

HOUSE BILL 280

**54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

INTRODUCED BY

Tomás E. Salazar

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 licensed teachers  
3 who want license endorsement to teach English language  
4 learners, particularly Hispanic or American Indian students, or  
5 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 or a tribal  
24 college in New Mexico that leads to license endorsement in  
25 teaching English to speakers of other languages or bilingual

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1 multicultural education."

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

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

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

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

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

16 (1) Spanish or a tribal language;

17 (2) teaching English to speakers of other  
18 languages;

19 (3) use of a language other than English for  
20 instructional purposes;

21 (4) the development of cultural proficiency in  
22 working with New Mexico's majority-minority public school  
23 population, particularly Hispanic and American Indian students;

24 (5) educational leadership for teachers who  
25 hold English language learner or bilingual license endorsement;

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1 and

2 (6) instructional methods and techniques that  
3 have proven effective in second-language acquisition that meet  
4 rigorous content standards and are effective in ensuring that  
5 students successfully complete the program and receive teaching  
6 English to speakers of other languages or bilingual  
7 multicultural license endorsement.

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

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

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

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

23 B. Loans shall be sufficient to pay the cost of  
24 tuition, fees and instructional materials. Students shall  
25 enter into a contract with the department. The contract shall

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

9 C. The priorities shall be to:

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

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

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

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

25 SECTION 6. A new section of Chapter 21 NMSA 1978 is

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1 enacted to read:

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

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

16 "[NEW MATERIAL] REPORTS.--

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

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

25 (2) for educational personnel with

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1 certification in bilingual multicultural education, the  
2 languages other than English in which they are certified.

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

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

16 (1) the number of students enrolled in the  
17 past two years in all college of education classes and teacher  
18 preparation programs;

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

23 (3) the number of students completing  
24 requirements for a degree or state teaching license endorsement  
25 in the past two years in teaching English to speakers of other

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1 languages or teaching bilingual multicultural education.

2 D. Each public post-secondary educational  
3 institution and tribal college in New Mexico shall submit to  
4 the department and the professional licensure bureau of the  
5 public education department an annual plan to meet the needs of  
6 New Mexico's culturally and linguistically diverse student  
7 population, by including:

8 (1) increases in the number of faculty with  
9 expertise in:

10 (a) teaching English to speakers of  
11 other languages;

12 (b) Hispanic education;

13 (c) American Indian education;

14 (d) speaking a New Mexico tribal  
15 language; or

16 (e) bilingual multicultural education;

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

24 (3) specific strategies to recruit, counsel  
25 and retain teacher education students who are working toward

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1 license endorsement for teaching English to speakers of other  
2 languages or bilingual multicultural education."

3 SECTION 8. APPROPRIATION.--Five million dollars  
4 (\$5,000,000) is appropriated from the general fund to the  
5 bilingual teacher preparation fund for expenditure in fiscal  
6 year 2021 and subsequent fiscal years to provide loans as  
7 provided in the Bilingual Teacher Preparation Act. Any  
8 unexpended or unencumbered balance remaining at the end of a  
9 fiscal year shall not revert to the general fund.

10 SECTION 9. EFFECTIVE DATE.--The effective date of the  
11 provisions of this act is July 1, 2020.