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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/27/09

SPONSOR Beffort LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Require Preschool Teacher Credentials SB 160

ANALYST Peery-Galon

### 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

Children, Youth and Families Department (CYFD)

Higher Education Department (HED)

#### No Response Received From

Public Education Department

### SUMMARY

#### Synopsis of Bill

Senate Bill 160 amends and adds a new section to Section 32A-16 NMSA 1978 establishing a new preschool teacher credential to be required for lead teachers in licensed facilities, preschool facilities, and CYFD pre-kindergarten programs. The proposed legislation requires lead teachers to complete at least 30 hours of continuing education in early childhood education per year. The credential would be issued by CYFD, and the Child Development Board would have oversight of the new licenses.

### FISCAL IMPLICATIONS

CYFD noted current child care licensing regulations require 24 clock hours of continuing education annually for staff employed in a licensed child care facility. The preschool teacher credential requires 30 hours of continuing education annually. The additional hours of continuing education required for the Preschool Teacher Credential, as well as hourly wage considerations, would need to be paid for by the individual program to be in compliance with the federal Fair Labor Standards Act. This could significantly impact a program's budget.

## **SIGNIFICANT ISSUES**

CYFD stated the proposed legislation is unclear on the following items:

- There is no current New Mexico competency test in early childhood. An exam would need to be established, developed and reviewed periodically. CYFD noted the Public Education Department administers a competency-based, bachelor's level teacher licensure exam in early childhood.
- What would be the portfolio process of identifying prior early childhood education consists of, and how would it be assessed?
- What competencies would be used for this assessment process? What level of competence would be required since the child development certificate issued by CYFD only require 11 hours of formal course work in early childhood education?

CYFD stated that the intent of the proposed legislation appears to be to assist child care providers in ensuring high quality instruction without mandating some of the current or planned requirements. It is true that new research suggests that experience in child care settings provides excellent results. However, it would be precipitous to change, without the benefit of much discussion and review by the Office of Child Development Board and other experts, a longstanding plan to raise and sustain quality in early childhood in New Mexico.

CYFD noted that the current child car licensing regulations do not require a high school diploma or GED for personnel working in licensed facilities. Some of the qualification options specified in the proposed legislation are significantly higher, with some requiring personnel to have a high school diploma or GED in order to enroll in an institution of higher education or gain the preschool teacher credential.

CYFD noted there is no a “grace period” allowed for new teachers employed following January 1, 2012. Therefore, the experience and education qualifications required for the preschool teacher credential could be a significant barrier for recruiting lead teachers.

## **PERFORMANCE IMPLICATIONS**

CYFD reported the proposed legislation related to the department's Early Childhood Services Program performance measures and key initiatives to enhance the professional development of early childhood providers across the state.

CYFD noted the New Mexico Child Development Board is recognized nationally for the establishment of a fully articulated early childhood professional development system that offers licensure or credentialing for staff in licensed facilities or pre-kindergarten programs. The preschool teacher credential in the proposed legislation would duplicate what is already available.

## **ADMINISTRATIVE IMPLICATIONS**

CYFD reported that it estimates that by 2012 when the proposed legislation is fully implemented, there could be as many as 1,200 licensed early childhood facilities and approximately 3,500 lead teachers. CYFD stated it is important to note that with approximately 30 to 40 percent turnover rate annually, 1,000 credentials would need to be processed annually.

CYFD reported that additional staff would be necessary to 1) issue applications, 2) review application packets to verify required qualifications are met, 3) issue the preschool teacher credential, 4) answer inquires and re-issue credentials if they have been lost or misplaced, 5)

verify on an annual basis that each individual has met the continuing education requirement, 6) develop a process and procedure for revocation of the credential, and 7) house the staff, acquire and/or develop database resources, and publish documents relation to the credential.

HED reported that by requiring a lead preschool teacher to obtain a credential and take part in 30 hours of continuing education annually, the proposed legislation might lead to an increase in number of and enrollment in credential programs offered by New Mexico higher education institutions. An increase in enrollment could also result in an increase in FTE. A mechanism to measure or predict the amount of such an increase is not provided.

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

CYFD noted that there is a possible conflict in the proposed legislation regarding “[NEW MATERIAL] PRESCHOOL CREDENTIAL REQUIRED, -- By January 1, 2012, a lead teacher in a licensed early childhood facility, preschool facility or department pre-kindergarten program shall hold a preschool credential issued by the department.” This seems to conflict with the definition of “preschool credential meaning a credential issued by the department that is available to a person who teaches or has taught in a classroom with children ages three to five and who has one of the following combinations of qualifications.” This suggests lead teachers who have historically worked with infants and toddlers will be required to have the “preschool credential”, but, according to the definition, would not be eligible for it. In addition, using the word “or” in the section titled, PRESCHOOL CREDENTIAL REQUIRED, suggests that preschool programs are not required to be licensed (e.g. in the public schools) and therefore would be impacted as well.

CYFD noted another possible conflict with New Mexico’s pre-kindergarten program standards which require a lead teacher to have or be working toward a bachelor’s level early childhood teacher license. This is required for teachers in pre-kindergarten programs funded by the Public Education Department (PED), as well as CYFD. The proposed legislation would differentiate the requirements for PED and CYFD teachers. CYFD noted that teachers in federally funded Head Start programs are required to have a bachelor’s degree in early childhood education by the year 2013.

### **TECHNICAL ISSUES**

CYFD noted the following technical issues with the proposed legislation:

- Some language is not accurate, such as “preschool associate credential” does not exist.
- The requirement for the credential does not designate the type of licensed facility affected. Therefore, it is assumed that it will apply to licensed centers, licensed group homes, as well as licensed homes.
- The listed combination of qualifications for the “preschool credential” vary widely, from a bachelor’s degree in a related area with a minimum (possibly in addition to the bachelor’s degree) of nine hours of early childhood education to three years experience, a certificate from a national entity, and passing a test (with no college coursework).
- According to the listed combination of qualifications, a person holding a bachelor’s degree, master’s degree, or doctorate in early childhood education would not qualify for the credential.