

<b>LFC Requester:</b>	<b>Helms</b>
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**AGENCY BILL ANALYSIS  
2023 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

Check all that apply:

Original        Amendment      
Correction        Substitute   

Date Prepared: 02/17/23  
Bill No: HB39/aHCEDC

Sponsor: Thompson  
Short    DUAL LICENSED  
Title:    INSTRUCTIONAL SUPPORT

Agency Name  
and Code  
Number:    PED - 924  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	N/A	NFA

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

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

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	None	\$4,000.0	\$4,000.0	\$8,000.0		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis of HCEDC Amendment: The House Commerce and Economic Development Committee amendment to House Bill 39 (HB39/aHCEDC) inserts the word “providers” in Subsection A of Section 1 on page 2. The sentence now reads: “The primary responsibilities of dually licensed instructional support **providers** and dually licensed instructional support program

administration are to assist and support students and teachers and to improve the professional practices and ethical conduct of their members.”

Synopsis:

House Bill 39 (HB39) would add “dual-licensed instructional support providers” and “dual-licensed instructional support program administrators” to the three-tier licensure system, whose primary responsibilities would be to assist and support students and teachers and to improve the professional practices and ethical conduct of their members.

HB39 would set the minimum salaries for dual-licensed instructional support providers and dual-licensed instructional support program administrators as follows:

**Proposed Minimum Salaries for  
Dual-Licensed Instructional Support Providers**

<b>License Level</b>	<b>Minimum Salary</b>
Level I	\$50,000
Level II	\$60,000
Level III	\$70,000

**Proposed Minimum Salaries for  
Dual-Licensed Instructional Support Program Administrators\***

<b>School Grade Level</b>	<b>Responsibility Factor</b>	<b>Minimum Salary</b>
Elementary School	1.10	\$77,000
Middle School or Junior High School	1.15	\$80,500
High School	1.25	\$87,500

\*For Level III dual-licensed instructional support program administrators, the minimum salary would be the same as a Level III-A educator: \$70,000 multiplied by the applicable responsibility factor.

**FISCAL IMPLICATIONS**

The bill does not contain an appropriation.

Though the Public Education Department (PED) estimates it would cost school districts more than \$4 million to cover the provisions of the bill, most school districts and charter schools already pay related service providers more than the three-tier minimum salaries. School districts are funded 25 times the unit value for special education related service providers, which covers the increased costs to school districts

**Licensure levels.** Dual-licensed instructional support providers and dual-licensed instructional support program administrators would have a licensure framework like the existing framework for teachers and school administrators.

- A Level I license would give a beginning dual-licensed instructional support provider the opportunity, through formal mentorship, preparation to be a quality instructional support provider. This license would be provisional.
- A Level II license would be given to a dual-licensed instructional support provider who is a fully qualified professional and who is primarily responsible for ensuring that students with physical or intellectual developmental delays or disabilities, behavioral problems or other conditions that need the services of a dual-licensed instructional support provider are being treated as required. A dual-licensed instructional support provider with this license would be able to remain at this level.

- A Level III-A license for dual-licensed instructional support providers and a Level III-B dual-licensed instructional support program administrators would support providers who commence a new career path in school or professional administration by becoming dual-licensed instructional support program administrators.

### **SIGNIFICANT ISSUES**

PED currently considers “dual-licensed” to mean someone who holds two licenses from PED.

### **PERFORMANCE IMPLICATIONS**

N/A

### **ADMINISTRATIVE IMPLICATIONS**

N/A

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

N/A

### **TECHNICAL ISSUES**

The bill alternates between the terms “dual-licensed” and “dually licensed.” The sponsor of the bill may wish to consider using one term consistently.

The bill, on page 2, in Subsection A of Section 1, notes that “[t]he primary responsibilities of dually licensed instructional support and dually licensed instructional support program administration are to assist and support students and teachers and to improve the professional practices and ethical conduct of their members.” This sentence is meant to be parallel with the preceding sentence regarding the teaching and school administration profession, however, it omits the word, “profession.” The sponsor may wish to consider amending this Subsection so that the sentence in question reads, “The primary responsibilities of dually licensed instructional support and dually licensed instructional support program administration professions are to assist and support students and teachers and to improve the professional practices and ethical conduct of their members (emphasis added). This keeps the structure parallel, makes the sentence more intelligible and emphasizes that these are professions, as noted in the initial sentence of Subsection A of Section 1.

### **OTHER SUBSTANTIVE ISSUES**

N/A

### **ALTERNATIVES**

N/A

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

N/A

### **AMENDMENTS**

The sponsor may wish to consider amending Subsection A of Section 1 so that the concluding sentence reads, “The primary responsibilities of dually licensed instructional support and dually licensed instructional support program administration professions are to assist and support students and teachers and to improve the professional practices and ethical conduct of their members (emphasis added).

The sponsor of the bill may wish to consider defining dual-licensed instructional support providers and dual-licensed instructional support program administrators. During the 2019 legislative session, similar legislation – HB446, Dual-Licensed Providers in 3-Tier Licensure – was amended to define a dual-licensed instructional support provider as one of the following professions:

- audiologist
- interpreter for the deaf
- speech-language pathologist
- diagnostician
- psychologist
- social worker
- nurse
- counselor
- physical therapist
- occupational therapist
- any other professional that meets the educational, licensure, and other qualifications to be a dual-licensed instructional support provider.