

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 373

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Javier Martínez

AN ACT

RELATING TO HIGHER EDUCATION; ENACTING THE ENGLISH LANGUAGE  
LEARNERS TEACHER PREPARATION ACT; PROVIDING POWERS AND DUTIES;  
PROVIDING FOR APPLICANT QUALIFICATIONS; ALLOWING FOR  
FELLOWSHIPS; PROVIDING FOR REPAYMENT THROUGH SERVICE FOR  
FELLOWSHIP STIPENDS; CREATING A FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 21 NMSA 1978 is  
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the  
"English Language Learners Teacher Preparation Act"."

SECTION 2. A new section of Chapter 21 NMSA 1978 is  
enacted to read:

"[NEW MATERIAL] PURPOSE.--The purpose of the English  
Language Learners Teacher Preparation Act is to provide for the

underscoring material = new  
~~[bracketed material] = delete~~

1 establishment, operation, expansion and improvement of training  
2 programs for college of education students or educational  
3 personnel who are or will be teaching English language learners  
4 or bilingual multicultural education."

5 SECTION 3. A new section of Chapter 21 NMSA 1978 is  
6 enacted to read:

7 "[NEW MATERIAL] DEFINITIONS.--As used in the English  
8 Language Learners Teacher Preparation Act:

9 A. "bilingual multicultural education program"  
10 means a program using two languages, including English and the  
11 home or heritage language of a student, as a medium of  
12 instruction in the teaching and learning process;

13 B. "department" means the higher education  
14 department;

15 C. "educational personnel" includes teachers,  
16 instructional assistants, instructional support personnel,  
17 principals, program administrators, counselors and  
18 paraprofessionals;

19 D. "English language learner" means a student whose  
20 first or heritage language is not English and who is unable to  
21 read, write, speak or understand English at a level comparable  
22 to grade level English proficient peers and native English  
23 speakers;

24 E. "in-service training program" means a  
25 professional development program for educational personnel in

.199153.1

underscored material = new  
[bracketed material] = delete

1 teaching English language learners or bilingual multicultural  
2 education or for educational personnel working with culturally  
3 and linguistically diverse student populations;

4 F. "teacher preparation program" means a  
5 bachelor's, master's or doctoral degree program at a public  
6 post-secondary educational institution that leads to license  
7 endorsements in teaching English to speakers of other languages  
8 or bilingual education; and

9 G. "training programs" means both teacher  
10 preparation programs and in-service training programs."

11 SECTION 4. A new section of Chapter 21 NMSA 1978 is  
12 enacted to read:

13 "[NEW MATERIAL] DEPARTMENT POWERS--GRANTS--ELIGIBLE  
14 APPLICANTS--PREFERENCES.--

15 A. The department may make grants for:

16 (1) the establishment, operation, expansion or  
17 improvement of training programs. In-service training programs  
18 shall emphasize opportunities for career development,  
19 advancement and lateral mobility for educational personnel;

20 (2) the training of persons to teach and  
21 counsel teacher preparation students or educational personnel;

22 (3) public post-secondary educational  
23 institutions to provide fellowships to teacher preparation  
24 students seeking license endorsements or degrees in teaching  
25 English to speakers of other languages or bilingual

.199153.1

underscoring material = new  
~~[bracketed material] = delete~~

1 multicultural education;

2 (4) the operation of short-term training  
3 institutes designed to improve the skills of teacher  
4 preparation students or educational personnel in teaching  
5 English language learners or bilingual multicultural education,  
6 which may include programs designed to improve the  
7 instructional competence of educational personnel in the  
8 languages used in a bilingual multicultural program; and

9 (5) the provision of in-service training and  
10 technical assistance for educational personnel teaching or  
11 supporting English language learners or bilingual multicultural  
12 students and the provision of training and assistance to  
13 parents of culturally and linguistically diverse students.

14 B. The department shall promulgate rules to  
15 implement the provisions of the English Language Learners  
16 Teacher Preparation Act, including the grant application  
17 process and forms to be used for that process.

18 C. A grant may be made upon the individual or joint  
19 application of:

20 (1) a public post-secondary educational  
21 institution that applies:

22 (a) to improve its English language  
23 learner and bilingual multicultural teacher preparation  
24 programming;

25 (b) to provide fellowships to teacher

.199153.1

underscoring material = new  
~~[bracketed material] = delete~~

1 preparation program students at the baccalaureate or graduate  
2 level who are studying to teach English language learners or  
3 bilingual multicultural education; or

4 (c) with a school district, charter  
5 school, regional education cooperative or a New Mexico-based  
6 nonprofit with expertise in teaching English language learners  
7 or bilingual multicultural education, to offer training  
8 programs for persons other than education students; or

9 (2) a school district, charter school or  
10 regional education cooperative that applies with a public post-  
11 secondary educational institution or New Mexico-based nonprofit  
12 organization, or both, with expertise in teaching English  
13 language learners or bilingual multicultural education to  
14 provide in-service training for educational personnel.

15 D. In making grants for training programs, the  
16 department, in consultation with the public education  
17 department, shall give preference to programs that contain  
18 coursework in:

- 19 (1) teaching English as a second language;  
20 (2) use of a language other than English for  
21 instructional purposes;  
22 (3) the development of cultural proficiency in  
23 working with New Mexico's majority-minority public school  
24 population, particularly American Indian and Hispanic students;  
25 (4) educational leadership for teachers who

.199153.1

underscored material = new  
[bracketed material] = delete

1 hold English language learner or bilingual license endorsement;  
2 and

3 (5) instructional methods and techniques that  
4 have proven effective in second-language acquisition that meet  
5 rigorous content standards and effective in teacher preparation  
6 program students successfully completing college with English  
7 language learner or bilingual license endorsement.

8 E. Training programs that focus on bilingual  
9 multicultural education shall be designed to ensure that  
10 participants become proficient in English and a second language  
11 of instruction and develop proficiency to work with culturally  
12 and linguistically diverse students in New Mexico."

13 SECTION 5. A new section of Chapter 21 NMSA 1978 is  
14 enacted to read:

15 "[NEW MATERIAL] FELLOWSHIPS--SPECIAL PREFERENCE--  
16 PRIORITIES--STIPENDS--REPAYMENT.--

17 A. A public post-secondary educational institution  
18 may use all or a portion of its grant as fellowships for  
19 teacher preparation students at the baccalaureate or graduate  
20 level studying to teach English language learners or bilingual  
21 multicultural education who agree to teach English language  
22 learners or bilingual multicultural education in a New Mexico  
23 public school.

24 B. Fellowships shall be sufficient to pay the cost  
25 of tuition, fees and instructional materials. Students shall

.199153.1

underscoring material = new  
~~[bracketed material] = delete~~

1 enter into a contract with the department once the public post-  
2 secondary educational institution has granted the fellowship.  
3 The contract shall be in the same form and follow the same  
4 procedures as contracts for teacher loans for service pursuant  
5 to the Teacher Loan For Service Act. As part of the contract  
6 with the fellowship-granting public post-secondary educational  
7 institution, the fellowship recipient shall agree to repay the  
8 amount of the fellowship, plus interest, or agree to work for a  
9 period the equivalent of which is one public school year of  
10 service for two consecutive semesters of college, not including  
11 summer sessions.

12 C. Fellowships shall be awarded, to the extent  
13 feasible, in proportion to the needs of various groups of  
14 English language learners or bilingual multicultural education  
15 students and to college of education students.

16 D. Priority for fellowships shall be given to  
17 students who are taking coursework toward license endorsement  
18 in teaching English to speakers of other languages or in  
19 bilingual multicultural education. Special preference shall be  
20 given to persons from school districts, charter schools or  
21 regional education cooperatives that are already providing  
22 financial support to endorsement candidates; in which case,  
23 fellowship grants shall be matched one-to-one with those  
24 sponsoring public schools or regional education cooperatives.

25 E. The next priorities shall be to:

.199153.1

underscoring material = new  
~~[bracketed material] = delete~~

1                   (1) students entering teacher preparation  
2 programs who received the New Mexico seal of bilingualism-  
3 biliteracy on their high school diploma of excellence;

4                   (2) students who are currently employed as  
5 teachers, instructional assistants or other support staff in  
6 classrooms serving predominantly American Indian students or  
7 classrooms of bilingual multicultural education programs; and

8                   (3) students who have demonstrated proficiency  
9 in one of New Mexico's indigenous languages or the Spanish  
10 language."

11           **SECTION 6.** A new section of Chapter 21 NMSA 1978 is  
12 enacted to read:

13           "[NEW MATERIAL] FUND CREATED--METHOD OF PAYMENT.--The  
14 "English language learners teacher preparation fund" is created  
15 as a nonreverting fund in the state treasury. The fund  
16 consists of appropriations, gifts, grants, donations, bequests  
17 and income from investment of the fund. The fund shall be  
18 administered by the department, and money in the fund is  
19 appropriated to the department for making grants pursuant to  
20 the English Language Learners Teacher Preparation Act.  
21 Payments from the fund shall be on warrant issued by the  
22 secretary of finance and administration pursuant to vouchers  
23 signed by the secretary of higher education or the secretary's  
24 designated representative."

25           **SECTION 7.** A new section of Chapter 21 NMSA 1978 is

.199153.1

underscored material = new  
~~[bracketed material] = delete~~

1 enacted to read:

2 "[NEW MATERIAL] REPORTS.--

3 A. The public education department, in consultation  
4 with the higher education department, shall conduct and publish  
5 a biennial survey of all local education agencies in the state  
6 to report on the number of teachers and other school-based  
7 professionals they currently employ who are:

8 (1) endorsed in teaching English to speakers  
9 of other languages or bilingual multicultural education or  
10 both; and

11 (2) for educational personnel with  
12 certification in bilingual multicultural education, the  
13 languages other than English in which they are certified.

14 B. The survey shall also ask public schools and  
15 regional educational cooperatives to report the number of  
16 additional teachers and other school-based professionals they  
17 currently need, if any, and expect to need in the following  
18 year in each of these endorsement categories and languages to  
19 effectively serve all of the English language learner students  
20 they enroll or expect to enroll in the following year.

21 C. The higher education department, in consultation  
22 with the public education department, shall conduct and publish  
23 a biennial survey of all public post-secondary educational  
24 institutions that offer courses, certificates or degrees in  
25 education. The report shall include:

.199153.1

underscored material = new  
~~[bracketed material] = delete~~

1 (1) the number of students enrolled in the  
2 past two years in all education classes and programs;

3 (2) the number of students completing  
4 requirements for a degree in education or teaching English to  
5 speakers of other languages or bilingual multicultural  
6 education license endorsement in the past two years; and

7 (3) the number of students completing  
8 requirements for a degree or state teaching license endorsement  
9 in the past two years in teaching English to speakers of other  
10 languages or teaching bilingual multicultural education.

11 D. Each public post-secondary educational  
12 institution shall submit to the higher education department and  
13 the professional licensure bureau of the public education  
14 department an annual plan to meet the needs of New Mexico's  
15 culturally and linguistically diverse student population, by  
16 including:

17 (1) measureable goals to fill the gap between  
18 the number of teacher education students who have graduated and  
19 have a teaching English to speakers of other languages or  
20 bilingual multicultural education license endorsement and the  
21 number of kindergarten through twelfth grade public school  
22 students identified as English language learners or who  
23 participate in bilingual multicultural education programs; and

24 (2) specific strategies to recruit, counsel  
25 and retain teacher education students who are working toward

.199153.1

underscoring material = new  
~~[bracketed material] = delete~~

1 license endorsement for teaching English to speakers of other  
2 languages or bilingual multicultural education."

3 SECTION 8. APPROPRIATION.--Seven hundred fifty thousand  
4 dollars (\$750,000) is appropriated from the general fund to the  
5 English language learners teacher preparation fund for  
6 expenditure in fiscal year 2016 and subsequent fiscal years to  
7 provide grants as provided in the English Language Learners  
8 Teacher Preparation Act. Any unexpended or unencumbered  
9 balance remaining at the end of a fiscal year shall not revert  
10 to the general fund.

11 SECTION 9. EFFECTIVE DATE.--The effective date of the  
12 provisions of this act is July 1, 2015.