

<b>LFC Requester:</b>	<b>Sunny Liu</b>
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**AGENCY BILL ANALYSIS  
2017 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

**[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)**

*and*

**[DFA@STATE.NM.US](mailto: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 2/9/2017  
**Original**        **Amendment**        **Bill No:** HB105hledc  
**Correction**        **Substitute**   

**Sponsor:** Rep. G. Andrés Romero    **Agency Code:** 924  
**Short Title:** INNOVATIONS IN TEACHING ACT    **Person Writing:** Matt Pahl  
**Phone:** 470-9909    **Email:** Matt.pahl@state.nm.us

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY17	FY18	FY19		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	\$600.0	\$600.0	\$600.0	1,800.0		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

**HB105hledc amends the language on page 3 lines 6 and 7 to changing the definition of teacher from the original bill. It also changes the word “may” on page 3 line 14 to “shall” thus making it a requirement for PED to develop and implement the Innovations in Teaching Program.**

HB105 seeks to create a new section of the Public School Code enacting the Innovations in Teaching Act. This act would create the innovations in teaching program encouraging teachers to implement innovative pedagogical approaches to strategies in their classrooms. In addition, it seeks to grant a waiver to these teachers and their public schools from the use of the results of standards based assessments in their teacher evaluations for two years.

**FISCAL IMPLICATIONS**

**HB105hledc changes the word “may” on page 3 line 14 to “shall” thus making it a requirement for PED to develop and implement the Innovations in Teaching Program. This amendment does not provide an appropriation to the PED to use to develop and implement this program.**

There is no appropriation contained in HB105, and the estimated annual cost of the program proposed in the bill is \$600,000 a year. This annual cost would cover administrative costs of conducting the program, small financial support for teachers engaged in the program, as well as the costs of documenting any teaching practice.

HB105 would require the department to develop and implement the innovations in teaching program including an application and award process as well as evaluation and reporting requirements. These requirements would take significant administrative time; with no appropriation for PED to complete this work.

**SIGNIFICANT ISSUES**

HB105 waives the use of the results of the participating teacher's students' standards based assessments on the teacher's evaluation for up to two years at the request of the teacher and school principal. The department, the teacher and the school principal, working together, may develop other measures of teacher effectiveness or may assign different percentages to the remaining teacher evaluation measures. This would require the department to develop and

implement other measures of teacher effectiveness which would require significant administrative time.

HB105 is unnecessary, as teachers already have the ability to use innovative practices in the classroom. New Mexico teachers often exercise their interest and ability to deliver content in new and innovative ways, and there is no specific policy hindering their ability to do this. In fact, great school administrators encourage this. There is no body of evidence to suggest that the use of testing for teacher evaluations and public school ratings is likely to “stifle teachers’ interest in investigating and implementing cutting-edge pedagogy in their classrooms and make school principals wary of allowing teachers to implement such pedagogy”. Teachers are using innovative pedagogical techniques in most of the nearly 100 charter schools across the state as well district schools across the state.

HB105 states as another “purpose” of the bill is “to experiment with one or more pedagogical approaches and strategies to engage and teach all their students.” This is an inherent action in the practice of all successful teachers, and the NMTEACH system incentivizes such practices to increase student achievement for all students.

HB105 suspends the student achievement results of a participating teacher. However, without linking these practices to student achievement, the school, district and state will not know the impact of those new and innovative practices. Without this information it is difficult to know which classroom practices are having an impact on student achievement and which deserve to be investigated further and spread throughout the state.

### **PERFORMANCE IMPLICATIONS**

HB105 waives the use of the results of the participating teacher's students' standards based assessments on the teacher's evaluation for up to two years at the request of the teacher and school principal. The department, the teacher and the school principal, working together, may develop other measures of teacher effectiveness or may assign different percentages to the remaining teacher evaluation measures.

Waiving this measure could prevent the educator from advancing through the system without having to complete a dossier.

### **ADMINISTRATIVE IMPLICATIONS**

HB105 would require the department to develop and implement the innovations in teaching program including an application and award process as well as evaluation and reporting requirements. These requirements would take significant administrative time; with no appropriation for PED to complete this work

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

### **TECHNICAL ISSUES**

HB105 makes several mentions to curricula or curriculum. It is clear in the contextual language that what is meant is standards. For example, on page 2, lines 11 and 12, HB105 states the purpose of the bill is to support teachers’ standing in determining how they will teach their assigned curricula. Curricula/um is a standardized way of teaching standards, and the bill seems to want to provide for innovations in teaching standards, not curriculum.

## **OTHER SUBSTANTIVE ISSUES**

HB105 would require the department to report its findings and recommendations for the program and for each innovative teaching project to the governor, the legislative education study committee and every local superintendent.

This would require significant administrative time; with no appropriation for PED to complete this work.

## **ALTERNATIVES**

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

## **AMENDMENTS**