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

Bill Number	<u>HM37</u>	Sponsor	<u>Thomson</u>
Tracking Number	<u>.204423.1</u>	Committee Referrals	<u>HEC</u>
Short Title	<u>Instructional Support Provider Testing</u>		
Analyst	<u>Macdonald</u>	Original Date	<u>2/16/17</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

House Memorial 37 (HM37) is requesting the Public Education Department (PED) to support the testing of an alternative system to evaluate the performance of school-based instructional support providers.

The following individuals would be evaluated by the alternative system outlined in HM37: an educational assistant, school counselor, school social worker, school nurse, speech-language pathologist, psychologist, physical therapist, physical therapy assistant, occupational therapist, occupational therapy assistant, recreational therapist, interpreter for the deaf, diagnostician, and other service providers.

FISCAL IMPACT

HM37 does not contain an appropriation; however, PED noted in its analysis that the memorial does not include a funding source that could be used to support the implementation of and training for this alternative system.

SUBSTANTIVE ISSUES

HM37 states that a group of school-based instructional support representatives, regional education cooperative representatives, public school administrators, and New Mexico council of administrators of special education personnel have developed an alternative evaluation system for Group D individuals. Additionally, the memorial notes the following four domains are appropriate to school-based instructional support providers and address job responsibilities more accurately: planning and preparation, the environment, delivery of service, and professional responsibilities.

According to research from the American Institutes for Research, *Evaluating Specialized Instructional Support Personnel*, instructional support personnel play an important role in ensuring student success through support for students and educators. The interdisciplinary

nature of specialized support services requires these individuals to serve in multiple capacities across a range of educational contexts. For example, these individuals' responsibilities may include providing classroom instruction to students; but they may also include providing services or support that increase students' access to the general education curriculum. In addition, many instructional support providers provide consultative support to other educators to ensure that all students have access to high-quality instruction in the general education setting. Whether providing support as instructors or specialists, case managers or consultants, instructional support providers play a critical role in promoting positive outcomes for students.

Colorado is taking steps to ensure that all licensed school professionals, including "other licensed personnel" as mandated by state regulation, receive meaningful, annual evaluations and ongoing professional support. Colorado has identified personnel who fall under this category and has defined standards and elements for nine categories of specialized service professionals to guide the development of unique professional practice rubrics for each group. A pilot of the evaluation system for specialized service professionals is planned for the 2013-14 school year, with statewide implementation expected in the 2014-15 school year.

To see other examples of state evaluations for instructional support providers, please see: <http://www.gtlcenter.org/content/examples-state-regulations-governing-specialized-instructional-support-personnel-evaluations>.

TECHNICAL ISSUES

On page 2, lines 1-2, state that PED "plans to use NMTEACH to assess school-based instructional support providers"; however, the department noted that it does not have plans to do this and is currently working with groups to develop role specific rubrics to address support provider roles listed on page 2, lines 4-10.

ADMINISTRATIVE IMPLICATIONS

The memorial requires PED, in consultation with the New Mexico Speech-language and Hearing Association and Regional Educational Cooperative #5, to oversee the training of staff and the testing of the alternative evaluation system for instructional support personnel during the 2017-2018 school year. Additionally, HM37 requests the findings on the effectiveness of the alternative evaluation system be reported to the Legislative Education Study Committee (LESC) prior to the 2018 legislative session.

OTHER SIGNIFICANT ISSUES

The School Personnel Act requires PED to license instructional support providers who work in public schools. PED may provide a professional licensing framework in which licensees can advance in their careers through the demonstration of increased competencies and the undertaking of increased duties. Provisions also prescribe that:

- PED must promulgate rules for the requirements for licensure of types of instructional support providers;
- the provider must present satisfactory evidence to PED that the provider holds a current, unsuspended license in the profession for which the provider is applying to provide instructional support services;

- the instructional support provider must notify the school district and PED immediately if the provider's professional license is suspended, revoked, or denied; and
- suspension, revocation, or denial of a professional license shall be just cause for discharge or termination, and suspension, revocation, or denial of the instructional support provider license.

RELATED BILLS

Relates to HB41, Alternative Level 3-B Administrator License

SOURCES OF INFORMATION

- LESC Files
- PED

HLM/twh