

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill No:** HB 347

**48th Legislature, 2nd Session, 2008**

**Short Title:** Gifted Education Teacher Requirements

**Sponsor(s):** Representative Teresa A. Zanetti and Others

**Analyst:** James Ball

**Date:** January 29, 2008

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**Bill Summary:**

HB 347 establishes requirements for teachers of gifted students to be met by January 1, 2010. These requirements include:

- completing a minimum of 12 graduate credit hours in the teaching of gifted students;
- passing a state-approved assessment for gifted education; or
- completing three or more years of teaching gifted students and successfully completing a portfolio process reviewed by two or more teachers of the gifted who have already met the requirement.

The Public Education Department (PED) is required to establish an assessment examination and develop competencies for teachers of the gifted. In addition, PED must also require that by 2010 and subsequent years, all elementary and secondary teachers shall complete three credit hours in gifted education.

HB 347 also makes an appropriation to increase the gifted consultant position at PED to full-time, to provide professional development to assist teacher of the gifted to meet the new requirements, to increase the number of gifted education teachers, and to provide for an annual summer institute on gifted education.

**Fiscal Impact:**

\$200,000 is appropriated from the General Fund to PED for expenditure in FY 09 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the General Fund.

**Issues:**

In its analysis of HB 347, PED identified the following concerns:

- The \$200,000 appropriation would cover about one-fourth of the projected costs. The currently operating Online Alternative License Portfolio (OPAL) required approximately \$700,000 and took three years to completely develop. Ongoing expenses for maintaining the online portfolio system are estimated to be \$50,000 annually. PED also says that the requirement for an annual summer institute would cost approximately \$50,000. Further, HB 347 requires that a full-time position be allocated to PED for gifted education. Currently, the gifted education position is allocated .50 FTE. The cost for an additional .50 FTE for an Education Administrator is \$34,476.

- General education requirements for teachers are provided through statute while specific requirements for all professional licenses are established in PED rule. Placing specific requirements for gifted education teachers in state statute would be a departure from current practice and make future amendments to the requirements much more difficult to accomplish.
- HB 347 establishes very different criteria for meeting the requirements from all other teaching endorsements. The bill requires that teachers of the gifted complete a minimum of 12 graduate hours in the teaching of the gifted *and* pass a state-approved assessment examination for gifted education. Currently a teacher who is adding an endorsement to an existing license must complete 24-36 credit hours in a content area *or* pass a state-approved assessment examination. This would also be the only teaching license where the credit hours must be at the graduate level.
- Not all in-state universities offer courses in gifted education and, if they do, they are under the umbrella of special education. All of the four-year institutions in New Mexico would have to develop programs for gifted education and two-year institutions would be excluded from offering classes because the bill requires that the additional hours be graduate-level credits.
- There were 474 teachers who taught gifted students statewide in school year 2006-2007 on the 120<sup>th</sup> day of reporting. All of these teachers would be required to meet the new standards within the next two years at the same time that a portfolio system must be developed.

During the 2007 interim, the LESC heard input from Dr. Teresa Rowilson, Professor and Program Coordinator at the College of Education, New Mexico State University, on behalf of the New Mexico Association for the Gifted (NMAG). She said that the more than 17,000 students identified as gifted students deserve to be served by teachers who are qualified in the area of gifted education. Dr. Rowilson proposed various ways teachers of gifted learners could demonstrate that they are highly qualified, and concluded with a NMAG proposal that, by school year 2011-2012, districts be required to hire only qualified teachers for gifted learners, and by school year 2013-2014, all teachers for gifted learners meet a higher standard of preparation.

**Related Bills:**

None to date.