

LFC Requester:	Helms
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**AGENCY BILL ANALYSIS
2023 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 01/25/23
Bill No: [HB152](#)

	Agency Name and Code
Sponsor: <u>Trujillo</u>	Number: <u>PED - 924</u>
Short Title: PRUEBA DE ESPAÑOL PARA LA CERTIFICATION	Person Writing: <u>Gregory Frostad</u> Phone: <u>(505) 470-5752</u> Email: <u>Gregory.Frostad@ped.nm.gov</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	\$350.0	Nonrecurring	GF

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
None	None	None	N/A	NFI

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	\$350.0	None	\$350.0	Nonrecurring	GF

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A
Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 152 (HB152) would appropriate \$350,000 to the Public Education Department (PED) to update the Prueba de Español para la Certification Bilingüe, which is

required for educators to add a Spanish bilingual endorsement.

FISCAL IMPLICATIONS

The bill would appropriate \$350,000 the general fund to the PED for expenditure in fiscal year 2024 to finance the development of updated versions of the Prueba de Español para la Certificación Bilingüe, including all ancillary materials. Any unexpended or unencumbered balance remaining at the end of fiscal year 2024 shall revert to the general fund.

SIGNIFICANT ISSUES

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 Secretary and PED staff on the effective implementation of the Bilingual Multicultural Education Act (BMEA) and the support of all bilingual multicultural education students, including bilingual learners and English language 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.

The current Spanish language proficiency exam - Prueba de Español para la Certificación Bilingüe – last updated during the 2005-2006 school year – is required for New Mexico educators interested in a bilingual endorsement. This endorsement is required to teach Spanish-English bilingual education, which made up 84 percent of the state’s bilingual education programs in SY21. The exam is outdated; for example, the exam refers to audio cassette tape recording technology.

In June 2022, the Legislative Finance Committee published a program evaluation of bilingual multicultural education, which recommended that PED update the proficiency exam, developed in the 1990’s, for bilingual Spanish teacher endorsement.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

The 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 for 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 Certification Bilingüe.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

N/A

AMENDMENTS

N/A