

LESC bill analyses are available on the New Mexico Legislature website (www.nmlegis.gov). Bill analyses are prepared by LESC staff for standing education committees of the New Mexico Legislature. LESC does not assume any responsibility for the accuracy of these reports if they are used for other purposes.

LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
57th Legislature, 1st Session, 2025

Bill Number HB200 **Sponsor** Gurrola/Figueroa/Torres-Velásquez/Johnson/Mirabal Moya
Tracking Number .229757.1 **Committee Referrals** HEC/HGEIC
Short Title Additional School Program Units
Analyst Armatage **Original Date** 2/13/2025
Last Updated _____

BILL SUMMARY

Synopsis of Bill

House Bill 200 (HB200) would create program units in the state equalization guarantee (SEG), the public school funding formula, for licensed school employees with bilingual endorsements employed in bilingual multicultural education programs (BMEPs) approved by the Public Education Department (PED), and for teachers with teaching English to speakers of other languages (TESOL) endorsements.

Program units created by HB200 would fund salary differentials for these teachers through the same mechanism in the SEG that salary differentials are generated for National Board Certified Teachers (NBCTs).

The number of program units generated for school employees with a bilingual endorsement would be calculated by multiplying the number of licensed, bilingual-endorsed school employees employed in a department-approved BMEP by a cost differential of 1.0.

The number of program units generated for TESOL endorsed teachers would be calculated by multiplying the number of eligible teachers by a cost differential of 0.5.

Department approval of these units would be contingent on verification by the school district or charter school that the eligible teachers are receiving a salary differential equal to or great than the amount generated by the program units multiplied by the unit value.

FISCAL IMPACT

The bill does not include an appropriation.

Should HB200 be implemented, LESC staff estimate the SEG would generate about 800 program units for bilingual pay differentials and about 4,000 program units for TESOL pay differentials, or an estimated total of \$32.4 million (based on the FY25 unit value). If additional funding is not

appropriated to the SEG for these newly created program units, HB200 may have the potential to dilute the unit value in FY26 and subsequent fiscal years.

By comparison, the SEG generated 1,222 program units for NBCTs in FY25, allocating \$8 million for NBCT salary differential pay. See **Table 1: Estimated Cost of Proposed Bilingual and TESOL Salary Differentials Compared to NBCT Differentials**.

Table 1: Estimated Cost of Proposed Bilingual and TESOL Salary Differentials Compared to NBCT Differentials

| | FY25 Unit Value | Salary Differential Multiplier | Estimated Stipend Amount | Estimated FTE | Estimated Cost |
|-----------------------------------|-----------------|--------------------------------|--------------------------|---------------|----------------|
| National Board Certified teachers | \$6,554 | 1.5 | \$9,831 | 815 | \$8,011,959 |
| Bilingual teachers in BMEPs | \$6,554 | 1.0 | \$6,554 | 806 | \$5,282,323 |
| TESOL endorsed teachers | \$6,554 | 0.5 | \$3,277 | 8,282 | \$27,139,079 |

Note: PED has not reported the numbers of TESOL-endorsed and bilingual-endorsed teachers since SY22.

Source: SY22 PED Data and LESC Files

Because speech language pathologists in public schools may also apply for bilingual endorsements, and the number of these FTE were not available at the time of analysis, the actual number of bilingual program units that would be generated could be higher.

Should HB200 pass, LESC staff estimate bilingual teachers teaching in a BMEP would earn a salary differential of about \$6,500, given the FY25 unit value. This amounts to about 10 percent of the average New Mexico teacher salary in SY25. Research suggests this amount may be sufficient to motivate bilingual teachers to teach in BMEPs.

LESC staff estimate TESOL-endorsed teachers would earn a salary differential of about \$3,000, or about 5 percent of the average New Mexico teacher salary in SY25. Research suggests this amount is less likely to motivate a change in teacher behavior. However, salary differentials can also be used to recognize additional professional expertise and additional job requirements.

SUBSTANTIVE ISSUES

SEG Funding for Bilingual Programs. The SEG provides flexible and discretionary funding to school districts and charter schools based on the characteristics of the students they serve. Section 22-8-22 NMSA 1978 includes a cost differential of 0.5 in the SEG for BMEPs, which generates program units based on the FTE student membership in programs implemented in accordance with the provisions of the Bilingual Multicultural Education Act. The FTE student membership is calculated depending on the level of service each student is receiving, which can range from one to three hours.

In FY25, the SEG generated 7,982 program units for bilingual education programs, or approximately \$52.3 million, at the FY25 unit value.

Bilingual Endorsement Requirements. Qualified teachers and speech language pathologists may apply to PED to add a bilingual or TESOL endorsement to their license.

PED provides two primary [pathways](#) to bilingual endorsement with a required exam and coursework requirements ranging from 12 to 24 semester hours.

Table 2: PED Bilingual Endorsement Requirements

| | Exams Required | Coursework Required |
|---------------------------|---|--|
| Beginning Teachers | Prueba de Español: NM Spanish Language Proficiency Exam | 24 to 36 semester hours in bilingual education |
| Existing Teachers | Prueba de Español: NM Spanish Language Proficiency Exam | 12 semester hours in the teaching of bilingual education |

Note: Holders of TESOL endorsements must complete at least 6 semester hours in teaching bilingual education and pass the Prueba exam.

Source: NMAC 6.64.10.8

TESOL Endorsement Requirements. Qualified teachers and speech language pathologists may apply to PED to add a TESOL endorsement to their license.

PED provides three primary [pathways](#) to TESOL endorsement with coursework requirements ranging from 12 to 24 semester hours; some pathways require exams. Allowances for out-of-state and out-of-country reciprocity exist, in addition to options to demonstrate proficiency in a language other than English in lieu of six credit hours of coursework. PED has approved 10 TESOL programs in New Mexico at:

- Central New Mexico Community College;
- Eastern New Mexico University;
- Fort Lewis College;
- New Mexico Highlands University;
- New Mexico State University;
- Northern New Mexico College;
- Santa Fe Community College;
- San Juan College;
- University of New Mexico; and
- Western New Mexico University.

Table 3: PED TESOL Endorsement Requirements

| | | Exams Required | Coursework Required |
|---------------------------|-----------------|--|--|
| Beginning Teachers | | PRAXIS English to Speakers of Other Languages (ESOL) | 24 hours of TESOL coursework aligned with key competencies, including: 12 hours in upper division or post-baccalaureate credits. |
| Existing Teachers | Option 1 | PRAXIS English to Speakers of Other Languages (ESOL) | 12 semester hours of credit in TESOL, including: Six hours in a language other than English; and Six hours of upper division or post-baccalaureate credits in alignment with key competencies. |
| | Option 2 | None | 24 hours of TESOL coursework aligned with key competencies, including: Six hours in a language other than English; and Six hours of upper division or post-baccalaureate credits in alignment with key competencies. |

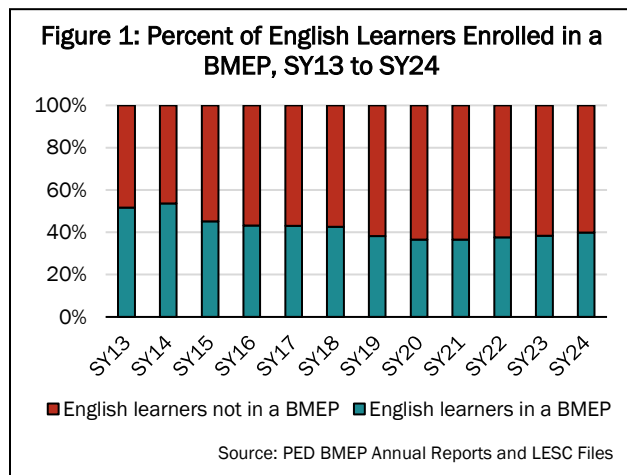
Note: Beginning teachers are those who hold an alternative license.

Source: NMAC 6.64.11.8

Bilingual Teacher Supply and Demand.

While the number of bilingual educator vacancies reported by New Mexico State University’s Southwest Outreach Academic Research Evaluation and Policy Center has decreased in recent years ([32 vacancies in the 2023-2024 school year \(SY24\)](#)), down from 98 in SY21), PED issued 170 waivers for teachers without a bilingual endorsement to teach in a BMEP in SY22.

Other [evidence](#) suggests the number of BMEPs in New Mexico may not be enough to meet student needs. Over the past decade, the number of New Mexico students served by BMEPs decreased even as the number of English learners increased. In SY13, 52 percent of English learners in the state were enrolled in a BMEP. By SY24, that proportion decreased to 40 percent.



In SY24, 46 percent of New Mexico schools implemented a BMEP (85 percent Spanish/English and 27 percent Native American languages/English). Only one-quarter of the programs offered dual language programs, which [research](#) demonstrates result in stronger academic outcomes for English learners than other models or English-only instruction. A 2022 Legislative Finance Committee (LFC) [evaluation](#) of BMEPs reported an inability to find or retain endorsed teachers as one reason schools chose not to offer BMEPs.

However, data suggests classroom shortages may not be caused by a shortage of bilingual endorsed teachers, but by these teachers choosing not to teach in bilingual programs. LFC’s 2022 evaluation of BMEPs reported 4,055 bilingual endorsed teachers in the state, of which only 20 percent taught in BMEP programs. [Research](#) suggests teachers leave bilingual classrooms due to “invisible work” that often goes unrecognized and unsupported, much like special education teachers. Bilingual teachers report having insufficient materials in the language they teach, requiring translation of English resources and creation of original material.

Salary Differentials for Bilingual and TESOL-Endorsed Teachers. Existing research suggests stipends can be effective mechanisms for recruitment and retention of teachers in hard-to-staff settings when stipend amounts are recurring and sufficiently large.

From 2001 to 2004, North Carolina offered statewide annual bonus stipends of up to \$1,800 for secondary teachers in math, science, or special education who taught in high-poverty or low-performing public schools. [Studies](#) of the program suggested the stipends reduced turnover rates for recipient teachers by approximately 12 percent.

A [randomized control trial](#) in 10 school districts across seven states offered \$20 thousand stipends to the highest-performing teachers in tested grades and subjects who agreed to transfer into one of the lowest-achieving schools in their district and stay for at least two years. The stipend was paid in five installments over the two-year period. Teachers who received the bonus were more likely to remain in their positions the second year (93 percent of teachers) compared to those in the control group (70 percent). However, this effect did not continue after the bonus program ended.

[Hawaii](#) began offering annual salary bonuses in 2020 to teachers in areas with severe shortages: special education, Hawaiian language immersion programs, and hard-to-staff geographic locations. Special education teachers were eligible for \$10 thousand stipends and Hawaiian language immersion teachers were eligible for \$8,000 stipends. Teachers could receive additional stipends ranging from \$3,000 to \$8,000 for teaching in a hard-to-staff school. While it appears no evaluation has been conducted of the effectiveness of these policies on Hawaiian language immersion teacher recruitment and retention, a 2023 causal [study](#) published by the American Institutes for Research, a nonpartisan research and evaluation organization found the policies significantly reduced the proportion of special education teaching positions vacant or filled by an unlicensed teacher by an estimated 35 percent. This impact was primarily driven by general education teachers moving into special education teaching positions and was largest in hard-to-staff schools. Notably, the bonus policy did not significantly impact retention of existing special education teachers. Researchers hypothesize stipends may need to be larger to retain these teachers or coupled with working condition improvements.

Bilingual Multicultural Education Act. The Bilingual Multicultural Education Act requires research-based BMEPs, including professional development for teachers. The act defines a BMEP as a program using two languages for instruction, including English and the home or heritage language, and emphasizes the history and cultures associated with the students' home or heritage language.

The act prioritizes programs for students in kindergarten through third grade, although it provides for programs through 12th grade, and requires a student continue to be assessed in both English and in the home language until the student achieves proficiency in both languages. The program is to be delivered as part of the regular academic program and students cannot be segregated by ethnic group, race, or national origin.

In addition, classroom staff and school administrators must receive professional development in research-based BMEPs, best practices for BMEPs and teaching English as a second language, and classroom assessments that support language acquisition and academic development. Teachers must have specialized training in bilingual education conducted using two languages.

A qualifying program must establish a parent advisory committee, representative of the languages and cultures of the students, to assist and advise in the development, implementation, and evaluation of the program. Statute requires written instructional materials for BMEPs to ensure consistency among programs, unless written materials are not permitted by a Native American nation, tribe, or pueblo.

Impact of Bilingual Education Programs. Studies show BMEPs are often beneficial for students. English learners in particular benefit from these programs because developmentally appropriate instruction in the student's home language teaches students the value of their culture and improves academic outcomes.

In the consolidated *Martinez-Yazzie* education sufficiency lawsuit, the 1st Judicial District Court ruled the state failed to provide a sufficient public education for English learners who, as a result, often score lower than non-English learners in reading and math assessments, complete fewer advanced courses, and graduate at a lower rate than other student groups.

A January 2021 LFC [report](#) found culturally and linguistically responsive education can increase student engagement and outcomes but noted quantitative research on these teaching practices

remained limited. In New Mexico, 19 percent of public school students have been identified as English learners in SY24—higher than the national rate of 10 percent—but most do not participate in bilingual programs and most students in bilingual programs are not English learners.

Approximately [410](#) schools offer programs in American sign language, Spanish, Diné, Jicarilla Apache, Keres, Lakota Tewa, Tiwa, Towa, or Zuni.

Impact of TESOL Endorsements. TESOL programs are designed to equip teachers with the knowledge, skills, and strategies to effectively teach English language learners. PED administrative [code](#) outlines which knowledge, skills, and strategies approved TESOL programs must teach.

Given the state’s high proportion of English language learner students—and the fact that most of these students do not participate in BMEPs—encouraging teachers to pursue TESOL endorsement could be an effective way to support these students.

ADMINISTRATIVE IMPLICATIONS

School districts and charter schools would be required to report payment of generated salary differentials to the department. The department would be required to verify the payments.

RELATED BILLS

Relates to House Bill 223, Bilingual Education Cost Differential, which would increase the cost differential in the SEG for bilingual education.

Relates to House Bill 63, Public School Funding Formula Changes, which would amend the at-risk index and basic program components of the SEG.

SOURCES OF INFORMATION

- LESC Files
- New Mexico Regional Education Cooperatives Association (NMRECA)
- New Mexico Indian Affairs Department (NMIAD)

AA/de/mca/jkh