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FISCAL IMPACT REPORT

ORIGINAL DATE 02/10/09

SPONSOR Gonzales LAST UPDATED _____ HB 189

SHORT TITLE Alternate Deaf Teacher License Assessment SB _____

ANALYST Varela

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

Higher Education Department (HED)

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of Bill

House Bill 189 would create a new section of the School Personnel Act, “Deaf and Hard-of-Hearing Teachers—Alternative Licensure Assessment—Saving Provision.” This section provides an alternative pathway for deaf and hard-of-hearing teachers to demonstrate competency if they cannot pass the New Mexico Teacher Assessments (NMTA). The bill contains an emergency, allowing the act to take effect immediately.

The alternative pathway provides for a portfolio assessment in lieu of the NMTA for Level one, two or three licensure. The bill provides that a person who is deaf or hard-of-hearing may apply for a lower level of licensure if the person’s portfolio assessment does not qualify him or her for a higher level.

FISCAL IMPLICATIONS

This bill carries no appropriation. PED also reports that there exists no fiscal impact associated with this bill.

SIGNIFICANT ISSUES

PED states that until the rules promulgated by the department have been effective for a period deemed sufficient for a deaf or hard-of-hearing person to submit a portfolio, any eligible deaf or hard-of-hearing person who has a degree from an accredited teacher education program can be granted a temporary teaching license for the level of licensure he or she would likely qualify once the portfolio is submitted to PED. The temporary teaching license will be effective for no longer than two school years.

At the June 2008 meeting of the Legislative Education Study Committee (LESC), PED was asked to review the issues presented by Dr. Sandra Rodriguez, Associate Professor and Chair of Education at the College of Santa Fe-Albuquerque, regarding test equity for teacher candidates who are deaf, to examine the feasibility of establishing a “safety clause” for those deaf candidates who cannot pass certain portions of the NMTA and to provide a written report including findings and recommendations, if any, to the LESC prior to the 2009 legislative session.

The following options were considered:

- Development of a new NMTA for teachers of the deaf and hard of hearing
- Lowering the passing score requirements for deaf and hard-of-hearing applicants
- Amending statute to allow for an alternative to the passage of the NMTA for deaf and hard-of-hearing applicants
- Clarifying accommodation parameters with the testing company

The group agreed to pursue developing language amending statute 22-10A-7 to allow for an alternative to passage of the NMTA for deaf and hard-of-hearing applicants. The alternative pathway would include, at a minimum, a portfolio and committee review.

According to PED, teachers who are deaf and hard-of-hearing represent a small portion of teaching corps in New Mexico. According to Dr. Rodriguez, there have not been any deaf teachers identified who have gone through a New Mexico program, have been able to pass the NMTA and are fully licensed. There are teachers who have come from other states under alternative licensure.

If this bill passes, it creates a precedence for other groups to request alternative pathways if they cannot pass the NMTA.

ADMINISTRATIVE IMPLICATIONS

PED reports that the department will have to develop and institute a process for a portfolio process in lieu of the NMTA for deaf and hard-of-hearing teachers. The bill requires that this would include identifying components of the portfolio and creating a committee to review the portfolios. Committee members would include a teacher of deaf and hard-of-hearing students, a sign language interpreter, a school administrator from the New Mexico School for the Deaf, the parent of a deaf and hard-of-hearing student, a deaf and hard-of-hearing teacher, if one is available, and other appropriate persons as determined by PED.