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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/3/2009

SPONSOR Nava LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Instructional Support Limited Reciprocity SB 138

ANALYST Aguilar

### 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)

Attorney General's Office (AGO)

### SUMMARY

#### Synopsis of Bill

Senate Bill 138 provides for PED to grant a license to an instructional support provider who is licensed in another state if the provider has qualifications equivalent to those required to licensed New Mexico providers. Other requirements must also be met. A period of mentorship may also be required.

The bill also makes technical changes to existing statute.

### FISCAL IMPLICATIONS

None noted

### SIGNIFICANT ISSUES

SB-138 provides for licensing reciprocity in New Mexico for instructional support providers licensed in other states provided certain conditions are met. These include:

- Verification of appropriate experience,
- Demonstration of required competencies,
- Evidence of a current, valid and unsuspended New Mexico professional license, and
- Meeting of other qualifications as required.

Provisions are also made for a mentorship period if deemed necessary by a superintendent or head administrator of a charter school.

Enactment of this bill may support concerns raised by many regarding reciprocity and this may allow for a greater number of providers to be available in the state as needed.

### **TECHNICAL ISSUES**

The attorney general's office notes that Section 3(c) raises issue whether the Department may grant a license "if the provider has qualifications equivalent" to those required in New Mexico because the individual licensing boards, such as the Social Work Board and Psychology Board, may have their own reciprocity statute and standards.

Section 1(c) indicates refers to professional license. Educational assistants do not hold a professional license and consideration should be given to removing them from the reciprocity list for licenses.

PA/mt