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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
56th Legislature, 1st Session, 2023

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|------------------------|--|----------------------------|-------------------------|
| Bill Number | <u>HB152/aHEC</u> | Sponsor | <u>Trujillo/Gurrola</u> |
| Tracking Number | <u>.223869.2</u> | Committee Referrals | <u>HEC/H AFC</u> |
| Short Title | <u>Prueba de Espanol para la Certification</u> | | |
| Analyst | <u>Andrews</u> | Original Date | <u>2/9/2023</u> |
| | | Last Updated | <u>3/13/2023</u> |

BILL SUMMARY

Synopsis of HEC Amendment

The House Education Committee amendment to HB152 (HB152/aHEC) specifies that the appropriation to update the Prueba de Español para la Certificación Bilingüe is for expenditure in FY24 and subsequent fiscal years and shall not revert to the general fund.

Synopsis of Original Bill

House Bill 152 (HB152) makes an appropriation to update the Prueba de Español para la Certificación Bilingüe, the Spanish proficiency endorsement exam, which is required for educators to add a Spanish bilingual endorsement to their teaching license.

FISCAL IMPACT

HB152/aHEC appropriates \$350 thousand from the general fund to the Public Education Department (PED) for expenditure in FY24 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of FY24 shall not revert to the general fund.

The Senate Finance Committee amendment to the House Appropriations and Finance Committee Substitute for House Bills 2 and 3 (HB2/HAFCS/aSFC) includes \$750 thousand from the public education reform fund to PED to update the Prueba de Español para la Certificación Bilingüe Spanish proficiency endorsement exam and other language proficiency exams for licensure endorsement.

SUBSTANTIVE ISSUES

The Spanish language proficiency endorsement exam, the Prueba de Español para la Certificación Bilingüe, has not been updated since FY06. PED notes this endorsement is required to teach Spanish-English bilingual education, which made up 84 percent of the state's bilingual education programs in the 2020-2021 school year. The exam is outdated; for example, the exam refers to audio cassette tape recording technology.

According to Section 22-23-7 NMSA 1978 of the Bilingual Multicultural Education Act, the Bilingual and Multicultural Education Advisory Council (BMEAC) is required to advise the PED Secretary and PED staff on the effective implementation of the Bilingual Multicultural Education Act and the support of all bilingual multicultural education students, including bilingual learners and English learners, to have equitable access to instruction and learning as required by state and federal education and civil rights laws. In September 2022, the BMEAC advised the PED to budget for a project director, exam writers, video filming, video post-production, audio post-production, video/testing materials final production, statistician, test validation costs, grading guidelines preparation, and validation of test rubrics.

In June 2022, the Legislative Finance Committee published a [program evaluation](#) of bilingual multicultural education, which recommended that PED update the Prueba de Español para la Certificación Bilingüe, developed in the 1990s for bilingual Spanish teacher endorsement.

ADMINISTRATIVE IMPLICATIONS

PED notes provisions of the bill would require PED personnel to coordinate the project during the 2023-2024 school year or, at a minimum, administer contracts for the project. PED personnel currently have no part in the examinations. Since 2003, Eastern New Mexico University (ENMU) has administered the in-person exam and collected exam fees to sustain the program. According to the [ENMU Prueba Testing webpage](#), exam fees are \$150 per registration, with exams scheduled in Portales, Albuquerque, and Roswell in 2023.

In its [fall 2022 advisement](#), BMEAC offered to provide PED input and expertise for the project of updating the exam, and to connect the department or project director to additional resources, experts, and the original creators of the Prueba de Español para la Certificación Bilingüe.

RELATED BILLS

Related to HJM3, “Year of Bilingual Multicultural Education”, which duplicates SJM6 except HJM3 also requests the Bilingual Multicultural Education Advisory Committee to provide a report of findings from the assessment, program priorities, and funding recommendations.

Related to SJM6, Year of Bilingual Multicultural Education, which duplicates HJM3 except does not request the Bilingual Multicultural Education Advisory Committee to provide a report of findings from the assessment, program priorities, and funding recommendations.

SOURCES OF INFORMATION

- LESC Files
- Public Education Department

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