

LFC Requester:	Sunny Liu
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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*

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*{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 January 31, 2017  
**Original**     **Amendment**        **Bill No:** SB200  
**Correction**     **Substitute**   

**Sponsor:** Senator John M. Sapien    **Agency Code:** 924  
**Short Title:** CERTIFIED SCHOOL EMPLOYEE PROGRAM UNITS    **Person Writing:** Aguilar/Craig  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		\$137.3	\$137.3	\$274.6	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

#### Synopsis:

SB 200 expands the number of licensed school employees eligible to generate funding under the provisions of the funding formula relating to National Board for Professional Teaching Standards from teachers to as many as 25 additional licensed categories.

### **FISCAL IMPLICATIONS**

SB 200 does not contain an appropriation; however additional costs to the general fund will be realized with the implementation of the provisions of this bill.

Pursuant to 22-8-23.4 NMSA 1978, the *Public School Finance Act* provides for entities to generate units for teachers certified by the National Board for Professional Teaching Standards (NBPTS) employed by the school district or charter school on or before the first reporting date of the school year and verified by the Public Education Department (PED). In addition, funding is contingent upon teachers receiving a one-time salary differential equal to or greater than the amount generated by the units. This section of the *Public School Finance Act* was enacted in 2003 with the passage of Senate Bill 216 (Laws 2003, Chapter 144). However, since this section of law was enacted, the NBPTS has expanded the certification from thirteen “teaching fields” to 25 “discipline areas,” including certification in non-teaching areas such as school counseling and library science.

Using the FY 17 final unit value of \$3,979.63, the estimated impact of SB 200 is estimated to be \$137,297.24. The Bureau has requested information regarding the number of non-teacher NBPTS license holders there are in the state, and as of this date there are 19 library media certificate holders and four school counseling certificate holders. If all 23 certificate holders were to generate units under the formula, the additional number of units statewide would be 34.5 as the cost differential for NBPTS units is 1.5 times the number of employees. Absent an appropriation, the additional units proposed to be generated would influence the setting of the initial and final unit values for FY 18.

### **SIGNIFICANT ISSUES**

The provisions SB 200 do not conform to the strategic levers identified in PED’s strategic plan, and may be in conflict to the levers a “Smarter Return on New Mexico’s Investments” and “Rewarding Effective Educators and Leaders”. PED has identified a lack of data linking outcomes for students to NBPTS certification. Further entrenching reward structures that are not based on student outcomes in our state’s funding formula may not improve effectiveness and does not target investments in such a way that other effective educators are rewarded

### **ADMINISTRATIVE IMPLICATIONS**

Bureau staff is instructed that school districts and charter schools are not to generate units unless they are for certified *teachers* [emphasis added]. Additionally, school districts and charter schools are instructed that, although they may reward National Board certification for non-classroom instructors within the local school district or charter school framework for local

governance, they will not receive units under the program cost calculation to do so. School districts and charter schools submit the data that generates NBPTS units in the aggregate. Therefore, Bureau staff is required to request certificates from school districts to ensure only teacher certification were included, which is an additional administrative burden on the Bureau. .

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

### **OTHER SUBSTANTIVE ISSUES**

The emphasis on credentialing has shown to have little impact on the effectiveness of teachers to increase student achievement. This bill would create an incentive for increasing a process of credentialing. Because there is still a lack of understanding about the causal effect of Board-certification and student achievement, it is even less clear how promoting such certification will improve effectiveness of certified support personnel.

### **ALTERNATIVES**

The Legislature could strike the section of law that provides program units for NBPTS certified teachers because it does not tie rewards to effectiveness.