

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 330

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Miguel P. Garcia

AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE TEACHER INCENTIVE PAY ACT; PROVIDING FOR IMPLEMENTATION AND ADMINISTRATION OF A TEACHER INCENTIVE PAY PROGRAM; MAKING AN APPROPRIATION.

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

Section 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] SHORT TITLE. -- This act may be cited as the "Teacher Incentive Pay Act". "

Section 2. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] PURPOSE. -- The purpose of the Teacher Incentive Pay Act is to address New Mexico's teacher shortage by providing qualified elementary teachers with incentives to

underscored material = new
[bracketed material] = delete

1 teach at elementary schools where a minimum of ninety percent
2 of the students receive free or reduced-fee lunches."

3 Section 3. A new section of the Public School Code is
4 enacted to read:

5 "[NEW MATERIAL] DEFINITIONS.--As used in the Teacher
6 Incentive Pay Act:

7 A. "employment contract" means a five-year
8 employment agreement entered into between the teacher recipient
9 and the elementary school where the teacher recipient is hired
10 to teach pursuant to the Teacher Incentive Pay Act;

11 B. "incentive pay" means the portion of money that
12 a teacher recipient receives above his base salary pursuant to
13 the Teacher Incentive Pay Act; and

14 C. "teacher recipient" means an elementary school
15 teacher who has entered into an employment contract with an
16 elementary school pursuant to the Teacher Incentive Pay Act."

17 Section 4. A new section of the Public School Code is
18 enacted to read:

19 "[NEW MATERIAL] TEACHER INCENTIVE PAY PROGRAM -
20 APPLICATION ELIGIBILITY.--

21 A. The department of education shall establish a
22 teacher incentive pay program through the 2009-2010 school year
23 at elementary schools where ninety percent or more of the
24 students receive free or reduced-fee lunches.

25 B. The teacher incentive pay program shall

. 134203. 2

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 authorize the hiring of teachers to fill teaching vacancies at
2 elementary schools where ninety percent or more of the students
3 receive free or reduced-fee lunches during the 2001-2002, 2005-
4 2006 and 2009-2010 school years. A teacher hired to fill a
5 vacancy pursuant to this subsection shall receive incentive pay
6 of three thousand dollars (\$3,000) above the salary that the
7 teacher would otherwise be entitled to receive in accordance
8 with existing training and experience salary standards of the
9 school district and the elementary school where the teacher is
10 hired to teach.

11 C. The incentive pay as provided in Subsection B of
12 this section shall be provided to a teacher who:

13 (1) holds a master's degree plus fifteen
14 additional credit hours; and

15 (2) signs an employment contract with an
16 elementary school pursuant to the Teacher Incentive Pay Act."

17 Section 5. A new section of the Public School Code is
18 enacted to read:

19 "[NEW MATERIAL] FAILURE TO COMPLETE TERMS OF CONTRACT. --

20 A. A teacher recipient who fails to complete five
21 years of service as provided in his employment contract with an
22 elementary school shall:

23 (1) repay to the state all incentive pay
24 received by the teacher recipient up to the date of the
25 contract termination; or

. 134203. 2

1 (2) in consultation with the department of
2 education, establish alternative terms of repayment or service
3 deemed sufficient by the department.

4 B. The department of education may cancel a
5 contract between it and a teacher recipient for any reasonable
6 cause deemed sufficient by the department. "

7 Section 6. APPROPRIATION. --Two million dollars
8 (\$2,000,000) is appropriated from the general fund to the state
9 department of public education for expenditure in fiscal year
10 2002 to carry out the purposes of the Teacher Pay Incentive
11 Act. Any unexpended or unencumbered balance at the end of
12 fiscal year 2002 shall revert to the general fund.

13 Section 7. EFFECTIVE DATE. --The effective date of the
14 provisions of this act is July 1, 2001.

15 - 4 -

16
17
18
19
20
21
22
23
24
25
underscored material = new
[bracketed material] = delete