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SENATE BILL 558

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

INTRODUCED BY

Jacob R. Candelaria

AN ACT

RELATING TO EDUCATION; PROVIDING THAT THE TAKING OF FAMILY OR  
MEDICAL LEAVE SHALL NOT AFFECT A TEACHER'S PERFORMANCE  
EVALUATION.

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

**SECTION 1.** Section 22-10A-19 NMSA 1978 (being Laws 2003,  
Chapter 153, Section 50, as amended) is amended to read:

"22-10A-19. TEACHERS AND SCHOOL PRINCIPALS--  
ACCOUNTABILITY--EVALUATIONS--PROFESSIONAL DEVELOPMENT--PEER  
INTERVENTION--MENTORING.--

A. The department shall adopt criteria and minimum  
highly objective uniform statewide standards of evaluation for  
the annual performance evaluation of licensed school employees.  
The professional development plan for teachers shall include  
documentation on how a teacher who receives professional

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1 development that has been required or offered by the state or a  
2 school district or charter school incorporates the results of  
3 that professional development in the classroom.

4 B. The local superintendent shall adopt policies,  
5 guidelines and procedures for the performance evaluation  
6 process. Evaluation by other school employees shall be one  
7 component of the evaluation tool for school administrators.

8 C. As part of the highly objective uniform  
9 statewide standard of evaluation for teachers, the school  
10 principal shall observe each teacher's classroom practice to  
11 determine the teacher's ability to demonstrate state-adopted  
12 competencies.

13 D. The taking of leave pursuant to the federal  
14 Family and Medical Leave Act of 1993 shall not in any way  
15 affect a teacher's performance evaluation under the highly  
16 objective uniform statewide standard of evaluation for  
17 teachers.

18 [~~D.~~] E. At the beginning of each school year,  
19 teachers and school principals shall devise professional  
20 development plans for the coming year, and performance  
21 evaluations shall be based in part on how well the professional  
22 development plan was carried out.

23 [~~E.~~] F. If a level two or three-A teacher's  
24 performance evaluation indicates less than satisfactory  
25 performance and competency, the school principal may require

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1 the teacher to undergo peer intervention, including mentoring,  
2 for a period the school principal deems necessary. If the  
3 teacher is unable to demonstrate satisfactory performance and  
4 competency by the end of the period, the peer interveners may  
5 recommend termination of the teacher.

6 ~~[F-]~~ G. At least every two years, school principals  
7 shall attend a training program approved by the department to  
8 improve their evaluation, administrative and instructional  
9 leadership skills."

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