

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 543

51st Legislature, 1st Session, 2013

Tracking Number: .192780.1

Short Title: Public School Dual Language Teachers

Sponsor(s): Representatives Rick Miera and Patricia A. Roybal Caballero

Analyst: LaNysha Adams

Date: February 28, 2013

Bill Summary:

HB 543 makes an appropriation from the General Fund for professional development and related services, including technical assistance, dual language education program development, training, and support for public school dual language teachers and programs.

Among its provisions, the bill requires that proposals for professional development and related services to the Public Education Department (PED) must be submitted pursuant to the *Procurement Code* and must include a description of:

- comprehensive technical assistance for the development of all aspects of dual language education programs, including:
 - program design;
 - implementation procedures aligned with national standards;
 - state standards for each grade level and subject area pursuant to the uniform grade and subject curricula provisions in the *Public School Code*; and
 - best practices, professional and leadership development plans, communication plans, and curriculum alignment plans;
- instructional protocol training and support for at least 300 teachers or instructional staff in programs for students in English language learner and bilingual education programs and Title III of the federal *English Language Acquisition, Language Enhancement, and Academic Achievement Act* programs;
- the qualifications of the service provider's employees delivering program design and leadership development assistance services, which must include:
 - a Level 3 administrator's license;
 - a minimum of six years' experience overseeing the implementation of dual language education programs in the state; and
 - experience using best practices for monitoring dual language education program implementation and improvement;
- the employees delivering instructional protocol training and support services, which must include:

- a minimum of a Level 2 or Level 3 teacher’s license;
- a minimum of six years’ experience overseeing a professional development plan for a dual language education program;
- experience training other teachers;
- certifications for providing appropriate dual language education teacher protocol training; and
- experience using best practices for monitoring dual language education program implementation and improvement.

Fiscal Impact:

\$500,000 is appropriated from the General Fund to PED for expenditure in FY 14 for professional development and related services. Any unexpended or unencumbered balance remaining at the end of FY 14 will revert to the General Fund.

Fiscal Issues:

According to the PED bill analysis, HB 543 restricts service providers of professional development to the state of New Mexico, which “unnecessarily excludes effective providers outside of the state without evidence to support that such a requirement leads to improved results for targeted teachers and students.”

During school year 2011-2012, 66 school districts received \$4,280,530 in Title III funds (see “Background,” below).

Substantive Issues:

According to the PED analysis:

- in school year 2012-2013, there are 106 dual language programs in 20 school districts serving 17,618 students (31 percent of all students in bilingual multicultural education programs); and
- any funding appropriated to support public school teachers working in bilingual multicultural education should serve all five models of state-funded bilingual multicultural education programs, and not just dual language programs (see “Background,” below).

Current research on early childhood education emphasizes the importance of creating early foundations in heritage language development as a means for future academic success. Longitudinal research of bilingual, one-way and dual-language programs in schools indicates the benefits of long-term support for heritage language learning, finding that such support helps close the achievement gap when high-quality and consistent programs of instruction are provided throughout the early years of schooling.

According to a report released by the Center for American Progress in 2012, *Preparing All Teachers to Meet the Needs of English Language Learners: Applying Research to Policy and Practice for Teacher Effectiveness*, while more than one in four of all children in the United States are from immigrant families, not all teachers are adequately prepared to work with English language learners.

Background:

In 1973, New Mexico became the first state to enact a bilingual multicultural education law. Since then, legislation enacted in the state has provided additional funding to districts to implement bilingual multicultural education programs. In 2004, legislation was enacted to provide funds to local districts and charter schools to implement bilingual multicultural education programs for *all* students.

The federal *Title III English Language Acquisition Act* provides funds to local districts and charter schools to implement language acquisition programs to ensure that English language learners and immigrant students:

- attain English proficiency;
- develop high levels of academic attainment in core academic subjects; and
- meet the same challenging state academic standards as all children are expected to meet.

PED's Bilingual Multicultural Education Bureau works to ensure the implementation of the provisions of the *Bilingual Multicultural Education Act* and the federal *Title III English Language Acquisition Act*.

There are five Bilingual Multicultural Education program models that are approved for funding:

- Dual Language Immersion;
- Maintenance;
- Enrichment;
- Heritage Language; and
- Transitional.

For school years 2011-2012 and 2010-2011, bilingual education and teaching English to speakers of other languages were included as teacher shortage areas identified by the US Department of Education in the *Teacher Shortage Areas Nationwide List*.

According to the *Bilingual Multicultural Education Annual Report for School Year 2011-2012*:

- 62 (70 percent) of the 89 school districts implemented state-funded bilingual multicultural education programs serving 56,947 students;
- a total of 507 public schools, including five state-chartered charter schools, provided bilingual multicultural education programs; and
- 66 (74.2 percent) of the 89 school districts provided Title III English language programs to 55,077 English language learners and 5,785 immigrant students.

According to PED, data collected by the first reporting day during school 2012-2013, there are:

- 709 elementary bilingual teachers;
- 21 middle school bilingual teachers;
- 28 secondary bilingual teachers; and
- 71 Native American language and culture instructors.

Committee Referrals:

HEC/HAFC

Related Bills:

HB 538 *Native American Language Teacher Development*

HB 541 *Teacher Language Proficiency & Council*

SB 588 *Teacher & Principal Evaluation System Council*

CS/SB 640 *Reading Proficiency Act*