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## FISCAL IMPACT REPORT

LAST UPDATED \_\_\_\_\_  
ORIGINAL DATE 2/17/25

SPONSOR Figueroa

**BILL**

SHORT TITLE Teacher & Instructional Support Licensure BILL NUMBER Senate Bill 345

ANALYST Mabe

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

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
PED	No fiscal impact	No fiscal impact	No fiscal impact			

Parentheses ( ) indicate expenditure decreases.  
\*Amounts reflect most recent analysis of this legislation.

Relates to House Bill 94, House Bill 156, House Bill 195, House Bill 201

### Sources of Information

LFC Files  
Legislative Education Study Committee (LESC) Files  
National Council on Teacher Quality (NCTQ)

Agency Analysis Received From  
Regional Education Cooperatives (REC)  
Public School Insurance Authority (NMPSIA)  
Department of Public Safety (DPS)

Agency Analysis was Solicited but Not Received From  
Public Education Department (PED)

## SUMMARY

### Synopsis of Senate Bill 345

Senate Bill 345 amends the School Personnel Act to add the option of completing a “teacher portfolio” as one of the options for obtaining level teacher 1 licensure as well as allowing the Public Education Department (PED) to grant level 2 and 3-A licenses to experienced instructional support providers licensed in other states.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

## FISCAL IMPLICATIONS

This bill does not necessarily include a financial impact, but it does have significant policy and administrative implications. The use of a standardized portfolio option would increase the pool and diversity of teachers who could obtain licensure and could then be hired within schools. Given the number of reported teacher vacancies each year, this cost would likely be absorbed by existing operational budgets. Costs to develop and standardize a portfolio review process would likely be incurred by PED but remain within normal operating costs for the department.

## SIGNIFICANT ISSUES

Current statute (Section 22-10A-7 NMSA 1978) requires applicants for level 1 licensure pass the “New Mexico Teacher Assessments (NMTA) examination.” In practice this means different Praxis exams based on content area and endorsement. New Mexico adopted Praxis, which is used by 46 states and D.C., in 2020 to replace the New Mexico Teacher Assessments. Senate Bill 345 removes the word “examination” to leave just “assessments” and adds a teacher portfolio as a second option for licensure.

A 2012 LFC evaluation of educator preparation programs found teachers who failed the NMTA at least once had lower student test score growth than expected. Conversely, teachers who had higher NMTA passing scores were more likely to have higher student test score growth than expected. At the time, LFC found that teacher preparation programs were preparing enough teacher graduates to replace those leaving the workforce and suggested raising NMTA cut scores to improve teacher quality. Since 2008, NMTA passage rates had been well above 90 percent; the passing score was 240, one standard deviation below the average score of 260.

In 2015, PED replaced most custom NMTA tests with National Evaluation Series (NES) tests, which had a benchmark cut score of 220. In 2017, PED raised the cut scores for 12 of the 32 different NES exams. A 2018 LFC evaluation of educator preparation programs estimated these changes would have resulted in 914 of the 2,487 exam takers from the prior year failing the NES exam. In 2020, PED transitioned from NES tests to the use of Praxis tests.

According to a Legislative Education Study Committee (LESC) Hearing Brief on teacher licensure from 2022, many applicants failed to pass the required Praxis exams (see chart below), and PED saw this as a barrier to getting more teachers into classrooms. After holding Professional Practices and Standards Committee Licensure Subcommittee meetings in early 2022, PED decided a standardized portfolio would be adopted in place of the Core Academic Skills for Education in Math, Reading, or Writing Praxis examinations. However, PED’s broad use of portfolios conflicts with current law, which requires all teachers to pass the NMTA exam, only authorizing the department to use a portfolio option for applicants who are deaf or hard-of-hearing (Section 22-10A-11.2 NMSA 1978). As such, applicants still need to pass subject level Praxis exams, elementary educators still need to take the Teaching of Reading Elementary Examination exam, and special education teachers still need to take the Special Education Foundational Knowledge exam.

<b>Teacher Licensure Test Passage Rates</b>			
<b>(School Year 2020-2021)</b>			
	<b>Passage Rate</b>	<b>Passing Score</b>	<b>Median Score</b>
<b>Core Academic Skills for Ed: Math</b>	74%	150	166
<b>Core Academic Skills for Ed: Reading</b>	83%	156	176
<b>Core Academic Skills for Ed: Writing</b>	61%	162	164
<b>Teaching Reading K-12</b>	47%	156	155
<b>Teaching Reading Elementary</b>	66%	159	162

Source: PED

Using a portfolio instead of the core academic skills assessment may increase the diversity of the New Mexico educator workforce. According to the LESC brief, failure of the Praxis assessment is not a clear indicator of teacher preparedness and future success. Some New Mexico stakeholders do not see a connection between passing and success, while national research is mixed.

Senate Bill 345 also updates the limited reciprocity section (22-10A-12 NMSA 1978) of the School Personnel Act to include instructional support providers. A level 2 or 3-A license will be granted to an instructional support provider if they:

- Have professional experience,
- Hold a professional license in addition to a school license, if applicable,
- Demonstrate the required competencies, and
- Meet other requirements, including passing the required background check.
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A superintendent may decide the applicant completes a mentorship period. Additionally, an applicant can apply for a lower-level license if they do not meet all requirements and qualifications for the higher level.

PED defines instructional support providers as an:

Educational assistant, school counselor, school social worker, school nurse, speech-language pathologist, psychologist, physical therapist, physical therapy assistant, occupational therapist, marriage and family therapist, occupational therapy assistant, recreational therapist, signed language interpreter, education, alcohol and drug abuse counselor, substance abuse associate and other service providers who are employed to support the instructional program of a school district or charter school.

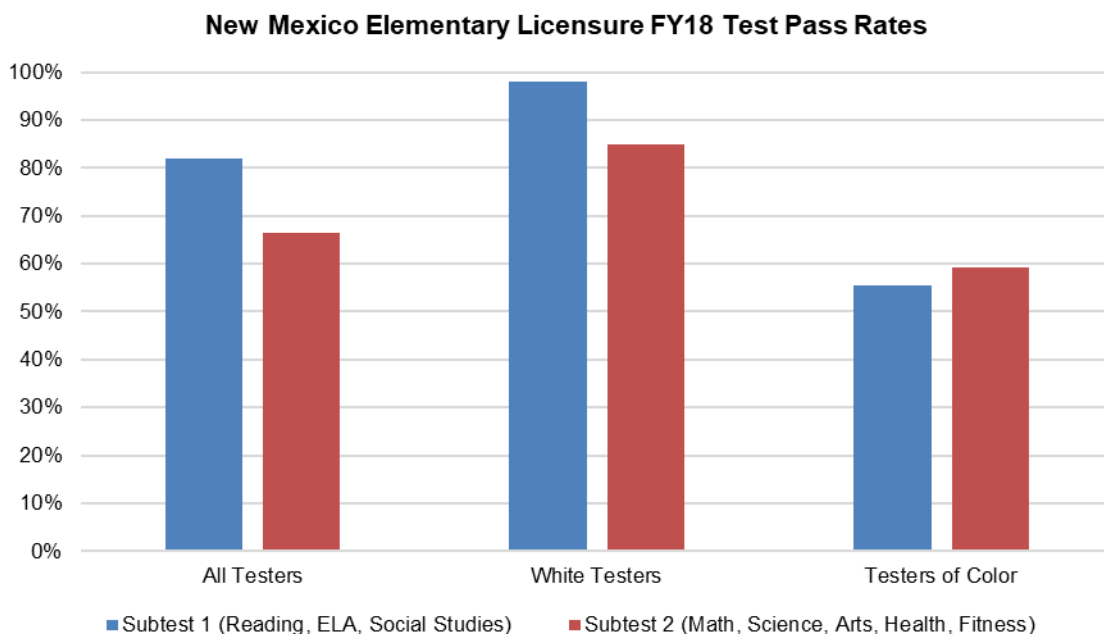
According to the 2024 *New Mexico Educator Vacancy Report* published by New Mexico State University’s Southwest Outreach Academic Research Evaluation and Policy Center, there are many vacancies for instructional support providers. This includes 356 educational assistant vacancies; 35 speech language pathologist vacancies; 34 counselor vacancies; 14 school psychologist vacancies; 12 emotional/behavioral support providers; 11 interventionists; and 8 paraprofessionals. Additionally, according to the *New Mexico Annual School Services Report*, at least 27 percent of school districts lack a school nurse and at least one in three school districts only have one or a part-time nurse.

Instructional support providers have been shown to be vital for student success. For example,

according to the *Annual School Services Report*, school nurses help students return to class rather than leave campus and, according to an article published in *Educational Evaluation and Policy Analysis*, educational assistants can have a positive impact on overall student performance, especially in reading and math.<sup>1</sup> Allowing for reciprocity with other states could increase interstate mobility and possibly reduce vacancies.

## PERFORMANCE IMPLICATIONS

Senate Bill 345 would allow more teachers and instructional support providers to gain licensure and enter schools. This could reduce vacancies for these positions, increasing student access to qualified professionals who could positively impact student wellbeing and academic achievement. Additionally, as outlined above, this bill could impact the diversity of the New Mexico’s educator workforce. According to a National Council on Teacher Quality analysis of FY18 elementary teacher licensure exam data, the average pass rate for White test takers was higher than test takers of color.



Source: NCTQ

## ADMINISTRATIVE IMPLICATIONS

PED would need to process out-of-state instructional support applications and decide whether to grant applicants a level 2 or level 3-A license. PED would also need to have systems and staff in place to evaluate the proposed teacher portfolios.

Additionally, the Department of Public Safety (DPS) notes fingerprint background checks of out-of-state applicants might create delays. If New Mexico were a member of the National Crime Prevention and Privacy Compact Act of 1998, background checks from compact states would

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<sup>1</sup>[Do Teacher Assistants Improve Student Outcomes? Evidence From School Funding Cutbacks in North Carolina](#)

transfer.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

This bill relates to House Bill 156, which raises minimum teacher salary levels by \$5,000 each tier to \$55 thousand for level 1, \$65 thousand for level 2, and \$75 thousand for level 3; House Bill 201, which raises the minimum wage for all school employees to \$30 thousand regardless of FTE status; and House Bill 195, which aligns school nurse minimum salaries with teachers and institutes a bonus for national board certification.

This bill also relates to House Bill 94, which would reduce maximum class loads for first through third grades and, according to LESC analysis, add demand for an additional 189 teachers and 674 educational assistants.

## **TECHNICAL ISSUES**

This bill leaves a reference to K-5 Plus programs, which no longer exist. Sponsors may want to consider updating language to reference K-12 Plus, which replaced K-5 Plus.

RM/sl/rl