

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: SB 133a

49th Legislature, 1st Session, 2009

Short Title: Teacher Licensure Changes

Sponsor(s): Senators Gay G. Kernan and Cynthia Nava and Others

Analyst: David Harrell

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FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AS AMENDED

The House Education Committee amendments strike the Senate Education Committee (SEC) amendment and relocate the wording added by the SEC amendment to make it apply only to teachers, not to counselors.

The SEC amendment adds a criterion that an applicant for a standard Level 3-B license must meet: fulfilling the requirements for a Level 3-A license (see “Proposed Amendment,” below).

Original Bill Summary:

SB 133 makes two changes in the *School Personnel Act* affecting a candidate’s eligibility for the regular Level 3-B license for school administrators:

- the bill removes the requirement of having been a Level 3-A teacher for at least one year; and
- the bill adds the requirement of a post-baccalaureate degree or certification by the National Board for Professional Teaching Standards (NBPTS).

In addition, SB 133 adds a new section to the *School Personnel Act* to create the four-year, nonrenewable Level 3-B provisional license for school principals in districts with a shortage of qualified candidates. The process begins with a request from the school district that the Public Education Department (PED) issue a provisional Level 3-B license to a Level 2 teacher who the district believes has the potential to be an effective school principal. To qualify for such a license, the candidate must:

- meet the requirements for a Level 3-A license;
- be enrolled in a PED-approved induction and mentoring program in the school district; and
- be accepted into a PED-approved school administrator preparation program.

To maintain the provisional license, the licensee must receive satisfactory annual evaluations from the school district’s mentoring program and the school administrator preparation program. At the end of the four-year period, the provisional license may be converted to a regular Level 3-B license if the candidate has completed the district’s mentoring program and the administrator preparation program.

Finally, on a technical point, SB 133 also sets out in statute an amendment enacted in 2007 requiring PED to grant a Level 3-B license to an applicant who holds a Level 2 license and who, for at least four years, has held the highest-ranked counselor license as provided in law and PED rule. Because of the order in which multiple bills amending the same section were signed, the counselor provision had been acknowledged in the annotations, not the statute itself.

Fiscal Impact:

SB 133 makes no appropriation.

Issues:

Like SB 123 and SB 124, also endorsed by the Legislative Education Study Committee (LESC) and introduced during the 2009 legislative session, SB 133 addresses needs identified in testimony before the LESC during the 2008 interim. At that time, the LESC received a report from the Office of Education Accountability (OEA), in collaboration with PED and the Higher Education Department (HED), that described these agencies' study, in collaboration with school districts and institutions of higher education, in response to Senate Joint Memorial 3 (2008).

- Endorsed by the LESC, SJM 3 requested that these agencies develop a plan to enhance the recruitment, preparation, mentoring, evaluation, professional development, and support for school principals and other school leaders.
- Through a series of statewide meetings, focus groups, and surveys during the 2008 interim, school district superintendents, principals, teachers, college deans, university faculty, staff from state and legislative agencies, members of the business community, and a variety of other interested parties examined school leadership issues and concerns in New Mexico; studied national research; consulted with representatives of successful programs in other states; and reviewed federal, state, and district policies affecting school leadership.
- Among other points, the report in response to SJM 3 noted that:
 - the number of education administration degrees awarded by four-year universities in New Mexico has declined 43 percent since 2003;
 - as many as 50 percent of the graduates of these programs did not feel adequately prepared to perform the variety of tasks expected of school principals and other leaders; and
 - the average age of school principals in New Mexico is 51, suggesting that many are on the verge of retirement.
- The report in response to SJM 3 also made several recommendations to address those issues, to strengthen “New Mexico’s capacity to attract and retain strong school leaders.”
- SB 133 implements one of the report’s recommendations: to refine certification requirements for administrative licensure.

Years of Teaching Experience

Under the current three-tiered teacher licensure system, a teacher who wishes to become a school administrator must have a minimum of seven years' teaching experience: at least three years at Level 1, at least three years at Level 2, and at least one year at Level 3-A. This requirement was one of many points examined during the 2007 interim in a joint study of the three-tiered licensure system by the LESC, the Legislative Finance Committee (LFC), and OEA. Among the findings, as reported to the LESC:

- New Mexico requires more years of teaching experience for an administrator license than any other state;
- many school district officials felt that they lacked an adequate labor pool from which to select principals, partly because of the requirements for a school administrator license;
- the turnover rate of school principals and district superintendents is a cause of concern (one-half of New Mexico schools have had three or more principals in the last 10 years and 35 percent of districts have had three or more superintendents in the last four years); and
- New Mexico's administrator license requirements "may unduly restrict school districts' ability to hire school principals in the future."

As the report on SJM 3 explains:

Determining the right level for state certification requirements for principals and other school leaders is complex. On one hand, certification requirements provide a critical gatekeeper function to ensure that individuals who enter the profession have met certain requirements. On the other hand, stringent certification requirements raise the concern that talented individuals may be excluded from the pool of potential applicants.

Furthermore, as the OEA analysis of SB 133 notes, data gathered by the SJM 3 work groups during the 2008 interim indicated that a number of potential principals considered the seven-year teaching requirement a barrier to the pursuit of administrative licensure.

Advanced Credentials

The added requirement in SB 133 of a post-baccalaureate degree or certification by the NBPTS is to ensure that school principals and other school leaders possess credentials beyond those required of a Level 2 teacher. As the OEA analysis explains, this provision also aligns the requirements in law with those in PED rule, which requires that prospective school administrators have a post-baccalaureate degree.

Provisional License

The four-year, nonrenewable Level 3-B provisional license for school principals in districts with a shortage of qualified candidates addresses the recruitment and retention needs identified in the 2007 joint study of the three-tiered licensure system and the report on SJM 3. As the OEA analysis explains, this provision is "a way for school districts facing shortages of qualified principals to recruit Level 2 teachers with at least three years experience at Level 2 who have the potential to become effective leaders."

This provisional administrator license was initially a recommendation of a task force report that the LESC received during the 2007 interim in response to SJM 15 (2007), *School Administrator*

Licensure Pathways. This report recommended that, as an alternative to the standard administrative license, PED promulgate rules to establish a provisional school administrator license that would be renewable for no more than four years, during which time the candidate completes all of the current requirements for a Level 3-B license, which the report considered the “gold standard” for administrative licensure.

Proposed Amendment:

The OEA analysis recommends an amendment to SB 133: adding the requirement that, to hold a Level 3-B administrator license, one must also meet the requirements for a Level 3-A teaching license. It might be noted that, while this amendment would ensure that a school administrator has earned a Level 3-A teaching license, it would not require a year of teaching experience at that level, consistent with one of the provisions of SB 133.

Background:

As noted, SB 133 is a response to recommendations of the report on SJM 3 (2008). That joint memorial was itself a response to needs identified in the joint study during the 2007 interim, also noted above. In addition to the administrator certification issues addressed by SB 133 and among other points, this study found:

- that the effectiveness of school leaders is second only to classroom instruction among the factors that affect student learning; and
- that school leaders in New Mexico face a number of challenges – some as a result of the federal *No Child Left Behind Act of 2001* (NCLB), others related to the diverse student body that characterizes public schools today, and still others related to the growing importance of data-driven decision-making.

Finally, this excerpt from the report on SJM 3 describes the significance of the role of the school principal:

It is the school principal who sets the climate for professionalism and support within the school; influences which teachers are hired and whether they stay; holds teachers accountable for student learning; determines resource allocation to support learning; and builds relationships with parents and the greater community.

Related Bills:

SB 123 *Administrators in Accountability Reporting*

SB 124 *Create School Leadership Institute*

HB 234 *School Administrator Licensure Consideration*