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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 1st Session, 2017

Bill Number	<u>HB41</u>	Sponsor	<u>Representatives Roch & Salazar, T.</u>
Tracking Number	<u>.205306.2</u>	Committee Referrals	<u>HEC/HLEDC</u>
Short Title	<u>Alternative Level 3-B Administrator License</u>		
Analyst	<u>Macdonald</u>	Original Date	<u>1/25/17</u>
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FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

BILL SUMMARY

Synopsis of Bill

House Bill 41 (HB41) provides for an alternative level 3-B licensure track for instructional support providers and establishes minimum salaries for alternative level 3-B licensed school principals or assistant school principals to be \$50 thousand multiplied by the applicable responsibility factor.

The following individuals who are licensed by the Public Education Department (PED) would be able to apply for the alternative level 3-B administrative license: a school counselor, school social worker, school nurse, speech-language pathologist, psychologist, physical therapist, physical therapy assistant, occupational therapist, occupational therapy assistant, recreational therapist, marriage and family therapist, interpreter for the deaf, and diagnostician.

FISCAL IMPACT

The bill does not contain an appropriation.

According to a Legislative Finance Committee (LFC) fiscal impact report on a similar bill from the 2016 session, costs associated with licensure advancement are funded by individual school districts and charter schools through their operating budgets and not through a unique appropriation. However, the cost to hire an individual who holds an alternative level 3-B license would be the same as hiring an administrator with a traditional level 3-B license. School districts would only be required to pay the 3-B salary if they hired an individual for an administrator position.

Additionally, LFC noted that additional contributions associated with a salary increase are expected to have a slight immediate positive impact on the educational retirement fund.

PED may experience an increase in revenue due to more individuals applying for alternative administrator licenses. New applications for licensure are \$125. These fund PED's Licensure Bureau, which conducts the educator background check program, enforces educator ethics requirements, and processes applications for licensure or for renewal of licensure, including review of professional development dossiers. For example, if 200 new alternative administrative licenses are submitted and approved, the Licensure Bureau would receive approximately \$25 thousand.

The bill requires an applicant to have completed a department-approved administration apprenticeship program, the cost of which is not addressed in the bill. This requirement is analogous to the requirement in Section 22-10A-11.3(B)(2) NMSA 1978, which requires candidates for a provisional school principal license to be enrolled in a department-approved induction and mentoring program. Presumably, the cost of the apprenticeship program will be borne by the school district or charter school as with the induction and mentoring program.

SUBSTANTIVE ISSUES

HB41 requires the applicant to hold a post-baccalaureate degree and satisfactorily complete a PED-approved course in administration and a PED-approved administration apprenticeship program. The applicant also is required to demonstrate instructional leader competence through PED and will be verified by the superintendent through a PED-approved evaluation process.

Currently, there is not an avenue for instructional support providers to obtain an administrator's license. However, if the instructional support provider has a level 2 teaching license and has met the requirements for a level 3-A teaching license, a school district that has a shortage of qualified school principal candidates may request that PED issue a provisional 3-B license to the level 2 teacher whom the school district believes has the potential to be an effective school principal. To qualify for a provisional 3-B license, the candidate is required to meet the requirements for a level 3-A teaching license, be enrolled in a PED-approved induction and mentoring program in the school district, and be accepted into a PED-approved school administrator preparation program.

One of the bill's major provisions creates an alternative track for certain applicants to obtain a level 3-B administrator's license, but it does not require any minimum level of experience in their position as a licensed instructional support provider, which differs from the requirements for some alternative licenses in the School Personnel Act.

The bill would require an applicant for an alternative level 3-B license to have a post-baccalaureate degree; however, some instructional support providers listed in the section are not required to have a post-baccalaureate degree. The post-baccalaureate degree requirement may pose an additional burden on those instructional support providers who want to obtain the alternative 3-B license but do not currently have a post-baccalaureate degree. According to PED, post-baccalaureate degrees have not been shown to improve the ability of school administrators to improve student performance at their schools. At this time, all candidates who are applying for an administrative license are required to have a post-baccalaureate degree or National Board for Professional Teaching Standards certification.

ADMINISTRATIVE IMPLICATIONS

PED's analysis noted that the bill creates an alternative level 3-B license without a route to convert the alternative license into a traditional level 3-B license. It is assumed that the alternative level 3-B license could be renewed after each five year term. PED stated this is a matter of terminology, and while inconsistent with alternative level 1 licenses, may not have any practical consequences to those receiving the licenses.

PED also noted that a process would need to be created for reviewing and evaluating the alternative level 3-B licenses through the Licensure Bureau.

OTHER SIGNIFICANT ISSUES

Provisional School Administrator License. In 2010, PED promulgated rules for the provisional licensure of school principals and assistant principals. A school district, charter school, private school, or state agency that has a shortage of qualified school principal or assistant principal candidates may request PED to issue a provisional level 3-B license in educational administration to a candidate believed to be a potentially effective school leader. For a candidate to receive a provisional license, the person is required to hold a: level 2 teaching license and have met all of the requirements for a level 3-A teaching license; or level 2 teaching license and for at least four years have held a level 3 school counselor license while working as a teacher or a school counselor; and hold a bachelor's degree and a post-baccalaureate degree; or current certification by the National Board for Professional Teaching Standards; and be enrolled in a PED-approved induction and mentoring program.

This provisional license is a four-year, non-renewable license that is valid only in the school district, charter school, private school, or state agency that submitted the request on behalf of the candidate.

According to LFC on a similar bill from the 2016 session, research confirms that, among school-related influences on student learning, principal leadership is second in importance only to classroom teaching. Nearly 60 percent of a school's influence on student achievement is attributable to principal and teacher effectiveness: principals account for as much as a quarter and teachers over a third of a school's total impact on student achievement.

Current Law. Among its provisions, the School Personnel Act: allows PED to grant an alternative level 3-B license to a person who is: at least 18 years old; holds a post-baccalaureate degree; has completed an internship of at least one full school year; and has at least six years' experience teaching or administering at the postsecondary level if the person demonstrates to PED, in conjunction with the school district, charter school, private school, or state agency, that the person has met other PED-approved competencies for issuance of a level 3-B licensure for administration; and requires PED to grant licenses to instructional support providers, including educational assistants, school counselors, school social workers, school nurses, speech-language pathologists, psychologists, physical therapists, physical therapy assistants, occupational therapists, occupational therapy assistants, recreational therapists, marriage and family therapists, interpreters for the deaf, and diagnosticians.

PED may provide a professional licensing framework in which license seekers can advance in their careers through the demonstration of increased competencies and the undertaking of

increased duties. In addition, PED is required to provide by rule the requirements for licensure of instructional support providers.

RELATED BILLS

Relates to HB124, *Teacher Competency for Licensure Advancement*.

SOURCES OF INFORMATION

- LESC Files
- LFC
- PED

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