

LFC Requester:	Sunny Liu
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**AGENCY BILL ANALYSIS
2018 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply: Date 01/30/18
Original **Amendment** **Bill No:** HB229
Correction **Substitute**

Sponsor: Representative Rebecca Dow **Agency Code:** 924
Short CHARTER SCHOOL **Person Writing** Matt Montano
Title: TEACHER HIRING **Phone:** _____ **Email:** Matthew.montano1@state.nm.
FLEXIBILITY

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY18	FY19	FY20		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 229 (HB229) would require New Mexico charter schools to waive additional qualifications for specific grade levels, types and subject area of licensure for teachers at NM charter schools. Additionally, HB229 would require the department to create vocational licensure requirements so charter schools are able to hire subject-matter experts in vocational subject areas, including arts and computer coding.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

HB229 provides licensure flexibility for teachers in charter schools that are already licensed in one teaching area/grade level.

Currently, 22-10A-14 NMSA allows for local governing authority to request a certificate of waiver from the department. This is allowable to all public schools. Requiring districts/charters to proceed with a waiver allows for PED to maintain records on teachers teaching out of content area and disproportionality of out of field teachers serving students who are traditionally underserved.

PED currently allows teachers that are highly effective and exemplary to teach out of content/grade level, in order to allow them to serve more students. This flexibility is similar to HB229, only it establishes performance criteria as a qualifying factor.

HB229 also places in law a “vocational” license. This type of license already exists, and the department is currently updating the license to include professionals in the arts to qualify. Currently, individuals with three or more years of experience in the content specific workforce are qualified for this type of license.

Most of the provisions in this bill are already available to all public schools, but districts and teaching candidates must go through certain processes to qualify.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relationship to HB219

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

Allowing charter schools flexibility without performance criteria may create inequitable service to students who are traditionally underserved. Charter schools already have significant flexibility around class sizes and most do not have collective bargaining agreements. They have substantial flexibility to implement creative compensation systems to recruit non-traditional teachers to schools while using all the tools established by the department.

ALTERNATIVES

Establish performance criteria to allow ALL schools to maintain flexibility. Amend the performance criteria to HB229.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

All the flexibilities within this bill are already in practice. The department is able to track teachers teaching out of field and grade level.

AMENDMENTS