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(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

HB 159 Multicultural Education Framework

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

Title IV of the Civil Rights Act and accompanying Office of Civil Rights requirements as well as the Elementary and Secondary Education Act of 1965, as amended under the Every Student Succeeds Act, requires that districts, their schools, and charter schools have English Learner Programs for all English Learners.

BILL SUMMARY

Synopsis: The bill establishes English Learner Programs for all current English Learners in the state. Section one, specifically lists the requirements of English Learner Programs that are aligned to Office of Civil Rights requirements, requires two days of professional development for all teachers on culturally and linguistically responsive instruction, and requires the Public Education Department to conduct monitoring. Section two, establishes a requirement for all teachers to obtain an endorsement in Teaching English to Speakers of Other Languages (TESOL) before advancing from a level two to a level three license. The section requires that all applicants for a level license have a TESOL endorsement by 2024.

FISCAL IMPLICATIONS

HB394 does not include an appropriation.

SIGNIFICANT ISSUES

HB394 will require coordination between the Public Education Department’s Language and Culture Bureau and Professional Licensure Bureau.

The proposed legislation does not include administrators in the professional development requirement and the TESOL requirement. Principals and other district leadership should be considered in HB394 to ensure they can support and evaluate teachers.

PERFORMANCE IMPLICATIONS

The Public Education Department's Language and Culture Bureau supports with the implementation of English Learner Programs, including state-funded Bilingual Multicultural Education Programs and would have additional support in the form of state statute for the work.

ADMINISTRATIVE IMPLICATIONS

HB394 requires administrative services related to the issuing TESOL endorsements and Bilingual endorsements.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Related to 6.29.5 NMAC, English Language Development

TECHNICAL ISSUES

The Bilingual endorsement competencies (6.64.10 NMAC) support the development of language in English Learners Programs; however, there is currently no competency assessment aligned to the competencies.

The department would need to adopt or create an assessment aligned to the Bilingual Competencies.

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The Public Education Department will continue to rely solely

AMENDMENTS

None