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FISCAL IMPACT REPORT

ORIGINAL DATE 2/20/15
 SPONSOR Ruiloba LAST UPDATED 3/11/15 HB 399/aHEC/aHGEIC
 SHORT TITLE Junior Reserve Officer Corps Teacher Licenses SB _____
 ANALYST Chavez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Minimal				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Central New Mexico Community College (CNM)

Public Education Department (PED)

SUMMARY

Synopsis of HGEIC Amendment

The House, Government, Elections and Indian Affairs Committee amendment to House Bill 399 strikes HEC amendments 1 through 3. The struck HEC amendments inserted “For the instruction of a junior reserve officer training corps” before “the department may issue an alternative level [one, two, or three-A] license to a junior reserve officer training corps instructor” who meets certain requirements. This amendment restores the original language of the bill for those sections. However, the HGEIC amendment maintains the section of the HEC amendment which provides that an alternative license granted through the provisions of this bill can only be used for instruction of the junior reserve officer training corps.

Synopsis of HEC Amendment

The House Education Committee Amendment for House Bill 399 clarifies that the new section of the School Personnel Act created in the bill that enables Junior Reserve Officer Training Corps (JROTC) instructors the ability to gain alternate teacher licensure status by specified criteria only applies to the instruction of JROTC courses.

Synopsis of Bill

House Bill 399 creates a new section of the School Personnel Act (22-10A NMSA 1978) that enables Junior Reserve Officer Training Corps (JROTC) instructors the ability to gain alternate teacher licensure by meeting the following criteria:

- Level 1: An instructor must have one year of instructional experience, meet the minimum criteria for the instructor's branch of service's JROTC instructor certification, have completed 24 hours of secondary education teacher prep courses, and have successfully passed the New Mexico teacher assessment examination.
- Level 2: An instructor must hold a level one licensure and have completed three years of teaching at the high school level.
- Level 3A: An instructor must holds a level 2 licensure, meet one degree higher than the minimum criteria for the instructor's branch of service's JROTC instructor certification, and have at least three years of teaching experience as a level 2 teacher.

FISCAL IMPLICATIONS

This bill does not contain an appropriation. CNM notes there may be additional costs for applicant reviewing and licensing; however, these costs should be minimal.

SIGNIFICANT ISSUES

PED analysis states that the is unclear about what level of alternative license it seeks for the JROTC instructors, adding that it would require PED to assess these instructors on a system for advancement that is not in line with the current standard for classroom teachers.

CNM notes that based on current law, there could be a significant differential in the educational level of teachers going through the alternative licensure process:

Currently, the School Personnel Act requires a minimum of a bachelor's degree for anyone wishing to pursue Level 1 licensure, alternate or regular, in New Mexico. However, depending on the branch of service, JROTC instructors could achieve Level 1 licensure having completed only a high school diploma. For level 2 or 3-A, JROTC instructors could achieve licensure having completed only a bachelor's degree.

While alternate educational levels may be acceptable for teaching JROTC programs, HB 399 does not stipulate any requirements for instructors to remain in JROTC classrooms. Once Level 1, 2, or 3-A is achieved, it is plausible that current JROTC instructors could apply for other teaching positions in New Mexico that are not related to instruction of military science. This could result in former JROTC instructors teaching courses in which they do not have the educational attainment or subject matter expertise required of all other teachers in New Mexico.

HB 399 as amended clarifies that instructors licensed under the requirements of this bill would only apply to the instruction of ROTC courses.

Current alternate licensure requirements are as follows:

Level 1 Alternate Licensure (22-10A-8 NMSA 1978):

The department shall issue an alternative level one license to a person who is at least eighteen years of age and who has:

- completed a baccalaureate degree at an accredited institution of higher education, including completion of a minimum of thirty credit hours at either the undergraduate or graduate level in the subject area of instruction for which the person is applying for a license;
- completed a master's degree at an accredited institution of higher education, including completion of a minimum of twelve graduate credit hours in the subject area of instruction for which the person is applying for a license; or
- completed a doctoral or law degree at an accredited institution of higher education; and
- passed the New Mexico teacher assessments examination, including for elementary licensure beginning January 1, 2013, a rigorous assessment of the candidate's knowledge of the science of teaching reading; and
- completed a minimum of twelve semester hours of instruction in teaching principles in a program approved by the department; or
- demonstrated to the department, in conjunction with the school district or state agency, that the person has met the department-approved competencies for level one teachers that correspond to the grade level that will be taught.

Level 2 or Level 3A Alternate Licensure (22-10A-1.11 NMSA 1978) are as follows:

- At the end of an internship of at least one full school year, the department may issue an alternative level two license to a person who has a post-baccalaureate degree and at least five years' experience teaching at the post-secondary level if the person has met other department-approved competencies for issuance of a level two license that correspond to the grade level and subject area that the person will teach.
- At the end of an internship of at least one full school year, the department may issue an alternative level three-A or level three-B license to a person who has a post-baccalaureate degree and at least six years' experience teaching or administering at the post-secondary level if the person has met other department-approved competencies for issuance of a level three-A license that correspond to the grade level and subject area that the person will teach or for issuance of a level three-B license for administration.

CNM provides the requirements for alternative licensure for JROTC as they would apply under the bill if enacted:

- Air Force JROTC: A minimum of Bachelor's degree for both levels.
 - 60 percent of instructors nationally currently have Bachelor's degrees.
 - 95 percent of instructors above level one currently have Master's degrees.
- Army JROTC: A minimum of a high school diploma for a Military Science Instructor and a Bachelor's degree for a Senior Military Science Instructor (equivalent to a Level 3A alternative license).

- Navy JROTC: A minimum of an associate’s degree for a Naval Science Instructor and a Bachelor’s degree for a Senior Naval Science Instructor (equivalent to a Level 3A alternative license).
- Marine JROTC: A minimum of a high school diploma for a Marine Instructor, with a requirement to finish an Associate’s degree within 5 years of assignment. A Bachelor’s degree for Senior Marine Instructor (equivalent to a Level 3A alternative license).

The requirements and education levels for JROTC instructors vary among each of the different branches of service, and also differ with the alternative licensure requirements currently under state law.

PED analysis states HB 399 creates a parallel licensure system specifically for junior reserve officer training corps instructors, noting that some parts of this system are duplicative, unnecessarily more stringent or otherwise unnecessary:

HB 399 creates more stringent criteria to obtain a Level I Alternative license for junior reserve officer training corps instructors than others receiving an alternative level I license. HB 399 provides for a teacher with a minimum of twenty four hours in a secondary teacher preparation course approved by the department, while currently level one alternative licensure requires no coursework prior to receiving the license and 12-15 credits to convert into a full Level I license.

A Level II alternative license mandates at least three years of teaching as a level II instructor in HB 399 and an advanced degree. It is unclear what constitutes an advanced degree in the case of JROTC instructors. The current three-tiered system provides for advancement from level II to level III license after three years of teaching, an advanced degree (Master’s) and proof of meeting competency. Because the level III alternative license is contingent upon teaching with a level II license and is already provided for in statute under the current system, it is recommended this section of HB 399 be eliminated.

PERFORMANCE IMPLICATIONS

CNM notes that if instructors who were licensed under the alternative licensure provided for in the bill was allowed to transition from JROTC to other classroom settings, student performance could be affected due to the different levels of requirement for the JROTC alternative licensure. However, as amended, HB 399 only permits instruction of JROTC.

ADMINISTRATIVE IMPLICATIONS

PED would have to administer the new licensure program.

KC/bb/aml