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## FISCAL IMPACT REPORT

03/01/13  
**ORIGINAL DATE** 03/05/13  
**LAST UPDATED** 03/11/13    **HB** 623/aHEC/aHAFC

**SPONSOR** Trujillo

**SHORT TITLE** School Counselor Level 3 Licensure    **SB** \_\_\_\_\_

**ANALYST** Pahl/Roberts

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		Indeterminate	Indeterminate	Indeterminate	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Education Department (PED)

University of New Mexico (UNM)

### SUMMARY

#### Synopsis of HAFC Amendment

The House Appropriations and Finance Committee amendments to House Bill 623 do the following:

1. Strike all house education committee amendments.
2. On page 1, line 12, after "LICENSURE", insert "SALARIES".
3. On pages 1 and 2 strike all underscored material.

As a result, a counselor does not have to have a level 3 license to receive a level 3 salary.

The last HAFC amendment to Senate Bill 590 is on page 3, between lines 4 and 5, in which a new subsection is created reading:

“D. The minimum salary for a counselor who has held for at least four years the highest ranked counselor license as provided in Chapter 22, Article 10A NMSA 1978 and rules promulgated by the department shall be the same as provided for level three-A teachers pursuant to Subsection C of this section.”

Synopsis of HEC Amendment

The House Education Committee amendment to House Bill 623 does the following:

1. On page 1, line 12, after "LICENSURE", insert "SALARIES".
2. On page 1, line 20 strike "or counselor".
3. On page 1, line 22 strike "or counselor".
4. On page 1, lines 24 and 25 strike "or counselor".

As a result, a counselor does not have to have a level 3 license to receive a level 3 salary.

Synopsis of Original Bill

House Bill 623 (HB 623) amends the School Personnel Act to include counselors as eligible for a level 3A licensure.

**FISCAL IMPLICATIONS**

The minimum salary for a level 3 license is \$50,000. Local school districts would carry the burden of counselor salaries that may be higher because of counselors obtaining a level 3A license.

**SIGNIFICANT ISSUES**

HB 623 attempts to clarify the School Personnel Act by including counselors as eligible for a level 3A license. Section 11 of 22-10A NMSA 1978 includes counselors in its title, but does not include the term counselor in the body of the chapter. HB 623 inserts counselor into the language of the chapter to include them as eligible for a level 3A license.

In a response from UNM, they cite that HB 623 states a counselor may be eligible for a 3A license if the counselor "annually demonstrates instructional leader competencies". Counselors may not be able to complete such requirements. The professional development dossier (PDD), the system teachers use to show they meet competencies, contains several teaching-specific competencies that must be met including: student learning, knowledge of content area and approved curriculum and appropriately utilizes a variety of teaching methods. It is unclear how counselors would meet these requirements of the professional development dossier.

The PED noted that HB 623 will create a consistent, statewide compensation system for school counselors.

The section of the School Personnel Act outlines requirements to obtain a level 3A license, including having at least three years of experience as a level 2 teacher. Counselors are not included School Personnel Act language associated with a level 2 license, so it is unclear how they would meet the requirement. The UNM noted that language on page 2, lines 6-14 could be changed from "an applicant who has been a level two teacher for at least three years" to "an applicant who has been a level two teacher or counselor for at least three years"; otherwise, UNM states, this would inadvertently require a counselor to have been a teacher prior to becoming a counselor. The PED also noted HB 623 does not define the eligibility of level 3A counselors, without teaching experience, to obtain a level 3B license.

**ADMINISTRATIVE IMPLICATIONS**

The PED notes that the department would need to provide a method of advancement that is equitable to teacher advancement from the professional development dossier. PED may need to create a new highly objective uniform standard evaluation for counselors to advance to a level 3A license.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Duplicate to Senate Bill 590 and Related to Senate Bill 359 and House Bill 192

**TECHNICAL ISSUES**

Per UNM's suggestion, lines 6-14 on page 2 should be modified to reflect that counselors do not need teaching experience to be eligible for a level 3A license.

**POSSIBLE QUESTIONS**

Teacher's salaries are currently the only statutory salaries; what other salaries will become statutory if this is enacted?

MMP:MIR/blm