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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 2nd Session, 2020

Bill Number	<u>HB280</u>	Sponsor	<u>Salazar</u>
Tracking Number	<u>.216182.1</u>	Committee Referrals	<u>HEC/H AFC</u>
Short Title	<u>Bilingual Teacher Preparation Act</u>		
Analyst	<u>Canada</u>	Original Date	<u>2/4/2020</u>
		Last Updated	<u>2/6/2020</u>

BILL SUMMARY

Synopsis of Bill

House Bill 280 (HB280) creates the Bilingual Teacher Preparation Act to expand and improve teacher preparation programs for college of education students or licensed teachers who want to pursue a bilingual multicultural education or teaching English to speakers of other languages (TESOL) endorsement. The Higher Education Department (HED) may provide scholarships for students enrolled in teacher preparation programs to cover their tuition, fees, and instructional materials in pursuit of these endorsements.

FISCAL IMPACT

HB280 creates the bilingual teacher preparation fund to be administered by HED to distribute bilingual teacher scholarships.

The bill appropriates \$5 million from the general fund to the bilingual teacher preparation fund for expenditure in FY21. Any unexpended or unencumbered balance remaining at the end of FY21 shall not revert to the general fund.

Depending on where the candidates receive their training, HB280 may provide full scholarships for between 500 and 5,500 students. TESOL and bilingual multicultural endorsements require candidates to take 24 to 36 hours of coursework at a total cost ranging from \$912 at a two-year institution to \$9,450 at a four-year institution. To receive an endorsement, students must also pass bilingual teacher assessments; however, the bill does not specify whether funds can be used to waive testing fees.

LESC's budget recommendation included a \$1 million general fund appropriation to the Public Education Department (PED) to provide tuition-free bilingual and TESOL coursework contingent on legislation, but the LESC recommendation was not included in the House Appropriations and Finance Committee Substitute for House Bills 2 and 3 (HB2/HAFCS). HB2/HAFCS includes a \$5.5 million related recurring appropriation to PED for Indigenous, multilingual, multicultural and special education.

SUBSTANTIVE ISSUES

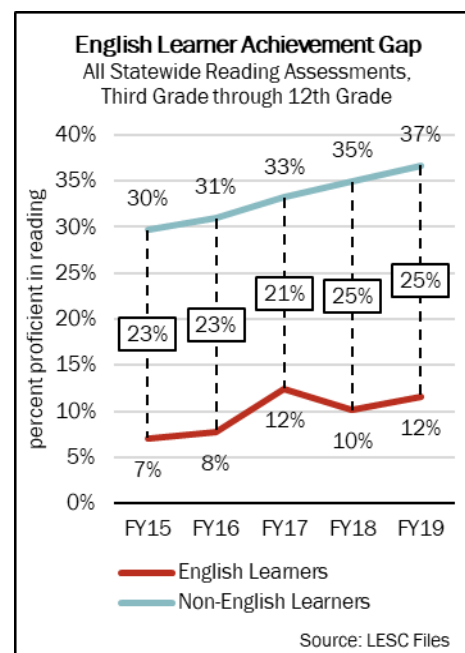
HB280 proposes a strategy to address the achievement gap and the barrier between at-risk students and a free uniform statewide system of public schools, key findings in the *Martinez* and *Yazzie* consolidated lawsuit. The state can improve outcomes for English learners and Native American students by ensuring the bilingual teacher workforce is prepared to administer high-quality programs targeted to meet the specific needs of these students.

The Bilingual Multicultural Education Act. The Bilingual Multicultural Education Act requires research-based bilingual and multicultural education programs to be fully implemented with regard to professional development for teachers and instruction and assessment for students. However, key components of the act are not fully implemented and monitored, resulting in inconsistent bilingual learning experiences for students statewide. When implemented purposefully using research-based practices, bilingual education has proven to be beneficial for all students, regardless of their home language. Research shows developmentally-appropriate instruction in students’ home language teaches the value of their culture, strengthens their abilities to manage their thoughts, actions, and emotions, expands career and higher education opportunities, and improves their academic outcomes.

Bilingual Workforce Preparation. The state has expanded bilingual and multicultural education programs, but still lacks highly qualified bilingual and multicultural education program teachers. PED states there were more than 10 thousand teachers with an active teaching license and a TESOL endorsement in FY18, but only 5,500 of those teachers were actually employed in New Mexico school districts and charter schools. Further, it is unclear how many TESOL-endorsed teachers were teaching English learners, raising concerns about the teacher workforce available as the Legislature prioritizes high-quality bilingual and multicultural programs. For FY20, the Legislature appropriated an additional \$7 million to the public school funding formula to expand access to bilingual and multicultural education programs, even though there was no increased uptake in program participation; HB280 seeks to expand the state’s capacity to effectively use the increased funding.

Impact on English Learner Students. Increasing access to high-quality bilingual and multicultural education programs could help the state meet the diverse cultural and linguistic needs of English learners, narrowing an achievement gap that has widened since FY15. Most of New Mexico’s 45 thousand English learners are eligible for free or reduced-fee lunch; this makes up 14 percent of the total public school enrollment. English learners score lower than students who are not classified as English learners on reading and math assessments, and generally take fewer advanced courses and have lower graduation rates. Bilingual and multicultural programs must be aligned to the needs of English learners to close the achievement gap for these students; HB280 proposes a strategy to build teacher’s skills to better meet the needs of English learners.

Impact on Native American students. In FY18, 12 percent of students in bilingual and multicultural programs identified as Native American. Approximately 27,000 Native American students were not enrolled in these



programs at that time. Statewide, public schools offer bilingual programs with instruction in seven of the eight Native American languages spoken in New Mexico. PED offers a Native American language and culture certificate to individuals who are proficient in a Native American language and culture of a New Mexico tribe or pueblo. Tribes must evaluate certificate candidates to determine if they will recommend the candidate for the certificate through PED. It is unclear how many teachers have received this certificate and how many are teaching in Native American bilingual and multicultural programs.

Analysis from the New Mexico Indian Affairs Department (IAD) on a similar bill states that rebuilding New Mexico's education has been a priority of the 23 tribes, nations, and pueblos in the state. PED's Indian Education Division and the Indian Education Advisory Council study have studied best practices from school districts that have a high population of students who practice their culture and speak their heritage language. IAD cites findings from a 2010 report, *Indian Education in New Mexico, 2025*. The qualitative study included findings and recommendations from local Indigenous educators and identified the following seven best practices:

- *Accountability.* Schools should offer professional development opportunities to improve knowledge and appreciation of the local community's historical, cultural, and social context.
- *School Climate.* The tribal community should participate and be proactive in the long-term design and development of facilities to serve their students and the community.
- *Successful Relationships.* Teachers should make an effort to learn about the community and the social conditions that affect their student's lives.
- *Vision.* The community should develop proactive and reciprocal relationships between administrators and tribal leadership in a manner that advances the future goals and needs of the community
- *Pedagogy.* Teachers should use holistic practice focused on student engagement, including preparing visual or hands-on materials.
- *Curriculum.* Students stated they did not learn from the worksheets from textbooks when they were in Navajo Language classes, and called for more relevant instructional materials.
- *Language.* Parents and students asked for their heritage language to be taught within their school districts, and school personnel have demonstrated an ability to bridge the school and the community using local languages.

ADMINISTRATIVE IMPLICATIONS

Scholarship Terms. HB280 allows HED to distribute scholarships to teacher candidates in teacher preparation programs seeking a bilingual multicultural or TESOL endorsement who agree to teach speakers of other languages or bilingual multicultural education at a New Mexico public school. The recipient must agree to work in a public school for a time period equivalent to the support they received through this program or must agree to pay back the loan to HED plus interest.

Preference for scholarships will be given to teacher candidates in teacher preparation programs that meet the following criteria:

- Instruction is offered in Spanish or a tribal language,
- Instruction is offered toward pursuit of a TESOL endorsement,
- Courses use a language other than English for instructional purposes,
- Courses develop cultural proficiency in working with New Mexico's majority-minority public school population, particularly Hispanic and American Indian students,

- Educational leadership is offered for teachers who hold an endorsement in teaching to English learners or bilingual students,
- Courses teach instructional methods in second-language acquisition that meet rigorous content standards to ensure teacher candidates can complete the program and successfully receive a bilingual multicultural or TESOL endorsement, and
- Courses focus on bilingual multicultural education that ensures students become proficient in English and a second language of instruction.

HED must also give preference to students entering teacher preparation programs who possess the following characteristics:

- Students who received the New Mexico seal of bilingualism-biliteracy on their high school diploma of excellence,
- Students currently employed as teachers, educational assistants or other support staff in classrooms serving predominantly American Indian students or bilingual education classrooms,
- Native language speakers who are teaching under a Native American language and cultural certificate who are working toward a degree in education or native language speakers who are seeking to teach with a certificate and who want to take pedagogical courses, and
- Students who have demonstrated proficiency in one of New Mexico's Indigenous languages or the Spanish language and who want to become bilingual teachers.

HB280 requires HED to promulgate rules to implement the Bilingual Teacher Preparation Act.

Every other year, in consultation with PED, HB280 would require HED to conduct a survey of all local education agencies in the state to report on the number of teachers and other school-based professionals they currently employ who are endorsed in TESOL or bilingual multicultural education, including the languages in which those professionals are endorsed. The survey also must note the need for additional teachers and other school personnel based on student enrollment of speakers of other languages.

Every other year, HED would also be required to survey all public postsecondary educational institutions and tribal colleges in New Mexico that offer certificates or degrees in education. HED would be required to report on the number of students enrolled in the past two years in all college of education classes and teacher preparation programs, and the number of students completing requirements for a degree in education, TESOL, or bilingual multicultural education license endorsement in the past two years.

Each public postsecondary institution and tribal college would be required to submit an annual plan to HED and the PED Professional Licensure Bureau on how the institution plans to meet the needs of New Mexico's culturally and linguistically diverse student population. The plan should increase the number of faculty with expertise in TESOL, Hispanic education, American Indian education, speaking a New Mexico tribal language, or bilingual multicultural education. The plan should also include goals to address the gap between the number of graduates with TESOL endorsements or bilingual multicultural education licenses and the number of public school students in bilingual multicultural education programs. Finally, the plan should address specific strategies to recruit, counsel, and retain teacher education students working toward license endorsement in TESOL or bilingual multicultural education.

TECHNICAL ISSUES

Subsection D of Section 3 of the bill excludes two-year institutions that offer alternative licensed teachers coursework that leads to licensure, including courses working towards these endorsements. The bill currently defines teacher preparation programs as a bachelor's, master's or doctoral degree program at a New Mexico public post-secondary educational institution or a tribal college in New Mexico that leads to license endorsement in bilingual multicultural education or TESOL.

On Page 8, Line 23 of the bill, the clause should end with an “and,” rather than an “or.” This will ensure annual reports to HED and PED are comprehensive and include all required data points.

RELATED BILLS

Relates to SB89, Bilingual Teacher Scholarship Act, which allows HED to provide scholarships to licensed teachers pursuing a bilingual multicultural or TESOL endorsement.

Relates to HB87, Bilingual Multicultural Advisory Council, which creates a state bilingual multicultural advisory council tasked with advising the public education secretary, public education department staff, the governor, and the Legislature on implementation of the Bilingual Multicultural Act.

Relates to HB240, College Bilingual Ed Faculty, providing scholarships to doctorate candidates in bilingual education at institutions of higher education.

Relates to HM12, Cultural Diversity and Bilingual School Programs, which creates a working group to share best practices for implementing bilingual and multicultural programs.

SOURCES OF INFORMATION

- LESC Files

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