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HOUSE BILL 120

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

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and Derrick J. Lente

AN ACT

RELATING TO HIGHER EDUCATION; ENACTING THE BILINGUAL TEACHER
PREPARATION ACT; PROVIDING POWERS AND DUTIES; PROVIDING FOR
APPLICANT QUALIFICATIONS; ALLOWING FOR LOANS; PROVIDING FOR
REPAYMENT THROUGH SERVICE FOR LOANS; CREATING A FUND; MAKING AN
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 21 NMSA 1978 is
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the
"Bilingual Teacher Preparation Act"."

SECTION 2. A new section of Chapter 21 NMSA 1978 is
enacted to read:

"[NEW MATERIAL] PURPOSE.--The purpose of the Bilingual
Teacher Preparation Act is to provide for the establishment,

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1 operation, expansion and improvement of teacher preparation
2 programs for college of education students or educational
3 personnel who want license endorsement to teach English
4 language learners, particularly Hispanic or American Indian
5 students, or bilingual multicultural education."

6 SECTION 3. A new section of Chapter 21 NMSA 1978 is
7 enacted to read:

8 "[NEW MATERIAL] DEFINITIONS.--As used in the Bilingual
9 Teacher Preparation Act:

10 A. "bilingual multicultural education program"
11 means a program using two languages, including English and the
12 home or heritage language of a student, as a medium of
13 instruction in the teaching and learning process;

14 B. "department" means the higher education
15 department;

16 C. "speakers of other languages" means students
17 whose first or heritage language is not English and who are
18 unable to read, write, speak or understand English at a level
19 comparable to grade level English proficient peers and native
20 English speakers; and

21 D. "teacher preparation program" means a
22 bachelor's, master's or doctoral degree program at a New Mexico
23 public post-secondary educational institution that leads to
24 license endorsements in teaching English to speakers of other
25 languages or bilingual multicultural education."

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1 SECTION 4. A new section of Chapter 21 NMSA 1978 is
2 enacted to read:

3 "[NEW MATERIAL] DEPARTMENT POWERS--GRANTS--ELIGIBLE
4 APPLICANTS--PREFERENCES.--

5 A. The department shall promulgate rules to
6 implement the provisions of the Bilingual Teacher Preparation
7 Act.

8 B. The department may provide loans to teacher
9 preparation students seeking license endorsements or degrees in
10 teaching English to speakers of other languages or bilingual
11 multicultural education.

12 C. In making loans, the department shall give
13 preference to teacher preparation programs that contain
14 coursework in:

- 15 (1) Spanish or a tribal language;
- 16 (2) teaching English to speakers of other
17 languages;
- 18 (3) use of a language other than English for
19 instructional purposes;
- 20 (4) the development of cultural proficiency in
21 working with New Mexico's majority-minority public school
22 population, particularly Hispanic and American Indian students;
- 23 (5) educational leadership for teachers who
24 hold English language learner or bilingual license endorsement;
25 and

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1 (6) instructional methods and techniques that
2 have proven effective in second-language acquisition that meet
3 rigorous content standards and are effective in teacher
4 preparation program students successfully completing college
5 with teaching English to speakers of other languages or
6 bilingual multicultural license endorsement.

7 D. Training programs that focus on bilingual
8 multicultural education shall be designed to ensure that
9 participants become proficient in English and a second language
10 of instruction and develop proficiency to work with culturally
11 and linguistically diverse students in New Mexico."

12 SECTION 5. A new section of Chapter 21 NMSA 1978 is
13 enacted to read:

14 "[NEW MATERIAL] LOANS--PRIORITIES--REPAYMENT.--

15 A. The department may make loans to New Mexico
16 residents who are teacher preparation students at the
17 baccalaureate or graduate level studying to teach English to
18 speakers of other languages or bilingual multicultural
19 education who agree to teach speakers of other languages or
20 bilingual multicultural education in a New Mexico public
21 school.

22 B. Loans shall be sufficient to pay the cost of
23 tuition, fees and instructional materials. Students shall
24 enter into a contract with the department. The contract shall
25 be in the same form and follow the same procedures as contracts

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1 for teacher loans for service pursuant to the Teacher Loan for
2 Service Act. As part of the contract, the loan recipient shall
3 agree to repay the amount of the loan, plus interest at the
4 same rate as other teacher loan programs in the department, or
5 agree to work for a period the equivalent of which is one
6 public school year of service for two consecutive semesters of
7 college, not including summer sessions.

8 C. The priorities shall be to:

9 (1) students entering teacher preparation
10 programs who received the New Mexico seal of bilingualism-
11 biliteracy on their high school diploma of excellence;

12 (2) students who are currently employed as
13 teachers, instructional assistants or other support staff in
14 classrooms serving predominantly American Indian students or
15 classrooms of bilingual multicultural education programs;

16 (3) native language speakers who are teaching
17 under a Native American language and cultural certificate who
18 are working toward a degree in education or native language
19 speakers who are seeking to teach with a certificate and who
20 want to take pedagogical courses; and

21 (4) students who have demonstrated proficiency
22 in one of New Mexico's indigenous languages or the Spanish
23 language and who want to become bilingual teachers."

24 SECTION 6. A new section of Chapter 21 NMSA 1978 is
25 enacted to read:

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1 "[NEW MATERIAL] FUND CREATED--METHOD OF PAYMENT.--The
2 "bilingual teacher preparation fund" is created as a
3 nonreverting fund in the state treasury. The fund consists of
4 appropriations, gifts, grants, donations, bequests and income
5 from investment of the fund. The fund shall be administered by
6 the department, and money in the fund is appropriated to the
7 department for making loans pursuant to the Bilingual Teacher
8 Preparation Act. Payments from the fund shall be on warrant
9 issued by the secretary of finance and administration pursuant
10 to vouchers signed by the secretary of higher education or the
11 secretary's designated representative."

12 SECTION 7. A new section of Chapter 21 NMSA 1978 is
13 enacted to read:

14 "[NEW MATERIAL] REPORTS.--

15 A. The department, in consultation with the public
16 education department, shall conduct and publish a biennial
17 survey of all local education agencies in the state to report
18 on the number of teachers and other school-based professionals
19 they currently employ who are:

20 (1) endorsed in teaching English to speakers
21 of other languages or bilingual multicultural education or
22 both; and

23 (2) for educational personnel with
24 certification in bilingual multicultural education, the
25 languages other than English in which they are certified.

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1 B. The survey shall also ask public schools and
2 regional education cooperatives to report the number of
3 additional teachers and other school-based professionals they
4 currently need, if any, and expect to need in the following
5 year in each of these endorsement categories and languages to
6 effectively serve all of the speakers of other languages they
7 enroll or expect to enroll in the following year.

8 C. The department, in consultation with the public
9 education department, shall conduct and publish a biennial
10 survey of all public post-secondary educational institutions
11 that offer courses, certificates or degrees in education. The
12 report shall include:

13 (1) the number of students enrolled in the
14 past two years in all education classes and programs;

15 (2) the number of students completing
16 requirements for a degree in education or teaching English to
17 speakers of other languages or bilingual multicultural
18 education license endorsement in the past two years; or

19 (3) the number of students completing
20 requirements for a degree or state teaching license endorsement
21 in the past two years in teaching English to speakers of other
22 languages or teaching bilingual multicultural education.

23 D. Each public post-secondary educational
24 institution shall submit to the department and the professional
25 licensure bureau of the public education department an annual

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1 plan to meet the needs of New Mexico's culturally and
2 linguistically diverse student population, by including:

3 (1) increases in the number of faculty with
4 expertise in:

5 (a) teaching English to speakers of
6 other languages;

7 (b) Hispanic education;

8 (c) American Indian education;

9 (d) speaking a New Mexico tribal
10 language; or

11 (e) bilingual multicultural education;

12 (2) measurable goals to fill the gap between
13 the number of teacher education students who have graduated and
14 have a teaching English to speakers of other languages or
15 bilingual multicultural education license endorsement and the
16 number of kindergarten through twelfth grade public school
17 students identified as speakers of other languages or who
18 participate in bilingual multicultural education programs; or

19 (3) specific strategies to recruit, counsel
20 and retain teacher education students who are working toward
21 license endorsement for teaching English to speakers of other
22 languages or bilingual multicultural education."

23 **SECTION 8. APPROPRIATION.**--Five million dollars
24 (\$5,000,000) is appropriated from the general fund to the
25 bilingual teacher preparation fund for expenditure in fiscal

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1 year 2020 and subsequent fiscal years to provide loans as
2 provided in the Bilingual Teacher Preparation Act. Any
3 unexpended or unencumbered balance remaining at the end of a
4 fiscal year shall not revert to the general fund.

5 SECTION 9. EFFECTIVE DATE.--The effective date of the
6 provisions of this act is July 1, 2019.

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