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FISCAL IMPACT REPORT

ORIGINAL DATE 2/6/2020

SPONSOR Soules LAST UPDATED _____ HB _____

SHORT TITLE Bilingual Teacher Scholarship Act SB 89

ANALYST Hawker

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$1,000.0	Recurring	Public Education Reform Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Higher Education Department (HED)
New Mexico State University (NMSU)
University of New Mexico (UNM)

No Response Received

Public Education Department

SUMMARY

Synopsis of Bill

Senate Bill 89 creates the Bilingual Teacher Scholarship Act in Chapter 21 NMSA 1978. The bill establishes a scholarship program for licensed teachers who are seeking an endorsement or degrees in teaching English to speakers or other languages or bilingual multicultural education.

Section 1: creates the Bilingual Teacher Scholarship Act.

Section 2: provides definitions for use in the Act.

Section 3: HED is charged with promulgating rules to implement the Act. The department is authorized to award scholarships to licensed teachers who are seeking endorsements or degrees in teaching English to speakers of other languages or bilingual multicultural education. HED is to give preference in awarding scholarships to teacher preparation programs that contain coursework in:

- Spanish or a tribal language;
- teaching English to speakers of other languages;
- using a language other than English for instruction;
- developing a cultural proficiency in working with New Mexico’s public school population;
- instructional methods and techniques that have proven effective in second language acquisition that meet rigorous standards and are effective in students completing coursework for teaching English to speakers of other languages or bilingual multicultural education endorsement.

Section 4: establishes priorities for the scholarship awards. Scholarships may be awarded to New Mexico residents who are licensed teachers who are studying to teach English to speakers of other languages or bilingual multicultural education who agree to teach English to speakers of other languages or bilingual multicultural education in a New Mexico public school.

Scholarship priority is to be given to licensed teachers who:

- received the New Mexico seal of bilingualism-biliteracy on their high school diploma; and
- have demonstrated proficiency in one of New Mexico’s indigenous languages or the Spanish language and who want to become bilingual multicultural education teachers

Scholarships shall be sufficient enough to pay the cost of tuition, fees, and instructional materials. Students are to enter into contracts with HED agreeing to work for a period of three full academic years in a New Mexico public school.

Section 5: creates the bilingual teacher scholarship fund as a nonreverting fund in the state treasury. The fund consists of appropriations, gifts, grants and donations. Money in the fund is appropriated by the legislature to award scholarships pursuant to the Bilingual Teacher Scholarship Act.

Section 6: HED in conjunction with the Public Education Department will provide an annual report to the Legislature which includes the number of teachers who have received a scholarship pursuant to the Act; the higher education institution the recipients attend; the license or endorsement the recipients are pursuing, and upon completion of the license endorsement, the name of the school district or charter school where the recipient is employed and the type of teaching English to speakers of other languages or bilingual multicultural education program in which the recipient teaches.

Section 7: appropriates \$1 million from the public education reform fund to the bilingual teacher scholarship fund for expenditure in fiscal year 2021.

There is no effective date of this bill. It is assumed that the effective date is 90 days following adjournment of the Legislature.

FISCAL IMPLICATIONS

The appropriation of \$1 million contained in this bill is a recurring expense to the public education reform fund. Any unexpended or unencumbered balance remaining at the end of fiscal

year 2021 shall not revert to the public education reform fund.

This bill creates a new fund and provides for continuing appropriations. The LFC has concerns with including continuing appropriation language in the statutory provisions for newly created funds, as earmarking reduces the ability of the legislature to establish spending priorities.

SIGNIFICANT ISSUES

HED administers scholarship programs for aspiring teachers which include the grow your own teachers program, teacher preparation affordability scholarship and the teacher loan repayment program.

NMSU observes a student may require more than one year to complete their education program funded by the scholarship.

NMSU points out on page 4, lines 13 -15, the bill states priority will be given to licensed teachers who “have demonstrated proficiency...” As it is not clear how proficiency is demonstrated, clarity may be useful.

UNM remarks:

“The priority for scholarship recipients in this bill is for licensed teachers who have received a bilingual seal on their high school diplomas. For Native American teachers, this may be problematic because not all New Mexico tribes have entered into agreements with local NM public school districts endorsing such a seal for their respective Native languages.”

TECHNICAL ISSUES

SB89 requires scholarship recipients to work for three full academic years in a New Mexico public school. It is unclear if the work expectation begins upon accepting the scholarship or upon completion of the education program. Additionally, the bill does not include the remedy to the state if the student does not fulfill the scholarship work commitment.

OTHER SUBSTANTIVE ISSUES

According to UNM:

“Fluency in a Native language... needs to be clarified better and more specifically so that it does not conflict with the present process that is in place for NM tribes who determine the proficiency of tribal members teaching their respective Native languages. Certifying the proficiency of Native language speakers is part of the NM 520 Alternative Certificate for Teaching Native language and culture in NM public schools established by the NM Legislature in 2003. Except for the Navajo language, there are no university bilingual programs specifically offered in other NM Native languages. Preparation for Native language teaching, at the present time, is linked primarily to the 520 Alternative Certificate.”