 22-10A-6(E) NMSA 1978 allowing vocational and CTE educators to teach in schools without a license. It is unclear if educators would have sufficient reasons to seek a license (see “Significant Issues,” below), and LFC analysis does not anticipate significant additional revenue to PED from new licensure applications. Administrative burden from an indeterminate, but likely low, number of applications, can likely be absorbed by current PED licensure bureau staff.

SIGNIFICANT ISSUES

CS/SB417/SFIS allows the Public Education Department to provide teaching licenses for vocational or career technical education teachers commensurate with the three-tier licensure system, but exempting teachers with a vocational licensure from the three-tier licensure system’s salary minimums. The bill also adds language to Section 1 that would apply to all teachers with a level one license in which, “After the issuance of a license, a license holder shall not be required to meet changed requirements to maintain the license until such time as the license expires and the license holder seeks renewal of the license.”

As with all other level one licensure pathways, the provisional five-year license requires a full school-year of mentorship and an evaluation at the end of every teaching year. As with all level one licenses, if a teacher with the provisional vocational license does not demonstrate sufficient progress and competency, they are ineligible for a level two license. The bill provides a vocational licensure applicant can meet existing requirements for licensure application (including a degree and completion of a teacher preparation program, or a vocational licensure applicant have the option to be at least 23 years of age (rather than 18 years of age) and have five or more years of experience in their vocational field (rather than a baccalaureate degree and completion of a teacher preparation program).

After gaining level two licensure, a nine-year license, teachers with a vocational license can apply for a level three license if they have been a level two-licensed teacher for at least three years and either 1) provide documentation from an accredited higher education institution of their ability to teach dual-credit courses at the post-secondary level or 2) complete a department-approved career technical education training certificate course of study that is a minimum of 16 hours at an accredited higher education institution.

Overall, CS/SB417/SFIS introduces a change in how vocational or career technical educators could access a teaching position and would create job security for vocational educators license-holders in addition to allowing those educators to receive mentorship, regular evaluation, and professional development commensurate with other licensed teachers.

While CS/SB417/SFIS offers opportunities to professionalize the career technical educator workforce and to amplify opportunities for professional development in instruction, it is unclear if there would be sufficient reasons or motivation for career technical education or vocational educators to apply for holding a provisional or professional license while the NMAC and School Personnel Act (NMSA 22-10A-6(E)) still offer a pathway for vocational educators to teach in schools that does not require a license. It is unclear if the NMAC would be updated to correspond with CS/SB417/SFIS. Currently, Next Mexico Administrative Code (NMAC) describes that a vocational teacher is exempt from licensure by one of the following:

- Holding a bachelor’s degree with at least 32 credit hours in a related vocational area,
- Having an associate’s degree with two years of work experience in the related area,
- Holding a certificate plus three years of work experience in the related area, or
- Having a high school diploma or equivalent plus five years of work experience in the related area.

Additionally, under CS/SB417/SFIS, it does not seem there is a means for vocational or CTE teachers who have already been working in schools to more rapidly progress through the licensure pathway, which could be a disincentive in applying for a license for those CTE or vocational educators with the most experience.

ADMINISTRATIVE IMPLICATIONS

Importantly, PED analysis on the original bill noted:

PED would review current rule and update as needed to align with the provisions of SB417. It should be noted that current rule is authorized by Section 22-10A-6(E) NMSA 1978, which is not repealed by the bill, creating conflict between the provisions of the bill and some of the provisions of the rules authorized by current law in the School Personnel Act.

The Public Education Department would have to create procedures for processing additional licenses and for determining competency requirements, mentorship, and evaluations for a new type of license. This would be staggered, as educators applying for these licenses would have to progress through the licensure pathway.

Public schools would also have to provide for mentorship in the first year and intensive evaluation in successive years, up to three years, of any vocational educators holding the level one license. It may be difficult for any schools, but especially smallest schools, to furnish mentors for additional licensed teachers. Schools will likely require technical assistance in providing sufficient mentorship and professional development as required in statute.

TECHNICAL ISSUES

The Senate Floor substitute for SB417 addresses some aspects of a concern from PED regarding the original bill, as the bill would integrate vocational educators to the three-tier licensure system (excepting requirements for minimum salaries). PED analysis on the original bill noted:

SB417 creates a new license for vocational educators that does not align with the requirements for PED to issue a teaching license and it is unclear if those licensed under the provisions of SB417 would be subject to statutes and rules governing teaching licenses.