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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 2nd Session, 2018

Bill Number HB177 **Sponsor** Little/Adkins
Tracking Number .209511.1 **Committee Referrals** HRC/HCPAC/HEC
Short Title Level 3 Teacher License & Salary
Analyst Macdonald **Original Date** 2/7/18
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BILL SUMMARY

Synopsis of Bill

House Bill 177 (HB177) provides an alternative pathway to obtain a level 3-A teaching license by advancing from level 2 if specific requirements and specific teacher ratings on the NMTEACH teacher evaluation system (NMTEACH) are met. Additionally, the bill proposes to create a level 4 teaching license for master teachers who are primarily responsible for working with classroom teachers and educational assistants to improve their teaching skills through professional development activities. HB177 details the specific qualifications, duties, and minimum salary requirements for level 4 teaching licenses.

FISCAL IMPACT

HB177 does not contain an appropriation. It is difficult to determine fiscal impact because it is unclear how many teachers would be eligible to advance to a level 3-A teaching license based on the criteria in the bill.

Additionally, it is unclear how many teachers would apply for a level 4 teaching license. However, if one teacher at every school in the state advanced to a level 4 teaching license, it could cost up to \$4.5 million. This analysis assumes a base salary of \$52 thousand, the amount appropriated annually in the General Appropriation Act for level 3-A teachers and includes the following information: 479 elementary schools with a level 4 teacher, which includes a minimum base salary increase of \$3,000; 160 middle schools with a level 4 teacher, which includes a minimum base salary increase of \$5,500; and 208 high schools with a level 4 teacher, which includes a minimum base salary increase of \$10,500.

School districts and charter schools would be required to cover the costs of any increases in compensation through their operating budgets. Additionally, school districts and charter schools would also cover any other costs associated with hiring a level 4 teaching, including but not limited to filling the 0.5 FTE teaching position or costs associated with increased class sizes.

SUBSTANTIVE ISSUES

HB177 requires the Public Education Department (PED) to grant a level 3-A teaching license to an applicant who has: (1) taught at least five years as a level 2 teacher and received “highly effective” or “exemplary” ratings in at least three out of four of the most recent overall teacher evaluations; or (2) taught at least 10 years as a level 2 teacher and received “effective” or higher in at least three out of four of the most recent overall teacher evaluations and been rated as “highly effective” or “exemplary” in domains 2 and 3, which are the teacher observation components of the teacher evaluations.

Under HB177, a level 4 license is a five-year license granted to a teacher who meets the qualifications for that level and who annually demonstrates essential competency in teaching, mentoring and training teachers, developing standards- and school-based curriculum frameworks and syllabi, and serving as an educational leader and professional development resource for other school personnel. Although a level 4 teacher may be assigned to teach, the level 4 teacher is not primarily a classroom teacher. Additional duties may include: observing and critiquing teachers and educational assistants as part of ongoing professional development, working with struggling students, and performing other professional duties as assigned by the school principal or local superintendent.

If a level 4 teacher does not demonstrate essential competency during a school year, the school district may choose not to contract with that teacher as a level 4 teacher, provided the school district can choose to offer the level 4 teacher a lower teaching position or another position in which the teacher is qualified. As such, the teacher’s salary would commensurate with the lower level of teaching.

According to the Education Commission of the States, some states have created policies to formalize “teacher leaders” in policy. As of 2013, three states had a master teacher designation, eight states had some type of certification endorsements for teacher leaders, 20 states had tiers for advanced or master teachers within their multi-tiered certification systems, and four states had introduced teacher leader roles to assist teachers with the common core state standards transition.

Research indicates that teacher leadership opportunities can improve teachers’ job satisfaction and provide them a greater voice in their working environment, potentially improving teacher retention. For example, in a recent survey state teachers of the year rated teacher leadership opportunities as one of their most significant professional growth experiences, while in another survey another set of teachers expressed “a great deal of satisfaction” in their leadership work. In a case study of eight school districts’ career advancement programs, teacher leaders reported greater job satisfaction and some school districts with teacher leadership programs saw an overall increase in both retention rates and new teacher applications. Finally, research found a strong link between teachers having a voice in their school and staying in the profession.

State Teacher Leader Examples. Several states have expressed interest in growing their teacher leadership systems through their Every Student Succeeds Act (ESSA) state plans, including Delaware, Indiana, and Oklahoma. For example, the Delaware Department of Education has committed to work with school districts to develop teacher leadership career pathways, including a statewide pilot. The Indiana Department of Education committed to use Title II funds under ESSA to adjust staffing structures to integrate career pathways and leadership development opportunities to advance and retain excellent educators. Finally, the Oklahoma State Department of Education noted it would use Title II funds under ESSA to ensure implementation of the teacher-

leader career ladder, which was established in state law, to elevate teachers who take on mentor, model, and lead roles while receiving additional compensation.

School District Teacher Leader Examples. In the 2012-2013 school year, District of Columbia Public Schools (DCPS) launched the Leadership Initiative for Teachers (LIFT) initiative, which includes a five-stage career ladder that provides high-performing teaching with opportunities for advancement outside the classroom, as well as additional responsibility and increased recognition and compensation. With LIFT, the largest salary enhancements are made available to teachers who work in the 40 lowest-performing schools, including increases to base salaries if they achieve advanced, distinguished, and expert teacher stages, regardless of their years in the system. The goal is to honor teachers as professionals and to encourage high-quality teachers to work in high-poverty schools.

Additionally, DCPS provides a wide variety of teacher leadership roles, from serving as a lead teacher or curriculum writer to organizing monthly meetings of teachers in the teacher’s content area, or helping the teacher recruitment team select new teachers for the school district. Eligibility is based upon teachers’ career stages, and teachers must apply and be selected for these positions.

In 2010, Baltimore City Public Schools developed four differentiated career pathways to encourage teacher leadership and provide teachers with a career ladder and financial awards for professional effectiveness. The four-tiered system replaced Baltimore’s automatic step increases and allows teachers to increase their salaries more quickly than the previous seniority-based system.

For example, teachers selected by their peers for the third pathway – “model pathway” – receive a \$15 thousand to \$20 thousand increase in pay and subsequent increases in salary, depending on performance. Teachers are central to the implementation of the model pathway. Teachers developed the definition of “model teacher” and determined which of their peers would serve in the first model pathway cohort. A model teacher is defined as an exemplary educator or practitioner who goes beyond her or his normal job description to accelerate student achievement, take risks, influence the practice of colleagues, support stakeholders, and display excellence and high standards in building professional capacity.

ADMINISTRATIVE IMPLICATIONS

Under HB177, PED is required to grant a level 3-A teaching license to an applicant who meets the criteria mentioned under “Substantive Issues” above.

Additionally, PED is required to grant a level 4 teaching license to an applicant who: has been a level 3-A teacher for at least five years; has had an overall evaluation rating of “highly effective” or “exemplary” in at least three out of four of the most recent evaluations; has demonstrated instructional leader competence as a level 3-A teacher as required by the department and verified by the local superintendent through the highly objective uniform statewide standard of evaluation; and meets other qualifications for the license as required by PED.

TECHNICAL ISSUES

On page 6, line 6, the sponsors may wish to amend “level three teacher” to “level three-A teacher” to be consistent with current statutory language.

Additionally, on page 7, lines 13 and 19, the sponsors may wish to amend “level three teacher” to “level three-A teacher.”

OTHER SIGNIFICANT ISSUES

Current Law. PED is required to grant a level 3-A license to an applicant who has been a level 2 teacher for at least three years and holds a post-baccalaureate degree or National Board for Professional Teaching Standards certification; demonstrates instructional leader competence as required by the department and verified by the local superintendent through the highly objective uniform statewide standard of evaluation; and meets other qualifications for the license.

Current Practice. PED has developed a licensure advancement system for teachers in the three-tier licensure system. The department allows licensure advancement using the state’s NMTEACH evaluation results or through the submission of the professional development dossier. According to PED’s website, a teacher may advance from level 2 to level 3-A if the teacher has met the following requirements: (1) obtained the approval from their school district; (2) taught a minimum of 3 years on their level 2 teaching license; (3) earned a master’s degree or National Board for Professional Teaching Standards certification; (4) earned a rating of “effective,” “highly effective,” or “exemplary” on their 2017-2018 summative report; and (5) is a step two teacher on their 2016-2017 summative report with a minimum of 35 points out of 70 points earned in the student achievement section of the NMTEACH system (teachers using the National Board for Professional Teaching Standards certification are exempt from this requirement). However, this continues to be inconsistent with current regulatory requirements, which prohibit the secretary from waiving the professional development dossier. It is unclear if the NMTEACH system is a reliable process for advancing teacher licensure levels that result in \$10 thousand pay increases.

In 2016, the National Conference of State Legislatures released *No Time to Lose: How to Build a World-Class Education System State by State*, a report that acknowledges the recent struggles of state education systems in the United States and highlights the policies and practices of high-performing countries. In particular, the report describes how a world-class teaching profession supports a world-class instructional system, enabling every student to have access to highly effective teachers who expect students to succeed academically. In high-performing countries, teachers’ professional learning opportunities are organized around curriculum, with mentors and coaches trained to support teachers in schools. Sustained learning opportunities are embedded in teachers’ schedules, including 15 to 25 hours a week for collaboration plus additional paid time for professional learning. Teachers engage regularly in lesson study, action research, and peer observation and coaching to evaluate and improve practice. In contrast, teachers in the United States teach more hours and have less planning time than teachers in the top-performing countries.

According to the Central New Mexico Community College (CNM) analysis of a similar bill, many of the duties identified in HB177 are already in place at schools around the state. For example, secondary schools have instructional coaches, who hold a level 3-A teaching license and who work with classroom teachers to improve teaching skills. Additionally, many senior teachers serve in a mentorship capacity within schools and receive a stipend of approximately \$2,000 for taking on the additional duty of mentoring new or lower-performing teachers. However, a key difference in these mentors and those outlined in HB177 is that the current mentors are expected to primarily serve as teachers first.

A Legislative Finance Committee evaluation of the three-tier licensure system and effective teaching in New Mexico found that quality teaching is the most influential school factor affecting

academic success. Their analysis confirmed the three-tier system is associated with decreases in teacher shortages, reductions in unqualified teachers, and improved teacher pay. Student performance, however, shows little improvement associated with increased investments in teacher pay. Student performance within teacher licensure levels and between licensure levels suggests the local and state evaluation systems are not screening teachers for their effectiveness in the classroom. Furthermore, each licensure level has high- and low-performing teachers with differences in performance between licensure levels often explained by other factors, including student demographics.

POSSIBLE QUESTIONS

- What are the incentives for a teacher to move to a level 4 license?
- How will these positions be funded?

RELATED BILLS

HB250, Teaching Alignment Study Task Force, which creates a task force to study the misalignment between state-supported teacher preparation programs and the teacher licensure examination and the misalignment between teacher preparation programs and existing school environments and student learning expectations.

HB265, Alternative Teacher License Requirements, which requires a course in classroom management for teachers who obtain an alternative teaching license.

SB97, Military Spouse Teacher Licensure, which provides for an expedited teacher licensure for military service members, spouses of military services members and veterans with a valid and current or an expired teaching license from another jurisdiction.

SB116, Create Level 4 Teaching License, which proposes to create a level 4 teaching license with minimum salary requirements.

SOURCES OF INFORMATION

- LESC Files
- Public Education Department

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